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Importance of Communication During Change: A Case of the Municipality of Vlora

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Abstract

Public sector organizations are often perceived as resisting change. One of the most important changes in Albania is the implementation of the administrative –territorial reform. Literature suggests that one of the critical factors in all change, and one of the toughest issues in an organization, which brings the frequent failure of change efforts, is communication. This paper, presents the importance of effective communication in change management in public sector.

Keywords: change; change management; change in public sector; communication and change

Introduction

Public sector organizations are often perceived as resisting changing**.** One of the most important changes in Albania is the implementation of the administrative –territorial reform**.** Thus**,** it is in a time of change**.** Literature suggests that one of the critical factors in all change**,** and one of the toughest issues in an organization**,** which brings the frequent failure of change efforts**,** is communication**.** This paper**,** presents the importance of effective communication in change management in public sector*.*

In addition**,** it is regular and effective communications that reduces levels of uncertainty and reduces the impact of resistance in an organization**.** A new strategy**,** system will not succeed**,** without organizational adoption; thus**,** communication is essential to the effective implementation of organizational change **(**Schweiger and Denisi**,** 1991**).** DiFOnzo suggests**,** poorly managed change communication results in rumors and resistance to change**,** overstating the negative aspects of the change**.** The model of planned organizational change displays the importance of communication**.** Robertson et al**. ,** 1993**).** In other words**,** success of change is dependent on the ability of the organization to change the behavior of its employees**.** Thus**,** communication about the change is important**,** and information to these employees is vital**.** Conclusion about the importance of communication in organizational change is demonstrated and agreed on **(**Lewis**,** 2006**).**

II. COMMUNICATION AND CHANGE

A. Communication

Those working on reforms are aware that implementing change can be difficult. It has often been seen that government ministries disagree on policy, the private sector may resist changes to their working environment, while the public may be wary of any policy that adds to their financial or social burden. Communication is an action between at least two persons, where messages are delivered, received and reacted to among participants. It proves to be the most significant tools in social life and business management.

The importance of communication is discussed by many authors, such as Kotter and Schlesinger, during a change process. Kotter and Schlesinger argued that one of the common ways to overcome resistance to change is to inform people about it in advance. Employees need to be informed on when the change will take place, how it will be implemented, what is anticipated of them, how they will be affected from the change in their jobs, and how the company will sustain and motivate them to be more dedicated to the change. In addition, state that employees have a need for assurance in their working environment (Gilgeous and Chambers, 1991). What this means is that, it is critical for managers to be able to predict the

outcome of the change and guarantee that every employee has reasonable information of why, what and how the change is put into practice. Early communication can decrease pessimism and uncertainty, minimize rumors before they spread throughout the whole organization.

B. Communicating Change

Communication is generally at the core of any successful reform initiative. It is recommended by change management literature that communication is important to the accomplishment of change programs (Caruth & Rachel, 1985). According to Lewis, communication and organizational change are processes that are connected together. Communication is used every day by employees at the work place. Deresky, mentions in his work that managers use communication to organize activities, to motivate people, to inform and to discuss opportunity or plans. Communication incorporates timing, message content and its methods. Managers should understand that effective communication is the key to implement change and make it a success. Barrett disputes that where there is not a reliable communication, the hearts and minds of the employees are never captured. Public administrators can be seen as the link between the public and policy makers. To operate effectively, public administrators should take into consideration the public's needs and worries. According to Beckman, good communication skills can assist public administrators discuss with members of the public about different issues which then be discussed with policy makers. Whereas the policy makers may not always act precisely as the public would like, the community can feel content that policy decisions take place when information flows freely. However, during an administrative –territorial reform it is important to lower resistance of employees with effective communication. If employees are aware of where they exactly, how they are effected and what they are expected to do, could help during a change process. Good communication would not only help employees but also the public with the reform.

C. Effective Communication

Burke suggests that during a major change effort communicating too much is difficult. While Vuuren, Klandermans at all, argue that rich, open and honest communication, which appears in management's readiness to answer every question asked about any planned changes. Clampitt, DeKoch at all, state that in a rather unstructured change project, employees want to know where their position is and what will occur next more than ever, or else important procedures and phases may be disregarded and resources may be allocated for completing less important actions. Thus, that one factor essential for the success of change is the ability to communicate to employees the kind of changes will cause as the tasks and working environment. In addition, Kaufman suggests that the more open and detailed communication starts, the more trust is likely to build between different parties implicated in the change (Kaufman 1992).

Furthermore, communication is an important tool constructing common understanding of organization's goals and direction. What communication aims is therefore, to provide the necessary information to employees while answering the following questions: what the change is about: why is it started, what parts of the institute are involve in change and what are its objectives and schedules. Kotter suggests that during change lacking of communication does not let loose the real power of setting goals, envisioning, and planning.

In addition, Kotter suggests that the most effective method of communication is to use as many different approaches to communicate, and to repeat the message several times in every probable occasion, official or unofficial. According to Kotter (1996,), He also suggests that the main reason communication is not unsuccessful is simply because not enough effort is put in doing it. It is often assumed that the vision and plan that top management or the group of change has worked on for months can be clear and easily digested from the rest of the employees in a period of time the planned change and the heart of it. Kotter 1996,)

III. COMMUNICATION STRATEGY

According to Klein, the communication strategy should match with the general stages of the change process and the appropriate related information necessary. Taking into consideration Lewin's change model, Klein has acknowledged the objectives and communication needs for each stage of the change process.

• Communicating during the unfreezing stage

The key communication objective in this stage is to get ready the staff and the organization for the change. Resistance will increase at the same rate with change. In other words, the more resistance means the bigger the change. However, this resistance could be lowered if the communication strategy is designed to account for the early resistance (Klein, 1996). Hi suggests that in order to prepare the organization for the change, it is important to communicate why there is a need for

change and what is going to happened. In addition, ff the change is an organization-wide change; the CEO of the company should be the first to communicate the message. Even though written communication followed by question and answers gathering has been confirmed to be an effective way of communication; however, face-to-face communication is key in this stage (Klein, 1996).

• Communicating during the move stage

During the implementation of change, there is a lot of organizational activity. In this stage there is a high level of uncertainty due to the fact that most of employees are not directly implicated in the change process and are not aware of exactly what is happening. Hence, communication in this stage is very significant and has aims to: provide with detailed and accurate information of what is happening to the staff not directly involved in change implementation; to provide information about their roles in the change process to the staff involved in the change process, in addition to provide the necessary information about how the change will affect them including their new roles and responsibilities; and finally to clear the area from any misinformation that flows through the organization "Because the change is beginning to have more tangible outcomes and some organizational impact, the communication should have a more specific character than in the first stage (Klein, 1996). "

• Communicating during the refreezing stage

The main objectives during this stage are to construct structures and processes that hold up the new ways. In addition, communication should be focused on responding to employees' questions concerning effectiveness, rewards, relationship roles and control. In this stage, the responsibility of communicating with employees is down the hierarchy to supervisory management. The information flow should be incessant, concrete and multidirectional, so that employees have adequate understanding of the personal implications the change has. Because of the expected misunderstandings that may take place in this stage, communication should primarily concentrate on making public the success of the change and spread the word to employees (Klein, 1996).

IV. RESEARCH METHODOLOGY

The research design employed for this study involved structured interviews of fifteen employees over the last three years. For the purpose of this study, the target population includes of individuals employed at all levels within the municipality of Vlora.

Within the municipality, the importance of communication as viewed by the interviewees is reflected in the following comments:

On a general level, communication within municipality is not effective due to the fact that to us, employees, not much is communicated…

There needs to be an open line of communication from top to bottom. The information we receive is manly from rumors than we do from bosses and that is sad. You need to give employees an overview of what is happening.

We need to know facts. I do not believe that all information is presented in an open manner. Quite often one gets the feeling that decisions already made are being sold or imposed to you. So I don't think this workplace fosters open expression or opinions if you have a different point of view from those presented to you.

In addition to these comments, it was also mentioned by a few of the employees that they felt that the issue of openness and trust between units within Municipality, as well individual employees, was being worn due to poor communication.

I cannot tell you how important communication is and my experience has taught me that when communicated is not truthfully then you do not trust … If your communication is opened and honest, change can be easy.

The issue of communication being a time consuming process was echoed by 'Ana who asserted that:

Communication needs to be at all times. Frequently people with my experience are very aware of changes that are going on a long time before it is officially spoken which leads to a lot of rumors and misinformation. Thus, timely communication is essential.

Also, some employees clearly state that there was a lack of information about the daily activities within municipality due to the big gap between management and lower level employees and that most employees were not taking part in the change process.

With regard to the subject of communication effectiveness within the municipality, the following conclusions were drawn:

Objectives were not clearly communicated in an open way.

Communication within municipality was not very effective in that it did not provided sufficient information and did not allowed much discussion when meetings were held.

Most employees felt less positive about how well their manager was informing them about municipality matters.

In general communication in municipality was viewed as being helpful.

IV. CONCLUSION

Effective communication can be the key to a change process. It can help employees get engage in the change process as well make them aware of the vision and objectives related to the change. In turn it helps organizations to persuade employees that the status quo is no longer satisfactory and motivates them to support the new state. Thus, in order to implement change successfully and maximize the productivity of persons involved in the change process, communication should be viewed by organizations as a key lever during change.

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Village-Based Institutional Development Strategy to Prevent the Paddy-Field Conversion at Pandeglang Regency, Banten, Indonesia

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Abstract

Indonesia government needs innovative policies preventing the paddy-field conversion in the current era of regional decentralization. Average of paddy-field conversion in Indonesia has reached 187,200 hectares per year. Irrigated-paddy-field in Indonesia that converted to non-agricultural purpose in 2009 had already reached 3.09 million hectares (42.4 percent). The highest conversion areas were in Java and Bali islands that reached 1.67 million hectares. The study in Pandeglang Regency has shown the prior strategy to prevent paddy-field conversion. It requires the integration the protection toward the peasant based on inter- village participatory partnership to develop the rural area. The developed institution should follow the current applicable regulation, namely the Local Public Service Agency or Badan Layanan Umum Daerah (BLUD) to protect the paddy-fields. It does not only by managing logistic to support the production of the peasants, but also as a synchronizer among multi-parties for the empowerment actions of the peasants to manage the paddy-field farming. The government should use various development approach policies to prevent paddy-field conversion. Top-down development and bottom-up approach is required to be affirmed. Moreover, technocratic approach should be supported by participatory development. Otherwise, the stakeholders should be involved to implement the rural-based institutional development strategy preventing the paddy-field conversion.

Keywords: paddy-field conversion, inter-village partnership, empowerment, peasantry institution, rural- based strategy.

INTRODUCTION

Paddy-field conversion in Indonesia has become one of the threats against the rice production. Several studies showed that government's efforts to prevent the paddy-field conversion haven't been effective yet (Nyak et al., 2003; Irawan, 2005; Dinda et al., 2015). BPS (2003) reported the average of paddy-field conversion in Indonesia has reached 187,000 hectares per year. According to BPS (2009) database, the number of irrigated paddy-field which has been scheduled to be converted for non-agriculture purpose reached at 3.09 million hectares (42.4 percent) and the highest extent was in Java and Bali islands that reached 1.67 million hectares. The cause of paddy-field conversion in Java and Bali is different than what has mattered outside, such as the island of Sumatera, Sulawesi, Kalimantan and Papua. Paddy-field conversion in Java and Bali were mostly caused by regional development due to the extension of industries and properties (Wahyunto et al., 2004). Meanwhile outside Java, paddy-field conversions have been occurring due to the palm-oil expansion. It is recorded, that the average palm oil plantation extension was on the highest number (7.67 %) in 2004-2014 per year, then reached a peak at 10.95 million hectares in 2014 (Directorate General of Plantation-Ministry of Agriculture, 2014). Kedi and Nana (2011) argued that the paddy-field management policy is required to underlie with the decentralization policy, particularly with land management in the authority of regional government.

In 2014, Indonesian government had released two new regulations revising the legal foundation of decentralization policy. There are Law No. 23 of 2014 on Local Government and Law No. 6 of 2014 on Village. Based on that issue, the interesting point is to find out the new institutional form for the prevention of paddy-field conversion. It considered with the implementation of both laws. Yet, that the paddy-fields issue was already recognized having a relation with the dynamic of peasantry life in the village. Should be noted, those that able to be addressed with the peasant and land issues are Law No.41 of 2009 on protection of sustainable food farm-lands and Law No.19 of 2003 on protection and empowerment of the peasantry.

In line with the problems above, this study conducted at Pandeglang Regency in Banten Province. Pandeglang is the largest number of paddy-field area (54,080 hectares) in Banten province. Paddy-field area in this regency consists of 22,044 hectares of irrigated-paddy-field (40.8%) and 32.036 hectares of non-irrigated paddy-field (59.2 %). This regency was selected because of the threat of land conversion. It occurred due to economic development in Pandeglang which intended to switch from agricultural based toward tourism sector. This process has attracted investors to develop supporting facilities and infrastructures of tourism such as hotels, restaurants and transportation which included airport and highways. Besides that, Pandeglang Regency has been striving to arrange a regulation over the prevention of paddy- field conversion.

Regional economic change is related to the transformation of peasant community in Pandeglang Regency. In 2013, proportion of peasant household still relatively high, about 66% of 283,486 households. Most of the peasant farmers on three areas are relatively old (82.4%), which dominated by 45-70 years of age. Meanwhile, the youth are either working on non-agricultural sector or migrating into urban area to get occupation with the higher income. Xie et al. (2005) reported that migration of peasant households toward urban area – working on industry sector – could threaten the sustainability of agriculture, especially the existence of paddy-fields. Kolopaking (2000) noted that the village migrant labors do not only go to urban area to work, even they could become international migrant labors in Asia Pacific and Middle East countries. Bernard et al. (2014) mentioned that prevention of land conversion is not merely about land aspect (physical), but also related to other problems that associated with the peasants, including lack of capital access, knowledge and technology, and limitation of land (access to natural resource).

Agrarian reform studies in Indonesia indicated the regional governments programs are ineffective due to the process which tending to marginalize the access to control the paddy-fields and impoverish the peasants (Erizal et al., 2002; Syahyuti, 2011). Therefore, formulating the strategy to prevent the paddy-field conversion by strengthening the village-based development capacity of the peasants became important to protect and empower them. Fuer (2008) argued that keeping the existence of paddy-field should be shielded by sustainable agricultural development policy from the local government which constructed by the reformist initiatives with the new mindset from the stakeholders. By considering this condition, this study aimed to formulate the institutional village-based development strategy in the pursuit of preventing paddy- field conversion by the peasants, and at the same time could improve their welfare.

METHODOLOGICAL FRAMEWORK

This paper is a policy study, with two main objectives: (1) formulating the goal settings of the policy, and (2) finding a direction of the institutional development process. These two steps are interrelated between one and another. To formulate the policy, it involves analytical and synthetic approach on system thinking framework (Allen, 1978; Eriyatno, 2010). Controlling land conversion rate is a goal setting of this researched policy. Thus, analyzing the condition and capacity the peasants and the paddy-field management institution are two inseparable issues. This study also addresses the issue of paddy-field management stabilizing the utilization of the resource and achieving sustainability of the resource use at the regional (regency) level.

However, it is assumed that paddy-field farming management has been implementing by using traditional method i.e., involving family members as farm labor and own management of the resources. This situation implies that paddy-field farming management has not already supported by a strong organization. Thus there was not a certain planning yet to guarantee the sustainable farming for the peasant family (Arnold, 2005). In addition, the market of the products tends to grow out of their control, thus the peasants have a lack of bargaining position. This has neglected the peasants' ability as a subject to manage their paddy-fields since still represented themselves as the owner, rather than as the subject who has a capability in managing their farms sustainably.

The first step of this research began with identification and verification of the paddy-field area by conducting re-mapping analysis. This process used ethic approach by using indicators based on researcher's point of view to back up the result of re-mapping analysis. Data collection was conducted by implementing a survey to 180 peasants by utilizing a structured questionnaire. Result of this stage had became as the analytical tools to analyze the political ecology of structure and trends of paddy-fields area. The second step was used emic approach, which placing the researcher and the subject as applied in qualitative approach (Moleong, 1991). Data collection included the following steps: 1) Field observation; 2) Conducting in-depth interview; and 3) Conducting Focus Group Discussion involving stakeholders and expert at the regional level. The purpose of this stage was analyzed the policy about the peasant as a subject of paddy-fields management by village-affirmation based. This analysis was conducted to find a new development business formulation into institution to upgrade the peasant capacity. It is also implemented to raise the bargaining position in the system of paddy-field management that

is viewed in the context of regional development policy. Most of peasantry still represented that of paddy-field land use as a food land. It caused by the opinion that the area and community engagement as determinant factor able to develop paddy-field area unless with advanced cultivation and well-organized institution. According to Kolopaking (2008), paddy-fields management is related to management institutional cooperation between the villages in the rural area.

The next stage is formulating the institutional development rural-based strategy to prevent the paddy-field conversion. It used SWOT (Strength, Weakness, Opportunity and Threat) analysis. SWOT matrix that applied to determine the specific purpose is controlling the rate of paddy-field conversion by protection and rural-based empowerment of the peasant. Therefore, identification of internals and externals factor was conducted. Other than that, usage of SWOT matrix was used to exploring the strategies as much as possible to prevent the paddy-field conversion by empowering the peasant in the future unlimitedly on particular constrains (Bidhendi, 2005).

The last stage is to formulate the decision stage by determining the best strategy. It used Analytic Hierarchy Process (AHP)-SWOT analysis. Kahraman (2007) argued that AHP is needed due to some weaknesses on SWOT such as its rather indicating qualitative result if it is quantified thus there is no clear point/rate between the factors that appears on its SWOT components. Likewise on the rate between the factors at each of components, it is important to make priority point so that the determination of strategy with the merging of AHP-SWOT analysis will much easier to be selected. AHP-SWOT is also used to determine the proper factor, sub-factor, actors, purpose and priority strategy in the protection towards paddy- field from land conversion by rural-based protection and also empowerment of the peasant in the region level (units of regency). By AHP, the best strategy will be gained from entire strategies that already appeared and recommended from SWOT matrix. AHP-SWOT is a kind of theory that applying quantitative measurement (quantifiable) and or intangible criteria. Decision making has conducted with multi-criteria approach by pair wise comparison method which appears from preferred scale among the sets of alternatives (Saaty, 1991).

By this Second Step, the forms of institutional affirmation (community) and the village (in the context of government) has formulated to order to cooperate with the "external actors". Defined that involving multi-actors, family affirmation process and rural institution on the level of group or rural community will able to manage their paddy-field as a sustainable area and continued by institutional cooperation development between the villages.

THE DATA

This research was conducted from May to November 2015 (6 months period). Re-mapping process was conducted to build up the result from verification team based on data analysis from : (a) Satellite imagery from Ministry of Agriculture, Republic of Indonesia year 2010; (b) Satellite imagery from Google Earth, (c) Paddy-fields map which interpreted from Ministry of Agriculture, Republic of Indonesia year 2010, (d) Land-Use Planning Map, Data Of Trade Business License in Pandeglang Regency, (e) Irrigation Map, Roadway Map, and Rivers Map from Pandeglang Regency, (f) Slope Map, Soil Map and Rain Fall Map, (g) Village Potential Statistics/ PODES (number of residents, number of peasants, existing land use), and (h) Local Regulation of 2015 on Protection of Sustainable Agricultural and in Pandeglang Regency. This survey was conducted to gain information about social economy situation based on the result of regional re-mapping analysis, by using purposive sampling in 6 districts in Pandeglang Regency as follows: Sumur, Cimanggu District, Sindang Resmi District, Cikeusik District, Panimbang District and Cimanuk District. Another result data are manuscripts from in-depth interview with the peasant from each representative village and result from FGD (Focus Group Discussion) with the peasants that facilitated by the experts, and also expert meeting which involves official governments from Pandeglang Regency.

RESULTS AND DISCUSSION

Based on the result from Re-mapping the paddy-field process, it has categorized two kinds status of Unconvertible Land. The first category is Permanent Unconvertible Land is the agricultural land that not allowed to used/ converted to be used as non-agricultural purpose and Conditional Convertible Land which able to be converted with certain condition/ prerequisites for public purpose such as highway buffers (province and regency), railways, highways, or the airports. From Table 1 shows The First Category (A) and Second Category (B) which derived from two optional Scenarios that can be implemented by the local government. First Scenario, the extent of the sustainable paddy-field that already stated on the local regulation at 53.000 hectares has adjusted to 43,650.4 hectares. While on the Second Scenario was adjusted to 37,627.6 hectares. Distinction of both scenarios is caused by the change of paddy-field extent on the Second Scenario which has decreased at 23 districts from 35 districts (66 %). Those excluded lands are will be purposed for regional economy development as non-agriculture paddy-field-area. The paddy-field area categories for each scenario are described on Table 1.

Table 1. Paddy-field Area Category Based on Land Conversion Scenario By District (2015)

District	First Scenario		Total	Second Scenario		Total
	Category A	Category B		Category A	Category B	
Angsana*	1490,1	853,1	2343,2	1738,7	0	1738,7
Banjar*	267,9	92,9	360,8	315,7	0	315,7
Bojong*	636,7	61,7	698,4	657	0	657
Cadasari*	385,6	60,5	446,1	476,4	32,5	508,9
Carita	50,1	806,9	857	84,9	772,1	857
Cibaliung	271,8	38,8	310,6	310,7	0	310,7
Cibitung	495,7	233,9	729,6	566,8	197,2	764
Cigeulis	906,2	177,4	1083,6	1058,1	0	1058,1
Cikedal	655,9	299,4	955,3	727,9	0	727,9
Cikeusik*	4250,5	631,9	4882,4	4786,1	106	4892,1
Cimanggu*	554	959,2	1513,2	617,1	1036,9	1654
Cimanuk*	786,7	606,3	1393	1392,9	0	1392,9
Cipeucang*	195,³	414,4	609,8	332,2	0	332,2
Cisata*	548,2	58,3	606,5	585	0	585
Jiput*	578,1	445	1023,1	953,2	69,2	1022,4
Kaduhejo*	830,5	560,9	1391,4	1364	26,1	1390,1
KarangTanjung*	0,9	96,1	97	3,1	15,8	18,9
Koroncong	241,2	112,3	353,5	305,8	0,2	306
Labuan	37,7	290,6	328,3	68,4	0	68,4
Majasari	228,5	259,9	488,4	327,5	25,5	353
Mandalawangi*	705,³	963,4	1668,8	1091,8	577,1	1668,9
Mekarjaya*	90	76,1	166,1	117,1	13,8	130,9
Menes*	426,9	87,1	514	514,4	0	514,4
Munjul*	924,1	169,5	1093,6	1093,6	0	1093,6
Pagelaran*	1729,2	291	2020,2	1897,8	0	1897,8
Pandeglang*	94,9	380,5	475,4	134,5	0	134,5
Panimbang*	279,5	1270,8	1550,3	292,5	13,3	305,8
Patia*	1972,³	285,4	2257,8	2256	0	2256
Picung	1968,3	300,1	2268,4	2214,8	0	2214,8
Pulosari*	456,5	108,9	565,4	559,8	4,5	564,3
Saketi	278,³	344	622,4	306,1	0	306,1
Sindangresmi*	1896,5	175,8	2072,3	2019,8	0	2019,8
Sobang*	831,9	2167,5	2999,4	965,4	0	965,4
Sukaresmi*	2260,3	423,5	2683,8	2347,2	6,2	2353,4
Sumur	719,6	455,3	1174,9	852,9	320,7	1173,6
TNUK	190,5	855,9	1046,4	264,5	810,8	1075,3
Total	28236,1	15414,3	43650,4	33599,7	4027,9	37627,6

Based on the expert meeting, there were two different parties with different purpose. In one side, the first party agreed to conserve the paddy-field but on the other side, the second party tended to convert the paddy-field to accelerate economic development in Pandeglang Regency. However, according to the workshop and expert meeting result, it has finally concluded that the selected option was The First Scenario (Table 1). The First Scenario consisted of Permanent Unconvertible Land category (A) at 28,236.1 hectares and Conditional Convertible Land (B) at 43,650.4 hectares. It has chosen by the reason of the uncertainness of development plan implementation on the paddy-field area that will be converted in several districts. It's mean that the peasant on those districts will not derive any agricultural service programs from government Regency. Moreover, the peasant will much easier to be manipulated selling their land with a low price to the "land speculator". This situation obviously harms the peasant livelihood and their family.

Based on Focus Group Discussion involving the Public Official and House Of Representatives of Pandeglang Regency and NGO, it was concluded that Paddy-Field on the First Scenario Management was divided on Three Areas. Area I, Area II, Area III (Table 2 and Fig 1). Basic notion of area division for Paddy Field Area Management (Table 2.) is paddy-field area on the selected districts. It will be converted which manageable to be controlled preventing the paddy-field conversion. Characteristic of those areas are the more we look up at Area I toward Area III, the larger area of paddy-field will relatively going to be converted. There are Area I (30.5%), Area II (37.3 %) and Area III (40.4%). Hence, paddy land management in districts of Area I and II needs to be focused on the increasing of peasant income from rural industry of paddy-field productivity. This way, it is expected that the peasant will be protected and empowered to prevent the paddy-field

conversion. While in the Area III, instead conducting such actions, the important issue is developing other enterprises. It is related to the enhancement of peasant's income as the impact when the paddy-field conversion policy is implemented.

Comply the peasant's perceptions on the three paddy-field management areas, paddy-field conversion is determined by intensity of paddy-field use as a productive land. It goes hand in hand with the low of the rice farming productivity in Indonesia in recent times due to the lack of water sufficiency caused of the channel irrigation, fertilizer problem and pest and plant diseases control (Susanti et al., 2015; Carambas et al., 2015). Paddy-field use has several differences between the peasant from each Area (Fig 2). Based on peasant's opinion, cropping pattern of cultivation paddy-paddy-fallow (bera) (44 % of 180 peasants) is applied during a year. Most of the peasant in Area I and II are apply it. Besides that, other cropping pattern of cultivation is paddy-paddy-paddy system (64.6%) which applied in Area III.

The peasant in Area III (93.3 %) also claimed that paddy-field cultivation able to fulfill the living needs for their household. While the proportion of peasant in Area I (66.1 %) and II and (21.3%) in this case were lower than Area III. Due to the intensity of paddy field use that smaller on both areas, the peasants are likely selling their paddy-land to others so that the higher prevention of paddy-field conversion will take place in the village. Besides that, most of the peasant are elderly (88.2 %) and have a low education background (73.3% from Primary school). Yet, the youth of peasant's family member are tend to migrate outside the village seeking a higher income. Moreover, the low proportion of peasant's opinions were found in Area I (46.7 %) and Area II (33.3 %) who are expects and orients their children becoming as a peasant in the future. Being as paddy-field peasant is no longer as a preferred occupation. It caused of such occupation is not pledges an adequate income. Hence, preventing the paddy-field conversion needs to accommodate the protection and empowerment of the peasant. Hence, those actions are expected to raise their income to reach more suitable life.

Table 2. Paddy-field Area Management in Pandeglang Regency

Area	District	Paddy Field Area (Hectares) Category		Total
		A	B	
Area I	Angsana*, Munjul*, Pagelaran*, Panimbang*, Patia*, Picung, Sindangresmi*, Sobang*, Sukaresmi*, Cibaliung*	13,624.1	5,975.5	19,599.6
Paddy field area (%) in Area I		69.5	30.5	100
Area II	Cimanuk*, Kaduhejo*, Cigeulis*, Cikedal*, Bojong*, Cisata*, Menes*, Cipeucang*, Saketi*,Banjar*, Pandeglang*, Labuan*	5,665.4	3,373.5	9,038.9
Paddy field area (%) in Area II		62.7	37.3	100
Area III	Mandalawangi, Jiput, Carita , Pulosari, Cadasari, Majasari, Koroncong, Mekarjaya, Karang Tanjung, Sumur, Cibitung, Cikeusik Cimanggu, TNUK	8,946.6	6,065.3	15,011.9
Paddy field area (%) in Area III		59,6	40,4	100
Total of Paddy – Field Area (Hectares)		28,236.1	15,414.3	43,650.4
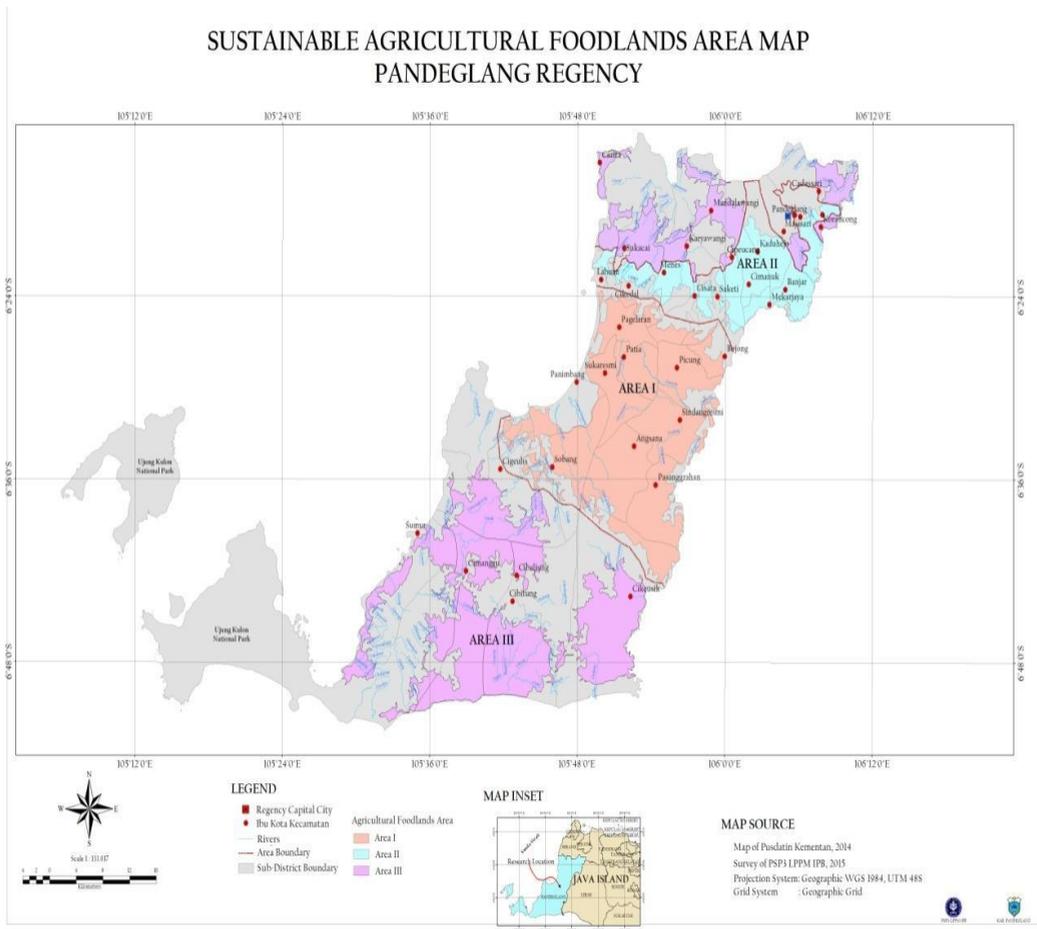
Fig. 1. Sustainable Agricultural Foodland Area Map, Pandeglang Regency

Besides having similarity characteristics on three areas, some differences of the peasant community were also found. Table 3 showed the peasant in Area II who are more developed than Area I and III. The age range of 40 to 70 in Area III is higher than two other areas. Likewise Area III is relatively has a lower level of education (Primary School). However, average of paddy-field area in Area III is more extent (1.1 hectares) than Area I (0.9 hectares) and Area II (0.7 hectares). This situation is similar with the description of paddy-field area in Area III. But there are the symptoms commercialization on paddy-field use that more frequently exist in Area I and III. It is indicated by the proportion of paddy-field that rented for the rent-cultivation to other tenants in Area I and III are higher than Area II. On top of that, proportion of the peasants in Area III who are claim that their primary occupation as a peasant, had resulted the lower percentage points than other areas. This case in line with the peasant's perception who claimed about life sufficiency by farming activities, which those in Area II are depends their life into non-farming activities. Furthermore, many peasants household are tend to have no willingness orienting their children to become as a peasant.
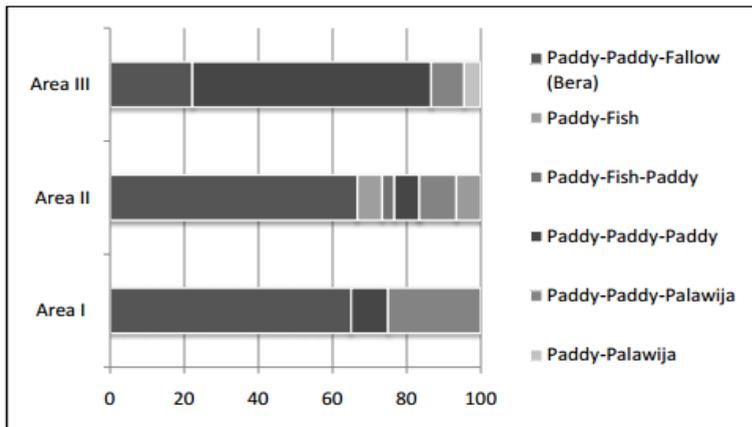
Fig. 2. Percentage of Peasant Based on Cropping pattern of Paddy-Field Use in Area I, II, III

According to the expert meeting about three Areas of paddy-field management and peasant condition as mentioned above, the policy at Regency level for paddy-field management on the three purposed areas about prevention of paddy-field conversion in the basis of protection and empowerment of peasantry is recommended. According to the Law No. 6 of 2014 on Rural, the empowerment of peasant community are should be implemented by two kinds of approaches. The first one is village-based development, namely as Village-Developing which focuses on the peasant as a rural society establishing the development on the rural scale. The second approach is Developing the Villages Area, where the peasant as a villagers are able to pursue the village government to establish inter-villages partnership by developing productive paddy-fields area in the unit of villages area. Interview result from correspondences and expert meeting discussion that held in Pandeglang Regency identified the strategic key factors either from internal or external ones. It had given significant effect on the prevention of paddy-field conversion. Schemes of stage priority factors, sub-factors, actors and review strategies determination are described in Fig. 3.

The strength internal key factors that had founded are: 1) Consciousness of peasantry about the existence and importance of the paddy-field (0.565); 2) Strong influential of local politician in Pandeglang Regency (0.262); 3) Work-ethic of paddy-field peasantries (0.118); and 4) Sufficiency on the paddy-fields area (0.055). While, the key factors of weaknesses has identified based on the weight points of priorities are: 1) The lack access towards agro-industry of paddy field management (0.571); 2) Peasant institutional has not optimized (0.268); 3) The low of land-taxes causing the rural lands are liable to be owned by outsider (0.081); and 4) The lack information and technology on the paddy-fields management (0.080). Results from expert meetings had also found the external factors about Opportunities and Threats from the successfulness of preventing paddy-field conversion. Four factors based on the weight points of priorities are : 1) High of demand towards Pandeglang rice production (0.523); 2) The degree supports from local government managing the paddy-fields (0.263); 3) The existence of Universities extension for sustainability of paddy-fields management (0.116); and 4) Policy of central government on obligations of sustainable agricultural land development (0.099). While, the threat factors are : 1) The low of bargaining position of the peasant towards the grain buyer (0.560); 2) The high debt bondage system (0.249); 3) Price of rice policy that adverse the peasant (0.095); and 4) None of investment on paddy-field management (0.095).

Based on the result on prevention of paddy-field conversion workshop, strategic actor can be mapped based on weights of influential points, as follows: 1) Government of Pandeglang Regency (0.343); 2) Regional House of Representatives on Pandeglang Regency (0.194); 3) The peasants (0.142); 4) Villages government (0.100); 5) Universities (0.082); 6) NGO (0.051); 7) Private sectors (0.037); 8) Financial institution (0.026); and 9) Central Government (0.024). This finding showed that the prime movers that prevent paddy-field conversion are policy maker and executor of the policy (executive and legislative of government of Pandeglang Regency), peasants and villages government. Expert meeting which concerning about alternative strategy on matching stages, was appointed that 5 strategic points preventing the paddy-field conversion are: 1) Paddy-field Area Management is developed within inter-villages partnership; 2) Developing the Local Public Services Agencies for Protection of Paddy-field Peasantries which formed by Regency Government; 3) Inter-villages Rural Owned-Enterprises as a supporting unit for inter-villages partnership; 4) Increasing the number of agricultural facilities and

infrastructures and local transportation in the units of Regency; and 5) Developing the progressive land-taxes for the land-owner outside Regency.

The Local Public Services Agencies for Protection of Paddy-field Peasantries which formed by Regency Government as Badan Layanan Umum Daerah (BLUD), refer to Law No.25 of 2009 on Public Service which defined as BLUD. It is a local government agency that provides goods and services that are connected with the public. It must run a healthy business practices without prioritizing the quest for profit. It's a very special characteristic because government agencies are allowed to apply business practices as in common by the business / private. But although organized as a business institution, BLUD is not allowed to make a profit (not-for-profit). Their flexibility and autonomy in carrying out operations BLUD, namely: flexibility in terms of financial management, flexibility in the management of human resources and flexibility in terms of management and procurement of assets / goods. BLUD exempted from the provisions of the local government financial management in general.

Based on the results discussion from expert meeting, five priorities for prevention of paddy-fields conversion strategy had already arranged. First priority are, Developing the Local Public Services Agencies) in the units of Regency (BLUD Kabupaten) (0.457); Second, Paddy-field Area Management is developed within inter-villages partnership (0.262); Third, Rural Owned-Enterprises Inter Villages as the unit of management for the cooperation between the villages (0.121); Fourth, Increasing the number of agricultural facilities and infrastructures and local transportation in the units of Regency (0.107); and Fifth, Developing the progressive land-taxes for the land owner outside the Regency (0.054).

S1 = Consciousness of peasantry about the existence and importance of the paddy-field; S2 = Strong influential of local politician in Pandeglang Regency S3 = Work-ethic of paddy-field peasantries; S4 = Sufficiency on the paddy-fields area	O1 = High demand on Pandeglang rice production O2 = High supports from local government managing the paddy-fields O3 = Existing of Universities extension for sustainability of paddy-fields management; O4 = Policy of central government on obligations of sustainable agricultural land development
W1 = Lack access towards agro-industry of paddy field management); W2 = Peasant institutional has not optimized W3 =The low of land-taxes causing the rural lands are liable to be owned by outsider; W4= The lack information and technology on the paddy-fields management	T1 = Low bargaining position of the peasant with the grain buyer T2 = The high debt bondage system T3 = Price of rice policy adverse the peasant ; T4 = None of investment on paddy-field management
ACT1= Government of Pandeglang Regency ACT2= Regional House of Representatives on Pandeglang Regency ACT3= The peasants ACT4= Villages government ACT5= Universities ACT6= NGO ACT7= Private sectors ACT8= Financial institution ACT9= Central Government	STR1 =Paddy-field Area Management is developed within inter-villages partnership STR2= Developing the Local Public Services Agencies for Protection of Paddy-field Peasantries which formed by Regency Government STR3= Inter-villages Rural Owned-Enterprises as a supporting unit for inter-villages partnership STR4= Increasing the number of agricultural facilities and infrastructures and local transportation in the units of Regency; STR5= Developing the progressive land-taxes for the land owner outside the Regency.

Fig. 3. Scheme of AHP-SWOT Analysis

The strength internal key factors that has founded are: 1) Consciousness of peasantry about the existence and importance of the paddy-field (0.565); 2) Strong influential of local politician in Pandeglang Regency (0.262); 3) Work-ethic of paddy-field peasantries (0.118); and 4) Sufficiency on the paddy-fields area (0.055). While, the key weaknesses factors has identified based on the weight points of priorities are : 1) The lack access towards agro-industry of paddy field management (0.571); 2) Peasant institutional has not optimized (0.268); 3) The low of land-taxes causing the rural lands are liable to be owned by outsider (0.081); and 4) The lack information and technology on the paddy-fields management (0.080). Local Public Services Agencies (BLUD) of Protection, Welfare and Price Control for Cost of Goods Sold. By this role, BULD is able to maintain the stability of grains price which could beneficial for the peasant. Yet, this institution will become as a party assigning the paddy-field farming contract, or being as a partnership of farming contract, and as the information and technology service agency for the peasant. On the top of that, according to Law Number 19 of 2013 on Protection and empo werment of Farmers, BLUD also recommended three types of business models : 1) Manufacturers market limited - operation, keeping the sold price on the peasant level which can guarantee the peasantry welfare; 2) Purchase contract on production on the first-period of planting should under warranty over the peasant's profit and reducing the risk of crop failure; and 3) Protection of rice commodities by peasant's shop or market to facilitate the consumers with the low of purchasing-power.

Mechanism of BULD Protection of Paddy-field Peasantry can be developed in Pandeglang Regency as shown at Fig 3. In this mechanism, developed institutional is a profitable supply change system and production for the shareholders. Proportion of benefit share that appointed from the expert meeting are: 34 %, for the peasant, 19 % for the traders, 29 % for Rice milling unit, 3 % for polishing, 2 % for transportation and 13 % for the middleman outside the Regency. BULD is developed by the basis of paddy-field management on inter-villages partnership in the units of rural area. Development of rural area is conducted by participative approach, relevant with Law No.6 Year 2014 about Village. Paddy-field areas in the units of rural area are managed effectively and efficiently by Inter-Villages Owned-Enterprise (BUM Antar Desa). This kind of enterprise institution is a synchronizer that integrated with BLUD Protection of paddy-field Peasantry in Pandeglang

Regency. This integrated cooperation affirms the path of information about peasants needs. It is started with the farming planning system, the problems and obstacles from cultivation toward post-harvest period. Besides that, information channel will be as media communication for asset and paddy-fields area infrastructure management in order to produce the rice with a good quality. One important thing which developed supporting the BLUD for Protection of Paddy-field Peasantry in Pandeglang Regency is the major support from central government to determine the land-taxes for the land-owner (residents) outside Pandeglang Regency. Other than that, determination for juridical instrument is a local regulation or Regents Regulation to support paddy-fields management by inter-villages partnership in the units of rural area. Those facilitations from Regency government are to manage the utilization of finances which derived from ABPN; APBD, APBD of Village and other financial institutions from certainparties.

Fig. 4. BLUD (Local Public Services Agencies) for Protection of Paddy-fields Peasantry
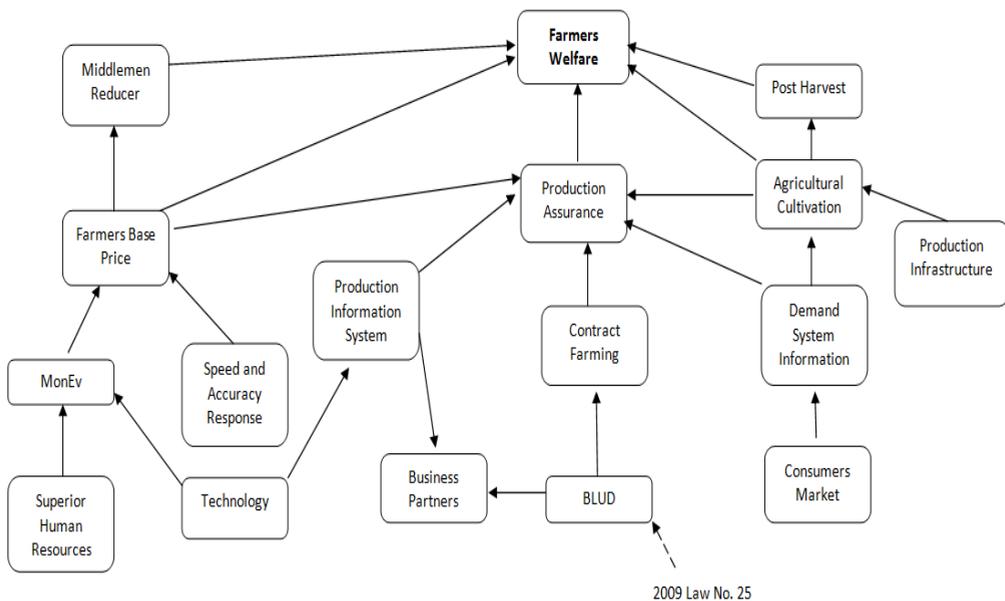
Strategic priority results then synchronized with the medium-term objectives (5 years). This would be as the time-frame for institutional development village-based strategy for the prevention of paddy-field conversion. Three considerable stages for 5 years are : 1) Capacity Development of Peasant Group and Establishment of Villages partnership institution; 2) Institutional Development of Paddy-Field Peasantry; 3) Protecting and Empowering of Peasantry within Industrial Partnership (Fig. 5).

It has shown on establishment of BLUD that will take 1-2 years period. This activity started by development of peasant group and establishing inter-villages partnership institution managing paddy-field area to raise its productivity. Following the function of BLUD as shown on figure 5, BLUD will be developed by creative cooperation between other parties such as business institution, academician, finance institution during 2 two years. This stage will pursuing BLUD become as an institution so-called Local Public Service Agency Protection and Empowerment of The Peasant. During 1-3 years, besides protecting from land conversion, it also will develop the paddy-field peasantry by implementing a conducive industrial partnership.

Fig. 5. Time frame of institutional development village-based strategy for the prevention of paddy-field conversion
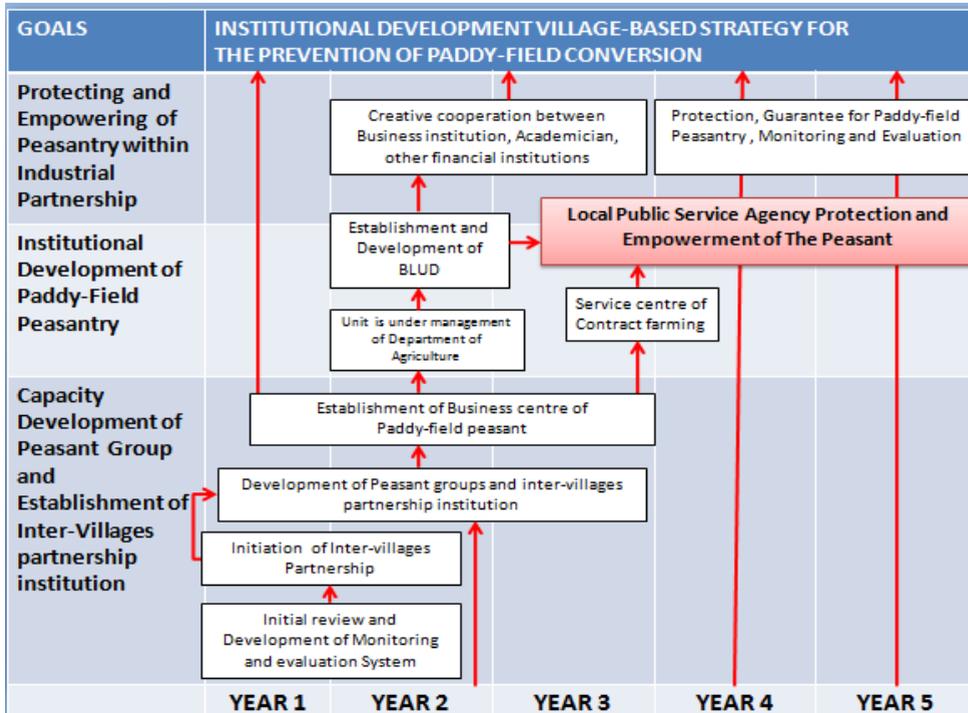
CONCLUSIONS AND POLICY IMPLICATION

Conclusion of this research is the prevention of paddy-field conversion particularly in Pandeglang Regency by the establishment of the Local Public Service Agency (BLUD) as the village-based strategy to protect the peasantry of paddy-field farming. Thus, it expected to become as a synchronizer among the shareholders which consist of peasant community, village government, the third-party in the farming management, regency government until province and central government.

Implication from those above, the role of government in the prevention of paddy-field conversion needs to use the various development approaches. This approach is either by the top-down and the bottom-up approach. Moreover, technocratic which underlying with technology for the paddy-field management and enterprise need to be affirmed by participative development approach. It should involve multi-parties who have a common interest about institutional village-based development in order to prevent the paddy-field conversion.

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Regulation of the Dessolution Marriage Consequences by the Prenuptial Agreement

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Abstract

The statistics shows an increase of divorce number, assigns each of us, scholars of the law, lawmakers, applicators of the legal norms, to find an appropriate way to regulate every consequence that derives from the process of divorce. It is obvious that the known social problem of divorce affects a considerable number of subjects, starting from those directly implicated in the process or other third persons, whom interacted in a way or another with the subjects of the divorce itself. This process directly affects the spouses and children, if there are any, by considering for them not only the conclusion of an actual status but also as the beginning of a new life that both have its bright and dark aspects.

Keywords: Regulation of the Dessolution Marriage Consequences by the Prenuptial Agreement.

Introduction

In our legislation, more accurately in the family code chapter III [1], that we can note are the consequences of dissolution of marriage, according the parties involved in this process. Starting from the usage of the maiden surname for women, contribute compensation, usage familiar apartment, child alimony support, obligation of growth and education of children. The institution in charge in the Civil Court, which takes the maximal care and effort in providing justice for the dissolution of conflicts of this nature, by analyzing very carefully every element in order to properly regulate the consequences of the dissolution of marriage for both spouses, and most importantly for the minors, for the whom the court the court has their best interest a priority. The confrontation with the process of marriage dissolution engages both spouses to properly reconsider and deeply analyze all the consequences that will derive from the process of divorce since they may be under pressure and not always be able to reason at their best. The Marriage contract gives them the opportunity to regulate these outcomes and solute the conflicts at their best interest, at the beginning of the marriage or during the optimal continuance of the marriage.

The object of the prenuptial agreement, can't be marginalized only in the regulation of physical and monetary goods, because the freedom of spouses to behave as they want can not affect the obligations and rights that derive from the concept of marriage itself, as child responsibility, regulation of legal administration and custody. However other such as, the house, food obligation, supplementary compensation, are all elements that can be all, in absence of conflict, perfectly regulated in the prenuptial agreement. The Prediction of the effects of the divorce should be treated as a way of protection for the subjects affected by the process, because each of the spouses can decide for better terms, in the case both spouses consent, at the moment of conflict.

LEGAL FORECAST OF MARRIAGE DiSSOLUTION CONSEQUENCES

All cases of divorce, subject to the consequences of social, psychological, economic and most importantly legal ones. Concretely, within the effects it is clear that only the legal ones are inevitable and are rational assissment elements who court decides only through its main function for our justice. The low in the Family Code, Chapter III, are expressly provided the dissolution of marriage, ranking them by nature and by entities. Analyzing the subjects involved in the process of marriage, specifically spouses and subsequently followed by children, if there are, is predicted the way they will be governed primarily economic relations, housing and takeing care of children and keep these reports in the best interests of the children. Referring to the provisions of the consequences of divorce for spouses and consequences of divorce for children.

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[1] Law 9062, date 08.05.2003 "Family Code", Article 145-162

These divisions of this nature, the legislator made them by analyzing who directly affects and where it is necessary to become legal intervention to avoid inequities, abuses and further damage that may be caused to family members of dissolution of marriage.

All the protection that law provides in case of this nature, it is protection provided to the family and sensibilitiy that this institute of law regards to its social aspect. This protection is attributed to the family life as one of the four dimensions of an individual personal life[1] , highlighting the importance of the family and any action to damage her. One of the ways of making family life is marriage, which is the basic of family unity[2], and the latest interepretion of European case law, this is not limited to gender or number expanding so the potential of creating family and consequently extending the legislation which will regulate these new relations to family members. By thinking about the importance of family life and ruin it, and returning the family members to the previous legal status in society, there are enough consequences, as much as apparently it is like a challenge the fulfillment of judicial entities which are affected by solution marriage to integrate into society without social distinction. Verily, this is why law interferes by predicting what are the inevitable consequences that the members of the family can have after divorce, providing them legal guarantees for the surname, residence, economy as well as mutual economic assistance or even the possibility of maintaining family relations after divorce. Iterpretations that our law makes, to the consequences related to spouses and consequences related to children we can notice institutes of law, who come to help the "weakest" parent, and help the children in their best interest. Since the literal interpretation of legal regulation "consequences of divorce" begins the first consequences, concretely the dissolution of marriage, at the moment there is no more marriage and the willpower of the spouses is concentrated in the change of their status. Changes which accompanied the impact on the data of their identity, concretely the dissolution of the marriage, the spouse who had changed his name to respect marriage, already regains his surname before marige. Immediate impact and directly identifying husband's surname as amended, which in practice translates into administrative complication of procedures relating to the representation of himself with other persons. Not only genuine change of identity, but also the complication of access and benefits, legal attributed to any citizen, but in this case is more complicated for the person who changed the surname. This process in the face of third parts , putted in doubt unity of the two surnames in a person, a phase which will last for as long as we will the recovery last.

The second consequence, respect to spouses, can be considered a repairmand to spouse whome can be harmed or caused a difference in dissolution of marriage. Specifically, it is the compensation contribute, the institute which has a considerable force, that in a few cases can be found the terminology "the court can force ..."[3] the head because of interference in family relations juridicial structure is always prudent and there is place for recomandation in the solution that can deliver the court in the interpretation of this provision it is clear that legislative intervention is in order to protect the spouse that could be more damaged by the divorce. It is worth explaining what we mean by husband injured after legal treatment consists in the economic concept, where inequality in provision states that creates the dissolution of marriage with regard to division of property. This divided provision is a bit confusing, since our legislation, the trial of marriage dissolution is in a second phase and it may not be possible to predict at the moment of dissolution of marriage, except as provided dissolution of marriage by mutual consent of the spouses, with the signing of the agreement determines the spouse[4] who created a kind of inequality. Pursuant to Family Code, Article 149 clarify what are the elements to be brought to the attention of the Court to determine the compensation, but again these are not related to the division of assets and judicial investigation of these elements can not be compleded.

Last consequences for the spouses, in the process of dissolution of marriage has to do with the apartment, which has accompanied almost always spouses in divorce, creating more damages. The weakest spouse, unsupported remains with no shelter, only as a result of dissolution of marriage. The contribution of the husband in the family may have been different, but whether the legislation would not intervene, can be considered incalculable and social consequences can be heavy bt not integrating him/her into the society. This right is not an priority, as required condition to benefit from this provision are substantial, estimated depending on the other elements, facing opportunities and not always fulfill these conditions, where the provision become applicable.

Other consequences of the divorce dealing with the second group of subjects, the children, as I mentioned above, if there

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[1] Article 8, European Convention of Human Rights

[2] Article 1, Family Code, number law 9062, date 08.05.2003

[3] Article 147, Family Code, number law 9062 date 08.05.2003

[4] Neni 125 Kodi I Familjes, number law 9062 date 08.05.2003

are children from a previous marriage,the attention to the problems that may cause to them is moved mainly to youngers. The legal treatment, inspired by the principle of respecting the highest interest of the child, tries to predict and regulate in law, the way of exercising parental responsibilities, visits with the other parent, alimony. Elements that the court in these cases can not evaluate alone after making investigation with the evidences presented in the court,sets psychologists or sociologists experts to give their opinion about the divorce effects on children.

THE CONSEQUENCE REGULATIONS OF PRENUPTIAL AGREEMENT

The prenuptial agreement object, can not be confined only to the regulation of property regime, as long as the freedom of the spouses to operate with their commitments in the marriage, can not avoid the rights and obligations that derives from the marriage, parental responsibility, rules of legal administration and custody, while the apartment, having food, the compensation, etc. are absolutely all elements which, are all better regulated in the absence of the conflct than the final judgment. The forecast of marriage dissolution consequences in the prenuptial agreement should be seen as a defense for the subjects affected in this process, because each spouse can decide better in terms of understanding with the other spouse, rather than in the confrontational moment.

During the development of the legal process of divorce, the problems encountered by the spouses are the protection of their rights as well as those of the children, because each spouse being in conflict makes them only the litigants forgetting their membership in a family. Precisely, the prediction of how to deriv the consequences of divorce after marriage, in these subjects are a family of their own and take this status as efficient both, for spouses as well as for the children. Each member of the family, getting protected, and feeling it more than being forced, makes dhe sposes go to divorce and not avoid it, if the marriage has lost its sense and its purpose. The nature of the prenuptial agreement, accommodates consequences of divorce, because besides how to fix wealth increased during the marriage and will develop autonomy property of each spouse, it is possible to predict and that during the course of life spousal predisposition of everyone who has to take the consequences that flow from marriage. Guarantee regulation of the consequences of the dissolution of marriage in the prenuptial agreement is not only the final moment but at the beginning of the marriage, each spouse may feel more protected in relation to his position during the marriage without impeding any moment his will about continuing his marriage might be damaged after the divorce. Cases from practice show that the "weak" spouse avoid seeking divorce because it is not safe about his house after the divorce is not sure whether his children will have the opportunity to get feed by the other spouse and almost never spouses not benefit from the compensation in the process of dissolution of marriage, in some cases on issues probative, in some other time and some reluctance by the lack of information.

So, forecast that in the prenuptial agreement obligations after the marriage dissolution, should be taken as a guarantee for the weaker spouse and the protection of the children involved in divorce. None of the parents can not give up in alimony to his children, but often the tribunal process of marriage dissolution has not been positive approached by the spouses, with the understanding of their marriage dissolutions, and consequently this is reflected in the only juridical remedies that they have to oppose each other, forgetting the obligations that they have from this kind of phase , and automatically is damaged the highest interest of the child, to obtain a higher food pension or to rate as right as possible the leaving for their raising and education, or the way of the visits with the other parent. There are a few cases where children who are raised and educated by their mother, have a radical change of their living, going away from their apartment, often they remain homeless because this has not found the good willpower of their father and therefore what the law provides the court can not guarantee. In the existence of the prenuptial agreement, this forecast would be for both spouses and for children, considering this space in the prenuptial agreement a form of legal reserve, without promoting and without impeding divorce, except that improving the status of each subject involved in the dissolution of marriage,except tribunal process.

As the consequences above are discussed, explaining the precedence that the law does to the phenomen, to reduce a little the damage for the subject more damaged to the one considered less damaged, practice has shown that the importance of regulation of these consequences is considerable, as the spouses at this phaze of dissolution of the marriage are not limited only to the loss of the willpower to cooperate to simplify the life of eachother, but this problem has been evolved damaging also the children in different ways from their illegal behaviour. Often, in the Republic of Albania, the parent who has the children to raise and educate, abuses with this right and duty that the court has given to them by using the children to attract attention or revenge against ex-spouse. In the absence of the willpower to implement the decision of the court, our legislation ,is not enough only with the consequences regulation,but also has expected sanctions by the not implementation,particularly in criminal law there are specific provisions that sanction this kind of behaviors, "Denial of

livelihood "[1]" Illegal taking of a child "[2]," Preventing the execution of court decision "[3], previsions which belong to the actors of these injustices, affecting court decisions that have given justice in a conflict resolution. This rating, is joined to the purpose of this work about the importance of the legal consequences t of marriage dissolution in the prenuptial agreement. By not focusing on concrete elements of the contract of marriage, about the object, subject, scope, implementation and the legal power that it has, as already known, in a section of its forecast of these consequences would by analogy, almost like the agreement envisaged in our legislation[4], to the dissolution of marriage by mutual consent of the spouses since it is an act which is formulated precisely in the final moment of marriage. Prediction of this way of divorce, with the request of the both sides conditioned by legislation from the deposition of an agreement, which regulates the consequences of divorce. The prenuptial section, forecasted as the consequences of the dissolution of marriage and agreement for dissolution of marriage by mutual consent differs because the different moments in which are formulated. The first one, has to do with the regulation of each consequence during the marriage about the economy, the administration except those that the law forbids spouses to decide by themselves and the other to predict as will be operated for each spouse, at the time of connection marriage, in the other hand the second has to do with the regulation of the consequences of the dissolution of marriage just as the spouses by their own free will an mutual ,too, when they think that marriage should not proceed, they propose to the court a draft agreement, not only for the marriage resolution, but also for the regulation of the consequences of the divorce.

In this point consist not only the difference, but also the importance of consequences forecasting, in a calmer moment and productive terms of clarity of judgment and goodwill in the responsibilities incurred from this process. In the marriage contract, they can fix problems related to the surname, setting common surname or each of the spouse can maintain his surname, if the marriage is dissolved, in this way eliminating the uncertainty about how will be the surname of each spouse conditioned on progress of the couple, this element which can stop each of the partners to take on personal activities.

During the marriage, the Involvement in the different activities, can be spacious and the surname changing consequences, has conditioned the decision to end this formal marriage, behalf of realizing the social and intellectual aims. Often this legal element has been used as oppression to maintain the marriage against the free will of the other spouse, as a result of identity documents, activities abroad, or their opportunities for professional growth. Regulation of this consequence, when the spouses are calm with each other and in full harmony, in the moment of the wedlock, it doesn't leave any space to use the surname as a chantage for the dissolution of marriage.

Particular importance in consequences addressing, has the compensatory allowence, as the newst element of the last code, in support of the spouse, considered the most damaging spouse, to eliminate the most serious consequences in life after marriage.

The forecast of this element in the prenuptial agreement, should be considered as a higher level of understanding of the spouses, to the point that it may seem like deletion the consequence of any thought of dissolution of marriage.

Spouses in the prenuptial agreement, can not know exactly which of the spouses in case of divorce, will be weaker and will be considered affected by the divorce, but the forecast of this element in the contract, receives an other form, in the context of goodwill for the commitment and willingness that takes each of the spouse, to accept the payment of the compensation contribute in the interest of the other spouse, that in the moment of the marriage dissolution should be considered damaged.

Once again evaluation of the legal elements that has sanctioned the Family Code Article 149, relating to age, health status, time spent in regard with raising children, predisposition for new jobs, etc. is the right of the court to decide, and can't be a priori applicable. To set the concrete amount of the compensation contribution, is a right that belongs to the court, evaluating the elements in the moment of the marriage dissolution. Juridical value of forecast of this consequence since in the prenuptial agreement, has valuated as a double protect, which is offered to the damaged husband after the divorce, not only by law but also mutual free will of spouses in the contract approved the security of each spouse after the divorce. Which may be the attitude of the spouses in a prenuptial agreement, in relation to the right for the dwelling use? At the time of the prenuptial agreement execute, the spouses may have or not have wealth, in any case is worth addressing this element in the contract, by providing a fundamental right to the spouse. Firstly we should clarify what is called family

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[1] Article 125 of Penal Code, number law 7895, date 27.01.1995
[2] Article 127 of Penal Code, number law 7895, date 27.01.1995
[3] Article 320 of Penal Code, number law 7895, date 27.01.1995
[4] Article 125 of Family Code, number law 7895.date 08.05.2003

accommodation? For this comes to our aid the European jurisprudence, the interpretation of the ECHR of Article 8 of the ECHR, considering the home an element of private life, and the complaints concerning the observance of this right, this court has expanded the interpretation of family home[1], considering it an environment where the spouses have chosen to live, despite the extensive overseas operations, which can carry out entities that use this home, but their stay and includes its peaceful possession. In the prenuptial agreement the spouses can predict how it will be resolved this consequence, to not refuse to each other a fundamental right and not just to them but if they have children much more prevails the necessity of securing the home for the children, avoiding the differences that can be caused to the children after the parent divorce.

In case that the spouses by their own free will, determine in the prenuptial agreement, who will be considered family home and this home should exist in the moment of the contract signing, so the regulation of this consequences in the prenuptial agreement, becomes more possible and more specific and takes the appropriate values, as a guarantee that is required for each spouse and for the children, too. This sort of problematic consequences, has a special treatment because the children relation, that are often the victims of this process, even though the legislation has labored to provide them, the legal guarantees, defending the principle of the highest interest of the children, the practice has shown that the goodwill of parents is crucial in this stage of their rehabilitation. Based in the free will principle in contract signature, the prenuptial agreement, represents the highest form of expression of the will of the spouses, within the legal framework by taking fully collaboration in the adjustment of the consequences. This aspect conduct to the prenuptial agreement, the image of a legal remedy that comes to the benefit of children, too, according to the fact that the spouses in the contract conclusion, stipulate that they undertake to provide their children the same life even after marriage. In this contract the spouses may determine the obligation that they have in terms of creating and providing conditions for a peaceful family, of their children, independently of the spouses desire to be married or not. This forecast to contract marriage discharged the spouses from the responsibility for fictive and conditioned marriage, thereby giving more health to the family and the marriage, too, which in any given case, the life of children after divorce is not due to be a member of a fictive family. The commitment undertaken by the contract, in relation to obligation of alimony, for children of both spouses and the possibility of obtaining income therefrom by sending in their interest a part of spouses incomes, that will be evaluated by the court again, to evaluate all conditions that the law requires with respect to the contribution in the upbringing and education of children. In the contract may not be quantified the value of the contribute for the alimony, but is expressed the willingness that in case of the eventual marriage dissolution , the spouses in the quality of parents, determine which of the spouses shall make this payment and will be operated according the application parental responsibility .

The conditioning that finds this sanction is concerned with two aspects, the fact that the spouses can expresses themselves only in the fact that which spouse will hold the responsibility for the children growth, but in any moment can't abstain from this obligation and releases off the spouses from the consequences that can come from the dissolution of marriage. The most current problems are arranging children visits, a fact which is important for children to promote more the possibility of establishing a family life that parents has the obligation to create the possibility to meet the other parent that is not settle from the court. In these circumstances the forecast in the prenuptial agreement, is a double guarantee that at the time of the marriage bond, and the behavior of spouses at the time of the divorce and after it, is more understanding. Spouses are frequently in the total absence of information, up not knowing that the children after the divorce have the right to meet with both parents, that makes it possible for a family life and the spouses have the duty to implement the court's decision creating the best conditions for a family life. If the spouses can predict that in the prenuptial agreement, their will in relation to their obligation to the children and the commitment that takes each of them to fulfill the conditions for a family environment. Prenuptial agreement case, doesn't leave the husband surprised in relation of contract consequences, this sort of forecast is in the children interest, too, the children enjoyed the right to family life and parents to exercise parental responsibility unconditionally by divorce and social problems arising from the divorce.

III. THE PRENUPTIAL AGREEMENT FINAL APPLICATION, FOR THE MARRIAGE DISSOLUTION CONSEQUENCES.

The moment of entering into marriage, coupled with adjustment by prenuptial agreement, in relation to the property regime, reaches the highest level of validation and disposition of the free will of the spouses in respect of any consequence that may come during and after the divorce.

Acquaintance these consequences reduces firstly the consequences for themselves, and secondly gives to the spouses the possibility to react in equanimity as it had anticipated at the time by their own will choosing the performance of

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[1] Gillow and Gillow v United Kingdom, date 24 November 1986, paragraph 46

conjugal and family life. Prenuptial agreement is limited to the inability to avoid the rights and obligations arising from the marriage, parental responsibility, rules of legal administration and custody, but the others they can regulate marriage contract without any difficulties encountered. Considering that our legislation, is crisscrossed by freedom contractor in connection with the subject of contracts within the type of regulation that made the prenuptial agreement, the spouses may choose, institutes of law in the contract, reinforcing them even more than the law, as guaranteed by their own free will. Specifically, the consequences of divorce are not provided that can be regulated by the prenuptial agreement, but are neither prohibited their sanctioning in the prenuptial agreement, would cause incorrect intervention in the selection of the right institutes. Not surprisingly, in this paper we addressed in an analogous agreement that fulfilled by spouses in case of divorce by mutual consent of the spouses, explaining that the effects of divorce can be left in the free will of the spouses, their prediction simply in the prenuptial agreement, shifts this deal in time considering that it is much more in spouse interest and children, if any, being prepared in the start that in the end. As the agreement presented to the court for dissolution of marriage by mutual consent of the spouses the prenuptial agreement, as well as its section for dissolution of marriage will be the subject of incidental interpretation where the spouses will be confronting the spouses free will with the law, and the concrete case with the prediction in prenuptial agreement. This is why it is deemed eligible that the prenuptial agreement should be evaluated from the court as a condition for the juridical power to protect the fundamental rights, that happens in the usage of the legal assets that court has. The existence of such a contract together with section regulating the consequences of divorce, only increased more aware of the obligations that derive from marriage and puts spouses on higher responsibility in protecting themselves and their children, if the court finds no derogation of liabilities, abuse and arbitrariness to the obligations and responsibilities of one spouse decides to approve it and its implementation of the free will of the parties. It is obvious that all the way that pursue this legal act that is done on behalf of the special protection for the family in front of the law to increase the security and the guarantee of the spouse and children rights. In conclusion this prediction, in the prenuptial agreement, only raise the possibility to prevent the hardest indication of the consequences of the marriage dissolution, transforming it in legal process and not in a social drama, as the most cases treat the divorce.

The Analysis of the Labor Market in Albania

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Abstract

Albania's economic growth after 1990 was among the highest of all the economies in transition. Economic activity, as measured at the fair value of the gross domestic product (GDP) for the period 1996-2015 grew at an average annual rate of 5.6 percent, despite the shock of 1997 because of the collapse of the pyramid schemes and the contraction in GDP growth in 20014-2015 due to the impact of the economic and financial crisis. Such high levels of economic growth, has been preceded by economic and structural reforms and the expansion of services and construction, spurred by remittances and informal activities.

Keywords: budgetary policies, remittances, employment, dual labor markets, informal employment, informality

1. INTRODUCTION

1.1 Overview of the economic and social context

Economic growth was not associated with increased employment opportunities, throughout this period, the level of employment growth remained slow - with significant negative definite peaks in 2009 and 2015. The unemployment rate reached 18.4 percent in year 1999 and its indicator remained in double digits throughout the period 2009-2015. In 2015, it was estimated at 13.2 percent of the workforce

Economic growth was not associated with increased job opportunities, throughout this period, the growth of employment level has remained slow - with considerable negative defined peaks in 2009 and 2015. The unemployment rate reached 18.4 percent in 1999, and its indicator has remained in double digits throughout the period 2009-2014. In 2015, it was estimated at 13.2 percent of the workforce. In 2015, remittances reached 9.2 percent of GDP ($ 1.5 million), and decreased by 16% compared to a year ago. The volume of exports grew by 5.9 percent in 2010 to 25.5 percent in 2007, declined slightly in 2008 (15.6 percent). The volume of imports followed a similar trend, increasing from 9 percent in 2010 to 27.1 percent in 2014, fell to 14.8 per cent in value in 2008. The present value of the deficit increased by 10.5 percent of GDP in 2014 to 14.5 percent in 2015, reflecting a worsening of the trade deficit and the decline in remittances. Similarly, the trade deficit has risen from 26.5 percent of GDP in 2014 to 27.2 percent in 2015. In 2015, net inflows of capital covered the current account deficit and contributed to the growth of reserves aliens . "The net foreign investment direct investment (FDI) increased by 42 percent, reaching the level of 7 percent of GDP, from 5.9 percent in 2014, with an increasing investment in agriculture.Inflation has fallen from its peak of 42.1 percent in 1997 to 2.5 percent in 2006. The slight increase in inflation acceleration in 2014 and 2015 (3.1 and 3.5 respectively percent), mainly due to food price growth products. However, inflation has remained within the limits set by the Bank of Albania (2.4 percent).During 2015, the tax administration has made further steps, such as the collection of overall revenue, as well as in administrative reforms. Tax revenues increased from 23.2 percent of GDP in 2014 to 24.3 percent in 2015, as a result of achievements in revenue collection, tax administration and enforcement of a flat tax of 10 percent on income personal tax. revenue collection at local government level, however, remained low. Public spending in 2015 rose to 32.3 percent of GDP, due to the rapid growth of capital spending (8.6 percent of GDP in 2015 compared with 5.8 percent in 2014), which mainly relate to public investment projects.GDP structure underwent significant changes since the early 90s . The private sector contributes about 80 percent of GDP, while its contribution in employment rose from 81.9 percent in 2013 to 82.1 percent in 2007. During 1996-2015, the industrial sector's contribution to GDP had a stable value of around 10 percent, while that of agriculture halved (from 36.6 percent in 1996 to 18.5 percent in 2015). The services sector recorded the highest contribution to the GDP in 1999 to 60.9 per cent and then sat at 53.2 percent in 2013, stabilizing at around 57 per cent in 2014 and 2015 .Small and medium enterprises (SMEs) play an important role in the economy. By number of employees, the majority of Albanian enterprises belonging to the class size small and medium enterprises (SMEs), as shown in the EU 27. About 55 percent of the number

of all employees work in companies with fewer than twenty employed. About 91.5 percent of all Albanian enterprises are enterprises micro (with 1-9 employees); 6.2 percent are small enterprises (with 10-49 employees), 1.7 per cent are medium sized enterprises (with 50-249 employees), while the number of large enterprises (250 employees or more) is 0, 5 percent of the total. Most enterprises (90 per cent) is concentrated in Tirana (51.1 percent of all enterprises) and Durres (39 percent).Upper trend in economic growth coupled with higher wages and pensions brought poverty reduction to 12.4 percent in 2015, from 25.4 percent in 2012. The depth of poverty was reduced during the same period by 5.7 per cent and 2.3 per cent extremism from 1.9 percent in 2012 to 0.7 percent in 2015.

The data on poverty show that the categories of people who face the highest risk of poverty are some of the unemployed, the less educated members of large families and those in rural areas who work in agriculture for their own account. Women heads of households do not present a high risk of falling into poverty than households where the heads are men. This to some extent is due to the fact that their families are part of immigrants who increase income through remittances. The positive trend in poverty reduction is greatly influenced by remittances. Rural areas in the north have been poverty reduction mainly because in these areas the flight of new immigrants, permanent, continues. Compared to the positive impact that remittances have caused living conditions, their impact on productive investments has been, to date, almost negligible. This is particularly true for the agricultural sectorThe Albanian economy has pulled through the global economic crisis quite well. Despite economic downturns in many advanced economies - and consequently reducing Albanian exports and remittances - GDP is estimated to have increased 2.8 percent in 2016. Inflation has remained within the target, while both exports and remittances have started to improve . Albanian government stimulus package has served as an incentive for automatic stabilizers. Monetary policy has contributed to reducing interest rates and injecting liquidity, while the exchange rate of absorption play.Stimulus package, however, increased the fiscal deficit (from 3 per cent in 2014 to 7 per cent of GDP), while government spending increased for large projects of infrastructure (amounting to 70 percent of total investments public) exceeds income. This increase in public debt to 60 percent of GDP, while in 2016, the current account deficit reached 15 percent of GDP, a level that exceeds the planned funding sources for the future. To avoid this trend, the basic objectives of monetary and fiscal policies of Albania for the period 2010-2016 are: i) ensuring macroeconomic stability, ii) maintain the inflation rate at about 3 percent, iii) reduction of public debt to 54 percent of GDP by 2016, and iv) reduction of the current account deficit.

2.1. Labour Market Analysis

2.2.1. Demographic trends

Albania's demographic profile is characterized by large waves of migration both within and outside the country, leading to the decrease in mortality rates and reproduction. According to the census of 2010, the resident population in Bangladesh is about 3.1 million and its 50.1 percent are females. Institute of Statistics estimates that in the span of a decade, more than a fifth of the Albanian population (about 700,000 people) fled the country in search of better opportunities, mainly in Greece and Italy. During the past few years in Albania have started to notice the wave of returning migrants. Details Ministry of Interior of 2015 speak for more than 47,000 returnees in Albania.
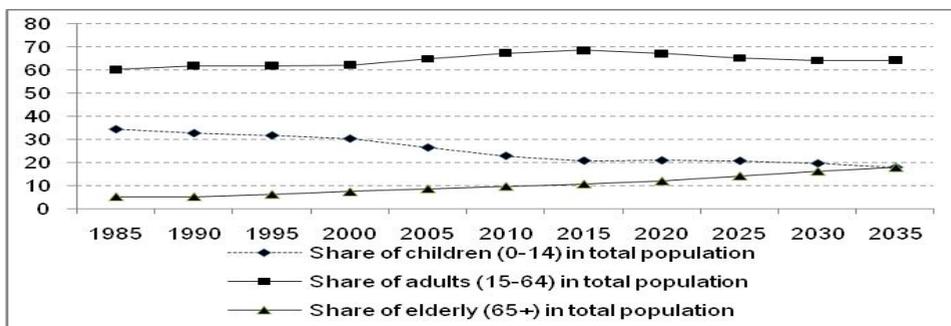
**Figure 1.1 Projected number of children, adults and the elderly in the total population**

Source: United Nations projections for Albania, http://esa.un.org/unpp

The age structure has changed significantly over the past decade, although Albania remains a country with the population

of younger age in Europe (Figure 2.1). Percentage of children under 15 years, which has been declining since 1990, will continue to shrink significantly both in absolute values, as well as in relation to the total population. Percentage of population over age 65 is growing faster than the rest of the adult population. The percentage of elderly people to the total population will double by the end of 2035 (from 9.7 to 17.8 percent). The percentage of youth aged 15-24 is projected to decrease from 19.1 percent currently to 13.3 percent in 2035. The decrease dependency ratio for children (34 in 2017, compared with 53 in 1990) and increase that of the old-age dependency (14.4 in 2017 compared with 8.6 in 1990) will have an impact on the labor supply in 2050.Albanian population remains largely rural, with a number of residents in rural areas that constitute 55 percent of the total (Figure 2.2).

Figure 1.2: Changes in rural and urban population from 1979 to 2008 (in percentage)
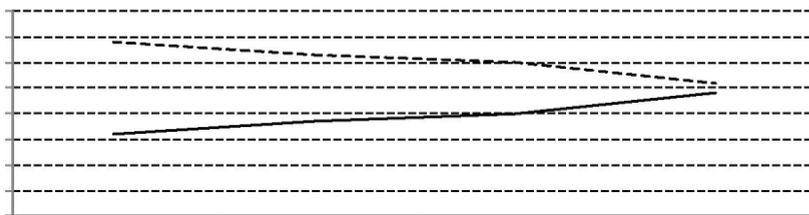
Source: INSTAT, Albania in Figures 2015 Along with the transformation of the economy, Albania experienced the highest migration flows, particularly from the North to the capital and in the coastal areas. There are three main migration patterns arising from the data of the census. The first involves internal migration mainly affects poor areas and remote North-Eastern (Tropoje, Kukes, Mirdita, Puka and Debar). Internal migrants are typically young workers unemployed or underemployed in agriculture. The second model affects districts that have as substantial internal migration and, at the same time and are facing high rates of international migration (Tirana, Durres, Vlore, Fier, Shkodra and Korca). Finally,international migration and internal migration pattern is negligible in districts of southern Albania (Saranda, Delvina and Devoll). These models describe a possible scenario two-step with migrants from northern Albania going first in the rich coastal area or in Tirana, to accumulate sufficient resources to allow them to undertake international migration.Spatial poverty map confirms that the main motivation for people to migrate is directly connected with their work and living conditions and the severity of poverty becoming key determinants. Although regional differences in poverty rates has narrowed significantly in the period 2010-2015, the north-eastern part of the country remains a higher incidence of poverty estimated 26.6 percent compared with 10.7 percent in the center of the country and 13 percent in coastal regions (Table 2.1). About 21.0 percent of Albanians poor are concentrated in the north-east of the country, although recent measurements show that only 11.0 percent of the country's poor population lives in these areas.

3.1.1 Trends in Education

In the period 2010-2015 the rate of education for the Albanian population aged 15 and over was 99.0 percent. In the same period the education of young people was 99.5 per cent (99.0 per cent for young men and 100.0 per cent for young women). In the period 2010-2015, the net enrollment ratio in primary education was 93.5 percent (94.0 percent for boys and 93.0 percent for girls). The dropout rate in basic education (grades 1-4) in the 2014-2015 academic year was 0.89 percent and 0.94 percent for 9-year education.Net enrollment ratio in secondary education rose from 50 percent in the 2017-2019 school year at 58.06 per cent in 2014-2015, while the rate of transfer of primary education (grade 8) to secondary education (grades and 9) increased in the same period by 4.3 percentage points. Despite these advances, however, more than 13.5 per cent of young people (15-19) are not in education or training in 2016. Approximately 83.7 percent of students enrolled in secondary education four-year overall (51.2 percent girls), while only 16.3 per cent enroll in vocational schools (35.0 percent girls).

In the 2014-2015 academic year the number of students who continued higher education rose by 4.6 percent. Of the total number of students enrolled in higher education, 57.5 percent are young women.

University graduation rate, however, has declined slightly, from 11.9 percent of students enrolled in academic year 2016-2018 to 10.1 percent in 2014-2015. The number of individuals educated workforce decreased from 1990. In 2015, less than a third of young people aged 15 to 29 had completed secondary education. Completion rates of higher education have remained roughly the same by age group. In the same year the bulk of the working age population (58.4 percent) had primary education; More than a third (32.6 percent) had completed secondary education and 9.0 percent had higher

education. In a largely these statistics reflect the fact that Albania is close 85.0 percent of agricultural vocational schools after the failure of communism. As a result, enrollment in vocational / technical declined from 70.0 percent of the overall total enrollment in secondary education in 1998 to 16.0 percent in 2015. In 2010, Albanian students were scoring the second lowest among the countries pjsëmarrëse in the OECD's Programme for International Student Assessment (PISA). In assessing the degree of education about 91.0 percent of Albanian youth aged 15 resulted under level 3, in contrast to 40.0 percent of young people 15 years of the EU and in contrast to less than the 50.0 per cent of the new members of the EU (Figure 2.4).

Figure 2.1: The rate of students tested below the 3 (PISA 2010)
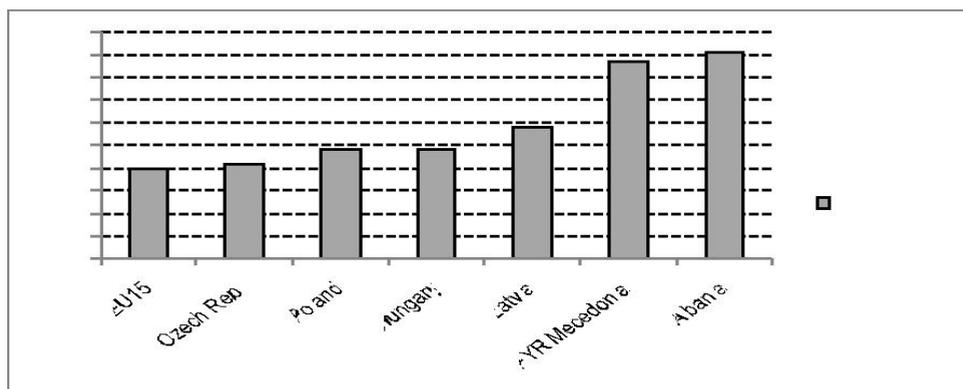
Source: World Bank

3.2.2. Labor market

Since 2014, the main source of labor market statistics in Albania Force Survey (LFS). For years before 2014, the labor market data are derived both from Measurement Study of Living Standards (LSMS) and by resources administrative. The analysis in general and the labor market it to young people given in the following chapters is based on data derived from AFP, unless otherwise noted. In the 1990s trends of declining participation and employment rates continued in 2014. Despite the strong growth of GDP in real terms, the unemployment rate remained in double digits throughout the period. In 2015 the unemployment rate for the working age population (15-64 years) was 13.2 percent. Figure 2.5 below shows the total figures of the labor market for the period 2010-2015. One of the main features of the Albanian labor market is a vast difference between women and men in the labor market. Participation of women in the workforce - despite the growth trend since 2010 is about 20 percentage points lower than that of men (52.9 percent for women and 72.4 percent for men).Also the employment rate of women is considered lower than that of men (45.6 percent and 63.3 percent, respectively). Another key feature of the Albanian labor market is the high share of discouraged workers, which in 2015 accounted for 16.1 percent of all people passive. In the same year, about 73.2 percent of all discouraged workers were women. The structure of employment shows that the work in the private agricultural sector peaked in 2011with 71.2 percent of total employment decreased to 43.4 percent in 2015. Preliminary 2016 data show declining public sector employment (nearly a percentage point)and in the private sector, non-agricultural sector (-13.5 percentage points) and an increase in private sector, agriculture (14.3 percent). In 2015, the share of women employed in agriculture was well above that of men (57.6 percent and 42.4 percent, respectively).Employment structure by economic activities, as expected, shows that almost 45.0 per cent of workers are employed in agriculture, forestry and fishing sector, 11.7 percent in trade, 7.1 percent in manufacturing and 8.4 percent in the sector construction.

3.2.3. Youth participation in the labor force

The labor market of young people is characterized by a relatively participation and a low employment rate and high unemployment rate. In 2008, the youth labor force represented a cross 41.6 percent of the population aged 15 to 29 years, as compared to the national average of 62.1 percent.

The low level of participation of young people is mainly due to school attendance (40.0 percent of young population is in education or training) and because of low participation of young women (35.6 percent).

Despite strong economic growth experienced during the decade 1998-2015, employment growth remained negative until 2014. The employment population ratio fell from 57.0 percent in 1998 to 48.7 percent in 2013. The first study of Force (2014) marked an employment population ratio of 56.4 percent which declined to 53.9 percent in 2015. This level compares unfavorably with the average of the EU27 employment rate of 65.4 percent. In the period 1996-2015 as labor and employment they have been growing at a slower rate than the growth of the working age population. Ivendeve job creation in the private sector - despite its doubling in the period 1996-2015 - was not sufficient to compensate for losses in the public sector (30.0 percent) and employment in agriculture (28.0 percent).

	Bujqësi	Industri	Shërbime	Totali
Pa arsim	0.1	0.2	0.0	0.4
Arsim fillor (1-4)	1.3	0.6	0.5	2.4
8/9 vjet shkollë	36.9	10.8	8.1	55.9
Arsim i mesëm (profesional)	1.8	0.5	1.9	4.2
Arsim i mesëm (I përgjithshëm)	6.7	4.7	10.6	22.1
Arsim i lartë / Universitet	0.3	1.2	13.5	15.0
Total	47.23	18.04	34.74	100.00

Source: INSTAT,

IN 2015, the employment of young people from 15 to 29 was 31.3 percent, 6 percentage points lower than the rate registered in the EU27 for youth 15-24 (37.2 percent). The disadvantage relative labor market of young women compared to that of young Albanians reflects that employees working age: 27.2 per cent of young women were employed in 2015 (35.9 per cent for young men) compared with 54.1 percent of women increased (76.5 percent of males increased). Ulta scales of employment for women show mundëistë limited to combine job responsibilities relative, but also do doubts rise to discriminatory practices in the labor market.

IN 2015 Around 42.0 per cent of young workers were employed in non-agricultural private sector, young people more than twice compared with young women (respectively 55.0 per cent and 27.0përqind). However, most young people are employed in the private agricultural sector (47.0 per cent of all youth employment), young women more than young men (60.0 percent and 37.0 percent, respectively). NE 2015 on 58.0 percent of all employees youngsters had low education level (compulsory education wound-Time Low), 25.0 percent had secondary education and 15.0 per cent of higher education or more. (Table 2.4). Young workers with low education level prevailing in the agricultural sector, while youth education Higher secondary and work mainly in the service sector. About 43.3 percent of the new employees acquire a page (33.7 percent for males and 51.2 percent for men). The rate of all young people in employment, self employment is 13.0 per cent (10.2 per cent 15.4 per cent women AND men) compared with 34.5 percent for adults.

Table 3.1: Young people employed by status and education level, percentage

	employed	self-employed	kontrbuting family	Total
Withaut education	0.3	0.0	0.1	0.4
Primary(1-4)	0.6	0.6	1.2	2.3

8/9 years school education	15.9	7.1	32.8	55.8
secondary(vociatonal) Seconda	1.8	0.7	1.7	4.2
education	10.7	3.9	7.4	22.1
Higher education	13.8	0.6	0.5	15.0
Total	43.3	13.0	43.7	100.0

Source: INSTAT, *AFP* 2008

Contributing family members representing 43.7 percent (56.1 percent for women and 33.4 for men) compared with 26.3 percent for adults (9.8 percent for men and 46.8 percent for women). Table 2.5 below shows the relationship between worker status and level of education. Young people with a low level of education work more as members contributing to the family, while they school up and work more as a salaried employee.Well over half of all employees in Albania are in vulnerable employment (57.8 per cent) and more than 40.0 percent had low levels of education. Women are much more at risk of being vulnerable employment compared to their male peers (65.6 percent and 51.4 percent, respectively). Vulnerable employment is part of total employment consisting of self-employed and contributing family members. The labor market of young people reflects the same situation: over 55.0 percent of all new employees are in vulnerable employment (65.0 per cent for women and 47.0 percent for men).Almost 47.0 percent of young people are employed as agricultural workers (42.1 percent for adults), 11.2 per cent are employed as service workers and sales and 10.4 percent in handicraft and trade related workers (10.8 percent for adults).

Figure 3.2: Employment unprotected by gender and age, 2008 (percent)
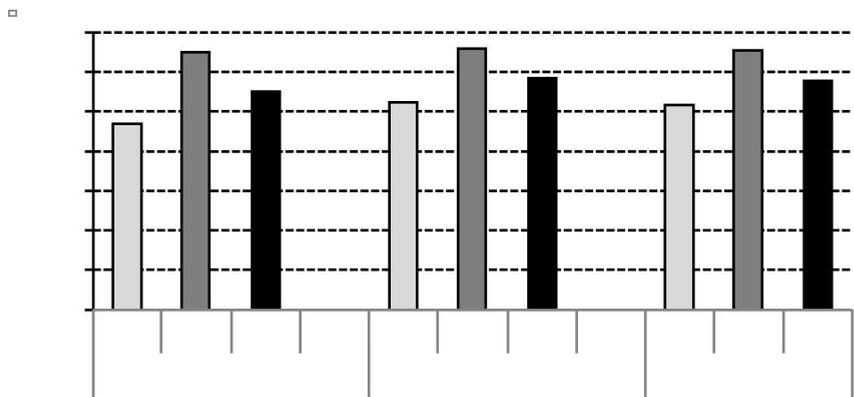
Source: Calculations by AFP 2015

Compared with youth Newest dominate jobs in agriculture (58.6 percent and 37.0 percent, respectively), while the opposite occurs for services / works for sale (14.1 percent for men and 7.7 percent for women) and arts and trade related workers(15.5. Percent for new and 4.4. Per cent for young women). Young women, however, are more likely to be employed in professional jobs compared with their male peers (15.7 percent of women and 4.8 per cent for young men).In 2015, part-time employment stands for 23.7 percent of total employment, where the number of women employed part time was twice the number of men (33.5 percent and 15.8 percent, respectively). In the same year, the share of young workers working part-time was 31.8 percent (41.0 percent for women and 24.1 percent for men).Young people with secondary education are more likely to be employed full time. Among the young people who work part-time, approximately 18.0 percent worked part time because they can not find a full-time job, as compared to 10.4 percent of adult workers). Young women were more likely to work part-time without their choice compared with men (19.7 percent and 16.5 percent, respectively) in a manner similar to what is found in the labor market for adults (11.3 percent for women and 9.7 percent for men).

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Table 4.1: Distribution of employment of young people and adults by major occupational groups and gender (in percentage)

Occupational groups	15-29			30-64		
	Man	Women	Total	Man	Women	Total
Administrators	4.1	1.9	3.1	6.1	2.3	4.4
Professional	4.8	15.7	9.8	7.6	10.4	8.9
Technicians and professionals together	3.4	4.5	3.9	5.3	7.6	6.3
Employees	2.1	1.8	2.0	2.0	1.9	1.9
Service and sales workers	14.1	7.7	11.2	9.5	10.4	9.9
Skilled agricultural workers, forestry and fishing	37.0	58.6	46.9	32.2	54.3	42.1
Handicrafts and related trade workers	15.5	4.4	10.4	16.3	4.1	10.8
Employees of the assembly and use	4.6	1.9	3.3	9.1	1.2	5.6
Elementary occupations	14.4	3.6	9.5	11.8	7.8	10.0

Temporary employment rate in 2015 was 17.7 per cent, women are likely to be in temporary employment four times less than men (8.6 percent and 23.1 percent, respectively). Almost 14.0 percent of all employees were temporary employees not to choice of their own, where men are likely to be three times more work temporarily without their choice compared with women (18.5 percent and 6.0 percent, respectively). In the same year, about 25.5 percent of all new employees were hired with temporary kontrta where 20.4 percent of this type of contract had no choice. The share of young people in temporary jobs was three times higher than young women (33.7 percent and 10.5 percent, respectively). Similarly, young people are nearly four times more likely than women to work on temporary contracts involuntarily (27.5 percent and 7.4 percent, respectively). There is a strong correlation between educational level and temporary employment: young people with compulsory education or less, are twice more likely to be employed in temporary jobs compared to young people with secondary education or higher level.

4.1 Informal employment

In Albania, employment in the informal economy is accompanied by low wages, poverty and vulnerability. AFP 2015 data show that approximately 53.0 percent of all employment was in the informal economy. Such figure includes all persons working as contributing family members, all employees whose salary was not paid social contributions and all the self-employed (in the non-agricultural private sector) with less than five employees

Figure 4.2: Employees without social security contributions paid by gender and age.
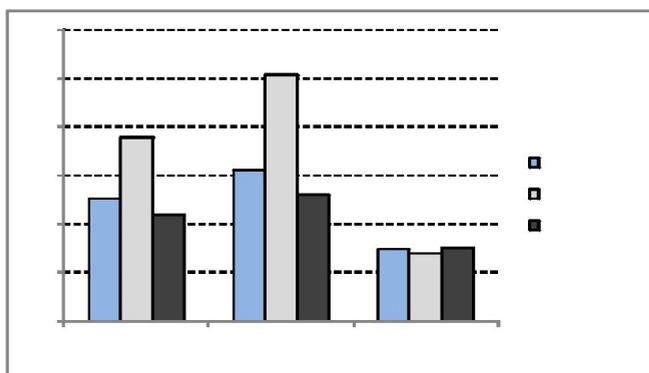
Source: INSTAT, AFP

Employees who have not paid contributions represented a cross 25.0 percent of total employment. Young workers are more exposed to informality than adults (Figure 3.8), men more than women. In 2015 more than 50.0 percent of all young men were informal workers.

Most family members are contributing 30-54 age group (over 60.0 percent), which represent 27.0 percent of young people and workers over 55 years on 11.0 percent. The rate of young workers without social contributions paid, contributing family members and self-employed at a young age without employees - used as a proxy for hiring informal- reached to 70.0 per cent of youth employment.

4.2 Wages and other working conditions

In 2015, wages grew by 8.8 percent in the public sector and 15.1 percent in the private sector. A further increase of 16.0 percent in public sector wages was in 2009, while the minimum wage rose by 6.0 percent. Measurement Survey of the Living (LSMS) conducted in 2008 marked a wage gap between men and women employed by 17.5 percent, while, on average, 7.6 percent of young people earn less than adult workers. Employees with higher education earn on average 39.0 per cent more than workers with only high school education, while young workers with secondary education have a reward price of 9 percent compared to workers with only primary education. I work 40 hours a week on average, slightly less than the average of hours worked by adults (43 hours per week).

4.3. Unemployment

Despite positive economic growth and clear growth of the private sector share in GDP, employment creation in the formal economy has not been sufficient to reduce unemployment below a double digit number.

The unemployment rate in Albania fell from 16.4 percent in 2018 to 13.2 percent in 2019.Youth unemployment remains a challenge, as almost 25.0 percent of the youth labor force was unemployed in 2015 (compared with an unemployment rate of 15.3 percent recorded for young people in the EU in 2014). In 2015, the unemployment ratio of youth unemployment rate was 2.5 adults showing that young people are likely two and a half times more likely to be unemployed than adults. Young women are less likely to be unemployed than young men (23.8 percent and 25.5 percent, respectively). Also, young people are more likely than adults to be long-term unemployed (12.9 percent compared to 7.4 percent). Contrary to what happens in the labor market of adults - where women are exposed to long-term unemployment than men (8.6 percent and 6.4 percent, respectively) - young men are more likely to be long-term unemployed compared with peers their female (14.1 percent and 11.3 percent, respectively).

The highest incidence of unemployment is found among young people with low levels of education. Among the young unemployed, 51.0 per cent on compulsory education, 40.0 percent have completed secondary education and 8.5 percent are university graduates. Among young people with secondary education graduates of general high school are more likely to be unemployed compared to graduates of vocational schools (35.0 and 5.0 percent, respectively). The data collected by the National Employment Service (NES) confirm the link between educational attainment and labor market performance: over 53 percentof all registered unemployed have only compulsory education, 31.0

5.CONCLUSIONS

1.Analysis of dual employment market in Albania showed that employment in the informal economy is accompanied by low wages, poverty and vulnerability. The fact that a large part of the informal workers are poor, and vice versa, supports the view that between poverty and informality has a mutual respect.

2.Poverty includes all households that are below a certain income line, while informality in turn includes the highest percentage of employees with low incomes. In Albania's case, the existence of a segmented labor market and clear evidence that informal jobs offer low-income, show that informality is one of the causes of poverty

3.As and tax evasion brings reduction in economic and social welfare, as costs for goods and services relevant public will be lower and will influence the further impoverishment of the areas that have an urgent need for investment such as infrastructure, hospitals , schools, universities or continuous supply of energy and water

4.For a country like Albania where unemployment is high and wages are low, due to supply excess and limited demand for labor, fiscal reforms such as the introduction of the flat tax on income or reduction of social security coupled with the determination of wages reference will be in a position the most disadvantaged individuals who are their only source of income wages and businesses operating in informality which are more labor-intensive force

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Business Climate Versus the Attraction of Direct Foreign Investments in Albania

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Abstract

There are statistics that foreign direct investments (FDI) in Albania have significantly declined. Business climate and skill of policies to attract FDI in Albania has apparently not impacted the promotion of investments from foreign businesses. This study assesses the business environment disadvantages and the readiness and availability of foreign investors to take risks with their investments in a foreign market facing the business climate of the host country, as well as the skill or failure of the latter for long term cooperation. Some basic components of the business climate in Albania, impact and their attractiveness to foreign investors will be analyzed and assessed. The research methodology selected for this study is the quantitative one, where a number of about 100 CEO and administrators of medium and big foreign companies in Albania have been planned to be interviewed. The measuring instrument will be standardized and after data collection, a series of analyses will be built such as correlation, means, standard deviations, frequencies, Chi-square ($\chi2$) where the value $p>00.5$. Analysis of variables will be realized through SPSS program. The study will be closed with relevant conclusions and recommendations.

Keywords*:* foreign direct investments, business climate, fiscal policy, management.

I. INTRODUCTION

The rapid economic growth and integration in the European Union are listed among the key priorities in the Albanian government program and of the regional governments as joining the European family appears to be the final station for Albanian people and Balkans as a whole. Therefore, the main domestic policies over the last years have had a positivist approach to the economic liberalization and business climate improvement, leasing to better conditions for doing business in Albania and to attract foreign direct investments (FDI). We see such an overview in the doing business study conducted by the World Bank (2015). Albania had an obvious improvement over years in the alignment among countries. Practically, in 2014 Albania was classified at the 62th position compared to the 108th position of one year ago in 2013, but the last year situation is worse, because Albania lost 35 positions and it is classified at the 97th position. The law of foreign direct investments in Albania provides a favorable climate to attract foreign direct investments (FDI). Further, based on the Albanian legislation, there is no restriction regarding the entry of foreign investments and there is equal treatment with local and foreign investors.

On the other hand, it is noted that foreign direct investments (FDI) are highly instrumental to the generation of local investments to attract funds, facilitate the transfer of management skills and technological knowledge, expand local market competition, create modern employment opportunities, increase global market access to goods and export etc (Moosa, 2002). Accordingly, taking into account the importance and key role of FDI for the developing countries, the governments of these countries attempt to stimulate the FDI attraction, practicing various stimulation packages in fiscal policies but not only. Such reforms may create a friendly climate for foreign investors, with a view of minimizing or removing trade barriers and state involvement in business issues, attempting to provide mutual partnership between the government and investor, and without underestimating the competition level of other regional countries so that to make the country more attractive for foreign investors.

However, a number of empirical researches carried out in different countries show that development and implementation of reforms is an ongoing and inadequate process because other associated policies will be required to further improve the

business climate and of investments in general (Navaretti and Venables, 2004). Readiness and availability of the governments to build appropriate infrastructure (Wheeler and Mody, 1992) have a positivist approach to fiscal and institutional policies, representing key factors for the developing countries, with a view of increasing the inflows of foreign investments (Henisz, 2000a, b).

Being a serious coherent issue for international companies and economics of the developing countries, it has given rise to our research study. Based on a quantitative empirical research, we will highlight some of the business climate components contributing to the attraction of FDI. The basic purpose of the study is to analyze the impact of business climate on the attraction of FDI, addressing the independent variables: corruption, fiscal policies and political stability. Hence, we will identify the correlational relationship between the dependent variable of business climate and independent variables of corruption, fiscal policies and political stability.

In close connection with theoretical and empirical studies, the present study is based on the research question of investigative character: Does the business climate (corruption, fiscal policies and political stability) impact the attraction of FDI in Albania?

The study hypotheses to be tested in the wake of this study are raised on the key components influencing the attraction of FDI in Albania. Null and alternative hypothesizes are determined as below:

$H_1 \rightarrow$ Corruption has a negative impact on the attraction of FDI.

$H_2 \rightarrow$ Fiscal policies influence the attraction of FDI.

$H_3 \rightarrow$ Political stability has an impact on the attraction of FDI.

LITERATURE REVIEW

There are wide empirical literature sources on the course followed by FDI investments in developing countries, and their impact on host countries. Yet, which are the reasons of business transfer or doing business in a foreign country?

Most of these studies highlight a series of main factors attracting foreign investors, such as the internal economic environment, market size and opportunity to establish an economy of scale (Mitra and Golder, 2002); quality of infrastructure, labor force cost, (Wheeler and Mody, 1992) economic opening, capital gains, political stability (Schneider and Frey, 1985), good governance (Globerman and Shapiro, 2002), macroeconomic stability, level of economic reforms, trade liberalization, heritage of natural resources, privatization method etj. Garibaldi etc, (2001), namely, the business and investment climate in general. All these factors, according to Rugman (1981), constitute advantages of both main groups:

a) *specific sustainable advantages of the company or "driving force"* as we would refer to the country of origin. Specifically, the company skill, capacity or additional potential to expand its activity abroad such as technology, various knowledge, management or marketing skills and other assets; and

b) *specific advantages of the host country* or "force of gravity" of the host country, in our opinion, include all specific advantages afforded by the host country such as natural resources, quality and quantity of labor force or otherwise referred as human assets, labor force cost, cultural factors, corruption level, tariff and non-tariff barriers, fiscal policies etc. Based on the specific qualities of the host country or to put it differently "attributes of the host country" are determinant in the FDI inflow (Smith, 1981). On the other hand, empirical researches demonstrate that FDI investments generate a positive impact on the economic growth of the host countries (Duttaray, Dutt and Mukhopadhyay, 2008).

A number of scientific studies have treated with high priority the role of business climate on the attractiveness of FDI investments in the developing countries as an instrument of globalization increasing the equality of the distribution of income and goods as a whole (Pica and Mora, 2011). Based on the study conducted by Kinda (2010), in many countries of the world it appears that serious limitations in relation to FDI attraction are financing restrictions, institutional concerns, corruption and physical problems of infrastructure (Asiedu, 2002) etc. Further, the studies of Kaufman etc (1999) and of many other researchers conclude that the most important indicators of FDI attraction are political stability, government's effectiveness, regulatory burden or fiscal policies, law enforcement, corruption level and labor force cost (Wheeler and Mody, 1992).

II.1 Corruption

Corruption is a social problem, a lack of rules, distortion of social norms and values required for the normal functioning of a free market economy (Primorac and Smoljić, 2011). Corruption is a behavior that constitutes a deviation of normal performance of public duties for personal profit or abuse of office by public officials for personal gain, or of a particular group (Bardhan 1997; Bardhan, 2002), impacting the economic development in general (Abed and Gupta, 2002; Easterly 2001), involving additional cost of public or private spending (Kurtzman etc, 2004), in order to create a less favorable environment for FDI and not only. Based on a number of scientific studies, corruption has unequal access to treatment of different groups of interest (Gupta etc., 2002), creates additional costs, escalating prices (Anand etc., 2005), is a serious barrier to economic prosperity of the country (Mauro, 1995; Mauro, 2002) for the access to public goods (Mauro 2002) etc.

Apart from the transaction costs in economy, corruption involves much higher costs in the form of artificial distortions of economy as a ground of opportunistic pragmatist approaches of the corrupt officials. These costly expenses will have to be latter added up through the increase of taxes (Rose-Ackerman 1997), and curtailing of expenses or public investments with a direct impact on the economic growth and increase of inflation etc (1992).

Accordingly, based on the above literature, many researchers have concluded that corruption is a serious obstacle to the attraction of foreign direct investments. Nevertheless, there are other researchers who admit that corruption may have a positive impact on FDI attraction (Egger and Winner, 2003; 2005). We will see below how corruption will impact on the Albanian economy.

II.2 Fiscal policies

Many researchers empirically draw the conclusion of relations between taxes and economic growth, as well as the attraction of foreign investors in particular (Dzambaska, 2013). Hence, changes in the fiscal burden, by facilitating it, produce a significant effect in the increase of number of local business on one hand and they represent a positive instrument to enhance attractiveness and FDI attraction on the other hand (Kaufman etc, 1999; Gropp and Kostial, 2000). A healthy investment climate may sharply reduce transaction costs of the enterprises and the opposite occurs in the increase of doing business cost to the extent that foreign investors do not any longer desire a specific market, notwithstanding the other benefits that may be potentially provided by this market.

The governments often decide on fiscal facilities such as the reduction of tax rate on the corporate revenues to attract FDI investments (Hines, 1999), in strategic sectors or specific regions. This tactic is basically applied by developing countries and economies of the countries in transition. There are many countries that have applied these fiscal incentives, including Albania, which has recently approved six strategic sectors and approval of a free economic zone offering fiscal facilities and not only for the purpose of FDI attraction (relevant law, 2015).

Macroeconomic stability, the sustainability of fiscal policy are considered a key component in decision-making and attractive to foreign investors (Demekas etc. 2007). Therefore, many researchers believe that the policies of the host country are a determinant factor in FDI decision-making. An open market policy that promotes macroeconomic stability, stimulates fair competition on one hand and on the other hand strongly encourages private sector development, is obviously very attractive for absorption of investment and not only. Further, Mitchell (2002) concludes that fiscal competition between countries leads to a reduction of the fiscal burden as foreign investors may transfer their businesses to countries with lower tax burden. Therefore, in this way fiscal competition helps to reduce fiscal burden and FDI absorption (Mitchell, 2002). Furthermore, Diamond and Mirrlees (1971) recommend that small economies should avoid taxation of income received by foreign investors to attract more FDI.

II.3 Political stability

Numerous scientific researchers have found out that political and economic risks seriously prevent the entry of FDI, namely, the political instability creates an uncertain economic environment both at present, and in the longer term to absorb new investments (Barro, 1991; Corbo and Schmidt- Hebbel, 1991). Political stability and sustainable policies of trade opening during the transition of developing countries tend to attract more foreign investors (Campos and Kinoshita, 2003) because it is a good opportunity of expansion for FDI, while the latter are instrumental to the reduction of unemployment and economic growth (Greenaway etc, 2002).

Countries characterized by political stability are commonly associated with democratic institutions and they are supposed to have a positive impact on the entire economy through the process of checks and balance for state administration (Harms

and Ursprung 2002; Leavell etc., 2004). Hence, as it appears from the above literature, political stability provides a positive contribution in attracting FDI, but there are other researchers who oppose this line of thought. According to them, they may have a negative effect on FDI investment, since foreign investors may be able to receive better incentives and treatments by autocratic regimes and countries that do not have adequate political stability (Bellos and Subasat, 2012) .

RESEARCH METHODOLOGY

This study is built upon the positivist approach with objective ontological position, where the social reality is existent and may be studied independently from us as researchers (Bob Matthews and Liz Ross, 2010). Knowledge on the phenomena of business climate of the employees FDI attraction is based on what we as researchers may observe and record from the reality, being objective in relation thereto, without impact on data and survey respondents.

In order to prove the hypotheses, present data with easily observable values are used, which are obtained from opinion polls of 94 CEOs and managers of medium and large businesses in Albania. All data are coded and subsequently analyzed by the statistical program SPSS (Statistical Package for the Social Sciences, version 20). Average value, standard deviation, frequency and other statistical data have described the characteristics of the study on population. Testing of hypothesis is accomplished through Chi-square test ($\chi 2$), where the proper statistical level is accepted at $p < .05$.

We have established contacts with all human resources departments of some medium and large companies of FDI (Foreign Direct Investments) operating in Albania, from where we were able to get the opinions of 94 top management leaders. Of those interviewed, 27 were women and 67 men. Sampling was randomly made, by calculating the number of foreign companies operating in Albania. In case a manager refused to participate in the survey, another manager showing interest for the survey was selected.

DATA ANALYSIS

Some other demographic data

We will present some demographic data of this study through related charts. The first chart provides related data regarding year of activity of foreign companies operating in our country. From 94 participant companies in the study, 54 of them are Ltd companies; 28 companies are joint-stock companies (JSC); representative branch office of a foreign company, or tax representatives, and 12 other companies.

Based on the data collected, *24 of them have a production activity, 15 are wholesalers and retail companies, 46 service providers, and 9 other different activities.*

In order to evaluate whether Albania has increased its foreign investments during the years of the loan, the chart below provides survey data, which results are that there is a decrease in absorption of foreign investments in the country in recent years is; respectively, according to chart data in recent years, we have by 2010 two companies that began its activity in Albania, in 2011 only one company, and in 2014 only 2 companies. But, if we refer to data coming from the Bank of Albania, we see that during 2014 we have a decline in foreign direct investment by 15%, compared with a year ago, (Bank of Albania, 2015).

Initial Year of activity of foreign companies in Albania

Chart No.1: Initial Year of Activity of Foreign Activities in the Country.

Some of the problems encountered by the respondents in the Albanian business environment are presented in the chart below. They evaluated, according to their judgments and opinions, the issues listed in the chart below, with a measured ascending scale from 1 to 5, where a weighted average is presented for each question (Figure No. 4). The assessment is made as follows: from 1 = *It is not a problem*, to 5 = *It is a very serious problem*.

Problems of the business community in Albania
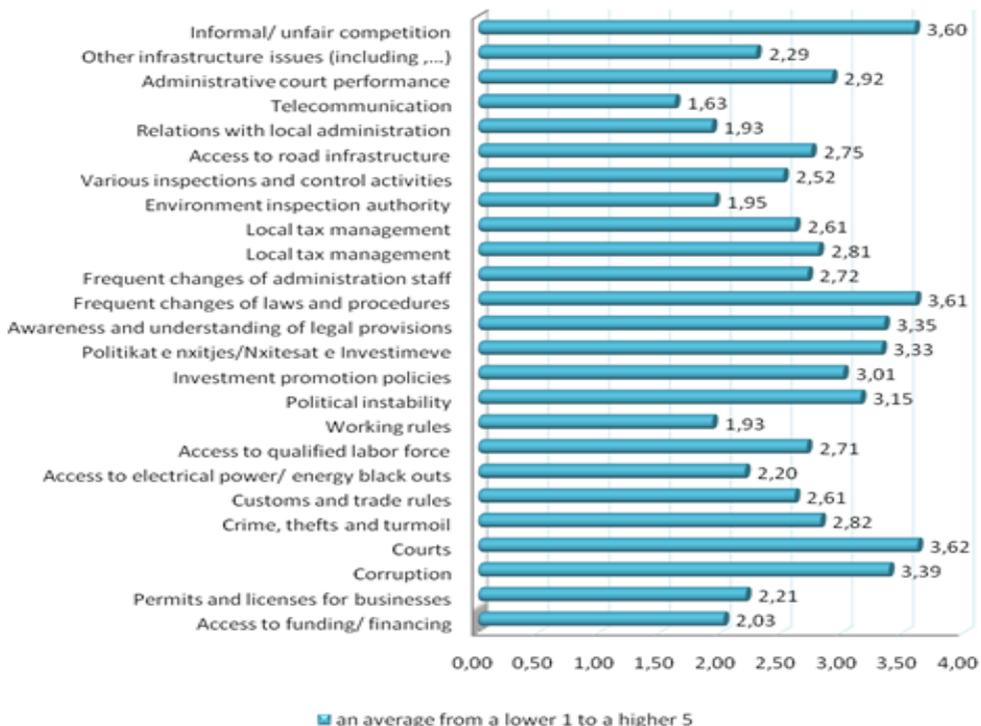
Chart no.2: Weighted average of opinions on business environment issues in Albania.

The hypothesis of this study was established based on the research question, where we first hypothesis was **H1: Corruption adversely affects the promotion of foreign investments.** According to the bivariate correlation analysis there is a negative relationship between the two variables, where the growth of corruption in Albania has increased the possibility of an unfavorable business climate for foreign investments in the country. Practically, the value of the correlation coefficient between the two variables is -0.125 and the level of reliability (*alpha observed*) is 0.0247 lower than 5%, which means that there is a statistically stable positive relationship between the two variables of the study.

Even in the case of testing of the second hypothesis/ assumption; **H2 → Political stability affects the promotion of foreign investments (FDI)**, it was tested the possible relationship between two variables by means of the bivariate Parsons' correlation analysis. The results of the data show that there is a positive relationship between the two variables, where the increase of the variable of the level of political stability is associated with the increase of the possibility that Albania is considered with a favorable climate for foreign direct investments, and the coefficient of the correlation in this case is 0.149. The conclusion of this analysis is a positive relationship, statistically stable, between these two variables, where the level of security is 0.047, which is lower than 5% (*alpha observed <5% or p <.05*). The graphic form below presents the value of the coefficient of correlation between the independent variables, corruption and political instability, and the dependent variable such as FDI.
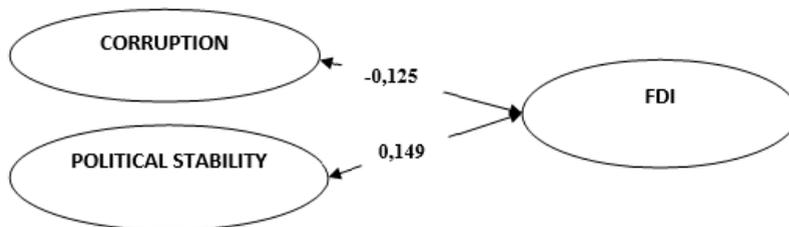
Fig No.1: Corelational relations between the variables of corruption, political stability and FDI

As for the third hypothesis of this study, **H3, fiscal policies affect the promotion of foreign investments in the country**, based on an bivariate analysis, the correlation relations between the variables of this hypothesis were tested, where FDI is taken for analysis as an dependent variable, and some fiscal policy components are taken as independent variables of the country. As shown in the figure below, we observe that all independent variables have negative relationship with the dependent variable or FDI, and in all cases, it is clear that the value of the level of security is lower than 5% (*alpha observed <5% or p <.05*). This analysis showed that there is a negative relationship statistically stable between the variables. The following figure shows the relevant values of the correlation coefficient for each case of the scheme
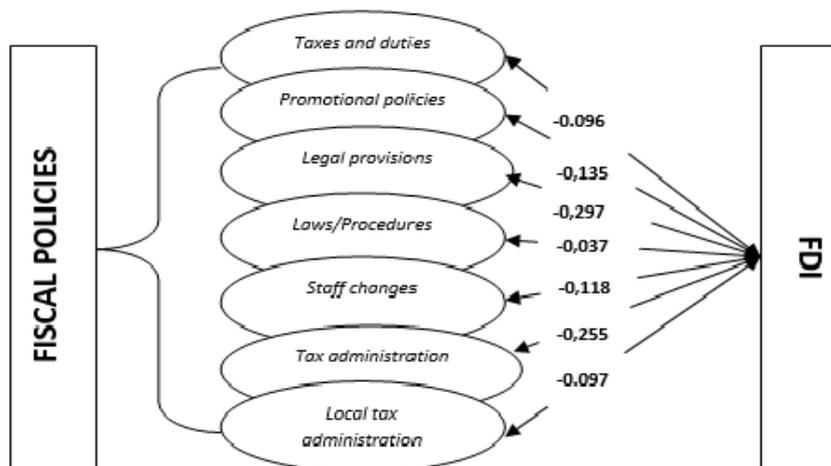
Fig no.2: Corelational relationship between the variables of fiscal policies and FDI in Albania.

Testing of hypotheses through hi-square test

Through Chi-Square test, analysis of the three hypotheses of this study to prove the statistical stability and the security level (*alpha observed <5% or p <.05*) was conducted. For the first hypothesis, two main variables such as corruption and the FDI were taken for analysis and as resulted from this analysis, the data showed that for the value of the observed Chi-square test of 44.411, with df = 24, and a security level lower than 5%, which in this case is 0.007, it is concluded that this hypothesis is confirmed, so it is statistically stable. With the same model of analysis, the relationship between the variables of the second hypothesis, namely variables of political stability and FDI, was tested, which results for the observed Chi-square test value of 34,405, the degree of freedom df = 24, give a value of the level of security again lower than 5%, and we can consequently admit that the hypothesis is confirmed even in this case, so it is statistically stable.

Last hypothesis, as shown in the summary table of the chi-square test, consisting of a number of independent variables such as: levels of taxation, investment promotion policies, clarity and understanding of the legal provisions and tax procedures, frequent staff changes in administrative, tax management, local taxes management, compared with the dependent variable of FDI. In all cases, the analysis of test chi-square test showed that the level of security is lower than 5%, which means that the hypothesis is verified and that there is a stable statistic relation between the two variables (refer to table no 1).

Hypothesis	Pearson Chi-Square Tests	Value	df	Asymp.Sig (2-sided)
H$_1$	Corruption* Business Climate	44.411^a	24	0.007
H$_2$	Political Instability * Business Climate	34.405^a	24	0.028
H$_3$	Taxes and duties * Business Climate	32.053^a	24	0.021
	Promotional policies* Business Climate	41.307	24	0.014
	Legal provisions * Business Climate	41.321	24	0.018
	Laws/Procedures * Business Climate	42.006	24	0,011
	Staff changes * Business Climate	44.303	24	0.009
	Tax administration* Business Climate	42.704	24	0.032
	Local tax administration * Business Climate	43.621	24	0.019

Table No.1: *Chi-Square test for three study hypotheses*

CONCLUSION

Results of the survey show that there is a decrease of foreign direct investment (FDI) in Albania during the recent years, and namely in 2014 there is a decrease of FDI in Albania by 15%, compared with a year ago.

Foreign companies operating in our country are mainly ltd companies (limited liability company) with 44%, followed by joint stock companies with 29%, and representative offices with 16%, and the remaining 11% are various. Among them, it is worth mentioning that 26% are mainly focused in manufacturing, 50% are service oriented; 15% is focused on wholesale and retail sale in the local market, and 8% have different activity.

Some serious problems identified by foreign investors in Albania are as follows: the informal economy and unfair competition, which are evaluated with 3.6 / 5 points (3,6 out of 5); frequent changes in tax laws and procedures, evaluated at 3.61 / 5; another element negatively affecting the absorption of foreign investments are the courts 3,62 / 5; high corruption in state administrations which is 3.39 / 5, and many other elements which are shown in chart No.2.

Based on the analysis of Pearson's correlation, the first hypothesis **H1: Corruption adversely affects the promotion of foreign direct investments (FDI)** is confirmed. According to the correlation bivariate analysis, there is a negative relationship between the two variables, which means that with an increase of corruption in Albania, FDI on the country decreases. The same conclusion is also reached through the analysis of Chi-Square test, which showed that for the value of chi-square observed test of 44.411 with df=24, and a level of safety lower than 5%, it is 0.007, so we reach the conclusion that hypothesis H1 is statistically stable.

The second hypothesis, **H2 → Political stability affects the promotion of FDI.** Based on the analysis of Pearson's bivariate correlation, the relationship between these two variables is tested, which resulted in a positive relationship between the two variables, where the increase of the variable of political stability is followed by an increase of the possibility of a favorable climate for foreign investments in Albania. The analysis confirmed that there is a statistically stable positive relationship between these two variables, where the level of security is 0.047, which is lower than 5% (*alpha observed <5% or p <.05*). Even through Chi-Square test, the H2 hypothesis is confirmed, as for value of the observed Chi-square test of 34,405 and degree of freedom df = 24, the value of the level of security is again lower than 5%.

The third hypothesis of this study is **H3 → fiscal policies affect the promotion of foreign investments in the country.** Based on the analysis of Pearson's bivariate correlation it is confirmed a statistically stable negative relationship between fiscal policy variables (unsustainable) and foreign investments.

We draw the same conclusion through the analysis of Chi-Square test. It followed that in all cases the security level is lower than 5%, implying that there is a stable statistical relationship between the two variables, namely the hypothesis H3 is proven.

In conclusion, based on the data results of foreign investors carrying on their activity in the Albanian territory, it follows that the main factors impacting the attraction of foreign investments are: *low corruption level, political stability and fiscal sustainable policies.*

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Tax System in Developing Economies: Case of Kosovo

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Abstract

Until 1990, Kosovo has operated under a fiscal system inherited from the former Yugoslav Federation, a system based on the planned economy built upon socialist concepts of the operation of taxes, contributions and state intervention by underestimating economic legitimacy. Only after war, a new tax system with a totally new legislation based on EU experience, was built in Kosovo due to intervention of the UN Civil Administration. This new tax system clearly brought a number of benefits for Kosovo, as strictly speaking, the form of public revenues of the new state of Kosovo was established. This study aims to introduce an analysis of the development of this tax system and at the same time of the most complex institution in terms of finances, raising some questions to be addressed, such as: What is the essence of this tax system and what model does it represent? Which are the ways to make the taxes financially more effective and economically more social? Further conclusions and recommendations will be reached based on the analysis provided, secondary data and the full research conducted.

Keywords: taxes, fiscal policy, economic development, tax system

Introduction

1. Functioning of value added tax in Kosovo

The main function of a government is to provide the service or supply various services for the population but huge financial resources are requiredto enable the government to exercise these functions, which are generally realized in the largest part from taxes and duties. A government isas strong as its income "(Frank Chordorov,1954). No state can perform its functions without providing any state tax revenues irrespective of its method of governance, whether decentralized or not. Taxes also have a redistributive function of income. In these circumstances, the role of states to influence through the fiscal system to ensure a minimum standard of living, contributing to narrowing the differences or extreme economic inequality, is widely accepted worldwide.

There were constantly debates whether to increase tax rates or reduce them, in order to produce impact for the economic growth of a country. If only taxes of commercial companies must be increased andsalary taxes be reduced, whether a progressive tax system or their flat system is required. Cunat, A. & Maffezzoli, M. (2007) stated that lower taxes would increase savings, investment, and employment; therefore they would increase revenues.

Further, Hines, J.R. Jr. (1996) stated that reduction of taxes will not necessarily make people work harder. They can work as before or less, thereforetheir standard of living is not changed. According to him, if tax rates are reduced, both situations can occur: either to work harder to increase income or to work less and remainat the same standard of living. Accordingly, as long as it is not known how people will react, we cannotadmit with certainty that tax reduction would increase the income and improve the economy of a country (Bozhidar Jelçiq, Finansijsko, 1998). The revenues collected from taxes, economic growth, inflation, unemployment etc. have become an increasingly matter of concern for the economies of different countries. Tax revenues are one of the main tools that Kosovo government will use and ensure it has the funds required for government spending.

One of the non-fiscal goals of a country that a state aims to achieve through tax policy is the promotion of economic growth. The promotion of economic development is a challenge in particular for less developed countries, which also face a universal issue. Kosovo is a country in transition and as such, it has undergone the process of transition from centrally economy to a market economy. During this transitional period in Kosovo,the domestic industrial production declined, agricultural production, a high level of unemployment, presence of informal economy, high commercial deficit etc.

The new tax system built with a completely new legislation is oriented towards business development. During these years, the tax base is expanded and now it includes most of the direct and indirect taxes applied in many countries in transition, which foster the development of a market economy (M. Cosanegro de Jantscher, 1990).

Ministry of Economy and Finance was established at the end of 2001 after parliamentary elections in Kosovo, which due to assistance of the International Monetary Fund and the World Bank, exercised some of the obligations and responsibilities in the financial area. The Economic Fiscal Council operates in Kosovo as a parallel body of the Ministry, that although formally is a competency of the Prime Minister of Kosovo, continues to have dominant impact on the formulation of Kosovo fiscal policies (Doracak, 2001).

All experiences to date regarding the introduction of value added tax in each state, regardless of the level of economic development or differences in social-economic system, demonstrate that the key prerequisitefor a successful application is the adequate preparation of tax administration. It is not an overstatement to stress the opinion of some IMF experts that the core tax policy is represented through the functioning of tax administration.(Komoni, S. 1985)

All preparations for the administration and operation of value added tax should aim to ensure the necessary conditions for the practical implementation of legal regulations. The performance of this task requires serious well-thought action, because every concession possible in any part of the administrative procedure, not only would slow and hinder the tax functioning, but would result in a loss of tax revenues. A comprehensive information campaign is necessary if asmooth successful transition from the previous to the new tax system is desirable (Schlienkapm, A. 1991).

Kosovo Tax Administration has the exclusive responsibility to administer the value added tax. Kosovo Customs Service, on behalf of Tax Administration, will assess, levy and collect the tax onadded value of imports and exports and will undertake other actions related to the value added tax administration as it may be required (Bozhidar Jelçiq, 1998). The tax administration in Kosovo is organized in such a way that there are no special services or special bodies for each specific type of tax. Each local tax authority is in principle responsible for all taxes and all kinds of taxpayers in their region. This form of organization and work of the Tax Administration in Kosovo is effective, because for a taxpayer, he generally assigns and supervises the collection of tax liabilities of different types of taxes. In Kosovo these taxpayers who have annual turnover of over 1 million Euro, are checked by inspectors of the center.

In Kosovo, a taxpayer should submit a tax declaration not later than until the 20th day of the calendar month following each tax period and must pay VAT for a tax period on the due date or before the due date for declaration. The declaration must be submitted to any authorized bank in Kosovo together with payment. Tax statement will be produced in three authentic copies: the first one for the tax administration, the second for the bank and the third one for the taxpayer. (Daut Dauti, 2001). Based on the foregoing, we may introduce a concrete example of how VAT operates. You will pay 16% of VAT on all your purchases of goods and services from registered suppliers. You will also pay 16% of VAT for all your imports. However, you will be allowed to credit (deduct) VAT you paid on taxable purchases and imports performed only for business use (Doracak, 2001)

In Kosovo, as in any other country, taxes have suffered significant changes, depending on the governments in Kosovo. Without dating back to earlier periods, we will focus on the last post-war period. After the war, Kosovo applied the following taxes: - Tax on purchase - Presumptive tax - Value added tax - Personal income tax - Tax on profits and - tax on corporate revenues.

The taxable amount of a taxable supply in Kosovo in relation to the supply of goods and services, includes everything which makes up the consideration received or to be received by the supplier that provided the supply. If the supply is received for consideration in cash, its value should be taken as an equivalent amount to the consideration, otherwise the open market value of the supply will be applied. The taxable amount shall include: taxes, charges, duties and commissions, excluding VAT; Incidental irregular expenses, such as those of commissions, packaging, transport and insurance costs charged by the supplier to the consumer; Incidental expenses may be covered by a separate agreement.

Reversible packaging costs make an exception to this, being not included in the taxable amount. If it is established that such packages are not returned, then these packaging costs should be included in the taxable amount, the same also applied to the circulatory packaging.

VAT in Kosovo is the most important tax created on the basis of IMF proposals of the EU Tax Directory, USAID and Central Fiscal Authority. As a broad-based tax on the consumption of goods and local services, VAT in Kosovo is levied at the rate

of 16% on the taxable value of taxable imports, except for taxable supplies with zero percent and exempt supplies. Taxable supplies with zero percent in Kosovo are considered the following supplies: Exports of goods; Service goods associated with international transport of goods or passengers (Hatzius, J. 1997)

Minister of Economy and Finance, by virtue of the decision of the Government of Kosovo and after approval by the Assembly, may issue a bylaw for the introduction of a reduced rate not lower than five percent (5%) for the supplies of goods and services. According to the same procedure and if necessary, the Minister may also introduce a temporary higher rate of VAT not higher than twenty percent (21%) to be applied to certain supplies goods and services. The reduced and increased rates can only apply to supplies of goods and services as listed in Annex III.(Xhaferi, S. & Qerimi, T. 2008)

Regarding tax exemptions in Kosovo and in some states, it should be noted that all of them in their tax system have incorporated the EU directives. On this occasion, we will highlight only the regulation of this kind in Kosovo and Albania. In Kosovo exempt (released) supplies are the supplies of goods and services on which the supplier cannot collect value added tax. They are: hospital and medical care services, supply of medicine and medical equipment; welfare and social security services; supply of public education services; supply of financial services; transfer of land ownership or residential houses;supplies with permits and licenses for payment by public or municipal authorities; insurance and reinsurance transactions; rental of premises and sites for parking vehicles; supplies of goods, services for titled religions of Kosovo.(UNMIK, 1999)

Imports and purchases in Kosovo carried out by liaison missions (coordination) of the United Nations or from their bodies, including KFOR, World, Bank UN agencies and international and intergovernmental organizations are exempted from taxation by the value added tax in Kosovo. This means they do not have to pay value added tax on taxable imports and acquisitions in Kosovo (FMN, 1985).

Taxable imports and purchases in Kosovo, carried out by governments, governmental agencies, governmental or intergovernmental organizations are also excluded provided they are supportive of the programs of humanitarian and reconstruction projects in Kosovo.

2. Financial, economic and social impact of VAT in Kosovo.

The financial effect of the tax on turnover is visible, regardless of what form that tax is applied but as we noted earlier, when the financial role of value addedis concerned, it is clear that the financial effect in most states grows upon the application of value added tax. Revenues collected from the value added tax, as an overall tax on circulation are always very high and represent the most important position in the total public revenues. This is achieved because the value added tax as a general tax on consumption is levied on a wide basis and includes the turnover of the largest number of goods and services in circulation (SINN, H-W, 1991*b)*.

Such a favorable financial effect of value added tax is achieved by the fact that everyone is obliged to consume. Once the tax obligation is distributed at every stage of circulation, the financial effect of its collection is visible even if the tax obligation is associated with the reduction of some stage of circulation (JONES, L., R. Manuelli and P. Rossi, 1993).

The economic effect of the tax on added value derives from its basic feature, which is the transfer. It is often statedthat VAT remains and declines on the transfer. In other words, it means that the burden of value added tax paid by the taxpayer (manufacturer or salesman) should be calculated and transferred to the cost of production to the final consumer. In particular, it should be noted the economic operation of the value added tax on international exchanges. Economic reasons account to the benefit that on the occasion of export, tax on the added value of exported goods and services should be returned. This is done so that the prices of goods and services within the country become more competitive in foreign trade exchange. The function of the value added tax is to encourage, to stimulate exports. During the import of goods, of primary importance is to set and apply the value added tax on turnover, both for goods that are produced within the country, specifically to have the same tax treatment as the local producer (MARSHALLA,(1890).

VAT social effect is demonstrated in its regressive action, which, due to its negative impact, represents the main flaw of this form of taxation. The regressive effect of taxation is lower when the low economic forces carry relatively higher tax burden, while the higher economic forces are charged with a lighter tax burden. It happens so because of the method of tax circulation and services, on which occasion no account is taken of the real economic force of which the tax will be divided, which is incorporated in the price of the taxed product (MÉRETTE, M., 1997).

Anyone who buys products chargeable with VAT pays also the tax amount in their price. However, anyone who buys a product charged with value added tax, does not have the same economic strength, and so the unequal ones are taxed at the value added tax in an equivalent form.

3. Conclusions

The application of value added tax reduces the possibility of tax evasion. The mechanism of the tax bill encourages buyers to request invoice from the seller, thus preventing the lack of reporting or low reporting of sales. This ensures a more effective and self-supervisory system and provides better reporting of accounting records to be verified. Value added tax is characterized by a small number of tax rates and are the same both for the circulation of goods and services.

The financial effect is visible upon the application of value added tax. A favorable financial effect of value added tax stems from the fact that everyone is obliged to consume. To enhance the financial role and effect and economic impact of the value added tax in Kosovo, we recommend:

expansion of the tax base by reducing the threshold for the tax on added value, i.e.reducing the gross circulation for VAT obligors from 50,000 Euroto 15,000 Euro, in order to bring Kosovo in line with the EU for VAT threshold, such as for instance, this threshold in Poland is 10,000 Euro and this is the same level with most of the EU countries;

reduction of the tax rate of value added tax from 16% to 15% and to be only a standard rate and zero rate;

exemptions (releases)from VAT calculation should be as low as possible;

a worrying fact is that most of budget revenues, namely of VAT, is still levied at the border. That is creating disparities between importers and those who are supplied and supply the domestic market from domestic resources;

the entry border points in Kosovo should be provided coverage to the fullest extent, in order to prevent the entry of goods, for which goods no tax obligations will be paid and in this way to remove distortions that exist from unequal treatment of imports at different border points;

the tax administration capacities should be strengthened and expanded, in order to be able to afford a larger number of taxpayers;

alarger number oftax administration employees should be employed and qualified and VAT collection and management system should be advanced.

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Cultural Influence on Educational Leadership in Albania

Magdalini Vampa

Abstract

Leadership theories, the "Great Man" theory, charismatic theory of leadership, contingency theories, the theory of attributes, etc. help us understand and explain the leadership process and the role of leader, but none of them treats the complexity of human interaction in the leadership phenomena. Implicit theory began to draw some conclusions in early 90s, by defining leadership from the perspective of subordinates when leadership attitude is manifested, and more specifically how cultural groups "prepare" and respond to leadership. The main aim of this paper is to describe some aspects of management styles of school organizations in Albanian society, by taking in consideration the cultural influence on management effectiveness. Implicit theory of leadership developed by Lord & Maher, as well as the results of the prestigious GLOBE project, guided the elaboration of this work. Cultural dimensions used by researchers in GLOBE project, are reused in data collection of this study, but in a narrow context: only for educational organizations, in a Region in Albania. Concerning literature, we have tried to explain how school management practices are built upon an epistemological relationship and empirical life experience, which is qualitatively distinct from north to south and from east to west.

Keywords: leadership, school management, cultural dimension, leader profile, etc.

Introduction

The challenge of globalization requires that cultural organizations and schools should be identified by the right leaders, who know how to recognize, understand, respect and manage the cultural differences between societies and countries.

Referring to the situation of countries like Albania, the need to achieve global standards in education, and the recognition of cultural influences in management, is directly related to the implementation of the reform models that derive from these different cultures.

This paper is focused on leadership understanding from the perspective of culture, and is based on implicit theory of Lord & Maher, and in particular, on the conclusions of the GLOBE Project, run by the House, Hanges, Javidan, Dorfman and Gupta in 2004.

The results of this study were based on data collected in 62 different countries with the participation of 17, 000 managers of 980 cultural organizations. The involvement of Eastern European countries in this project has facilitated the monitoring and collection of preliminary data on school environments in Albania.

Actually, the data and analysis realized in relation to the school leadership in Albania, was conducted through several measuring instruments as surveys, structured interviews, semi-structured interviews, on a sample of 300 subjects, 200 of whom managers of educational institutions in Korca Region and the rest, teachers and employees of educational organizations and institutions. Korca Region is one of 12 regions of the country, where education levels and institutions are from preschools to higher education institutions, both public and private.) The field study was conducted in a two-year period, 2012-2013. Besides, surveys and structured interviews, a significant part of the interviewees were ready to participate in unstructured interviews, by providing broader information. Some conclusions of this study are presented in the final part of this paper.

The conclusions drawn in this paper explain some problems encountered during the reform processes, as well as provide modest recommendations to improve understanding cultural interaction in the management process.

Structure of the paper

At the beginning of this paper it is defined the concept of leadership, ethnocentrism and prejudice, trying to clarify the understanding of these concepts from the perspective of this study. Then, there are described the cultural dimensions and

findings of the Globe Project, focusing on the Eastern Europe culture, and on the other part we will bring the results of this study in Albania.

Definition of management and culture. Concepts related to them.

Leadership is a process whereby an individual influences a group of individuals to achieve a common goal. Northouse, R, 2010, p. 3) In this definition, it is important the treatment of leadership as a process, which implies the leader influence on the group performance and vice versa, the group influence on leadership as a linear and interactive event.

Groups are contexts where leadership appears, and orients the energies and potentials of group members towards achievement of common goals. The researchers believe that although the leaders and their followers are related to each other, leaders initiate relationships, establish communication lines and try to keep a sustainable cooperation.

Culture is a set of learned beliefs, values, rules, norms, symbols and traditions that are common to a group of people. It is exactly these qualities that make a group unique and special. Culture is dynamic and it is transmitted to others.

Two concepts related to culture and management are: *ethnocentrism and prejudice.*

Ethnocentrism is the tendency of individuals to give priority to their own beliefs, values and attitudes over the others. Ethnocentrism means that individuals of a culture judge other groups in a subjective or critical way.

Ethnocentrism could become a serious obstacle to the effectiveness of leadership because it doesn't allow managers to understand or fully respect others views, e. g. a leader who strongly believes in respect to authority, has difficulties in treating and respecting his followers when they challenge their leader and his authority as part of their culture.

Prejudice is an attitude, a belief or an emotion formed without enough thought and knowledge and based on unfair and unreasonable opinion or feeling. Prejudice includes inflexible conclusions that cannot accept the alteration or even the total change.

Leader faces continuous challenge to confront their prejudices toward subordinates and subordinate's prejudices against management and him as a leader.

Cultural dimensions and cultural groups according to the project Globe

Various scholars in the past 30 years have tried to characterize the term culture from the leadership point of view.

Hall in his book Beyond Culture (1976) focuses his research in two features: individual and collectivist culture.

Trompenaars (1994) in his observation of 15, 000 individuals in 47 countries classifies two important dimensions of culture: equality versus hierarchy and the person as a human being in front of his duty and responsibility.

Hofstede (2001), based on the analysis of questionnaires conducted on 100, 000 respondents in 50 countries, identifies five dimensions that differ in every culture: power distance, uncertainty avoidance, individualism-collectivism, masculinity - femininity, long-term and short-term orientation.

The study of House, Hanges, Javidan, Dorfman and Gupta (2004) provide one of the most referred studies and reliable results concerning the specific field of culture and leadership; it is also called the GLOBE study of 62 societies, with the observation and interviews of 17. 000 managers of 980 organizations.

The researchers of this project identified nine dimensions of culture from the perspective of management: uncertainty avoidance, power distance, Institutional Collectivism, In-Group Collectivism, gender egalitarianism, assertiveness, future orientation, performance orientation, humane orientation.

The GLOBE research program investigated cultural approaches to leadership in 62 countries related to their cultural dimensions. The sample of 62 countries was divided in 10 groups based on common language, geography, religion and historical data. They are: Anglo, Germanic, Latin Europe, Central Africa, Eastern Europe, Middle East, Confucian Asia, South Asia, Latin America, and Nordic Europe.

Table 1. Cultural groups classified according to their cultural dimensions

Cultural dimension	The highest scores of cultural groups	The lowest scores of cultural groups
Orientation towards being assertive, determined and aggressive. Assertiveness	Eastern Europe Germanic Europe	Nordic Countries
Future Orientation	Germanic Europe (Nordic Countries	Eastern Europe Latin America Middle East
Gender Egalitarianism	Eastern Europe Nordic Countries	Middle East
Humane Orientation	South Asia Central Africa	Germanic Europe (Latin Europe
In-Group Collectivism	Confucian Asia, Eastern Europe, Latin America, Middle East, South Asia	Anglo Germanic Europe Nordic Countries
Institutional Collectivism	Nordic Countries Confucian Asia	Germanic Europe Latin America, Latin Europe
Performance Orientation	Anglo Confucian Asia Germanic Europe	Eastern Europe Latin America
Power Distance	None	Nordic Countries
Uncertainty Avoidance	Germanic Europe Nordic Countries	Eastern Europe Latin America Middle East

Source: This table is taken from Leadership, Theory and practice Northouse 2010, which is adopted by the author with the permission of GLOBE project, p. 344.

Based on the GLOBE project, House & Javidan 2004, Hofstede 1991, Trompenaars & Hampdin-Turner 1997, we were able to identify six global management features:

Charismatic type is a visionary leadership, inspirational, reliable, determined, and performance-oriented.

Team-oriented is characterized by integration, team collaboration, diplomacy, and aims to create the group by making clear the common intention.

Inclusive leadership, participative in decision making process; encourages involvement and engagement in decision making process and is characterized by non-autocratic behaviour.

Human orientated displays support, consideration, compassion and generosity, is characterized by modesty and compassion for others.

Autonomous; is characterized by an independent and individualistic approach to leadership.

Self-protective; is reflected in the behaviour of leader, focusing on the safety and security of the individual and the group, egocentric, emphasizes his status, capable of inducing conflict when necessary, but at the same time being conscious of his reputation, etc.

Ten cultural groups, mentioned above, are analysed after data collection by defining respective profiles of the leader and leadership.

Eastern European Leadership Profile

An ideal leadership, especially in educational organizations, in Eastern European countries, would be an individual who first and foremost would be independent while maintaining strong interest in protecting his position as a leader. Preferably, he would be charismatic, value-based leadership, team-oriented and humane-oriented, but much less interested in the involvement of his followers and staff in the decision-making process.

In summary: this culture clearly describes his leader as autonomous, who takes the decisions independently, presents some degree of being inspiring, guides the teamwork and to some extents pays attention to human needs.

In an attempt to use this important information about the situation in Albania, this paper has brought just a few cultural profiles of the region as well as those cultures which have served as models in the long process of educational reform in our country.

Anglo-American leadership profile:

The Anglo-American leadership profile emphasizes that the leader, first of all, should be charismatic, a value based leadership, who allows and supports the participation of his followers in the decision-making process, is sensitive toward his staff and others. This culture requires leaders who are extremely motivated and visionary, not autocratic and take in consideration others opinions. These countries prefer a moderate level of work in group and respect toward an independent attitude. Less important feature of the leader's image in this cultural group is the protective role. They believe that it is ineffective if the leader tries to establish his status, or attempts to be at the centre of every situation.

Germanic Europe leadership profile

The ideal leadership in Germanic Europe should be unique, visionary, autonomous, charismatic, human oriented as well as team oriented, but not with a self-determined status or who takes care of protecting the dignity of his staff.

Nordic Europe leadership profile

The ideal example of the leadership in Nordic Europe is a leader with clear and inclusive vision of decision-making process, and with some characteristics of independence and diplomacy. In this culture, it is less important the humanity and self-determined status of the leader, in other words, Nordic countries prefer leaders who inspire and involve their staff in decision making process, and do not expect them to be concerned about their status or others attitudes.

Summary:

Scholars and supporters of the theory of *leadership and culture* summarize and elaborate a set of characteristics and capabilities that universally define the negative and positive qualities and attitudes of the leadership. Specifically, the most distinguished personality of a leader is that of a person of high integrity, charismatic, and with interpersonal skills. An ineffective leader is someone who appears asocial, ruthless, egocentric and autocratic.

Some characteristics of leadership in Albanian culture

The implicit theory of leadership is still developing and elaborating its ideas, because of its philosophy which stands and takes care of the perception of leadership and management from the perspective of others, and does not take into consideration the leader's behaviour, situations and different contexts.

The presented models and efforts for the democratization of the schools in Albania, in order to achieve European standards, always refer to educational systems of western developed countries. To achieve the purpose and a successful implementation of these models and changes, we should be conscious and clear about the impact of culture on leadership, and how the culture of our country differs in several dimensions to the culture of these countries.

The knowledge and the study of these characteristics will bring better opportunities for communication and change of the targeted program as well as its adoption in a natural way.

The received information about some dimensions of culture according to the above-mentioned definitions will be presented below, by treating (*1) the aspects of management process, (2) management of changes and (3) evaluation of teachers by the leader.*

The GLOBE project research concluded that Eastern European countries present a group-oriented culture and evaluate the importance of the relationship between members and not the effectiveness or performance of the individual. In these countries, education is mostly marked as a tool to adapt students and staff with community expectations.

Leaders in educational organizations in Albania are more focused in increasing the harmony of teaching staff and then on student's achievements according to the standards required by the Ministry of Education, and it is of primary importance too. Leaders in Albanian schools tend to establish the relationship with the staff, before taking the position as leaders. The

first request or advice of an Albanian leader to a new employee is: try to create a nice atmosphere, a good communication with the staff and. . . . then we can talk about the duties and performance.

In European countries like Germany, France or the Netherlands, school leaders and managers are more interested in meeting the individual needs of students and teaching staff.

In Albania, where the power of individual depends on external factors and is closely related to politics, the leader is headed toward an autocratic behaviour. Interviewed people agree that the leader's status and reputation can be attributed to his age, position, family or relation to the central government. The same views are shared in some of Confucian Asia countries, while in western countries such as Anglo countries, Germanic European and Nordic countries; the respect toward the leader is attributed to his competence and management skills.

 In Albanian culture, facing the conflict is very different compared to the same situation in Anglo-American and Germanic countries. Albanian staff tends to avoid open confrontation and persistence against the leaders. Thus, interviewed people claimed obvious deviations of the disapproval of leader's opinion, even when staff interests were affected.

Leaders themselves try to precede conflicting situations with an authoritarian style in decision making process, appearing self-protective. In other countries, as we mentioned above, decisions and policies are faced by all the staff, and conflicts are allowed to develop up to negotiations, and often leaders allow the status quo but not an authoritative decision-making process.

Change, reform and access to "Western" ideas, are challenges that stand before the Albanian education system for over a century now. Reforms based on western models aim a curricular reform as well as a contemporary pedagogical approach. The example below will reveal the importance of the role of education leaders, particularly in schools where changes will be implemented, but the implication of cultures make it difficult (the culture of model's origin and the culture where it will be implemented).

Specifically, in unstructured interviews about the student-centred teaching model, 90% of interviewed teachers expressed uncertainty in understanding it. Continuous requirements for training, application or even pilot projects regarding the benefits of using this model, has had an inefficient impact because of the lack of clear philosophy transition. School leaders, accompanied by their autocratic and non-participative character couldn't initiate this change. Leaders and teachers understood it as a new technique of putting the students chair in a circle, not in classical form where the teacher stands in front of the class.

The same situation appears in Hong Kong (Walker &Dimmock 2002), where education reform projects failed after many efforts. It was intended to implement during '95 -'96, but failed for almost the same reasons: lack of culture recognition, the philosophy of that model and the different pedagogical approach. And at the same time in Thailand, it is the voluntary choice of some school leaders to apply this model.

They were trained, worked hard, and managed to integrate the student-centred teaching model in three pilot schools. This became possible after leaders themselves avoided autocracy and non-collaborative attitude (part of Confucian national culture) to their staff and students when explained and oriented them towards the application of this model.

In their (3) **teacher evaluation** models, Western countries generally try to focus on individual performance rather than to the relationship with their colleagues or the ability to adopt with group or school environment.

When school leaders were asked about the evaluation of their staff, they were focused on a common position: their concern and interest was related to how teachers adapt to the staff, their communication skills, how they support and were supported by their colleagues and then about their professional ability. So, the relationship is appreciated more than duty and efficiency. In general, the leader instructions are related to the motivation of individuals to adopt with the staff, to control their own emotions, to avoid competition and conflict. In regard to these conclusions we can quote Westwood & Kirkbride (1998) after a research study in Eastern European countries and Asia: "Harmony (in these countries) is a primary moral norm, is the foundation upon which grows the "collectivism".

It is claimed that teachers in Albania have a high threshold of tolerance toward judgment and subjective assessments, as long as they believe in their leader. They choose to be evaluated for their efforts and not for their achievements. The comparison to Anglo American countries clearly shows the opposite position. To measure their achievements, teachers in

Western schools require precise and more sophisticated instruments based on standards and objectivity. Achievement is related only to the individual.

If Nordic countries appreciate the avoidance of uncertainty as a leadership value by implying the need for strict rules, specific and precise objectives, and clear destination, for Albanians this is a dimension that isn't measured, and doesn't comfort individuals belonging to this group-oriented culture. GLOBE)

Conclusions:

Globalization is creating a need for leaders who enhance understanding of cultural differences and competences in intercultural communication as well as in practice.

Hofstede quoted by Walker&Dimmnock (2002, p. 190), states: *Institutions do differ. By way do they differ? In attempting to understand institutional differences, one needs history, and in understanding history one needs culture. Culture is at the root of institutional arrangement, and even if the sociologist does not dare to venture historical/cultural explanations, cultural differences appear as a consequence of institutional differences…thinking is affected by the kind of family they grew up in, the kind of school they went to, the kind of authorities and legal system they are accustomed to. The causality between institutions and culture is circular: they cannot be separated.*

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Selfie-Mania Influence on Adolescent Self-Esteem

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Abstract

Our society new where technology has touched every cell of it is becoming even more virtually from where fashion is Selfie therefore be shooting themselves, a modern trend which has involved the whole society on the plates as Instagram, Facebook, Twitter, Snapchat, etc. Art selfie is one that many people have practiced and perfected over the years, but knowing what relationship they have with this new generation of virtual relationship remains a difficult task as important as well. This study aims to explore the selfie as a reflection of low self-esteem because the mania for photographing herself, is a pathology of the syndrome in search of a stable personality. Target group of this study were middle school students "Dhaskal Todri" in Elbasan, where 100 participants aged 16-18 years from where 39 participants were males and 61 females. They were asked to fill the Rosenberg Self-Assessment Inventory (Rosenberg Self-Esteem Inventory, 1965) within ethical standards. After analysis of the data showed a positive correlation between connectivity Selfie – Self-Esteem which holds that studies to date have shown that there is a connection between the selfie mania and self-esteem. Out of the sample obtained in this study show that individuals are looking for a better image of themselves as self images contradict the image of a secure existence, through fixing a few moments as a symbol of an attempt to establish an identity consistent, full realized. The pathology of this syndrome is the search for a stable personality. Of course, we are talking about the first research on this phenomenon should probably be more careful diagnostic categorization and labeling.

Keywords: Self-esteem, selfie- mania, adolescent

Introduction

Overview of the problem of study

Each of us in one way or another is fascinated by the pictures on the fact that consists of a tow universal and this is explained very simply: just a shot we all encourage curiosity to see how we have come despite the reactions of each of us. They are subjective and are related to image internal, mental scheme that we perceived ourselves having to do with how we see ourselves and how we want others to see us. Photography is seen as a powerful means of expression, as a symbolic language to express what can not be said in words, and as a stimulator of emotions and behaviors about which often are not aware of. The first to have captured value therapeutic photography field of mental health was Hugh Diamond (1856), amateur photographer and psychiatrist at the Psychiatric Hospital Surrey County Lunatic Asylum, first using photographs of his patients as a diagnostic tool for identifying mental disorder.

Oxford dictionary (2013) defined this term as, "A photograph that one has taken of oneself, typically one taken with a smartphone or webcam and shared via social media". But before the rise of this selfie concept, smart phones or social media, the thought of taking self portraits was existed among people with using self-timers on the cameras. But the idea behind the selfie meant to be different than using a self timer, and also it should not take a longer snapping time process as self timer. Most importantly to be a selfie, photograph should be captured with a camera held at arm's length or focused at a mirror. The other version of the selfie is group selfie, where the subject of the selfie is joined or crowded or at least with one other person. It is also gaining wide popularity in the selfie culture. And now the tendency is called them as 'usie', the 'self' replaced by a collective 'us'. Anyway the whole concept is; wherever you are, whatever you are doing, with whom you are with, taking a snapshot of yourself to express it just as quick as you can. History Before coming into photography, the

earliest selfie looking painting was done by Parmigianino way back in 1524, and it was named as "Self-portrait in a Convex Mirror". In the painting, it portrays the artist himself distorted by a convex mirror which made it exactly look like a selfie. The very first self photograph or somewhat called selfie was taken by Robert Cornelius, an amateur chemist and photography enthusiast, in way back 1839, very early days of photography explorations, experimentations and inventions. Because of the slow capturing process at that time in camera's, after setting up the camera he was able to run back and sit in front of the camera decently without peeping into it. After 1900s mirror selfie technique was widely being used even it was not termed as selfie at that time. The first teenager who took a selfie was identified as Russian Grand Duchess Anastasia Nikolaevna from the last Tsar family in 1914 when she was 13 years old. She used the mirror technique to capture the photo and says about that experience like this. The 'Selfie Effect' in regular society picture of myself looking at the mirror. It was very hard as my hands were trembling. "

Selfie and Regular Life The practical usage of this term was not being widely utilized until 2010, and come into to use in day to day life just from past couple of years. The main reason behind this was the easy access to smart phones gradually among the population (Dormann, C. ; Fay, D. ; Zapf, D. ; Frese, M. (2006). Nowadays it is customary to include a built in camera on every smart phone device. And sometimes it really confuses whether the phone is having a camera option or camera is having a phone option because of the high tech photography technologies it incorporates. And this technology ensured that selfies are more and more easier to produce and share on the web, making even regular people to do photography not only just pros. It was even become trendier after the front facing camera designs were integrated into the smart phones. When the social media sites become apps for the smart phones and introduction of mobile photo sharing apps such like Instagram with incorporated photo retouching features, selfie becomes more and more familiar obsession among the society, specifically among the young generation. Because this immediate photo sharing technology supports the person to say without uttering a word; where he is now, what he is doing now, what he looks like now and most significantly to state "Hello, this is me". According to WebSta Instagram Web Viewer, usage of hashtag '#selfie' on Instagram retrieves 180, 026, 033 posts and on 14th place over top 100 tags in 2014 October.

Sociological Effects Selfie (Olsen, J. M. ; Breckler, S. J. ; Wiggins, E. C. (2008) is perhaps tending to be a greater interest for social scientists. With thorough analysis it is evident that, this becoming more fashionable predominant trend among young generation. In a more detail level it is apparent that teenage girls are more tend to capture their selfie faces when a new hairstyle, makeup or facial going on with them. Taking a selfie when on a special occasion, or else before the participation of the event, becoming a typical scenario among teen girl culture. Most notable selfies have odd angles, kissy faces or looking in a direction that is not towards the camera. In particularly mirror selfies are their habitual behavior to show off when a new outfit wears on. So it is clear that teen girl customary is still not changed from the time period of last Tsar family as we mentioned about 13 years old Anastasia before.

The trend of shooting ourselves is back in vogue, also tend to Albanian teenagers to stop this study will specifically exploring the selfie as a reflection of low self-esteem and narcissism. In fact, traditional ignores narcissism contact with others, the person itself creates an exaggerated self-image. In Greek mythology narcissus so much in love with his own image reflected in the water that spellbound with this love, lost and falling into the river where self - reflected. Network social networks can be conceived as a large mirror narcisizte, to tell others who you are as valid and able to communicate those aspects of yourself emotionally and often unrealistic, avoiding the difficulties of coping through direct contact. So anyway avoids individual real contact, directly with another, and seeking to "sell" themselves another, more perfect. It seems that social networking presents an overview and a mask at the same time. Studies show that spending more time on Facebook by posting vetëportrete narcisizte trend is increasing worldwide.

The 'Selfie Effect' in regular society it was identified that he was diagnosed with body dysmorphic disorder (BDD), also known as body dysmorphia or dysmorphic syndrome. A mental illness that causes one to sufferer and spend a lot of time worrying about their appearances. After the medical therapies, his thoughts echoed that, this selfie taking addiction was like drugs, alcohol or gambling, which is quickly spiral out of control.

If you ask a link between Selfie- Syndrome and psychopathology, this leads to criteria of addiction, mood disordered situations, obsessive thoughts, obsessive - compulsive disorder. Certainly seeing this phenomenon in this context, we are talking about research money should probably be more careful diagnostic classification and labeling.

Selfie-Mania influence on adolescent self-esteem

In the minds of individuals who like self-portraits publication there is something wrong. This is the opinion of some researchers that American Psychiatric Association in a study recently pointed out that this is explained by a wish ill to make

files yourself and then you publish them on the web and this serves to compensate for the lack of confidence . The first indicator that pushes the individual to selfie is a strong will of the person to tell the world: "I'm here and I'm doing this. " Studies to date have shown that there is a connection between the selfie mania and self-esteem (Mruk, C. (2006). People who make picture yourself are looking for a good image for themselves. Young people, especially teeenagers, do not feel you realize and it causes a vague idea about yourself. The cause of the first is a problem of identity as opposed vetëportretet image of a precarious existence, through fixing a few moments as a symbol of an attempt to establish an identity consistent, complete and successful. Allegations of social context require an ideal person and it brings uncertainty, which pushes toward creating a perfect image for yourself seeking to stop now. The photos are as a means to demonstrate the existence of a person. The pathology of this syndrome is the search for a stable personality. Individuals have weak personality and constantly seek confirmation through like-ve or comments to understand who they are and they're worth. Art selfie is one that many people have practiced and perfected over the years, where today more than 31 million people worldwide are constantly posting pictures of themselves, so that it has turned into a desire -obesesive where already under a recent study by the Pew Research Center shows that 91% of teenagers post their images continuously in social media so compulsive. According to Pamela Rutledge Ph. D, Dean of the Faculty of Media Psychology program at the Massachusetts School is a post selfies empowering act for an image of himself alienated from where Samantha, a 19-year-old girl claimed that why it was posting so compulsive photo of themselves on social media was the satisfaction he received when taking Like and positive reviews for her image. According Dr. Weber girls who repeatedly make selfies struggle with low self-esteem. Thinking of others has been a part of identity development for more than a century of by Andrea Letamendi Ph. D, a doctor of psychology at UCLA, concluded that by posting pictures so compulsive individuals reflect low self-esteem and strengthen the influence of others on their lives. Dr. Letamendi claims that individuals who tend to have low self-esteem and are depressed are more likely to engage in making self-portraits.

Social networks (Johnson E. A. ; O'Brien K. A. (2013) have changed the way we communicate and keep in touch with friends all over the world, but also are undeniable and, unintended consequences arising from their excessive use. Well, according to the researchers, the excessive use of social networks can be associated with several psychiatric disorders, from where, according to studies conducted in 2010 at the University of York which examine the social network connection self concluded that users of social networks They tend to have narcissistic personality and low self-esteem. According to a search of Amanda Forrest of the University of California and Joanne Wood University of Waterloo, published in Psychological Science, people with low self-esteem tend, inter alia, to post pictures: they tend to criticize those who should be their friends and highlight the negative aspects.

When we do we look very attractive Selfie in most cases due to the effects of technology. Even doctors (Marsh, H. W. (1990) give Selfie alarm that reflects the lack of confidence and that many individuals are inclined towards plastic surgery according to the findings of a study that took into account the 2700 cases treated by surgeons specializing amarikanë interventions ot facial plastic surgery. Mania to photograph themselves, is a pathology of the syndrome in search of a stable personality.

Self-esteem (Branden, N. (1969) is a very broad term for how good or bad we feel about ourselves, and it can generally vary as per time. For example, if you fail a test it may be upsetting, but ultimately a grade doesn't determine who you are. People who have low self-esteem commonly have a very pessimistic outlook and are often quite self-critical, withdrawn socially, and are overwhelmed with feelings of inferiority. A person with low self-esteem may them feel better. So they rather don't focus on more important ways of changing their negative self-place importance on their looks, thinking that taking and posting selfies will help image such as self-acceptance, self-compassion, and self-respect which is undesirable.

This study is an innovation for our society in the context of clinical studies.

Definition of terms and their operationalization

Self –esteem: In sociology and psychology, self-esteem reflects a person's overall subjective emotional evaluation of his or her own worth. It is a judgment of oneself as well as an attitude toward the self. Self-esteem encompasses beliefs about oneself, (for example, "I am competent", "I am worthy"), as well as emotional states, such as triumph, despair, pride, and shame. Smith and Mackie (2007) defined it by saying "The self-concept is what we think about the self; self-esteem, is the positive or negative evaluations of the self, as in how we feel about it. Self-esteem is attractive as a social psychological construct because researchers have conceptualized it as an influential predictor of certain outcomes, such as academic achievement, happiness, satisfaction in marriage and relationships, and criminal behaviour. Self-esteem can apply specifically to a particular dimension (for example, "I believe I am a good writer and feel happy about that") or a global

extent (for example, "I believe I am a bad person, and feel bad about myself in general"). Psychologists usually regard self-esteem as an enduring personality characteristic ("trait" self-esteem), though normal, short-term variations ("state" self-esteem) also exist. Synonyms or near-synonyms of self-esteem include: self-worth, self-regard, self-respect, and self-integrity.

Selfie- mania: Selfies are photos of a person which usually consist of up-close angles of a person's face. The term selfie has become so immersed in our daily use vocabularies now, that not only has it officially entered into the Oxford English Dictionary, but "selfie" was Oxford English Dictionary's Word of the Year for 2013. It is described as when an individual holds a camera or smartphone at arm's length and takes a picture of their face. But honestly, some of these may come across as awkward. There tend to be various poses including the discrete pouting, the 'duck' face or lips pose, the funny-trying-to-be-cute face, etc.

Adolescence: Adolescence describes the teenage years between 13 and 19 and can be considered the transitional stage from childhood to adulthood. However, the physical and psychological changes that occur in adolescence can start earlier, during the preteen or "tween" years (ages 9 through 12). Adolescence can be a time of both disorientation and discovery. The transitional period can bring up issues of independence and self-identity; many adolescents and their peers face tough choices regarding schoolwork, sexuality, drugs, alcohol, and social life. Peer groups, romantic interests, and external appearance tend to naturally increase in importance for some time during a teen's journey toward adulthood.

Methodology:

The purpose and objectives of research:

To explore the correlation relationship between selfie mania and self- esteem.

This study is an innovation for our society in the context of clinical studies.

The focus of research

This research will be focused on adolescence:

By involving in the sample only the adolescents 16-18 years old .

Sample

Target group of this study were middle school students "Dhaskal Todri" in Elbasan, where 100 participants aged 16-18 years from where 39 participants were males and 61 females.

Study measuring instruments

Instruments used for evaluation Self esteem in adolescents selected for this quantitative study are:

1. Rosenberg, inventory

Self-esteem is typically assessed using self-report inventories. One of the most widely used instruments, the RSES (Rosenberg, 1965) is a 10-item self-esteem scale scores that requires participants to indicate their level of agreement with a series of statements about themselves.

Results

After analysis of the data showed a positive correlation (tab. I) between connectivity Selfie – Self-Esteem which holds that studies to date have shown that there is a connection between the selfie mania and self-esteem. Out of the sample obtained in this study show that individuals are looking for a better image of themselves as self images contradict the image of a secure existence, through fixing a few moments as a symbol of an attempt to establish an identity consistent, full realized. The pathology of this syndrome is the search for a stable personality. Of course we are talking about the first research on this phenomenon should probably be more careful diagnostic categorization and labeling.

Pearson Correlation Table 1. 3

Question	Valid	Missing	Pearson Correlation
1. On the whole, I am satisfied with myself.	65	0	1. 00
2. At times I think I am no good at all.	65	0	. 714**
3. I feel that I have a number of good qualities.	65	0	1. 00
4. I feel I do not have much to be proud of.	65	0	. 308*
5. I am able to do things as well as most other people.	65	0	1. 00
6. I certainly feel useless at times.	65	0	. 514**
7. I feel that I'm a person of worth, at least on an equal plane with others.	65	0	. 340**
8. I wish I could have more respect for myself.	65	0	. 592**
9. All in all, I am inclined to feel that I am a failure.	65	0	. 971**
10. I take a positive attitude toward myself.	65	0	. 243

**. Correlation is significant at the 0. 01 level (2-tailed)

*. Correlation is significant at the 0. 05 level (2-tailed)

I think "True self-esteem comes from connecting with and serving others".

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Social Contract: Sovereign Contracted or Created? - Comparative Analysis Between T. Hobbes and S. Pufendorf

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Abstract

This paper has in its focus the notion of 'Sovereign'. The discussion will be conducted within the "School of Natural Law", which we will focus on two representatives; Thomas Hobbes and Samuel Pufendorf. Through a comparative philosophical analysis, we are going to stop on the basics, the genesis of sovereign power. Political philosophy in the context of finding the source of sovereign power is a problem in the landmark of the unsolvable. " Scool of Natural Law" referring to the natural condition has the solution to this problem. Compare lines will start from this premise, to know after, how the reason goas towards two different concepts of "Social Contract". Contract which generates sovreigen person, it defines the nature and content of the power of this person. At this discourse, social contract as the core hub of transition, conversion to the state of nature in a civil context is rolling between the political and juridical character. Discussion, which essentially make us know the nature of the relationship between the Sovereign and members of society, sovereign and state, the member of society between each other. In other words, we will see how the political - legal forms of organization, the way of governing is determined by the nature of initial social contract

Keywords: state of nature, social contract, sovereign, civil society

Intorduction

Europe of times of Renaissance and Reformation brought foundamental changes, to the forms of thought, lifestyle, socio-political organization, etc. In the context of a troubled continent, after the dissolution of the Holy Roman Empire and the birth of the nation state, the notion of "Sovereign" comes naturally as time requirement.

Time which inspired scientific thinking model and approach to problems. Scientific rationality was returning to humanity, to find there the foundamentals and not to the theological principles. In this sense, secular trend in knowledge it was premise to laicise the political power. On the other hand, the decline of domination of the Aristotelian and the fragility philosophy of moral relativism would be another argument - critical to find solid foundamentals, from which the society will be consolidated in the legal and political context. Further, to organize state - nations in mutual and lasting relationship. It is on these terms that was created and developed the thoughts of the school of natural law, which would inspire the modern political discourses.

The problem of Sovereign required secure premises, to justify a higher and strong power with the goal of organizing a sustainable society, Hobbes and Pufendorf (but not only) started from what nature teaches us. Knowledge of human nature and the natural condition of society would be basics, from where we will start a comparative discussion to find the source of sovereign power. The argument which in the context of socio-political organization, will lead to the "Social Contract". The focus will be on understanding them meaning that gives each of them to this act, like direct genereator of the person with sovereign power. With interest, will be the juridico- political model, which comes as the post reality - contract.

Human by nature; law and natural law

What is the human by nature? In what relations, he stands with others? In the empirical logic of Hobbes, man is seen as a body, as an object among other objects of nature. In other words, man isn't seen differentiated from the natural environment. He is part of the physical nature and is defined, determined by its nomocracy. Human acting in natural circumstances is dictated by the actions of the other objects, which are located outside him. For Hobbes is absurd to think that a man can

be put in motion by himself (Tuck, 2008, p. 63). He is seen as a being totally passive and irresponsible for his behavior. The scientific rationality of Hobbes objectivised the natural explanation within the framework of psycho - physical. In this sense, man is seen more as a being naive; perceptive closely related with the direct interest of life (Levitani, 2000, p. 10).

The context of human gullibility and the state of perception is an indication that he follows its natural instinct. The instinct that essentially has factual existence (life). In such circumstances, the human is motivated by the fulfillment of this instinct, regardless of the object. Implying the total lack of regulation, means for Hobbes's that "only the present exists in nature" (Hobbes, 2000, p. 13). Importance has the momentary interest as a direct requirement of instinct for good and personal pleasure. Here falls the value or interest for the other, no moral or humane principles. Moment, the present is decisive for man in natural conditions, it dictates his behavior and actions, making a completely spontaneous human being and without given rules. The direction of the moment interest, essentially creates conditioned individual by natural requirements, but unimpeded by any other rule or principle to meet these requirements. Good and evil, right and wrong is always seen in the interest of the strongest. This is expressed from the antiquity by sophist Thrasimah (Plato, 1999, p. 26). Precisely here Hobbes gives the understanding of "Natural Law" when he writes: "The natural law … is freedom of every person to use his power, as he will himself, to preserve its nature, in other words his life and, therefore, do everything according to his judgment and reason, he conceives as the most suitable for this purpose " (Hobbs, 2000, p. 80). In other words, 'natural law' is equivalent to 'absolute freedom', where the primary goal is to ensure the physical existence, and on this purpose any kind of action is more than justified.

The opposite of the right (freedom), for Hobbes is duty (law). Here is distinguished right by law, where the natural right is absolute spontaneity, and the law of nature is the discovery of reason. In this context, the right ". . . consists in the freedom to do or not to do something, while the law stipulates and makes mandatory one of the two. So, the law and the right distinguish between them as much as the freedom and responsibility, which are incompatible with each other if they are applied to the same " (Hobbs, 2000, p. 81). Discovering the reason (law) requires binding behavior to do or not to do something which serves to a specific purpose. In the contexts of the natural condition the reason discoveres the natural law, this is unviolation of natural law of another, the right of life. The law of nature is a limitation of the absolute right of human (freedom). Relationship goes in contradiction with each other. Selfish tendence of the human, being perceptive in natural circumstances (without rules), the law of nature is not taken into account at all.

Pufendorf joins the Hobbes's idea that, external factors are often determinant in human behavior. However, otherwise from Hobbes, Pufendorf is dualist in the treatment of human nature. Man, is not just a physical being, but also mental, spiritual (Pufendorf, 2007, p. 75). From this point of view, we see man as a being not totally perceptive, but abstractive. In the judgement of Pufendorf, the human carries by nature minimum reason. If for Hobbes, human is moved by the outside world, from the perception of objects, for Pufendorf's man is more active. Man, by nature has the ability to overcome the constraints imposed by nature. So, he moves not only by external factors, but is motivated by cognitive abilities and will. He creates concepts and analyzes their meaning. How to say, the human depart from himself to act and is not just a physical object, which is set in movement by other objects, as Hobbes thinks. He chooses, without being imposed solely by external circumstances. So, man is author of his behavior, responsible for its actions (Pufendorf, 2007, p. 38).

Dualism of Pufendorf, from what I expressed, opposes the difference that makes Hobess between the "right" and "duty". Reasoning human nature means that the duty or the law is an expression of freedom and not the opposite. Whether in the Hobbes's we find the distinguishment between the duty and the right, as the difference between the law (reason) and liberty (perception), at Pufendorf's we have the expression of freedom as a combination of law and duty. In this sense the human is freedom for Hobbes, only when he is not limited by external factors, whereas for Pufendorf the human, somehow creates freedom as a synthesis between the right and duty, reason and perception.

The relationship of man with man in the natural condition

In nature, man according to Hobbes requires in complete freedom the fulfillment of private interest, it is characterized by selfishness and unkindness. This means that in the state of nature, man is seen as the enemy of man, he wants to defend himself by fighting or subjected other rivals (Hobbes, 2000, p. 77). Hence, the tendency to gain more power and he who has more power reaches to impose on others. Told in other words, natural human condition it is in a continuous state of war, for more force, more power (Hobbes, 2000, p. 61). In this sense man tries to provide an individual power to accomplish essentially his nature, implied here the existence. He has the ability to create and enjoy the Individual power, which is always in function of his private personal interest. Within this force is measured even the freedom. The more power has

this person, the less is limited. This is the power given by his ego that is exerted over others in its own interest. This is freedom in the conept of Hobbes, closely related to external factors.

The notion of "protecting themselves"' is as well a central term to Pufendorf, whom identifies it as the strongest impulse of man than any other incentive (Pufendorf, 2007, p. 59). Primary in human nature is itself, unencroachment and maintaining the personal integrity (safety). This fact makes Pufendorf subsequent and sequential of Hobbes theory (Palladini, 2008, p. 34). The fact that man bears a distinctive minimum reason, in the judgment of Pufendorf is seen as a task to not affect the Other. Even he realizes that alone is incomplete in nature, which means that "man is not born only for himself. . . " (Pufendorf, 2007, p. 75). Natural tendency to cohabit in the basics has fulfilling itself. The other is a prerequisite for this. In short words, man in all his complexity is ". . . designed by nature to social life" (Pufendorf, 2007, p. 114). The goal remains the mutual benefit and minimizes damages against each - other (Palladini, 2008, p. 34). Community is consequence of reason, which avoids the distress condition of living in conflict. This is the key difference with Hobbes, where Pufendorf didn't see the man as being extremely selfish and malicious. In the end, minimal reason makes the human to live in community, by featuring a minimal humanity. Humanism, which in the judgment of Hobbes constitutes appearance, the natural conditions of actual circumstances. At the core of this situation is the war, selfishness, conflict, unkindness - towards each other.

The necessity for a power sovereign

Referring the meaning of the" natural law" according to Hobbes as an absolute freedom, where ". . . everyone has the right to do everything, even over the body of another. So, as long as continue this right of every man to do anything, may not have security for anyone. . . " (Hobbs, 2000, p. 81). Hence, naturayl man goes toward finding ways to ensure natural existence. Rivalry, mistrust, greed for power, natural condition of war (chaos) comprise the premise of Hobbes, from where is seen the necessity of a power to change the situation by creating a sustainable social organization.

So, impossible and constantly frightened by the situation of the permanent war in the natural condition (social), man requires solid basis to realize its natural condition. He lifts up from his personal power (from liberty, his absolute right.) to surrender it to a greater power in function of protecting itself (Hobbs, 2000, p. 61). Somehow it becomes reasonable (is forced) to accept a greater power than every one in particular, but he takes care to build symmetrical relations inside of the society. But which is this power that stands above everyone? Where is it?

"Fear of repression prompted this man to come forward or seek help through friends. Because there is no other way, through which man can secure his life and liberty" (Hobbs, 2000, p. 62). To create stable and reliable reports in order to fulfill the natural law of self-defense, is accepted a government that stands above all. Only in this power we can see in real terms a compact society and deserved to be called like this. Without power, the society is in a situation of conflict, division, confusion, chaos and relativity. Judgments or other arguments on the creation of the human community, in the philosophy of Hobbes seem enough idealistic to be believed. In contrast with Pufendorf, moral for the other is against human nature. Ethical ideal is not valid because by nature man is driven by ego and personal interest.

The common thing here in both authors is, the fundamental law of nature is to achieve peace. However, at Pufendorf the man is reasonable and social being, then, why do we need the sovereign power? People can live in peace and harmony without the need for a power?! So, man will get enough with the sociality, with the natural condition, and another power would be unnecessary, excessively redundant?!

However, for Pufendorf the possibility of evil exists. Indeed, man by nature is unpredictable as human being, creeping, camouflaged, sophisticated in behavior, whom may tend to benefit selfishly in the expense of others and sociality in general. Most of people operate through a conscience acquired by sociality, tradition or social authority. However, this is not enough to think always to think always in the right way. Than, in paranoia circumstances, fear, where the moral of natural sociality is fragile, the man must proceed to protect himself, by referring to a higher power. A power, that takes care for unencroachment of the natural condition of life and sociality. "The conclusion is, to be secure, he needs to be social; which means to join forces with others like him, and to treat them in ways that they don't' bear to have un excuse for harming him. But even to be willing to preserve and encourage the benefits " (Pufendorf, 2007, p. 62). Thus, despite the sociality achieved excists the possibility to easily dismantle this condition. Taking the argument of Hobess, the Pufendorf sees the consolidation of natural sociality to the presence of a higher power as a union of individual forces

To this argument, the fear of death is the greater natural bad, for Hobbess as well as for Pufendorf (Pufendorf, 2007, p. 61). Exceptt fear and uncertainty, the argument that unites both authors are justification (finding) of sovereign power tat the

social community even in different contexts. Hobbes starts from a naive crowd, in a natural condition, while Pufendorf's departs from sociality, where every member carries a minimum reason to cohabit.

At this point of comparison, Hobbes sees man and community as totally terrible, differently from Pufendorf's where the bad is possible in society, not everyone want to affect the state of nature (sociality). Thus, the necessity of a higher power is justified by the possibility of the evil in society and not from the total bad that Hobbes describes. Hobess saw the extinction of moral relativism (social chaos) only to the political power without socialite, while Pufendorf doesn't exclude the reason of social situation but when the situations don't get resolutation by sociality, then we can refer to a higer power. In this moment of discourse, Hobbes creates short link between natural condition (the crowd) and political power, like necessity for drastic change, but Pufendorf, considering sociality as natural condition requires continuation, consolidation of the state of nature in order to avoid violation of natural law of life and sociality as an intermediary condition in realisation of this law.

Here stands clear that the sovereign power is justified over foundamentals of natural condation, but in different contexts. Interesting is the fact that the factors that lead to the necessity of a higher power are fear and uncertainty. This makes people more reasonable, being distanced from the natural law (absolute freedom of Hobbes), and seeking the law, as a guarantee to avoid the bad condition of nature. Guarantee that is given by a higher power means that it is absolute and inviolable. However different contexts of natural condition from both authors will lead us to different absolute meanings of law.

The Social Contract; Contracted power or created power?

In terms of instability and uncertainty man tends to avoid the risk that comes from moral relativism. This means that he is looking for objectivity behavior. So, he needs harmony and clear rules for himself, but even as expectation for another. Unable to achieve this in terms of individuality, the man requires a higher power, and beyond all. The greatest power that man can have is to unite all individual powers in a single one (Hobbs, 2000, p. 53). So, the greatest power is the unity of all as one body. But how can be achieved this unity?

For both authors, this unity is achieved only through social contract. From the description of natural condition, people are conditioned to enter into agreements with each - other. Pufendorf, 2007, p. 103). But, for what contract we talk about? Hobbes and Pudendorf although are contractualist they share different views for it.

In terms of insecurity and self-defense in the natural condition, everyone understands (is made more reasonable for Hobbes) should enter into agreements with other members. Basically, Hobbes contract means a dacordnes between members of society to authorize someone, as a third party, who acts on everyone. "Contract" and "authorization" have a complementary relationship in the context of the discourse of Hobbes. The authorization is an act of will and responsibility, and the contract as such should be treated as an act of deliberate and conscious. Hence, the social agreement makes the parties responsible contractual, author of its, in contrast of natural condition where the man was totally irresponsible and all his behaviors were legitimated. From this argument, Hobbes issue as a third law the absolute duty to respect the contract, as a personal responsibility (Hobbs, 2000, p 90). Expressed in these terms, Hobbes explores the concept "person" where is talking about actions, that represent him directly, what is called a "natural person", if he represents somebody else would be called "artificial person"

(Hobbs, 2000, p. 101). Precisely here, the term "person" is in the sense of responsibility. Natural person is also the author of his actions, this makes him responsible, and the artificial person is responsible for that which is autorised.

(Contract as willful and conscious act is reached when all powers are focused to a single joint force (Hobbes, 2000, p. 109). So, the contract is an act of authorization which is expressed to the postulate of Hobbes: "…. . *I authorize and give up my right of governing myself to this man, or to this assembly of men, on this condition, that thou give up the right to him, and authorize all his actions in like manner*" (Hobbs, 2000, p. 109). The members agree not to create a Sovereign but to contract a person, where everyone delegate the power and the right to him. The authorization of the Sovereign power through social contract is not an expression of unconditional abidance, without any sort of benefit. On the contrary, the social contract is the mediator of mutual benefit, where for Hobbes equation is; individual give up on freedom and the right, he accepts to obey a higher authority, taking as a guarantee the peace, life and safety. So, the social contract is a form of exchange, where members are willing to give up the natural right (freedom) in function of peace, by accepting a minimum interaction of freedom (Hobbes, 2000, p. 81). Renunciation of freedom, the right to do something in a contractual relationship means that the other should do the same, in the same size. Abandoning the law in this case is the passage of this right to another

person (Hobbs, 2000, p. 82). "Whom that carries this person is called sovereign, and is said to have sovereign power, and everyone else is called Citizen" (Hobbs, 2000, p. 109).

So the contract is an act-agreement between all to authorize individually a person with the right of power. Thanks, this pact, the society is created as unity or as a single political body, as a power of all that is given to an artificial person (Sovereign). Creating as a single body, as a political body or united in a state (Civitas). Beyond unity, the contract in the sense of authorization is a link between members, but also an individual link, directly to the Sovereign Person, after he authorize the Sovregin to carry power and his right, whereas, the contract has to do with the agreement that all the members have to do the same. A contract like this provides conviction and avoides the right of rebellion, because after all, in personal responsibility, the individual has authorized someone to subordinate to him. This becomes more often for the fact that the greatest fear of Hobbes is anarchy and chaos.

Rebellion is an expression of this trend, which will lead us again to the poor state of nature, condition which should necessarily be avoided. For this reason, this person is powerful Leviatani with primar aim peace in society and protection of everyone. His power overcomes each special and individual power.

In a schematic way, vieupoint of Hobbes will appear as below:
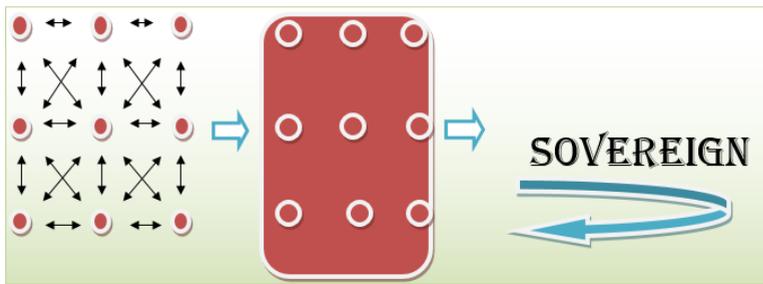
Kontrata shoqërore (Trupi politik (Civitas) dhe individi i dalluar në të (Personi Sovran

Fig. 1

(All this sematich explanation starts from the socio – political situation (as inductive logic), going to generalization, like it is the Sovregein Person, the bearer of power of all. Sovereign government action is actually deductive logic (juridical properties), where from the personification of all on, act on whole and each in particular. Therefore, the sovereign returns over the subjects and political entities by making it sustainable fact. If we have to do the reverse way: Sovereign person on top, after spreading on the whole society and each individual (citizen) in particular. For this reason the contract is mediation in terms of conversion to natural condition in civil society and natural mankind in citizen. In a schematicall way it would appear
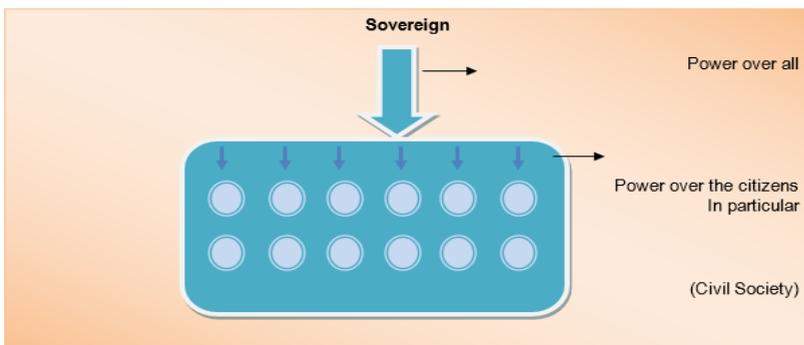
Fig. 2

Even so, Pufendorf, the theory of contract sought to lead further, by seeing the viewpoint of Hobbes for the social contract as too submissive and not enough. If for Hobbes it is just a social contract, for Pufendorf as a professional jurist is needed "two agreements and a decree. . . " (Pufendorf 2007, 184). The first is the agreement of free men by nature, who gather by create a contractual relationship between each other - turning from a state of natural sociality ". . . in one sinlge union and permanent. . . with advice and common guidance; Well, they want to be co-nationals " (Pufendorf, 2007, p. 184). In contrast to Hobbes, for Pufendorf, minimum accountability in terms of natural sociality already is specified what to do and not to do. In this contract, everyone in particular, by creating the unity of the whole agree to create a new stage of society. Here is expressed between members of society to consolidate the relations between them, therefore, so to lead the natural sociality in a more organized stage. Here the society expresses as a single body. So, the initial contract consists in the agreement to create a more consolidated level of the natural sociality, emphasizing the duties, clarifies the responsibilities and hence in creation of civil society, where each member is part of the community, it is fellow citizen. Pufendorf emphasizes that power that finds its source in the voluntary union of individual forces. Even though, in a different concept from Hobbes, Pufendorf believes in a formed body, which represent the strengthest force than every other power, and this is the power of all ". . . namely the state (civitas) " (Pufendof, 2007, p. 184). Through a decree this social body as an objective unity determines the form of organization and the way of governing. Thereafter, is need another contract which determines who must be the individuals who deserve this power of the whole. From this moment, the second contract determines the nature and the profile of the person with sovereign power.

Just like Hobbes, even in the judgment of Pufendorf, the contract is an act of exchange not just material, but exchange (converter) of status, human attributes. Person accepts to give up some freedom and rights in the natural condition and in principle (theory) these to delegate the person with Sovereign Power, who cares for further consolidate natural sociality. From the deal, as we said society members commit to undertake tasks which arises now not as individuals, but as a citizen (citizen), which means obeying the created power, and from the other side in bases of exercising the power is the obligation to ensure the safety and tranquility of society, in funcrion of natural law that every single individual enjoys (Pufendorf 2007, 184).

In a schematicall way, Pufendrof viewpoint will appear in this form:
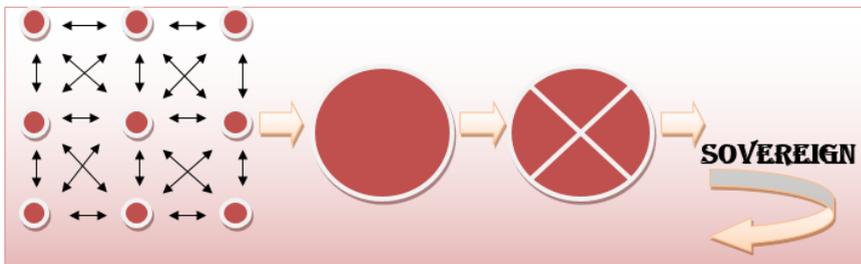
Kontrata shoqërore → (Bashkësia qytetare (Civitas) → Dekreti (Forma e Shtetit) → Kontrata e dytë (Sovrani)

Fig. 3

Reverse path is in the same view as that of Hobbes. But here remains to be evidented the difference that social body in judgment of Pufendorf's hides the individual. He mostly implied, in meltingwith the whole. According to this judgment, the sovereign and the subject lose the directly report. Mediator for the individual is the civil society where is placed in report to the Sovereign, in case when the Sovereign act over the individual the mediator is the state. At this point it seems that civil society and the state identify each - other. Schematically reverse way would be like this form:
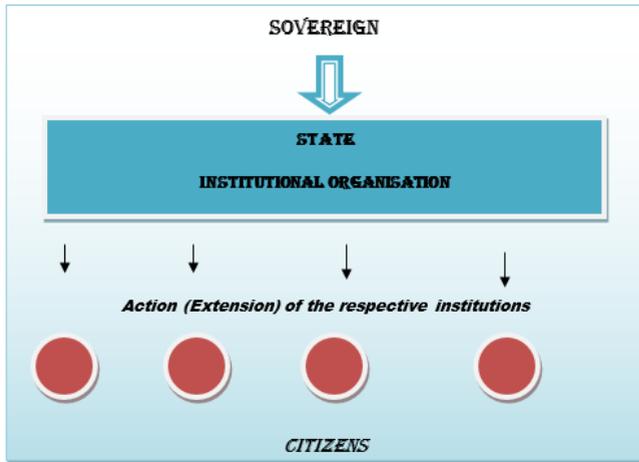
Fig. 4

Post - contract: the nature, **extention and characteristics of the Sovereign**

Mediator role of the contract makes possible the process of passing from the freedom or uncondicional state in circumstances of absolute duties. Freedom for man after the contract is expressed more limited, as a minimum space of action (Hobbs, 2000, p. 97). Avoiding the natural condition and willpowergness (accountability) to enter in the civil society is an indication that the contract is not only intermediary, but it is untouchable, absolutely inviolable (Hobbes, 2000, p. 98). Inviolability and undifferentiabe of this contract, in the judgment of Hobbes, means that the sovereign power is absolute, untachable, unaltered. From this comparison, but even started from the meaning that Hobbes gives to the social contract, as an absolute converter, from the absolute freedom to the absolute duty we will express for a sovereign power that subdues, but in an absolute way.

Social pact means that we have determined the reference, the criteria on the actions and behavior of everyone. Now and on, the particular individual is not anymore arbiter of its actions. The sovereign in this discur is a necessary condition to society. Differently from Pufendorf he sees the politic body and the civil organization of the society with a governing power as the only meaning of the term "society". Sovereign power is the fundamental criterion of society creation. People by nature are asocial, and even don't have any inclination or desire, pleasure to live in society (Hobbs, 2000, p. 78). This criterion gives validity and regulates relations among the members. Order with Sovereign power it gives meaning even to the politic body or creates the nature of civil society. In short, the absolutism of Hobbes sees meaning over society, the political body or civilian society as fundamentally inseparable with sovereign power.

Pufendorf concepts somehow different Hobbesian premise, where the possibility of the bad and maintenance of natural sociality will conclude through contract in a sovergein power, which absolutize only the safety and guaranty of natural law, not interested at all for forms or other actions, which doesn't violate this principle, so differently from Hobbes, where at Sovereign everything is absolutised. Perhaps here we have a tendency to express a sovereign with reduced expandation, anticipating the political liberalism with the idea of "minimal state". Pufendorf in the reason of sovereign power absolutize only the foundamentals of natural laws allowing the moral and the authentic sociality in their simplicity until unencroachment of this that makes the principle of natural law. So, Pufendrof differ the sociality from civil society (citizen), where the reason of the last makes the reason of Sovergein Power, as the above reason, the most cultivated.

Natural liberty like duty and right, in the judgment of Pufendorf is a wide concept and the reason of Sovereign power is included by this concept by referring to specific aspects, henceforth creating the other level of social organizing (Pufendorf, 2007, p. 25). Viewed from this point, the civil right unless it contradicts the natural law is within the application criteria and its applicability (similarity with Bodin). While in Hobbes, civil law must change the natural condition like a total bad, to ensure the fulfillment of human nature as an individual. In the condition of absolute freedom and absolute right in the natural condition in terms of duty, the Sovereign law. Levitani for him is an artificial body, which creates an artificial society

(remember sociality is unnatural for Hobbes), with the primary aim of meeting the fundamental natural law, human survival. For this reason, the sovereign power should include the whole, therefore be absolute.

After the Social Contract, we are in a different context. Individuals are not yet a crowd as Hobbes describes, nether a natural sociality state (spontaneous) as it deems Pufendorf. Already they through contract are consolidating as a single body, as a unique political community by objecivising the force (powers) of individual at soverign person, who is personification of this unified body, So, the sovereign doesn't represent simply society, but a given concept of it, which is related to safety, the compactcy of organization. Thanks to this change, we have the passing from chaotic state or natural sociality in social society, which makes more stable human relationships to clear and strict rules. In this context, the contract and its implementation is the avoidance of the natural bad and this is a rule of reason to avoid being destroyed or selfdestroyed.

Anyway, here are showed two models of contracts. The contract of Pufendorf creates the Sovregein power, differently from Hobbes where the Sovereign is contracted. In the philosophy of Pufendorf, power is generated, created, formed by the "agreement", as a joint act, as internal community act. To Hobbes, the power of all is personified to a single individual, as a third party, by supporting the monarchy form of governance. The absolute power, inalienable that act to all, but without losing the individual connection (contract) with no one. Hobbesian contract creates a direct connection between the subject and Sovereign in a comprehensive context (public). Connection which in Pufendorf's is missing where mostly the individual delegates the right and responsibility to the community and the contracted community decides about sovereign power. How to say, the individual has indirect relationship with sovereign power. In this case, is more expressed an institutional form of Sovereign, giving the state importance as a way of extending this power. However, not clearly Pufendorf seem inclined to institutional Monarchy of governance or Republic form.

In this context, State for Pufendorf is seen as a "moral person" (Pufendorf 1964, p. 11). The double contract is not simply an act that creates individual reports between subjects and the Sovereign Person, like happens in contract of Hobbes. So, Sovereign doesn't contract, but is created based on the opinion of Pufendorf, where the community as a social body, organized politically delegates all his power to the Sovereign Person by distancing from the physic person in public person (Beaulac, 2003, p. 254). His action does not come in direct way as power of physic person over the members of society. Extension is mediated by the state, the shape of which is expressed in decree, by giving moral and public character, motivated by the creation of civic community thanks to the initial contract.

As the representative of all, the Sovereign except he wins omnipotence, he is completely free, as a separate entity, situated outside the society, but in function of it. So, he is discerned, separated and attributed virtue, quality, rights and duties that do not belong to anyone in particular. In the logic of Hobbes, it is the person who represents the society as a single body, consolidates and organizes it, even though it is not subject (member) of the society, consequently, nor subject to his power. Argument justifies the Sovereign as a higher power and absolutely unrestricted by other powers. Being, seperatly entity the sovereign acquires a quite special status, which for Hobbes does not even have comparance with the individual, nor with one part of society, not even with concrete society taken as whole. Characteristic described even by Pufendorf (Pufendorf, 2007, p. 185).

Conclusions

Invulnerability of some natural rights, fundamental like the one of life requires assurance and guarantee for the applicability of this principle, even this goes beyond the humanism expressed in the philosophy of Pufendorf. State of Nature is the premise from which initiates a conversion process (exchange) and the contract is the point of connection, intermediary moment. In this context, the contract is not only the main point of the transformation of human society from natural situation, but it is also special because it of moral character, social and political. Hence, it creates an artificial Person with legal attributes. So, the social contract is something intermediate between the socio - political act and legal convention. Just so, one can justify the other. How to say, the socio – political act in terms of post - contract is dictated by the legal rule and vice versa, the legal act is justified by socio – political pact.

The difference to both authors comes as a result of different ways in concepting of the same premsië, such as the state of nature. Hobbes concepts it as a total chaos, like a state of absolute bad, where all are characterized by ego and private interest. Therefore, the contract should make an absolute conversion from the conditions of freedom in terms of duties. In this sense, the society beyond the contract, civil society, for Hobbes is the opposite of state of nature. Society has meaning only like a civil society, which, refers to a completely absolute power, as Sovereign (King). Discussion, which Pufendorf do it differently, where natural condition, without excluding the arguments of Hobbes, is not characterized by total bad, but from the possibility of bad. Man, by nature tends towards the community with others. For this reason, the Social Contract

of Pufendorf is sequel of the state of nature as a kind improvement of itself, as a kind improved. It fixes, absolutise only the laws of nature through the guarantee of power sovereign.

Hobbesian contract is one and only, which focuses on dacordness among members to authorise (delegate) their power to a third Person. So, this model contract consists in individual authorization (personal) of power to a person made in a public context, such is social contract. Pufendorf thinks differently this moment; with two contracts and one decree, where the first contract forms civic community and this community through decree proclaimed the form of government, going further with a second contract, which defines the Sovereign Person. So, at Hobbes we have direct relation between the individual and the Sovereign, and to Pufendorf individual hides through civic community. This creates the difference in the way of action of the Sovereign on citizens, where to Hobbes is in the same time on everyone and anyone in particular, but for Pufendorf the exctention of sovereign power is realized through the State, as an inclusive and public.

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Partocracy or Democracy: A Popperian Perspective of Democracy in Albania

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Abstract

"If the idea of democracy is sustainable, its implementation is uncertain, " says Cister, in order to highlight the fact that, despite efforts of different societies to consolidate their democracy, the democracy as a governance system, continues to be at risk. In this context, this research paper aims to identify, argue and analyze the level of the Albanian democracy development, which is consolidating a declined democracy system, that of partocracy. To develop this discussion, we are focused on the examination and recognition of the above two systems, which in terms of Albanian democracy, put in front of each-other, two theses in the field of political philosophy, that of Karl Popper and Mauro Calise. The comparison and recognition of these philosophical theses will guide the study of Albanian model of democracy. This discussion will go through philosophical theses, based on indicators of democracy that are: pluralism, voting system and decentralization of powers.

Keywords: partocracy, "Popperian democracy", pluralism, voting system, institutional decentralization.

Introduction

Democracy and partocracy; where does the political power lie?

When we refer to systems of governance over the past century we conclude that: ". . . democracy is known as the ideal system of government: a prominent and legitimate form, which provides a political and social structure within which people can live a happy life". Dupré, B. ; 2012, pg. 24). But for the word "democracy" there are a variety of perspectives concerning its meaning, content and conditions for its implementation. These varieties of perceptions include a conceptual plan trying to understand the meaning of democracy, as well as the efforts for its implementation through different tools.

The word "democracy" was used for the first time in Ancient Greece to materialize the social relations of the time. Democracy in Greek language means: *demos*-people, *kratos*-power, so giving power to people. This concept is quite broad and serves to characterize the forms of government, political system features and to express social relations. If we refer to the logical relation between democracy and politics, we could distinguish that democracy from this perspective, is seen as a form of organization that ensures the power of majority and esteem toward minority, by creating space for free competition of political alternatives. But in fact the word 'people' raises the discussion if the word is in singular which means forms a body or is a relative plural. According to G. Sartori, " there are six possible interpretations of the concept:

People literally mean every individual

People mean an uncertain majority, a huge number of persons

People mean lower class

People are an inseparable whole, an organic whole

People are the absolute majority

People are the majority according to the principal of absolute majority. " (Sartori, G. , 1998, fq. 14-15)

These interpretations, which carry many contradictions, give meaning to the power of people, the democracy. Contemporary theorists and philosophers rely on three basic paradigms, which are:

universality or relativity of democracy; as a system of government

democracy, a process or a condition; as governing practice

democracy, as a method or as a substance and substantial result

George Burnham writes:" If we don't take in consideration the definition of the word democracy, but the way in which the majority uses this word, we will discover that it has nothing to do with self-government". Sartori, G. , 1998, fq. 14) Democracy in this debate is related to power: the use, allocation, power control, and responsibility of those who exercise or seek to exercise it. The problem of power does not affect the right to power, but how to exercise it; the real power is on the hands of the person who exercises it. Sartori, G., 1998, fq. 20) Democratic systems generally are based on majority rules where is emphasized the transfer of power to the representatives through the electoral mechanism.

In order to give a general overview of the history of political ideas on democracy we rank some philosophers according to the criteria: How much influence should people have on the governance of their country? Among them we can mention:

Those that support the idea of a government over people: rulers have the right to use all means to maintain their power. We can mention here, Machiavelli, "all states, all powers, that have held and hold rule over men have been and are either republics or principalities. " (Machiavelli, N., 2003, pg13). He writes: "A prince should always observe the progress of his own country; his methods will always be considered honest and appreciated by all, because people of all nations are the same, they see only the appearance and the results" … (Machiavelli, N., 2003, pg. 87.) So, according to him, the prince stands over moral values when exercising his powers and can use corruption and random arrests when he judges them as necessary. The political power is guided by the belief that if you don't rule, someone else will do. Politics is a form of struggle for different power positions, from highest to the lowest ones, for the survival of the state and rulers.

Those who think that someone should govern for people: leaders must exercise all their power to make reality what they think is best for the society. Representatives of this idea were Plato, Hobbes, Locke, Marx etc. …

Those who believe in a government elected by people: people should elect their political representatives who make decisions on their behalf. As representatives of this idea we can mention Aristotle, utilitarian's, Joseph A. Schumpeter, Alexis de Toqueville etc... Joseph A. Schumpeter (1883-1950) was a supporter of representative democracy. He thought that the core of democracy was that everyone (one person- one vote) must appoint their leaders through election or rejection of the parties that appear in the election process.

In the above-mentioned platform, philosophers attribute the sovereignty to people, arguing that he has the right to establish and abolish a government, because government is, as Lincoln said, "of the people, by the people, and for the people". But today the dimensions of democracy exceed the ideological meanings and are much more pragmatic.

In this framework, we can identify other forms of democracy:

Participatory democracy: in which political engagement provides valuable knowledge and experience, a political socialization. In this kind of democracy, it is important that all the members of political parties have a meaningful contribution to the elaboration of strategies and have close cooperation with the society.

Democracy and competition: according to which the only political activity of people is to choose between elites (parties) that are in competition with each other. They will rule and probably will change in the next elections, because people do not have the capacity and knowledge to become part of the treatment of complex social problems. People are easily manipulated by idealist and populist leaders who find easy solutions. Representatives of this democracy, think that, direct democracy leads to short-term, unpredictable governance.

Democracy of discussion, its supporters admit that the core of democracy is much more than to win elections, there must be a hard work on finding the right reasons that lead to agreement and compromise. Participants in this kind of democracy should explain their views, listen to others' opinions and then decide on the best argument for the benefit of the community and society.

This is the reason why modernists see democracy as a process based on some principles, admitting that the existence of a formal process is not sufficient for achieving democratic governance. This approach creates another paradigm: democracy is a way through which the majority delegates the authority to those who want to exercise some powers (defined or limited, undefined or unlimited). Based on this delegation of authority, democracy is a set of interactive processes, in which the brake mechanism balance or coordinate, continuously or periodically, the power between executives and people. To speak about the attribution of powers, mechanisms of control and demand presupposes a choice in public institutions, which includes three branches of government: legislature, executive and judiciary.

Opinions about democracy are not always clear or identifiable. Advanced arguments are not always coherent or logical. This is obvious in the literature of political thought of the time and especially in the public debate about democracy. One of the reasons for this political and intellectual confusion comes from the fact that the word democracy is often used in different contexts belonging to three different concepts. They are:

Democracy as a process, including mechanisms, procedures and formalities from political organization to elections.

Democracy as a term or condition, that includes everything required for a given society and its political regime, including democratic processes and also democratic results.

Democracy as an output, which includes the effects of policies and practices that are accepted by the people. This result may derive from a condition or situation, and also may be the product of democratic processes.

These three concepts are not mutually excluded and are not contradictory; on the contrary, they are at the same plan. It is however important to mention that they represent three levels or three stages of democracy. "*The meaning and content of the word democracy, the difference with other systems of governance, is the right of people to take part in the management of public affairs, the legitimacy of governance and governance practices.*" (Sartori, G., 1998, pg. 22-23)

Vienna Declaration on the Human Rights affirms that "Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives." However, to take into account these declarations in the light of cultural and socio-political experiences of the West would be a mistake. As stated by the General Secretary of the United Nations Boutros-Ghali, in his report in 1995 in the General Assembly," *democracy is not a model that should be copied, but a goal that should be achieved by all people and assimilated by all cultures. It can take many forms, according to the particular characteristics and history of each society.* "

In democratic processes, the term democratization is well known and means "state of transition" of governance which renounces undemocratic practices in favor of new forms of power separations, governance practices and responsibilities toward public. Here we can mention democracies in developing countries, which are often described as protodemocracy, with arguments that it is not known the duration of the transition stage of the system.

In order to consider a society as democratic, according to the American professor Robert A. Dahl; to organize the relationship between people and political system there must be fulfilled the following requirements:

Voting equality and freedom of speech and organization. A democratic society should be characterized by a variety of views to oppose the government even by a small group.

A variety source of information.

Free and fair elections

Free vote competition, parties must fight for voters without barriers and under the same conditions.

Impact of the elected people. Bodies elected by people must have a real influence on the governance.

Thus analysis on democracy is extended in many directions which provide a clear and broader meaning of this form of government. Although democracy is traditionally divided as direct or participatory democracy, we identify that even in this division we can find subdivisions and different meanings of the concept of people-power relationship.

On the other hand, it should be highlighted that political realities, today under the name of democracy, reveal another view of the system of governance.

We could mention here partitocracy, which according to Mauro Calise, represents a political regime in which the power has its centers in leadership of political parties and not on the bodies projected by the country's constitution. Calise, M., 1994, pg. 40- 48). Although parties, through their parliamentary groups, are constitutional bodies that have an important role in determining the policies of a country, partitocracy regime constitutes a serious degeneration of the democratic system. In these *conditions, partitocracy is the main reason for the failure of democratic system.*

It primarily affects the party system and then the state structures and the society. Partitocracy appears especially in countries with lack of rule of law institutions, particularly those that have emerged from communist totalitarian systems.

In partitocracy, the real power is centralized in the hands of political party leaderships, who define the political orientation and have the monopoly in decision making process of the country. Partitocracy imposes politics without ideas. Supporters of such regime are simply loyal and devoted to the party leadership.

In this regime, parliament function is atrophied, because in reality it is always in front of a taken decision and cannot effectively play its constitutional role as the center of the debate and decision making process.

The government exercises its power not according to a program, but under an agreement made between the political parties, where political parties determine government policy options according to "their areas of influence. " Partitocracy Cabinet cannot provide the necessary political stability; however, it could not fail because of the no-confidence motion in parliament. In partitocracy governments are defeated from within, as a result of disagreements between the coalition parties or, in specific cases, of internal conflicts within a party.

The main characteristic of partitocracy is manifested in the control of different sectors of the public administration, justice, health, education and society. Public services suffer political pressures. The main criterion for making career is not professionalism but party affiliation. Party influence does not end with state administration. As a direct result of the administration control, this influence is spread in sectors of economy, and encourages corruption, favors connections with groups involved in organized crime.

Another characteristic of partitocracy is the fact that the electorate does not feel represented in the country governance. He cannot influence the political orientation and the nature of possible coalitions. The only attribute is to distribute its votes between political parties without being able to influence his governance. Against a hopeless electorate, stand party militants who try to gather the fruits of partitocracy.

The contradiction of these regimes, which take their meaning by referring to the manner of exercising the power, allows the philosophical discussions on a new approach that of representative democracy. Can we consider a country as democratic if it provides pluralism, which carries the exercise of political power in the function of party members or the winning coalition? What is the impact of people who vote? How should be an electoral system that provides effective representativeness of people?

Karl R. Popper and a new approach to democracy.

"*Democracy was never the rule of the people, cannot be, and must not be.* " (Popper, K. 2011, pg. 95)

Karl Popper in his thoughts for political philosophy focuses on two key elements:

Theory of democracy as a system of governance

On the subject of freedom.

He represents a new approach to democracy by focusing on: its definition, mechanisms that ensure democratic governance.

It is wrong to claim that the boundaries of democracy are determined by the means of its definition. In reality, the meaning of democracy is indistinguishable from other forms of governance if we only refer to its definition. Thus, other forms of government like the aristocracy or monarchy, which differ from each other because the first is based on rule of the best, and the second on the rule of an individual; they do not give the clear idea whether they are "democratic" governances or not. A concrete example is the monarchy governance in the UK which reflects a model of the best democracies. This is because in democratic states and even other countries that have different forms of government, people do not exercise power. Popper says: "Wherever rule governments (and unfortunately the bureaucracy that is state employees, who hardly take the responsibility, or don't take the responsibility at all). " (Popper, Karl R, 2011, pg. 80)

Then raises the question, which would be the distinctive mechanism of democratic governance that differs from other forms of governance? According to Popper and also other researchers who advocate the theory of the democratic state, the distinctive mechanism of democratic governance is the organization of elections or abolishment of government. This mechanism strongly supports the exercise of voting rights. Popper's theory of democracy gives this idea through his view that: "*… it is not important who governs, as long as the government can be changed without bleeding*." (Popper, Karl R, 2011, pg. 81)

Thus a democratic system differs from a totalitarian and dictatorial system because it provides not only the right to vote but also other governance alternatives, which make it possible to maintain the rule of law. These alternatives give the possibility to replace a previous government and provide opportunities for the individual to meet his needs and requirements. On the other hand, the reactions of the government, which is subject of a test for its efficiency toward individuals, are quiet and try to reflect the electorate feedback in order to satisfy them and attract electorate from other governance alternatives. Popper expresses these ideas through the opinion that: "*Every government that we can dismiss has a strong incentive to behave in a way that people are satisfied with it. And if the government knows that people cannot get rid of it so easily, it lacks the motivation.*" *(*Popper, Karl R., 2011, pg. 81) (

We can raise the question: Is democracy itself a system of governance that ensures sustainable basis of morality?

Popper admits that the problems of our democracies are linked with moral issues, but at the same time he highlights that democracy problems belong to the theory of state and not only to the discussion of morality about them, as it happened in Greek antiquity where questions on governance were asked as follows:

Is this governance good or bad?

Who should rule?

Popper says that the basic questions which should exist in the principals of our democracies should refer, not to the rule and ruler, but to the government and public administration.

To argue his theory of democracy, Popper studied the issue of pluralism and proportional election system

Referring to pluralism, Popper points out these ideas:

The existence of political parties in a democratic system is essential.

This necessity is due to the fact that our governments are governments of political parties and not people's governments.

But this does not mean that there should be many political parties, the existence of two political parties can make a country more democratic than a country with many political parties.

Political parties, emerging as governing alternatives in a democratic country, provide better opportunities to choose from. But the existence of many political parties affects negatively elections and the democracy of a country. Popper admits that, "*It is the duty of a political party to form the government or critically monitor the work of government as an opposition*" *(*Popper, Karl R., 2011, pg. 88). According to him, "*…the idea that the large number of ideologies or views should be reflected in a large number of parties… is politically wrong.*" *(*Popper, Karl R., 2011, pg. 88).

The pluralism problem becomes even more profound when a democratic state applies the proportional election system.

Referring to this system, Popper emphasizes that the problem lies in its practical applications for the formation or fail of a government. In the context of this idea he distinguishes that:

The existence of many political parties and the implementation of a proportional electoral system make it difficult to establish a government with a single ideology and its own program, because the proportional system provides opportunities to small parties to exert a major influence on the formation of a governing majority.

The same situation is created for the abolition of a government through the voting process because the ruling majority is based on pre electoral and post-election coalitions of political parties. This means that although it may happen that in other elections is asked a government collapse; through coalitions and alliances with smaller parties, it could regain a majority although this majority "may be thousands of miles away from representing "people's will*" (*Popper, Karl R. , 2011, pg. 85)

But proportional system has many other problems. A key question is that of responsibility in governance. Who bears the responsibility of political decisions, when the government emerges from elections on a proportional system? When government is created from coalitions, the responsibility of political decisions is not taken by any of the coalition parties. On the other hand, according to proportional system each party chooses its representatives based on the percentage of votes. Deputies are elected as representatives of political parties, so they are obedient soldiers to them. Popper says that the depute: "*…cannot be obliged by circumstances to vote against his party: It is the contrary, he is morally related to his party,*

as he is elected as representative of the party. And if in the long term it does not comply with his conscience, he would have probably the moral duty to resign, even when the constitution does not provide it) ". Popper, Karl R. , 2011, pg. 83)

Popper through his criticism toward proportional electoral system and pluralism gives the idea that the two-party system is more democratic, it enables:

The creation of a real majority in parliament.

Party self-criticism.

Implementation of radical reforms within the party when it loses in elections.

The real competitiveness with each other.

The improvement of political parties in function of the real representation of the people.

But the basis of democratic governments is referring to freedom and its limits. According to Popper *"An excess of power leads to robbery. But it also exists an excess of freedom. And unfortunately there is a misuse of freedom…"* (Popper, Karl R., 2011, pg. 103). Thus Popper develops four freedom theses:

Western democracies offer the best possible political systems, but institutions always need to be criticized, referring to freedom and its limits.

Democracy and freedom provide the impact of our personal ability and knowledge on the welfare of the state.

Political freedom is a freedom that represents a final value and for this reason we are not allowed to choose it.

Faith in freedom and democracy does not always provide victory, but it also leads to world disasters and degeneration to terrorism.

Through reflection on postmodern political philosophy, now let's focus on Albania and its democracy during the post-communist period. Are we dealing with democracy as a developing process or partitocracy regime?

Albanian democracy, pluralism and proportional electoral system

Frederic Mayor when referring to democracy, points out that democracy is practice. Although based on the values that can be transmitted, *the mode of action is essential. We reflect by implementing; we give legitimacy by acting.*

In this context, the forms of democracy in Central and Eastern Europe are presented by different researchers in the form of a *procedural democracy*, which is based on a system of free elections, fair and honest that ensure civil liberties; or *substantive democracy*, which provides a continuous process of reproduction of regulations and relationships between government and society and its influence on governance. While the Albanian democracy is described as a protodemocracy, according to Daniel Nelson it represents, *"Political systems in which there is a parliament, political parties and elections, as well as vestiges of representative government, like free and fair elections, fair judicial procedure, transparency of public discussion through independent media and other democratic principles. At the same time these are systems in which public attitudes do not reflect the norms of equal opportunities, tolerance or public accountability that citizens expect to be implemented in democracy. " (Biberaj, E. , 2011, pg. 26)*

The representative system of Albanian democracy is still in transition, not only in establishing the system but also in its function. A picture of achievements of Albanian democracy is presented by Freedom House for the period 2007-2016, by ranking the indicators from the minimal level 0 (zero) to the maximum level 7 (seven). These indicators have pointed out that democracy development indicators in Albania remained unchanged and the level of democracy, according to this report is estimated worse than it was in 2007.

Nations in Transit Ratings and Averaged Scores

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
National Democratic Governance	4.25	4.25	4.25	4.50	4.75	4.75	5.00	4.75	4.50	4.50
Electoral Process	4.00	4.00	3.75	3.75	4.00	4.25	4.25	4.00	4.00	3.75
Civil Society	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Independent Media	3.75	3.75	3.75	4.00	4.00	4.00	4.00	4.00	4.00	4.25
Local Democratic Governance	2.75	2.75	2.75	3.00	3.25	3.25	3.50	3.50	3.50	3.50
Judicial Framework and Independence	4.00	4.00	4.25	4.25	4.25	4.75	4.75	4.75	4.75	4.75
Corruption	5.00	5.00	5.00	5.00	5.00	5.00	5.25	5.25	5.25	5.25
Democracy Score	**3.82**	**3.82**	**3.82**	**3.93**	**4.04**	**4.14**	**4.25**	**4.18**	**4.14**	**4.14**

Source: This table contains statistical data taken from the Freedom House report about the indicators of democratic development in Albania during 2007-2016.

Let's stop now, mainly on the analysis of two factors related to each other inevitably, and in the meaning of democracy as practice they are key indicators; as they are also main transformation indicators of these systems in different regimes of democracy: *pluralism* and *electoral system*. These indicators remain essential in the analysis of control and exercise of political power. Based on political and historical findings, our system is like the Italian party system. It is characterized by a stable form of multi-party system, founded on unstable political equilibrium. Its visible shortcomings are: lack of governing alternative, limitation of voter representation, instability of governments. On the other hand, the adoption of a proportional electoral law has produced a pluralist system characterized by *multiplication of extreme poles* and *centrifugal competition of political parties*, which stimulates the existence of a large number of parties and united poles in a broad ideological distance, which lead to lack of representation, government instability and inefficiency. The *centripetal competition* identifies a limited number of parties, which reduce ideological distance and favors representation, and political stability of governments.

The issue of pluralism in Albania, although sanctioned in the Article 9 of the Albanian Constitution, points out many polemics which are oriented in:

The existence of duopoly, as governance alternative. There are about 114 registered political parties, but in fact there are only two, the rest are unknown parties, described by some scholars as "ghost party".

Lack of concepts that refer to the identity of political parties and governing coalitions. The undefined features of political parties in government, sacrificing their identity, is a consequence of the development of Albanian society and the increasing demands toward political representatives and realization of democratic principles; but also the impact of international European forces and global politics. It should be emphasized that they do not choose a physiognomy in a pragmatic way. Indicating that "*it is more difficult to exercise than to take the power*" (Baladyr, E. 2007, p. 25), the idealistic programs become democratic and non-democratic platforms.

Lack of a strategic reformist vision. What confuses the issue of real representation of the people through political parties is the creation of electoral coalitions, which are defined in the Article 65, paragraph 1 and 2 of the current Electoral Code. This electoral code does not exclude the *possibility of creating coalitions among parties with different programs*. Problems become even more acute when the number of deputies from coalitions of the biggest political parties is equal; here appears a "small party", which holds the number of deputies that would give the majority to a coalition. History has shown that post-election alliances, in order to gain the majority in parliament, have provided *links between parties with different identities.* And of course the problem of representation confuses the division between position and opposition who try to take majority and lose their identity within the alliance.

We can affirm that fragmentation, which has influenced the electoral extension and the growing number of political parties, has brought crisis of political parties and their mediation function by transforming radically the Albanian context, *in particular the relationship between society and public institutions*. Rousseau thought that representative systems are not really democratic because "*people are free only once every few years at election time; then they return to their previous position of submission to the rules, this is not better than slavery* " (Beetham, D. ; Boyle, K. 1995, pg. 7). From the ideological point of view, Albanian political system is a state of law. But if we refer to the analysis of institutional relations, the legal aspect doesn't lead these relationships or keeps the balance between the political parties. Partisanship appears in the creation and function of institutions after every electoral process, which makes people distrustful toward institutions with new staff. About this issue Rexhep Qosja said in 1997 that: *"Even today like yesterday the partisanship could lead you forward, when you deserve it or not. . . it can make you rich, but this partisanship can draw you out of work and leave without any living conditions, "* (Qosja, R. , 1997, fq. 64)

The scholar Artan Fuga expressed a moderate view in 2008, when stated that:

 "… these institutions have two levels: first, European, Western, based in law, and an expression of the general will, and the second a simple substrate of relations between parties, which is closely linked with the local Albanian context, with the tradition of overlapping powerful social actors, in this case of parties before the law" (Fuga, A. , 2008, pg. 87). Thus we get an overview of the situation where law and institutions are seen as formal aspects of democracy, and on the other hand on the bases of this democracy is reflected an institutional function, focused on party militancy.

Subsequently, the representative of the Socialist Party, Gramos Ruçi, on a TV program entitled "Debate" in April 6, 2012 declared that " Today institutions are ruined", and at the same view was Prof. Lisien Bashshkurti, who highlighted a denatured crisis which came as a result of the financial crisis that was nothing else but the crisis in education and culture and the collapse of public administration. Institutions that have reflected such problems and have doubted the decentralization of powers such as media, General Prosecutor, the President, the Electoral College, Judicial power at all levels, public administration, but also civil society actors, reflect their lack of consolidation as a result of destabilizing processes under the influence of the ruling party, this according to the Freedom House report (Table 1). This contestation, for Albanian constitutionalists, in the context of justice reform, and the law of Veting, appears in the light of the lack of decentralization of powers, as the legislative and executive powers are hold by the same people. According to them there is an open struggle between the judiciary and the other two powers that have under control all public institutions.

On the other hand, sanctioning of a proportional electoral system is characterized by the emergence of problems about political power and that of representation of the people, this places Albanian democracy in a continuous transition. The proportional system is based on the principle according to which seats in parliament are divided in proportion with votes of political parties. In this way, Parliament is a kind of political mirror representing different political directions. Every minority and every political direction is well represented in parliament. The proportional system of elections makes it possible the establishment of new parties, because for their representation in parliament they need to win only a vote in each constituency, as they are calculated together, for example if a new party win one percent of the votes it gives the possibility to have some seats in parliament. The attraction for establishing new parties brings new elements and encourages ramification of parties and of other groups of interest. For this reason, the proportional election system often creates a parliament divided in many parliamentary groups, from which emerge *unstable coalition governments with weaknesses in leadership and crises*. On the other hand, on a proportional system candidates for deputy are determined in local or regional conventions, not by local party committees, which give greater influence to party leaders. This makes voters not to elect the respective candidate, but must vote for the list of relevant parties, within which candidates are ranked according to a certain row.

For this purpose, Judith Hoffman wrote that: *"…Albania had and still has problems on holding elections according to international standards-despite the great support of the international community and continuously growing requirements in accordance with international standards of EU, OSCE and others. Although the development of fair elections is an essential criterion of a consolidated democracy, electoral reform is one of the most competitive and disputed part of political system in Albania. I'm afraid to say that in this respect, the Albanian democracy is a "zero sum game" and yet operates according to a logic that "the winner takes it all", which prevents decisive steps to change"* (Institute of International Studies, 2011, pg. 18)

Data on the development and consolidation of regional proportional electoral system in Albania, in the organization of elections, the implementation of election campaigns, and post-election political coalitions are identified clearly in the OSCE

ODIHR reports. If we refer to the elections of June 23, 2013 we will identify that repeatedly as in the elections of 2009, appear these problems:

An atmosphere of mistrust between the two main political parties, which violated the electoral climate and created problems in the management of the electoral process.

Although the Electoral Code was amended extensively in July 2012, which improved in general the electoral framework taking into account a number of previous recommendations of OSCE / ODIHR and the Commission for Democracy through Law of the Council of Europe (Venice Commission), public confidence in the electoral process was harmed, because not all stakeholders fully implemented some important aspects.

In the absence of a decision taken by the Central Election Commission (CEC) for determining the number of deputies in four election districts, the previous Parliament decision on this matter influenced the principle of a correct process and equality of vote, due to the use of old statistics of population.

The impression that CEC acted politically, was reinforced by its decision to change the composition of election commissions at lower levels by replacing all the members of 89 Commissions of Electoral Administration Areas (CEAA) appointed by the second greatest opposition party and this decision lacked a legal argument.

In general, there was confidence in the quality of voter lists, with some concerns expressed mainly by smaller political parties, although 139 mayors and head of communes were fined for not fully performing their duties to inform the CEC about the number of voters and locations.

A variety of activities were accompanied by official government advertising campaign of the ruling party, by diminishing the boundaries between public institutions and party interests, and not respecting the paragraph 5. 4 of the Copenhagen Document of the OSCE in 1990.

The pressure on public sector employees to campaign or to vote in a certain way as well as politically motivated dismissals stained the campaign. Accusations of vote buying were intensified with the approach of Election Day, and the police made several arrests.

Political parties could finance their election campaigns with contributions from public funds, private donations and loans, while independent candidates were not entitled to benefit from public funds. But the legal framework does not provide sufficient transparency about campaign finance reporting, since it is not obligatory to make known the funding before Election Day.

Audiovisual media generally offered enough time to major political parties, by creating the opportunity to inform voters about the main political attitudes. However, editorial independence was hampered by political influence. The CEC adopted a controversial decision that meant establishing an obligation to the media to broadcast materials prepared by electoral subjects, which would violate editorial freedom. The public broadcaster provided to the biggest parties the same time in news, but had a more positive tone against the ruling party. Media monitored by EOM and OSCE / ODIHR did not fulfill their obligations to provide to smaller parties specified amount of coverage in news and exceeded the limit of paid political advertising for the two major parties. The delayed creation of Media Monitoring Board and the lack of collegiality reduced its effectiveness. CEC does not effectively enforce legal regulations concerning the media.

Women candidates had low media coverage reflecting the issue of women's participation in political life. Gender quota obligation was not fulfilled by the DP, SP and the Socialist Movement for Integration (LSI) in a number of constituencies, which led to the imposition of fines, but nevertheless the candidate lists were approved. While political parties fulfilled the legal obligation to allocate at least 30 percent of each gender in the composition of CEAZ, observers noted that the women presence in Voting Center Commissions was 14 percent.

Electoral actors didn't have the effective juridical tools for resolving complaints about the election. In key cases, legal authorities refused to investigate and analyze complaints or exceeded their powers. In some cases, the Electoral College took administrative responsibilities and discretionary powers of the CEC. Electoral contestants rarely used the available mechanisms for solving their disagreements, due to their mistrust in the legal system and the fear of political deals. Voters and civil society groups were not legitimized to complain about the administrative decisions of electoral commissions.

Cases of family/group voting and application in different ways of some procedures affected negatively the overall assessment of the voting process.

The counting process was delayed in many BCC because of disorganization, including here the delayed nomination of vote counters and obstacles created by some vote counters proposed by the ruling party.

The presence of observers from civil society and party observers throughout the Election Day generally increased the transparency, although in some cases party observers interfered in voting or counting process.

The CEC received 40 complaints that did not accept the results of a number of constituencies, most of them pretending that political opponents took votes during counting process. Although the CEC with its reduced composition should not take into consideration complaints against the results, in practice it exercised this legal competence. While complaints presented by small parties were refused regularly, the CEC accepted and reviewed complaints introduced by major parties against the results in three regions (Lezha, Shkodra and Kukes), where the leading candidates had a small difference between them.

 From the above analysis, the documented facts and reflections about them, we can conclude that the effort to consolidate the Albanian democracy is an effort that seems to put at the center Poppers theory of democracy; but it reflects the views of Caluse theory on partitocracy regimes.

 It is clearly reflected in the fact that pluralism in Albania doesn't bring changes in the political aspect of democracy as a system that offers alternative choices between different political parties; but a governing duopoly that exercises its political power. Rotation characteristics didn't bring optional alternative between political parties, but ruling coalition where political parties lose their ideological identity, and didn't find similarity or common features in their programs.

In the interest of political parties are organized and function public administration and institutions. The selective criteria of employment in these institutions is not professionalism but political affiliation; a criteria that is supported and protected by militancy.

On the other hand, this kind of political and institutional pluralism was favored by proportional electoral system. The lack of elected candidates directly by people brought the leaderships of political parties to elaborate the lists of those who will be included in the election electoral system and will exercise political power. De jure this is a popperian method of establishing a representative democracy, but de facto this is a method that implies the exercise of power by the political hierarchy even within political parties, which aim to control the people, will through their representatives.

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Explaining, Cultural, Educational and Social Needs of Faculty Members of Farhangiyan University1

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Abstract

The present work is an applied and descriptive analysis survey method. Mixed techniques were applied. The Sample population in the qualitative section of the research consists of 19 thinkers; they were selected by purposeful sampling. The sample population was constituted by 181 faculty members of Farhangiyan Universities in six provinces. 150 of them were randomly selected. Research data was gathered by semi-structured interview and the researcher made the needed questionnaire. The most significant educational needs are:religious needs with emphasis on Islamic training and ethical, cultural and social needs which are discussed in four sub - categories:Cultural, Social, Ethical, Political. Quantitative results indicated that the need of such teachings is higher than intermediate level stated below. The most important need of faculty members in the cultural field is "being aware of the role of the university teachers about preserving, transferring, correcting and recreating culture"and their most important need as regards religious teaching is "the ability to use educational methods obtained from the Qoran and Nahjolbalaghe"(book of religious teachings).

Keywords: educational need, needs assessment, cultural social educational needs, faculty members, Farhangiyan University

1. Introduction

Changes occurring in cultural systems over time create new needs in any society (Chalabi, 2008:22-245). Moreover, in any society universities are institutions which have great responsibilities such as transferring the cultural heritage, the strengthening ethical awarenenss in students (Thaerpur, etal 2009). Considering the heavy responsibility of the branches of Farhangiyan University in responding to increasing cultural and social demands in students there is the need for effective programming with the aim of reaching the favorable situation. The first step here can be defined as the identification of the current situation through educational need assessment. In the Farhangiyan University, since what the student - teachers learn is to be put to direct practical use, the integrity of their teachers is of magnified importance.

Accordingly the aim of the present study is that by educational need assessment clarifies cultural, educational and social needs of faculty members of Farhangian University. In order to examine related studies were explored and it was indicated that no prominent work have been conducted in this field but some studies were performed about cultural needs of the students which Mahdavi(1999) can be mentioned; its results indicated that many cultural problems among youths. Thus university must be able to internalize norms among students. Blo¨meke, Kaiser(2012) think that the curriculum of teacher education has been described as heterogeneous across countries and influenced by the context in which it is implemented.

Russell et al (2013) showed that at least twenty-three distinguishable elements of culture interact with every component of the design process in the:1) goals and funding decisions of the client; 2) goals and design decisions of the design team; 3) perceptions of the training program of all stakeholders; and 4) the observable outcomes of the training program. By empirically illuminating the pervasive presence of cultural interactions across the instructional design process, this study advocates for culture to be recognized as a construct of importance in our field and demonstrates the powerful capabilities of using a comprehensive descriptive model as a lens for exploring cultural dynamics in the instructional design process.

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[1] According to the Predetermined Goals of Education's Fundamental Transformation Document

The article argues that even though deconstruction has indications for action in religious education, the action should be subordinated to the notion of deconstruction as event. Three strategies can be used in the curriculum of religious education inspired by deconstruction. The first strategy is to emphasize the spirit of religion as different from the corpus of rituals. The second strategy concentrates on the common core of religions as a basis for translatability among different religions. Finally, the third strategy deals with providing compatibility between faith and knowledge(Bagheri,Khosravi,2011).Culture as a determinant factor of behaviors is an important subject in a society. Until recently, culture as a collectively held set of values, traditions, beliefs, and assumptions was not considered as a factor in the process of development. Now, however, culture is recognized as the heart of the development process. Culture is the fourth pillar of sustainable development. It can determine the human's priorities to gain the material and spiritual goals. The relation between culture and sustainable development is considerable and outstanding(Haghighi,2009).

Vahedchokadeh(2005) also emphasizes that educational program must be designed in a way that promote favorable social cultural education(p15). Fathi, Vajargah et al (2006) believe that cohesive consideration of cultural values in different education levels is intransitive (p32). Some researchers believe that considered cultural needs as top priority education s' (Hamidi 2005, Ahmadi et al 2008, Esmaili and Rabiee, 2008, Asare et al, 2012) Loghmanniya and khamesan (2010) believe that irrelevance of content of lessons to sub-cultures and also multi level concept of national cultural identity are the cause of weak observing of cultural identity. Saboktakin and Khosrojerdi(2013) believe that alone education is meaningless, but education trend includes teaching culture too(55). Other researchers believe that knowledge centered culture must facilitates educational innovation (Safae and Fakhri, 2012, p. 5). To some researchers, higher education institutes of the country can play a significant role in social, cultural transformations and can have a more prominent status in cultural responsibility of the society which is adjusted to Islamic Iranian identity (Manafisharafabadi andZamani, 2012, p.85). In other related studies (1996-2009) the following factors were introduced as causes of keen weakness in field of teaching culture and national identity:a) weakness of educational institute in considering genteel Iranian culture and attaching to foreign cultures(Kafash and Faridi,1996, p12, and Tavakolinik 2001). B).Not satisfactory curricula in playing their role for crating identity in personal, social and national arenas (Rabani, 2003, p.65). c) Lack of congruence between religious-Islamic, historical, geographical and worldly identity (Rabani, 2002). Not congruence between national and cultural identities and it results in weakening of such issues in educational curriculum (Loghmannia, 2009, p.171).Unfortunately, however, in spite of the fundamental relationship of 'spirituality' to the very basis of what it means to be a human person, and in spite of the fact that spirituality is acknowledged in educational literature as a priority for schools, evidence suggests that we, as a society, could do a lot more to support the spiritual development of teenagers in our care(Waters,2010)

Universities as models and as the most important institution in transferring cultural values must promote not only scientific aspects which contain cognitive awareness but also must promote cultural and social behaviors (Zokaee, 2003, p.53). It seems that higher education can move forward positively in this domain only when pays deep attention to its education curricula (Sharafi and Taherpur, 1999, p.26).

role of curricula traditional approach -centered in transferring culture includes subjects such as reading and also familiarity to literary choices and education of history, and accordingly they use prescribed cultural values for forming national behaviors (Gutak translated by Pakseresht, 2002, p.78), but, Delanti(2007) believes that ideal of index for cultural education are open widened university which differs greatly from traditional university (Delanti, 2007, 258-259).

In this field studies conducted in foreign countries are also inspiring. For example results showed that considering cultural, social needs and valuing different cultures are significant cultural need and cultural, social political knowledge is highly correlated to current curricula of universities(Lee Kuang Wu,2000, An Ran and Viv Edward,2006, Teny Green 2008, Brendan Bartaram,2009, Riveilli2010, Reynher, Gillbert and Lockard 2011). Kallen(2005) believes that making internationalization curricula in universities creates cultural opportunities (an citied of Jang 2009). Sikart(2008) also showed that globalization phenomenon influence over national cultural identity of faculty members. Fass and Ross(2012) showed that there is no assimilation between cultural content of experienced and performed curricula Beuckleaer, etal (2012) indicated that cultural variety is considered as a positive potential for improving quality of education of faculty members. LeedjiaSvec (2014) showed that cultural knowledge will enable person for saving resources, improving life conditions and also accomplishing responsibilities. Generally education if considered alone is meaningless and education flow in university also includes instruction culture. It is advised that consider a more active role for higher education in the arena of cultural mission of society.

Professors are considered as key factors. Considering their educational needs is a priority in developmental programs of the country. So Farhangiyan University has changed into a center for fighting against unsuitable training habits and

considering the appearance of new cultural needs in society, according to those innovations in cultural, educational fields are cooperated into the process of training future university professors.

According to Mehrmohamadi (2013)"teaching is a extensive activity in universities especially in Farhangiyan university and one important aspect of it is based on cultural, educational and social needs of students teachers in curricula, thus if it is expected that educational plantings pare the way for this purpose and accordingly they acquire merits in this area, so teaching trainers is crucial importance (Mehrmohamadi, personal interview, 2013).

The researcher aimed to assess needs of faculty members in cultural, educational and social fields. It must be noted that in promotion for faculty members of Farhangiyan University four main activities are considered:a) Cultural, educational and social activities') Educational activities.c) Inquired and technologic activities) Scientific, executive activities (promotion Bylaw of faculty members, 2011). In the present study, only cultural, educational and social activities are considered and these are divided more into two sub branches of 1) religions studies with emphasis on Islamic education, 2) ethical, cultural and social issues.

2. Research Method

2.1 Type of research

The present research is of analytical-descriptive and surveying method. Depending on the theme of the research, two qualitative and quantitative approaches were employed in performing the different sections of this research work. Qualitative method was used to collect information from specialists and authorities in education while quantitative method was employed to collect information from full-time instructors and the academic members of Farhangian University. The findings of the qualitative section were used not only to answer the research questions but also to construct the tools for the quantitative section. After the implementation of the interview texts, the basic statements related to "teaching skills"were extracted and added to the text of the questionnaire to construct the tools. Therefore, the combined exploratory method was also used in this research (Plano Clark, et al. 2008:372; Creswell and Plano Clark, 2007:62-72 quoted by Sharifiyan, et al. 2013:54).

2.2 Population and sample

The population in this research work consists of two sections:A) the authorities and high-ranking experts in education at the country level form the qualitative section of the population in this research work. Nineteen authorities in education who were the sample of this research work were interviewed in a semi-structured manner. B) The full-time instructors and the academic members of Farhangian University from the fourth axis of the country consisting of Esfahan, ChaharmahalvaBakhtiyari, Lorestan, Yazd, Khuzestan, and Ilam formed the population of the quantitative section of this research work.

The initial sampling method for the selection of the authorities and experts in education in this research work was targeted (Creswell, 2007). In fact, the authorities and experts selected for the subject of research work were "significant samples"(Williams, 2006:79). In addition to targeted sampling, network-sampling method was also used during the interviews (Noori, 2008:330). The first interviewees were asked to recommend those whom they considered competent for the topic of the interview. Regarding the authorities in education, the size of the sample was not quantitatively calculated, but to obtain some standards like data saturation and information redundancy show the adequacy of the sample (Onwuegbuzie and Leech, 2007:242; Guest et al. 2006:59 quoted by Sharifiyan et al. 2013:54). The stratified random sampling was also used for the selection of the full-time instructors and academic members of the desired provinces so that all the full-time instructors and academic members of the desired provinces were selected. The sample of the quantitative section of this research work included 150 teachers in total consisting of 45 (30.6%) teacher holding PhD, 102 holding MA/MS (69.4%), and three unspecified teachers. The size of the teachers and academic members was calculated by different methods. In the first method, Cochrane sample size was used to specify the number of the teachers and academic members required. Additionally, after performing the research work, the test statistical power was calculated and with regard to the fact that the statistical power was equal to 1, the adequacy of the sample was confirmed.

2.3 Data collecting instrument and determining validity and reliability

A semi-structured interview and a researcher-made questionnaire were used in this research work. The researcher interviewed the authorities to acquire their views. The validity of the interview form was investigated and confirmed by those who examined the validity of the questionnaire. The reliability of the questionnaire form was examined by three experts

knowledgeable in the qualitative research methods. They studied the summery of the issues and the determined the categories by the use of the triangulation method. Since there was no standard questionnaire regarding the research subject, a researcher-made questionnaire was used to collect information from the intended sample. To determine the content validity of the two tools of interview and questionnaire, the views of 12 academic members of the Faculty of Education and Psychology at Esfahan University who enjoyed the required specialty were employed. The Cronbach's Alpha was used to estimate the reliability and internal correlation of the questionnaire questions. After performing the preliminary studies on 36 individuals of the population and analyzing the questionnaires, the reliability of teaching skills background was estimated to be 0.910. To study the construct validity of the responses, they were analyzed by the use of factor analysis and Varimax rotation method. Therefore, the number of the statements and the components remained unchanged. A minimum factorial load of 0.4 was the standard for the statements to remain in the questionnaire. The results of KMO test was 0.900 and the Bartlett test for the study of sphericity of the data was 742.144 $P<0.01$ which was meaningful and satisfactory. The amount of the specific values and the justifiable variance percentage for the factor of teaching skills were 62.936 and 5.035, respectively, indicating the suitable validity of the tools.

2.4 Data collection and data analysis methods

Some methods have been presented for the analysis of the information obtained from the interviews that can be used to analyze the propositions and the views of the interviewees (Campbell et al. 2004:125-147; Mason 2002:91-96). Normally, to analyze the data obtained from the interviews, several stages or steps including data preparation, data organization, and data reduction within the framework of the propositions by encoding and condensing the codes are used and ultimately, the data are presented in an image, table or discussion format (Creswell, 2007:148). In this manner, the stages of data analysis are also performed as the above in the present research work. It is done in so that the interviews are performed in person by recording and then by transcribing the interview; the statements are categorized by MAX. QDA Software and after the determination of their reliability they are categorized. To collect the data by the in-person questionnaire related to the academic members, the questionnaires were distributed among them and 150 copies were collected. To analyze the qualitative data, the descriptive-inferential statistics were employed and the average and frequency were calculated at the descriptive level. At the inferential level, the data were first examined for two specifications of normality and homogeneity of variances. In cases when the data enjoy these two specifications, the parametric tests were employed; otherwise, the non-parametric tests were used. The tests used in this research work consisted of multi-way analysis of variance, factor analysis, and single-variable t with a hypothetical average of three

3. Research findings

Since the method of this research work is a combined approach, the findings are therefore presented based on the research questions. The data are analyzed in the qualitative section by the use of categorization method. After the transcription of the text of 19 interviews, 168 propositions (codes) were extracted. After the analysis of the content based on the propositions, 107 propositions were obtained in the second stage and 77 propositions in the third stage and the main categories were determined. With regard to the importance of the subject in this article, the category of "teaching skills"has been studied. In continuation, the needs related to the intended background are presented in Table (1).

Table 1. The most important educational needs expressed by the interviewees in the area of "cultural, educational and social needs"

Main categories	Educational needs
A) Religious studies with emphasis on Islamic education	1. learning of Qoran in order to answer students, teachers Questions 2. Ability to transfer Ability of transferring religious ideas values and creating strong faith to Islam 3. Familiarity to Islamic rich resources (Nahjolbalaghe, Nahjolfesaheh, affect and narratives, valid books) 4. Ability of understanding and extracting of educational commitments from Islamic recourses 5. Familiarity with philosophy of Islamic education 6 Familiarity with religious aims in students -teachers curriculum
B) Ethical, cultural and Social issues	A) Cultural domain 1. Acquaintance with the role of university professors in preserving, transferring, Correcting and recreating culture. 2. Initial familiarity to collection of human sciences (Sociology, History, Art, Philosophy and Social science). 3. Familiarity with comparative education for knowing other cultures. 4. Need for internationalizing of curricula. 5. Familiarity with aims and bases of cultural direction in Education's fundamental transformation document. 6. Recognizing signs of cultural attack and exposing it. 7. Ability of registering of educational sources content to religious cultural sources 8. Familiarity with the aims of students -teacher's curricula in cultural social educational issues. B) Social domain 1. Recognizing the mission of Farhangiy university as the main center for education 2. Need to internalization of curricula 3. Familiarity with the role of education in social growth among teachers and students 4. Familiarity with cultural -social needs and problems of students 5. Familiarity with problems of the current society and new social phenomena's C) Ethical Domain 1. need to Familiarity with life's of types people 2. Familiarity with the applied style of prophet Mohamad and Imams and Fatemeh Zahra 3. Teaching ethics and character teaching and methods for being teaches 4.Need to the teaching norms and values (honesty, professional truth and respecting people's domain) D) Political Domain 1. Being knowledgeable about political issues (political thinking and politic understanding) 2. Ability of analyzing current issues in Iran and world 3. Being conscious about teacher's role in political training of students-teachers

3.1 The first question:What are the educational needs of the faculty members in the area of religious teachings with emphasis on Islamic training?

According to interviewees six educational needs mentioned in table 1 were among the most important needs of Farhangiyan University faculty members; in the following they are presented briefly:

3.1.1 Need to learn Quran and religious thoughts in order

This need was approved by 14 people participating in the study (73.68%). They believed that usually religious questions are proposed by students (interviewee 1). Also considering quick cultural social transformations, teacher must be able to answer such questions (interviewee 2). Such as development a course called "familiarity with Nahjolbalaqe"(interviewee 6 and 7).A main issue which deserves special consideration is that in religious teachings we have to look for those who have faith in religion. In fact teachers have to be able to educate students who have strong faith. (Interviewee 13).

3.1.2 Ability of transferring religious believers and values and creating

This educational need is pointed to by 12 participating subjects (63.15%). When, the values have explained Interviewee 3 believes that familiarity with religious must be the priority of those who are supposed to work in education field Therefore it

is suggested that religious consultant be defined as a permanent post in order to answer students and teachers questions (interviewee 4).

3.1.3 Familiarity with educational necessities

It is the other need that mentioned and emphasized by 11 respondents (57.89). Interview 6 believes that Islamic educational methods in Islamic sources are available then must be consequently thought to university professors. When rich educational methods are available then they can be transferred to teachers.

3.1.4 Familiarity with philosophical

12 interviewees (63.15%) consider it as one of the most basic issues which a teacher must acquire it both theoretically and practically, these are philosophical issues and principals mentioned in philosophy of education of Islamic republic of Iran (interviewee 6,9,17).

3.1.5 Familiarity with religious goals in curriculum of students teachers and domination

12 respondents (63.15%) deemed it necessary that in Farhangiyan university, teachers must be acquainted to religious teachings practically. They must gain needed capabilities in their own major to express religious goals; this university must not be limited to transferring mere scientific knowledge (interviewee 12).

3.1.6 Familiarity with pure Islamic

Five of the interviewees (26.31%) explicitly referred to this need. They believe that lack of attention to pure Islamic mysticism have resulted in formation of forged fake mysticisms (interviewee 7). If pure Islamic mysticism, Nahjolbalaghe, SahifeSajadiye and living methods of Imams be included in university teachings of duration service, then import roads for such fake teachings will be blocked practically.

3.2 The second research question:To what extent do the faculty members of Farhangiyan University require training in the area of "religious teachings with emphasis on Islamic education?

Based on research findings 64/1 percent of the respondents in quantitative section had MA degree and 34/4 percent had PhD degree and 57/7 was male and 39/7 was female. 46/2 percent of the respondents have worked between 21 to 30 years.

Table 2. Comparison of Average needs of Farhangiyan university faculty members to education in religious teachings with emphasis on Islamic education with three hypnotically mean

Factor	Mean	Standard deviation	Mean deviation	t	Df	Sig
Education in religious teachings with emphasis on Islamic education	3/61	0/83	0/069	8/882	143	0/001

Based on the findings the Average needs of Farhangiyan university faculty members to education in religious teachings with emphasis on Islamic education is 3.61, because calculated t is higher than the t tables, their need is higher than average.

3.3 The Third research question: What are the most important needs of the faculty members in the area of "religious teachings with emphasis on Islamic education"?

Table 3. The most important needs of the academic members in the area of "religious teachings"

	Questions	mean rank
1	Ability of applying of educational and current methods and commitments from in Qoran and Nahjolbalage	5/66
2	Capability of Qoran in order to answer students, teachers Questions	5/26
3	Capability for updating of religious knowledge student-teachers	5/08
4	Familiarity with the aims of student's curricula in cultural social educational issues.	5/07
5	Ability of recognizing of religious of students	4/89
6	Renovation in the religious concepts related to scientific of teachers	4/88
7	Ability of transferring religious ideas values and creating strong faith to Islam	4/86
8	8.Ability of creating of Islamic studies in classroom and teaching	4/76
9	Familiarity with principles and bases of Islamic education in education	4/55

Findings indicate that in the questionnaire, mean of all related sentences for religious teachings filed with emphasis on Islamic education is higher than average. Sentences 1,2, and 3 got the highest ranks respectively.

3.4 The Fourth research question:what are the educational needs of faculty members of Farhangiyan University in ethical, cultural and social issues?

Four sub issues (refer to table) are identified after studying the interview texts:1-4 fields of cultural needs:eight different needs of faculty members are for Farhangiyan University recognized by interviewees in this part which are:

3.4.1 Cultural needs

3.4.1.1 Being knowledgeable about the role of university professors

15 interviewees (78.94%) explicitly emphasized on educating for this need. They believe that teachers must consider the role of transferring, preserving, modifying and recreating culture (interviewee 4). They believe that a teacher must make help to preserving current values and also consider their educational-cultural (interviewee 9). Two points in the area of cultural issues is significant:1. Existence of rich cultural resources based on religious concepts 2. Imagination of cognition process and cultural engineering phenomenology. In fact disorder is evident in all culturally responsible foundations. Prior to any cultural activity, cultural engineering is necessary (interviewee 13).

3.4.1.2 Initial familiarity with human sciences

This need is proved by nine interviewees (47/36%) approved this issue. Interviewee 9 believed that it is necessary for a teacher to be familiar with cultural issues in order to be influential in training teachers and students.

3.4.1.3 Familiarity with comparative education

Seven respondents (36/84 percent) referred to the need of becoming familiar with different cultures. In fact comparative education must be considered in Fariangiyan University as a main course (interviewee 10). If students-teachers have to acquire merits in the cultural domain and, then one of the best fields for preparing the situation is the teachers who must be receive appropriate education (interviewee 16, Mehrmohamadi, 2013).

3.4.1.4 Need to the curricula internationalization

This need is a need to which 7 participants (36/84 percent) pointed. According to interviewee 6 this phenomenon permits the cultures to express it; in this issue universities can present its religious values and also pay attention to native owns and positive results others s so respond to educational needs.

3.4.1.4 Familiarity with cultural aims and bases for directing in change

This need is one of the main goals that, 12 persons (63/15 percent) of those who were interviewed emphasized on this issue, subject 11 believes that it is meritorious to put education of teacher's basis on aims cultural directing in education change Education**'s** fundamental transformation document. Subject 13 also believed that a unified cultural management is

needed for producing cultural values, and in this way cultural decisions are not personal and guide cultural issues in this route.

3.4.1.5 Being knowing the signs of cultural

13Respondents (68/42%) considered this issue as a current educational need for university teachers. Interviewer 2 believes that regarding fast cultural social transformations, vast global connections, and cultural attack against Islamic society of Iran is extensive and teachers have to be conscious about this threat.

3.4.1.6 Ability of comparing of course content

Of 15 respondents (78/94%) emphasized on this issue. Respondent 13 believed university courses have to be adjusted to local religious culture. So, teachers thinking's is influenced by such context and mostly such books are translation of western thinkers .

3.4.1.7 Familiarity with curriculum aims

Knowing covert aims in curriculum is a need to which 12 subjects (63/10%) pointed. Interviewer 16 mentioned that special attention must be paid to teacher -student training programs in Farhangiyan University and this can inspire teachers, thus it is expected from a teacher to become familiar with such aims (Mehrmohamadi, 2003).

3.4.2 Needs mentioned in the field of social issues

Four specific needs for Farhangiyan university faculty members are recognized by interviewees in this part which are:

3.4.2.1 Knowing and recognizing social aims and missions

This need is considered critical by 11 respondents (57/89%). Interviewee 3 believes that a teacher must be conscious about (education, research, preparing human work force and entrepreneurship), also they must practically enter such aims to their activities, of course skill in education is one of the main responsibilities of Farhangiyan University.

3.4.2.2 Familiarity with social needs

8 respondents (42/10%) mentioned this issue. Interview 6 considered lack of connection between course contexts to current problems of the society as a big challenge. Interviewee 7 believes that teachers have to be conscious about current problems.

3.4.2.3 Recognizing the role of teacher

This need is considered by 11 believed that Farhangiyan University teachers as a person who has deep-seated view to social issues have to be conscious about his own role in educating. Interviewee 9 expressed that usually teachers are those who aware about common issues of the society. Interviewee 17 also emphasized that at Farhangiyan University social relations must be thought to the students.

3.4.2.4 Familiarity with social problems and damages in society

This need is approved by 9 interviewees (47/36%). In fact professor must have exact view about social issues and consider them in his teaching. Teacher's knowledge about such issues can result in creating knowledgeable teacher-student (interview 12).

3.4.3 Mentioned needs in the Ethical domain

In this domain four different needs are mentioned by the interviewees in this part which are:

3.4.3.1 Need to the familiarity with lives

10 Interviewees (52/63%) believed that familiarity to great mode figures can be helpful in teaching culture. In this regard Quran can be used a training model (interviewee 14). Another interviewee (13) believed that teaching based on studying life of models in curriculum can make a good content for transferring to teachers.

3.4.3.2 Familiarity with the applied style

10 interviewees believed that (52/63%) emphasized on this need. Interviewee 4 believed that being teacher is equal to transferring love not knowledge, Thus in practical training such familiarity is of critical importance.

3.4.3.3 Teaching ethics and character

68/42 percent of interviewee (13) teaching practical points about teacher's behavior are another need. They believe a missed ring not for teachers but for all society is ethics. If a teacher is teaching about hygiene he has to mention some narratives about this issue. Such teachings are found in the life style of prophet Mohamad and his daughter Zahra. In fact in ethical training, indirect education is more effective (interviewee 14).

3.4.3.4 Need to the teaching of norms and values

This need considered by 8 interviewees (42/10%). Interviewee 15 believed that ethics means the norms a teacher follow in his education environment. In fact a teacher in Farhangiyan University must play the role of model for his students.

3.4.4 Needs mentioned in political domain

3.4.4.1 Being knowledgeable about political issues

This need mentioned by 11 respondents (57/89 %). Interviewee 1 considered it as a critical factor which can be attained by teaching first level Islamic sources such as Nahjolbalaghe.

3.4.4.2 Capability in analyzing current issues

This need mentioned by 10 (52/ 63%) respondents. Because faculty members are training the next generation of teachers of the country. Being conscious about the role of education in political training of the students is very critical (interviewee 2). It is expected that university teachers have political thinking.

3.4.4.3 Being conscious about teacher's role in

Because a Professor is also influential in political education of students, to 9 interviewees (47/26%) having knowledge about this role is of prominent importance. Interviewee 9 believed that a university Professor has to be conscious about his critical role in political education of the students.

3.5 The Fifth research question:To what extend Do faculty members at Farhangiyan university need education in ethical, cultural and social issues?

Table 4. Mean comparison of the need of Farhangiyan faculty members to education in the fields of ethical, cultural and social issues with hypothetical mean of 3.

Factor	Mean	Standard deviation	Mean deviation	t	df	Sig
Education in the fields of ethical, cultural and social issues	3/61	0/80	0/067	9/178	141	0/001

According to results, the mean of need of faculty members of Farhangian University to education in ethical cultural social issues is 3/61. Because calculated is bigger than table t, then their need is higher than middle.

3.6 The Sixth research question:What are the most important needs of the faculty members in the area of "ethical, cultural, social issues"?

Table 5. The most important needs of the academic members in the area of "ethical, cultural, social issues"

	Questions	Ordinal mean
1	Being knowledgeable about the role of professors in the preserving, transferring, Correcting and recreating culture	6/08
2	Familiarity with bases and methods of soft war	5/80
3	Recognizing of the signs in cultural attack and exposing it.	5/79
4	Ability of registering content of educational sources to religious cultural sources	5/79
5	Familiarity with cultural -social bases of Islamic education	5/59
6	Familiarity with teaching ethics and character teaching and principles for being teaches in Islamic education	5/43
7	Familiarity with aims and bases of cultural direction in Education's fundamental transformation document.	5/23
8	Initial familiarity with collection of human sciences (Sociology, History, Art, Philosophyand Social science).	5/14
9	Familiarity with the aims of student teaches curricula in cultural social educational issues	5/14
10	Familiarity with comparative education in order to know different cultures	5/02

Findings indicate that the mean of all sentences related to ethical, cultural, social issues is higher than middle level. Sentences 1,2,3,4 had the highest ranks respectively.

3.7 The Seventh research question:Ranking needs of faculty of Farhangiyan university in two fields of religious teaching with emphasis on Islamic training "and ethical, cultural, social issue?

Results of mean ranking of educational needs indicate that social ethical cultural issues got the first place and religious teaching with emphasis on Islamic training got the second place.

Results of the FRREDMAN TEST shows that the total rank of binary educational needs of faculty members in Farhangian University is not meaningful in $p < 0.05$(Chi-square; 0.618).accordingly the research question is rejected.

3.8 The Eighths research question:is there any difference between education needs of Farhaniyan University faculty members in religious teachings with emphasis on Islamic training and ethical social cultural issues with regard to demographic variables?

The results indicated that there was not a significant relationship between education needs in religious teachings with emphasis on Islamic training and social ethical cultural issues in terms of any of the demographic characteristics.

4. Discussion, Conclusion and Suggestions

Contrary to different predictions about the demise of religion, religion has shown to be alive and effective in our lives throughout the world. However, the longstanding association between religion and dogmatic thinking can lead religions to have bad and even devastating effects. This shows the importance of religious education and the roles this type of education can play in changing the unpleasant impacts of religion. Religious education is an approach that can save religious thinking from being trapped into dogmas and dogmatism.

One of the strategic goals of Education's fundamental transformation document is to review curricula based on cultural-educational approach and also stung ten training ethical aspects of learners based on Islamic- Iranian Culture (Education's fundamental transformation document, 2011).

Also in 20 years development prospect document in Islamic repaid of Iran there is emphasis on the development of the country based on transition from current situation relative to cultural social historical context of the Country. Paying attention to the essence mission of the universities as the most important tool in attaining cultural independence is critical and important role for all who are active in thesis field. Along with achieving the above mentioned strategic aims this study is conducted, because identifying cultural, social, and training needs of the faculty members can facilitate programming for development of both university teachers -students. Thus the main aim of the present study is to analyze and explain cultural, Training, social needs of the faculty members and result are presented based on the related questions, as the to the first research question, most respondents answer considered six main aims as the educational need of the faculty members of Farhangiyan University. It is worth mentioning that religious needs which were identified in this research were in the same line with yeasts obtunded by Mirzaee (2002), Rabani (2003), Shamshiri (2008), and kazemi (2012). Mirzaee showed that

although students' attitudes indicate continuation of religious sentiments in university society but a kind of new religious thought is also evident which shows reduction of religion's role in social arena out of religion, its personalization and decrease in religion's influence and in traditional readings of religion. Rabani considerers lack of compatibility of religions Islamic historical, geographical identity, as the factors of the keen weakness in higher education in Iran. Shamshiri shows that although education system in Iran this hard effort in cultural training but practically not much success in attained. Kazemi believes that, programming performance of educational managers, in training students based on cone sire spiritual-unification-sociality and contraption training was successful. Thus it seems that such need is a critical demand of faculty members.

In answering to the second research question, presently showed that mean demand of faculty members to religions training is higher than average. Also in answering the third research question results of table 4 shows that the highest man rank for religions teaching is related to"ability to apply educational methods and commitments available in Quran and Nahjolbalaghe "Then sentence of "learning Quran and Nahjolbalaghe in order to answer teachers- students' questions":These were considered as the most important educational needs of faculty members of Farhangiyan university. Accordingly it is suggested to have Nahjolbalaghe as a major study to educate Nahjolbalaghe teachers. Also the researcher by studying literature and by interview participants and questioners' results of the study has concluded that universities have to internalize needed religious norms of the society in the students, and educate them based on cultural heritage of the society, that, this aim is achievable by paying attention to those educational needs.

In answering the fourth question, most interviewees believed that most important needs in ethical, cultural, social aspects are subdivided into four areas:as cultural needs b- social needs c- ethical needs and d- political needs. It is worth mentioning that results obtained in this part are compatible to research results obtained by Mahdavi (1999), Tavakoli-Nik (1941), Rabani (2003), Movahedi (2004), Faithi vajargah (2004), Vahedchokadeh (2005), Loghmanniya (2009), Loghmanniya and khamesan (2010) Colleen (2005), Jang (2009) and Rioli (2010). It becomes evident that there are many cultural problems among youths and applying western models were not successful especially in developing countries. Thus it is suggested that models be compatible to local culture of the country. Moreover keen weakness of higher education institutes in teaching cultural identity is considered as accusing factor of weakness in this regard. Thus, these teaching cultural values cohesively to the educational institutes are advised. Evidences indicated that lack of satisfying curricula in playing the role of creating identity, irrelevance of curricula content to different sub cultures, lack of attention programs to cultural education all factor which have resulted in keen weakness cultural education in higher education and educational system in Iran. Thus it seems that higher education has to pay specific attention to curricula especially if cultural educations are considered critical for its students. Need to internalization of the curricula is another educational needs mentioned in this research which is also in agreement to colon and Jang (2005).So, internationalization of the curricula at universities creates cultural education for individuals. "Political thinking and politic understanding "is another needs which is also mention in roily (2010).Creating political social, cultural knowledge students is deeply correlated to current education.

In answering the fourth and fifth question is was obtained that the mean for need to education in ethical, cultural and social issues for Farhangiyan University faculty members is higher than average and the most important need of faculty members in this field is "bang knowledgably about the role of the professors in transferring, keeping modifying and recreation culture", and "knowing methods and ways of soft war" (Table 6). Results of Zokaee (2003), Hamidi (2005), Vahedchokadeh (2005), Esmaeli and Rabiee (2008), Asareh, et. Al. (2012), Lee co- young woo (2000), Terri Green (2008) and Brandon Bartram (2009) show that prominent part of university students consider cultural- social needs as their necessary need.

In answering the seventh question, rankling mean of needs indicated that "ethical, cultural, social" issues got the initial rank, then "religions teachings with emphasize on Islamic training" got the second rank. Evidences shows that higher education must constantly play the role as agent for keeping's transferring, correcting modifying, recreating culture, thus it can provide, needed environment for the comprehensive development in all aspects, because curricula are crucial element for cultural social growth of the graduates and this growth is achievable by proper programming and dominant training of teachers, university professors. Higher education institutes as elite gatherings can play an active role in accomplishing cultural education based on Islamic- Iranian identity, because research results show that there is no match between experienced and performed cultural content of curricula .

Thus university curricula must be designed in a way that can promote culture training. Thus knowledge centered culture must be the focus on higher education, because cultural knowledge can enable organizations to save sources, improves life conditions.

Also finally the researcher concluded that programmers of each educational system for educational cultural plans have to have satisfying reasons and explaining needs before choosing any solution can increase efficiency of any program, achieving such aim is possible only by performing scientific need analysis, accordingly efficiency of these programs are assured. Farhangiyan University for strengthening cultural strengthening and for magnifying national religious cultural element in the curricula must set educational goals like preserving national, religions, cultural, unhistorical identity within the students and teachers.

Acknowledgement

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The Influence of Socio-Educational Factors in the Selection of Contents for Fullfilling Free Time of High School Students

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Abstract

Starting from the fact that man is a social being, social environment has a big importance in the whole personality formation and development. Even though there are views according to which geographical and climate factors can also influence a person's character, yet they are not the crucial ones. A social environment where the influence of: family, school, peers, mass media, different organizations and those alike is strongly expressed, enables the child as a biological being to gradually grow into a social being through gaining knowledge, habits, abilities etc. The pedagogical meaning of free time is not seen in the organisation of the free activities but in the different factors of institutional character, which more or less can help the shaping of free time with the creation of practical opportunities for its implementation. In this paper, the factors and their influence on the selection of the content of free time at high school respondents will be analysed. More precisely, we will analyse the respondents' views and opinions about the factors which will determine the selection of free time content, if there are differences compared according to the influence, which of them appear as decisive factors and if there are gender differences from the aspect of the factors influence in the selection of free time activities and contents. In the problem researching process we decided to apply: inductive method, deductive method and comparison method.

Keywords: free time, factors, school as a factor, family as a factor, social environment as a factor, student, free activities, culture and gender differences

Introduction

The objective situation in Rep. of Macedonia, in terms of research on the extent of the impact of educational and social factors in the choice of the contents for fulfilling the free time of the secondary education students, is characterized by absence (lack) of adequate relevant knowledge about the occurrence which is subject of research of this work. Because of this state, there are several general and specific reasons that require the need for more sustained exploration of this problem. In the approach to the study of this phenomenon is necessary to achieve the required scientific consistency in the application of the research procedures, collection and processing of empirical data, analysis, interpretation and explanation of the results, drawing adequate conclusions based on the application of the appropriate methodology which will provide for these relations, to be explained from scientific aspect. Namely, the phenomenon of the impact of various factors in determining the content of the free time of the young people is extremely complex phenomenon which requires special examination and consideration of the extent of impact of those factors. **Due to insufficient theoretical and empirical knowledge about the problem, we believe it is beneficial for our society to explore the factors that influence the choice of content with which secondary school students fulfil their free time.**

This paper will analyse the influence of the family, school, mass culture, peers, partners and autonomy in the choice of content at the secondary school students in Macedonia. To effectuate the purpose of the research, one general and one auxiliary hypothesis is set.

***General hypothesis*:**

There are differences in the degree of influence of the various factors (family, friends, school, the opposite sex and mass culture) which determine the content (activities) of the free time.

Auxiliary hypothesis:

The sudents of different genders differ among themselves in the attitudes and opinions regarding the impact of the factors in the choice of content (activities) in their free time.

FACTORS FOR ORGANISING FREE TIME

Considering the fact that man is a social being, the social environment is of great importance in the overall development and formation of the personality. Although there are views according to which geographical and climatic factors can affect a person's character, yet - they are not decisive. The social environment in which the strong influence of the family, school, peers, mass media, various organizations, etc., allows the child as a biological creature to gradually grow into social being, through the acquisition of knowledge, habits, skills, etc.[1]

Pedagogical importance of the free time is not seen in organizing free time activities themselves but in the various factors of an institutional nature that more or less can help shaping their free time by creating practical opportunities for its implementation.[2]

There are numerous factors that affect the organization and way of spending free time at children and young people starting with the family, preschool, school, numerous institutions in the field of culture, science, and mass media of all types and so on. Each of these factors has its own specific educational potential and each of them has a decisive influence on the development of young people in the educational environment and the type of education in the individual free time activities.

High school students, given that they undergo major development of their personality, certainly require assistance and understanding from the family, school or wider community, to meet their internal needs through organized activities to be realized in their free time. But if their demands are not met by the aforementioned institutions, then they are simply forced to meet their own needs by performing a variety of unorganized and under-constructive activities. "Human rights are basic standards that a country must ensure and provide for each individual. Besides satisfying the biological needs, they also include many other living conditions, each individual should develop the potential to meet their needs and so on."[3]

In this sense we may say that free time is part of life for every individual in the society, without exception or distinction between ethnicity, gender, religion, age, etc. Therefore the free time of students is fulfilled in accordance with their needs and interests, but unlike adults, their free time varies in its length and content. Because of that, we considr that it would be correct for the various factors to take particular care to orient the youth for the proper organization of the free time, in order to avoid any unwanted behaviour that may occur as a result of lack of constructive use of the free time.

For the use, organizing and fulfilling the free time, a range of organizations, institutions, facilities, services and individuals should take care. Their role is particularly defined and specific, but the strength of affect is different.

Free time takes part into all areas of life of the people: the area of work, production, family life, material and spiritual values, physical education, manual and intellectual activities, technical - technological area, the area of science, art, social life and other.

Contemporary society must take into account not only the quantitative assurance of free time, but also the creation of social factors that help in various ways, direct, advice and enable usage of the free time. Nowadays, that is what almost every society already does; there is a whole range of factors, which on one way or another, and more or less organized and with different intentionality, take care of the way how to organize free time. [4]

In this context, the author V. Janković, grouped all factors into five categories. The first group lists the educational institutions which, as separate institutions according to the pedagogical intentionality, are most renowned for the care of all areas of

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[1] Popova - Koskarova, R. (2004). Вовед во педагогија. Skopje: Grafik mak print DOOEL Eksport-Import, pg. 105

[2] Barakoska, A. (2005). Педагогија на слободното време. Skopje: Dominant, pg.148

[3] Ilievski, G.(2001). Воспитанието и образованието за правата на децата во РМ. Sveti Nikole: MCSP , pg. 25

[4] Plenković, J. (2000).*Slobodno vrijeme mladeži.* Rijeka: Sveučilište u Rijeci

educational actions, as well as the area of free time and its activities. These are: preschool institutions, schools (primary and secondary), children and youth summer camps, school dorms and institutions for adult education.

The second group of factors are less characterized by institutionality, and with some in the programs of work even the intentionality is not clearly expressed. There are: family, children, youth and social organizations.

The third group of factors are various facilities like: playgrounds, nursery schools, summer camps, swimming pools, resorts, camping sites, clubs, dorms, culture centres, mountain huts and so on.

The fourth group is consisted of institutions of general cultural, educational, informative and entertaining character, such as theatres, cultural and artistic exhibitions, libraries, museums, television and radio stations, movie theatres, record companies, social universities, etc.

The fifth group is consisted of factors in the area of "functional" education, such as: events, performances, life in public places (on the street, in parks, public bars, shops) etc.[1]

Therefore the activities of free time and the pedagogical activities can be classified as multidisciplinary coordinated activities. The carriers of these activities and the factors of education in the free time are: family, preschool, school, extracurricular institutions and associations such as the various sports, scientific, technical, cultural and other associations. The organizations that unite children and young people in their free time are numerous. With their active programs and content they attract children and young people. Among the factors and holders of the educational action in free time, the following stand out in particular: the media, daily press, cinema, theatre, radio and television, social networks, cultural centres, clubs of information experts, libraries, reading rooms, galleries, museums, concert halls etc.

According to the above we believe that the factors that determine the organization and the way students spend their free time are many, and can be grouped as follows:

The family as a factor (basic social institution)

Factors which directly contribute to the organization and education of the free time, educational institutions such as:

Preschool institutions, children's organizations

School (primary and secondary schools)

Mass culture (media, social networks, etc.)

Social organizations, cultural and other public institutions and organizations as factors in the organizing the free time of young people (students), and

Peers as factor

In addition in the interest of this paper we will elaborate more broadly the impact of certain factors on the education and socialization of young people in their free time. We will present in detail some of the results obtained by examination (survey) of the attitudes and opinions of secondary school students in Tetovo and Skopje, regarding the impact of various factors in the selection of free time activities.

Herebelow is the analysis of the attitudes and opinions of respondents about the factors that determine the choice of free time contents. This section of the questionnaire is consisted of six individual claims, followed by the assessment scale of Likert type, with the same four standard categories for locating the answer (never, occasionally, often, always). At first, we were not interested in the gender structure of the answers to this question, given the presumed relevant position of this variable in terms of socio-cultural moment characteristic for our environment.

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[1] Janković, V. (1976). *Slobodndo vrjeme u suvremenoj pedagoškoj teoriji i praksi.* Zagreb:Pedagoško-književni zbor
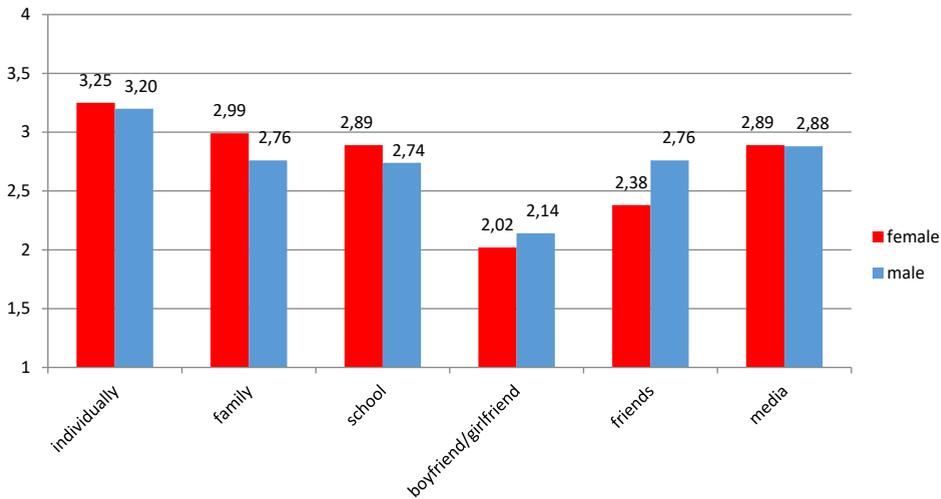
Figure No. 5.1.

Gender and factors of the content in the free time

From the attached graphical Figure No. 5.1 it can be seen that, in general, *girls value the impact of family and school above the impact by their peers, while the boys emphasise the influence by friends and the partner (girlfriend)*. The differences in the assessment of impacts of their own choice and the mass media are insignificant.

Statistical intersection usually calculated by Mann-Whitney test, shows that a good portion of these observations are significant (Table No. 5.1.). In particular, *girls statistically appreciate the influence of family significantly higher* (Z = -3,973, p<0,01) *and the school* (Z = -3,085, p <0,01). Boys, on the other hand, appreciate higher the influence of *friends* (Z = - 4,563, p<0,01).

Table No. 5a.

Gender and the factors of choice of contents in the free time (Mann-Whitney Test)

Content of the free time		Main rank	Σ of ranges	Man-Whitney U	Z	p
I select individually	female	239,26	57,901,50	28498,500	-0,041	0,967
	male	233,74	56579,50			
My family is directing me	female	261,63	63313,50	23443,500	-3,973	0,000**
	male	217,92	51646,50			
The school is directing me	female	256,16	61990,00	24767,000	-3,085	0,002**
	male	223,50	52970,00			
Influence of the partner	female	234,02	56399,00	27238,500	-0,920	0,358
	male	245,07	58082,00			
Influence of friends	female	212,48	51208,00	22047,000	-4,563	0,000**
	male	266,97	63273,00			
Influence of media	female	242,47	58677,50	28079,500	-0,444	0,657
	male	237,48	56282,50			

From the collected data it is actually perceived the recent stereotype in our culture of life where females as opposed to males in most cases, still prove to be more obedient and more disciplined when it comes to family and school.

This means that there are grounds for accepting research auxiliary hypothesis, which states:

"The sudents of different genders differ among themselves in the attitudes and opinions regarding the impact of the factors in the choice of content (activities) in their free time."

Hereby follows further analysis of the attitudes and opinions of respondents about the factors that determine the choice of free time contents. The interviewed students at an average (Figure no. 5) grant the highest weight to the *independent selection of content for free time (3.23).* Noticeably though with less impact yet as clear engines are also: media (2.89), family (2.88) and school (2.82) and the least influence is by *friends (2.57) and partner (2.08).*
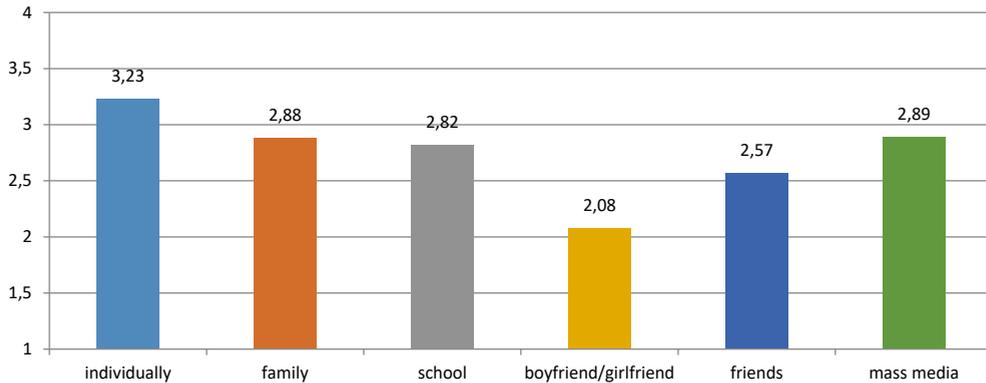
Figure No. 5.

Who has influence on the content of the free time (avverage rang)

Given that the data from this issue are based on given rankings (as well as any evaluation of Likert type), the most appropriate procedure for statistical calculation of any differences in the average ranking among the six factors of choice of content for free time is Friedman test, a kind on non-parametical counterpart of the one-way ANOVA for repeated measures. The calculated value of Friedman test (Table No. 5) is statistically significant (χ^2=510,721 ; df=5, p<0,01)

Table No. 5.

Who has influence on the content of the free time (Friedman Test)

Content of the free time	N	major rank	χ^2	df	p
I select individually		4,54			
My family is directing me		3,76			
The school is directing me	476	3,57	510,721	5	0,000**
Influence of the partner		2,25			
Influence of friends		3,12			
Influence of mass media		3,76			

From the obtained results it is obvious that with the students of the secondary education, the principle of free choice is respected, by the fact that we have higher claim in the opinion (*Content of free time are choosen in an independent manner*), but their orientation is also influenced by other factors such as family, school and mass media, regardless that appear in lower ranks, as well as their peers.

Thus we can say that there are grounds for accepting research general hypothesis, in other words, it can be concluded that *there are differences in the degree of influence of various factors (individual choice, family, friends, school, the opposite sex and mass culture) that determine in the contents of the free time.*

Conclusion

The analysis of the theoretical debates on this problem as well as empirical data that we came up with through the research survey of secondary school students, enabled us to clarify some aspects of the appearance that we have investigated. According to the obtained results it is obvious that secondary school students, in larger number, select the activities in their free time in free manner, or according to their own choice - which can b seen in the Table No. 5, where from the six offered factors (agents) which have influence on the selection of free time activities, i.e. factors that guide students in the selection of free time activities, the highest level is awarded to independent selection of content in their free time *(4.54)*.

Furthermore, we come to the conclusion that among secondary school students, the principle of free choice in choosing leisure time activities is respected, which generally only guarantees the essence of free time and the performance of the activities. Hence, the presence of freedom is highly valuated among young people.

On the other hand, when analyzing the impact of other educational and social factors in the choice of content for the free time, such as family, school, partner, friends and mass culture, from the obtained results, we can come to the conclusion that originally as the most important even though in lower rank than the own choise, but still dominant factors are: family and mass culture, with the same main rank (*3.76*) as presented in Table No. 5. In the third category of impact appears the school as a factor, with degree of valuation (*3.57*), followed by the influence of friends, which appears at degree level of (*3.12*), while the lowest ranked is the influence of the partner with degree of valuation (*2.25*).

According to the above empirical data we can conclude that there are differences in the impact of educational and social factors in the choice of content for free time among secondary school students, but as decisive factors (in addition to their own choice) however emerge: family, mass culture and school. Somehow surprising is the fact that even though the secondary school students are in a period of rapid development of their personality, however in organizing activities in their free time their partner does not affect greatly. Whereas when it comes to gender differences in terms of the impact of various social factors in determining the free time activities for secondary school students, we have already dominant differences in ranking of the same. Females apparently have more influence by the family and school (as seen from the above attached Table No. 5.1), while males as dominant influence in the choice of activities during free time have their friends.

Therefore, we can conclude that female secondary education students are more open, closer and more inclined to the family, they somehow tent to appear as more mature persons at this stage of their development, and that also reflects the socio-cultural point of our environment in the construction of cultural values, values that increasingly imposed on women. Thus as decisive factors in the choice of content in his free time of girls appears the family and school. Somehow in this segment boys are as if they are more left to themselves in the choice of content free time, and care more about the fact how they will be assessed and valued by their friends. Whereupon, we can conclude that for the boys as a decisive factor appear their friends.

Base on what we have ellaborated in this paper, we can conclude that our general hypotheses, stating: "***There are differences in the degree of influence of the various factors (family, friends, school, the opposite sex and mass culture) which determine the content (activities) of the free time***"as well as the auxilary hypothesis according to which: "***The sudents of different genders differ among themselves in the attitudes and opinions*** *regarding the impact of the factors in the choice of content (activities) in their free time*"are confirmed.

The conclusions of this research should be upheld in direction of further enhancement and enrichment the free time of young people, with organized and structured activities of the different factors that will orient towards correct and cultural use of free time. All factors for the organization of free time, can contribute to reducing the unwanted behaviour among young people, with their joint action in the organization free time students can achieve great success in shaping the culture of free time among young people. Thus, any kind of activities that would be of interest for the students, and which orient the aforementioned factors - contribute to the enrichment of their way of life and if they are seriously engaged and caring for the free time and content of free time of young people, the will be less space left for the performing socially unacceptable behaviour among them.

Therefore, we recommend the following: *Regardless of the fact that there are certain differences in the degree of influence of various factors in the choice of content for fulfilling the free time for the scondary school students, each of these factors should be seriously concerned with the question of free time of young people and their influence not shoulnd be underestimated, but rather all factors have equal engagement towards the orientation of*

the youth people to properly fulfill their free time, by providing premises for developing their inner potentials. Because the choice of free time activities for secondary school students provides for opportunities for the full development of their personality, encompassing all educational components. "Every child has some ability and talent", but each talent requires space to develop, and if that space is not established in their free time, then there is a risk of losing the talent, development and healthy life of a young person.

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Text Prophetism

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Abstract

"Utterance universalism" as a phrase is unclear, but it is enough to include the term "prophetism". As a metaphysical concept, it refers to a text written with inspiration which confirms visions of a "divine inspiration", "poetic" - "legal", that contains trace, revelation or interpretation of the origin of the creation of the world and life on earth but it warns and prospects their future in the form of a projection, literary paradigm, religious doctrine and law. Prophetic texts reformulate "toll-telling" with messages, ideas, which put forth (lat. "Utters Forth" gr. "Forthteller") hidden facts from fiction and imagination. Prometheus, gr. Prometheus (/ prəmiθprə-mee-mo means "forethought") is a Titan in Greek mythology, best known as the deity in Greek mythology who was the creator of humanity and charity of its largest, who stole fire from the mount Olympus and gave it to the mankind. Prophetic texts derive from a range of artifacts and prophetic elements, as the creative magic or the miracle of literary texts, symbolism, musicality, rhythm, images, poetic rhetoric, valence of meaning of the text, code of poetic diction that refers to either a singer in a trance or a person inspired in delirium, who believes he is sent by his God with a message to tell about events and figures that have existed, or the imaginary ancient and modern world. Text Prophetism is a combination of artifacts and platonic idealism.

Key words: text Prophetism, holy text, poetic text, law text, vision, image, figure

Introduction

Even though prophecy is most commonly associated with Judaism and Christianity, it is found in all religions of the world and old texts written with this case, as the sacred word referred by someone who is a spokesman of his God, someone who speaks as a conductor of the will of a deity often found in visions, images, dreams that testify illusions of a mind to simulate the actual and imaginary sights of prospects as projections of the future which have a fatal and "renaissance" character, from metempsychosis to metamorphosis. The referent is either a priest, a tribal chief, an "aed" singer, a master-scholar, a teacher or an oracle in tribal societies that has the status of an spiritual leader functioning as intermediaries between earth and heaven, as a panacea, with its healing and magical effects, thus a holder of physical and psychic powers, a fortheller and that for this reason he testifies with his word and practice, the existence of a holy and mystical faith, vision and perception of the world in order to know, explain and rebuild it, not only as a rescue of its existence in the future, but also as an artistic, aesthetic and scientific pleasure. The holy text, the poetic text, the scientific text and the legal text are recognized as prophetic texts which solve problems and are indications of natural, moral, artistic, aesthetic, phenomena.

"The universality of the saying" is unclear in terms of a phrase, but enough to include the term "prophecy". As a metaphysical concept, it refers to a text written with inspiration which states visions of a "divine inspiration", "poetic" - "legal", which contains the trace, the revelation or the interpretation of the inception and the origin of the creation of the world and life on earth, but it warns their prospects and their future in the form of a visionary projection, literary paradigm, religious doctrine and legal system. The prophecy of the text reformulates "the traces of telling", narrative writing with messages and ideas, which reveals step by step (lat. "utters forth" gr. "forthteller") the hidden facts from fable (fiction) and imagination. The characteristics of the prophetic text are; the text is written in narrative, epic and sublime language that represents knowledge about the world and has the function of a communicative and informative call with the reader as a predetermined ratio of man and nature. Prometheus, gr. Prometheus (/ prəmiθprə-mee-mo means "prudence") is a Titan in the Greek mythology, otherwise known as the deity in Greek mythology who was the creator of mankind and its largest humanitarian, who stole the fire from the mountain Olympus and gave it to mankind. This fire is the human imagination and knowledge of the world, the argument of its inception, is a source of development and emancipation of human society. This fire is the sacrifice, the thirst, the human passion and intellect to recognize and master the natural powers such as the connection of

the solar energy with the humane thinking, an electric literature, of the facts which has produced myths and ideas to discover the laws and phenomena with wonderful view but sublime. The promethean fire is the ability to talk about the universe since the strand of DNA regarding the estrangers living in the same universe. The prophesy is the attempt of man on earth to come in contact and to connect with the world of the universe, the sky, the stars, the estranger with other DNA, which sometimes appears dark, unknown, mystique and demonic and sometimes fabulous, beautiful and magical which has fascinated the human society honouring it by the term God but at the same time scaring it by this supernatural and heavenly power. Three strong ideas from Spinoza lead us to the function of prophetic texts: 1 - The unity of everything that exists. 2 – The regularity in everything that happens. 3 – The identity of spirit and nature. The prophecy of the text is the explanation on the rules of nature which have divine powers whereas the prophetic miracle is a phenomenon, a fact which symbolizes a sign or some signs and signals as a divine blessing which is addressed to the human ignorance as a political project. Spinoza states that "many things are narrated to the Holy Script, as genuine, and believed to be true, when actually they were only symbolic and imaginary. But the sun with the marvellous rays of light, apparitions and the ancient and modern legends, which are often fixed in myths, fairy tales and narrative stories, down to symbols, drawings, paintings and photographs, even to this day, is a source of the intriguing life on earth and its relation to the universe.

The prophecy of the text derives from the act of creation as mastery of writing combined with the perception, vision, imagination, language, concepts, symbols, ideas and a range of artefacts and prophetic elements, as the magic of creation or the miracle of the holy scripts, literary texts, symbolism, musicality, rhythm, images, poetical rhetoric, valence in the meaning of the text, code of poetic language that refers to either a singer in ecstasy or a person inspired into delirium in trans state, who believes he has been sent by his God with a message to appear on events and figures that have existed, or are imagined in the ancient and the modern and contemporary world. The prophecy of the text is a combination of artefacts with the platonic idealism, religious and metaphysical transcendent.

Even though prophecy is most commonly associated with Judaism and Christianity, it is found in all religions of the world and older texts written for this case, as the Holy Script refers someone and spokesman of his God, someone who speaks as a conductor of the will of a deity. The Hebrew word for prophet is navi', generally considered to be a loanword from the Akkadian Nabu, nabā'um, "to declare, to name, to call". A proclamation also happens in Hebrew such as in hoze and ro'e, which mean "viewer" and nevi'a "prophets. These prophets with nomadic roots known as predictive or fortune tellers, often found in visions, images and dreams that testify illusions of a mind to simulated by the real footage on the move and those of imaginary perspective as projections of the future that are of a proclamation, destination, fatal, "renaissance" and retroactive character. Prophets that use trance techniques are called madmen and techniques are rules that are followed by descriptions of loss of control over themselves when they are "thrilled" by the deity. In ecstatic instalments, the prophets often have experienced feelings of bodily migration (just as in the 6th century BC did the Hebrew prophet Ezekiel and the founder of Islam in 6th-7th century AD, Muhammad). Such prophets are esteemed by supporters of the same religion and are different people who show a predisposition for such unusual sensation. In pre-exilic Israel (587/586 BC), prophetic witness were a social group as important as the priests. Isaiah includes navi 'and qosem ("foreteller/viewer", "soothsayer") is recognized as a prophet among the leaders of Israeli society.

 The prophecy of the text refers to a written text, quite ancient and is known as the holy script. The phenomenon of the prophecy of the text is random and represents a free interpretation on the facts and strange phenomena, magic and experienced as natural and human wonders, extraordinary and supernatural. A true miracle by definition, it must be a phenomenon, a fact, an event, a language, unnatural, leading many rational and scientific thinkers to claim that its existence is an exception to the law, by nature, an event that occurs one in a million. The miracle is physically impossible according to them (because it requires violation of the laws of physics set within their validity) or impossible to be confirmed by the nature (because all the possible physical mechanisms cannot be excluded). The basic materialist explanation is lacking when has to solve thesis and conflicts arising from the power of the spirit's fire, in other words the power of the spirit and its interaction with the matter. The word "miracle" is often used to characterize each event tool that is statistically impossible, but not contrary to the laws of nature, such as survivors of a natural disaster or simply a "miraculous" phenomenon, despite likelihood, as beginning of birth on earth, other such miracles might be: survival of an illness diagnosed as terminal, how to escape a life-threatening situation or "brainstorming, disagreement". Some accidents may be seen as miracle. These interpretations of the world such as the genesis of life, the relation of the soul with the body, life with death, human world with animal world, plants and mineral resources, are written texts and assume the status of a sacred authority explanatory as is the Bible, Qur'an or different philosophical treatises, poetic, scientific and legal. These interpretations are sufficiently clear and logical argumentation of these texts give to the performer the status of a prophet who speaks with passion and inspiration, whose words carry power and touch the feelings, emotions and exercise their authority in opinions, judgments

and decisions to other people who are either ignorant or believe in the power of speech and message and become the basis for the emergence of ideologies, theories and canonical doctrines. The prophet who has telepathically power, argumentative and calculative logic, is chosen by lot, by chance or by a precedent of "common law" as a way to choose someone for something legit, a job or task to share something with equity among two or more people, or to settle a confused and dangerous matter. This lot, elected by throwing dice or a coin, drawing a letter or hiding something in the palm of the hand, represents the object and it is a symbol. This symbol is a combination of the image with the concept which marks the man appointed in this way, or the part that belongs to each of an asset that is shared in this way, or one who takes the attributes of the prophet and it is a trance situation that unites living and dead souls living and knows the phenomenon of metempsychosis and metamorphosis. Referral is either a priest or a tribal chief, or a singer "aed", "zaotar", or a master-scholar, or a teacher, or an oracle in the tribal society who has the status of a spiritual inspiration who functions as an intermediary between earth with heaven, as a panacea, healing and magic, strictly speaking, a holder of physical and psychic powers who has knowledge regarding the hypnotic simulation of human minds. He warns an event, phenomenon of what is likely to happen (fortheller) and for this reason he testifies with his speech and practice, the existence of a sacred and mystical religion, a vision and perception of the simulated image with the word as power, knowledge over the world. This type of power aims to recognize, to possess, to explain, and to rebuild the world not only as a rescue of its existence, but at the same time a scientific and aesthetic pleasure seeking and predicting its future. The following are recognized as prophetic texts: the holy script, poetic text, scientific text, the legal text, which solve problems and are indicated for natural, moral, aesthetic, legal, etc. phenomena and have retroactive functions. Philosophers like Plato and Aristotle up to Martin Luther, Machiavelli, Erasmus, Calvin and Spinoza and rationalists like Newton, Kant, Leibniz, Hegel, Descartes and Lock calculate empirical facts gathered by the senses, numbers and symbols of antique and modern occurrence and used to explain them according a rational and cold logic disassembling them from the observation of the senses as reveries, visions and images of human impulses and artistic products or the narrative explanation of the world form a creative mind and sustainable change. The nature of the prophecy is two folded: inspired (by visions or revelation auditions) or acquired (by learning certain techniques). In many cases both aspects are present. The purpose of learning some prophetic techniques is to achieve a trance force where the revelations can get. Power can be achieved through the use of music, dance, drums, violent body movements, and self-laceration. Trance prophet is considered as filled with divine spirit, and in this deity situation, God speaks through him, the intermediary, the prophet or the disciple who is the head of a group or just a follower. Oracle, a trance state is usually attributed to the prophet, a person who appears speaking authority on a short style and rhythmic. Textual character of existing materials has argued that Zarathustra is a mythical rather than prophetic figure. He may have been, however, a priest in a trance-singer, or zaotar, who used special techniques (especially intoxication) to achieve a trance. Zarathustra in his cult-day offensive argued texts with certain knowledge to challenge the group of priests who did not support him. In a dialogue that today is lost, On the Philosophy, Aristotle mentioned the great cataclysm that periodically destroy humanity, alluded the stages that should be traversed by the rare survivors and their descendants to rebuild humanity; those who survived the flood of Deucalion, initially had to rediscover the basic tools of survival, then reclaiming the arts that adorn life, in a third stage, Aristotle continued, "they turned their look at the organization of Polis, invented laws and all links that connect parts of a city and this invention was called Wise, precisely this wise (that precedes physical science and supreme wisdom, has as objective the divine realities), invented characteristic virtues of free citizens who began to predict, to warn, to establish and to prove the story of their own life, sacrifice and culture. Under these circumstances were born the ancient texts and the holy scripts.

He was wounded for our transgressions, crumpled for our iniquities, he was punished for our peace that was beyond him, and by his wounds we are healed. (The Bible, Isaiah 53: 5). Has this text been written in order to catharsis for the sins of the human or Jesus, just like Apollo being the god of light, healing, music, poetry, prophecy and male beauty, the son of Zeus and Leto, brother of Artemis, was designed by the Greco-Roman in antiquity and today by scientists as a symbol of physical strength and mental humanity, a science-fiction issued in space as a flying shuttle that carries people or astronauts travelling towards the moon, the cosmos or other planets, ensuring their return back to earth. Or this text is a fantastic curiosity of humanity regarding the power of light, sun, fire which lights the world, heals, illuminates and transforms lives on earth, as well as the power of its energy also affects the lives of the other planets which we know how aliens, with whom, we here on earth, need to establish bridges, contacts, knowledge and friendship. Or this text is a mystical imaginary transition about fears, the influence and the curiosity of man on earth towards distant illuminated signs such as stars, planets, sun, etc. with which mankind needs to interact and exchange messages to precede any apocalypse on earth and enable, through contact with them, the saving of life on earth by being borne on other planets as a future project. The Bible, Old Testament and New Testament has this prophetic text written: Because it is not a vain thing for you, it is your life: Law

of renewal: 132:167 ".... and the peace of God that surpasses all understanding will guard your hearts and your minds in Jesus Christ"(Philippians 4:7)

 The Qur'an says: "To Moses We [Allah] gave nine clear signs. Ask the Israelites how he [Moses] first appeared amongst them. Pharaoh said to him: 'Moses, I can see that you are bewitched.' 'You know full well,' he [Moses] replied, 'that none but the Lord of the heavens and the earth has revealed these visible signs. Pharaoh, you are doomed.'" "Pharaoh sought to scare them [the Israelites] out of the land [of Israel]: but We [Allah] drowned him [Pharaoh] together with all who were with him. Then We [Allah] said to the Israelites: 'Dwell in this land [the Land of Israel]. When the promise of the hereafter [End of Days] comes to be fulfilled, We [Allah] shall assemble you [the Israelites] all together [in the Land of Israel]." "We [Allah] have revealed the Qur'an with the truth, and with the truth it has come down. We have sent you [Mohammed] forth only to proclaim good news and to give warning." [Qur'an, "Night Journey," chapter 17:100-104

According to literary glossary and literary theories: the preaching of the renaissance is a phenomenon-symbolic-allegorical meaning: a combination of image and concept, it can be public or private, universal or local, in the form of the verbal cluster "to jump or dance together" to "travelling toward the abyss" just as in the works of Dante, Virgil, James Joyce and Ismail Kadare, a journey of Dante's totalitarian hell. This journey of afflicted mankind means to return from that dark world of horror, to be reborn altogether towards new spaces, just like Anthe whenever falls to the ground from the weapon of Heracles, more power gets from the earth. "Live only to show" is the title of a witness book of the Albanian cleric Father Zef Pllumi who testifies on the Albanian communist totalitarian hell.

As a beautiful Eurasian mountain butterfly with faint wings, or a Parnassian Apollonian myth, as a bird of the heavens with remarkable red, the literature of facts, surreal, offers us another text with prophetic function.

First lament: Has been seen, not been seen / Runs the dead with the living / riding on the same horse. Fourth lament: Constantine you are dead, / been three years no decay. The sky, even though amass, looked strange as rarely before. Contemptible closing the view and not only elderly, but most of the masses complaining about his purring. However, the world could not stop speaking. Every morning, definitely something was added and something was removed from the history of Doruntina. Only the laments continued to do nothing to change their laws. The day of the dead arrives, all made the common visits on the graves and those, stubborn as before, lament over Vranaj in the same way as the last time: Constantine, you be scourged / Where is your promise to me?/ Your Besa (word of honour) lies under the ground. The stress smiled enigmatically, when were shown to, but neither snorted against them nor called them jays or viragos. Lately he was a little pale, but pale looked good on his face that winter. (Kadare, I. Who brought Doruntina. Onufri, 2008). This fascinating hypo text, along the preference for the fantastic, is a narrative testimony-poetic epic and dramatic-mystic with tragically, folklore, historical, political, philosophical and prophetic character. Albanian writer Ismail Kadare, with the mystical character of the text, not only survives the totalitarian political censorship, but being inspired and referring to the Albanian traditional folk, which in the course of the centuries has undergone profound cultural, religious (F.A) and political changes within Albanian society, with the symbolism of myth through profound message of Besa, warns with his masterpieces the antiquity of the Albanians, Illyrian identity and their relations with Europe, the Balkans, Asia etc. According to Spinoza miracle is a phenomenal opportunity to fight ignorance that includes society in terms of confidence crisis and epidemic risk, was conflicts, apocalypse, etc., as a political project of agreement between human and nature, including its laws. This agreement overcomes the crisis of confidence and reconstructs a world with mutilated language from tragic stories. The miracle appears as a fact, event, phenomenon, invention, discovery, panacea, healer, etc., and is "a violation of the law of nature by a particular volition the Deity, or by the combination of some invisible agents "(David Hume). The essence of the argument is this: "No evidence is sufficient to establish a miracle, unless the testimony will be of such a kind, that its falsehood would be more miraculous than the fact which it strives to create". The text of Kadare, with its implicit and explicit nature, shows, argues fantasies and marks the end of an artificial paradise that emanates from the crisis of faith up to our political disagreements of peoples with each-other, such as was the free European world with the Eastern communist world and beyond. The work of genius writers is a spiritual inspiration for humanity, a vision to utilize and transform the nature with its laws for the benefit of humanity and peace regardless of race, class, faith and gender to preserve or create a human DNA for the estrangers regarding to the continuity and development of life on earth today and its prospects as a future project. For this project to be built, must be preserved the spirit of the land which is the man, his soul, sound, thought and faith in its natural values and those generated. The law of the atom described by Einstein and the mastery of natural resources by man warn not only the risk of life as witnesses "Voices from Chernobyl" of Svetlana Alexievich, but the crisis of confidence and the agreements to ensure these assets for the benefit of future generations. The sinister prophet is called Michel Houellebecq who in his novel "The map and the territory" writes: "His descriptions, apparently inspired by heroic

fantasy, mostly showed a bearded warrior, with pony tail who rode an impressive mechanical warfare horse. Clearly a new interpretation of his space opera Harley motorcycle". According to literary glossary and literary theories, myth and logos means to show, to witness facts, to proclaim and to invent stories that not only warn of the risk of life, but yielding a rare case and phenomenon such as "the choir, flying, agreement or group dancing of "hominum societate" therefore "jump together in space" in order to prevent human and natural disasters by building a system of laws and safeguards governing the common life. Laws are a combination of the right with the force of security, a combination of image and concept, word and technology, can be public or private, universal or local, in the form of verbal cluster "to jump or dance together" to "travel towards space", but not into the abyss as in the works of Dante, Virgil, James Joyce and Kadare, but the return from that dark world of horror, to be reborn in a free land, to fly into spaces to secure the continuity of life. Here is the preamble of the fundamental law of the Republic of Albania: We, the People of Albania, proud and aware of our history, with liability for the future, with faith in God and/or other universal values, with the determination to build a state of justice, democratic and social, to guarantee the rights and fundamental freedoms of man, with a spirit of tolerance and religious coexistence, the commitment to protect the human dignity and personality and the prosperity of the whole nation, for the peace, the wellbeing, the culture and the social solidarity, with the centuries-old aspiration of the Albanian people for national identity and unity, with a deep obedience that justice, peace, harmony and cooperation between nations are the highest values of humanity,

ESTABLISH THIS CONSTITUTION (Constitution of the Republic of Albania, Albjuris, November 22, 1998 amended by Law 137/ 2015, dated 17.12.2015): which reviews the entire system of administrative law regarding the organization and functioning of the state and the Albanian society at present and in perspective?

  Albanian tradition of order and law is old. As part of old customs and laws is Kanun, a kind of constitution which is respected for centuries by an acceptable part of the Albanians. It predominates the Kanun of Lekë Dukagjini which according to records was coded in the XV century from the Albanian prince with the same name. The genesis of the Kanuns is believed to be older, since in Ancient Greece and Ancient Rome. Kanuns are a codified system of rules and derives from Albanian folklore laws such as Besa, friend, marriage, division of inherited property, land, revenge, honour, etc., rules that have coexisted with Greek laws of Polis and Roman law of Justinian and which have served Albanians to preserve their self-government and to practice, even a little bit, a democratic nomocracy. According to Kanun, the important decisions are taken by the assemblies of elders or venerable men.

In the wake of National Renaissance of XIX century, the Albanians founded the Albanian League of Prizren and in the meantime created a provisional government for the Albanian vilayets. The program of this covenant is referred to as New Kanun, a proclamation program of the League, and as the initiative of the Albanian diplomacy and modern politics.

The history and the origin of the creation of the prophetic texts religious, poetic and legal texts and their sublime, predictive, memorizer and proclaimed function offer us the vision, the spirit and human thinking on the existence of life on earth and the forms of its connection with the universe.

Education as An Important Dimension of the Poverty

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Abstract

Poverty is an important phenomenon affecting individual and household life. It is important to know the factors that influence the possibility of being poor. An important cause and effect of poverty, one of the ones multidimensional nature of poverty is education level. Mostly, when we speak for the poverty, we based our estimates in the monetary terms, income or consumption. There are other dimensions like education, health, infrastructure, access in basic services, etc, that influence the economic and financial situation of the individuals. In Albania, to calculate the absolute poverty line is used the monetary poverty based on the consumption. The data refers to the Living Standard Measurement Survey (LSMS), which gives us the possibility to have multi indicators and also disaggregate and test the relationship and influence. The main objective of this paper is to analyze the influence of different indicators, mainly related with education and analyzing the influence on the poverty reduction. This research is based on Living Standard Measurement Survey (LSMS). This is a multidimensional survey collected near households and it collects information for living conditions, health, education, poverty, assets, migration etc. Is is used descriptive analyses and multinominal regression to analyse the trend on education and the significance on categories of different factors inluenced the education level. At the end we conclude that education is an influenced factors but also influence the poverty.

Keywords: Poverty, UBN, logistic regression, education.

Introduction

Poverty is a complex phenomenon widespread in the world, which includes different dimensions. Estimation of poverty is based on multidimensional factors, where addition to deprivation of income or consumption, take into consideration other non monetary aspects as: education, health, empowerment, access to basic services and infrastructure. Multi-dimensional way is derived from the capability theory of Amartya Sen and expands the number of dimensions that measure poverty.

Traditional calculation method, takes into account only one variable such as income or consumption. Through monetary poverty an individual is considered poor if family income or consumption is below the poverty line. The poverty line can be relative to the population or absolute. The relative poverty determination of all households below 60 per cent (or below 40 percent) of the median per capita consumption or income are considered poor. The absolute poverty line is fixed in terms of living standards and does not change over time. The poverty measures are poverty headcount, poverty gap and severity. In a dimensional poverty measures poverty line is constructed in such a way that households fall below under poverty line are considered as poor.

An alternative way of calculating the poverty is through multidimensional factors. Multi-dimensional nature of poverty refers to a situation where an individual or family experiencing a certain number of deprivation. These multiple deprivations represent different dimensions (economic welfare, education, health, social exclusion, etc.) of human life. In this paper we will focus more in the education dimension. Education level is influenced by poverty but also is an important dimension of the poverty.

Methodology

This research is based on Living Standard Measurement Survey (LSMS). This is a multidimensional survey collected near households and it collects information for living conditions, health, education, poverty, assets, migration etc. The main

objective of LSMS is to collect information for the construction and measurement of well-being and to identify the factors that determine it. Total Wellbeing is usually measured by the consumption by providing information on the level and distribution of poverty in the country. LSMS is also a powerful tool for assessing and determining the social costs.

The first LSMS was conducted in 2002. There is a continuity in conducting the survey every three years, respectively in 2005, 2008 and most recently one in 2012. The base of selection was household. It is used the same number of households, the same methodology and the same way of interview of the first three years (around 3600 households). In 2012 the sample was almost double to have a representation and availability of results not only at four regions but also at the country level.

One important module collects information on education. The poverty level in Albania is based on absolute poverty line calculated through consumption. Consumtion is an aggregate variable that take in consideration monetary and non monetary deprivations. An individual based on monetary poverty is considered as poor if his level of per capita consumption falls under poverty line. Non monetary poverty is based on deprivation. We will consider an household as poor if they do not meet a certain basic needs. Based on INSTAT definition it is calculated an index where an individual is considered as poor if two or more of the basic needs (two or more NBP) are unmet (POOR) and as extremely poor when they are not completed three or more (three or more NBP) basic needs (EPOOR). This index is constructed through five indicators where education of the head is one the dimensions. Indirectly, the educatotion level of the head (parents education) inlfuence the education level the individuals.

This five indicators are coded:

(X1) - It is coded with '1' if the households respond that do not have sanitation and running water in the dwelling '1'.
(X2) - If the dwelling have not good condition '1'.
(X3) - If there is no eletricity or have interruptions for more than six hours per day '1'.
(X4) - If there are three or more persons per room it is coded '1'.
(X5) - If the individual lives in a household where the head has only basic education '1'.

We use multinominal logistic model to analyze non-monetary poverty and other factors influencing education level.

Analysis and interpretation of results

Analysis and interpretation of influential factors and determinants of education level can help understanding education as a risk factor on poverty but also other factors that influence low education level. Non monetary poverty is an important factors with long term effectsLack of water and sanitation not only causes health problems, but also weakens the ability to earn income and / or develop human capital (reflected that to the ability to learn or to attend school). Not having electricity supplies influences the profitable productive investment, this influences having lower economic growth as long-term effects.

Non-monetary poverty is significantly lower than the monetary poverty (absolute), 11.5% compared with 14.3%. Non-monetary poverty in rural area is at a significant difference and higher than in Urban area. By region poverty is higher in the Mountain region, and in the Central. Urban Tirana (the capital of Albania) has the lowest level of non-monetary poverty (5.9%), and this is connected with more access to basic services.

Figure 1: Monetary and non monetary poverty by prefecture

Source: LSMS 2012

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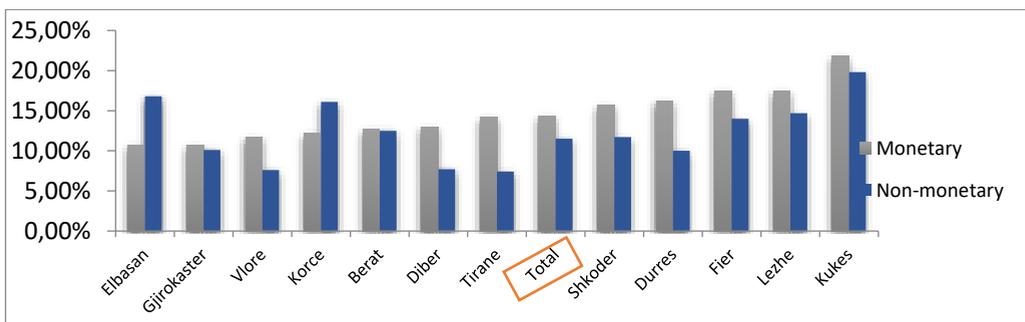
What is interesting and can be seen in Figure 1 above is that in the prefectures of Gjirokastra and Berat monetary and non-monetary poverty are almost the same. Non-monetary poverty is higher than the monetary poverty to the prefectures of Korce and Elbasan. Other prefectures have a noticeable difference and significantly higher monetary poverty compared with non monetary poverty.

Non-monetary poverty is more widespread in the prefectures of Kukes, Elbasan, Berat, Korca compared to the national average. Tirana, Vlora, Dibra, Durres are prefectures[1] that have lower levels of non-monetary poverty. Always are poor households that suffer from lack of infrastructure and resources to provide special services. Even when the same view is also for the water supply. If we compare poor households compared with those not poor, most poor people have no running water in the dwelling. They try to provide water from springs, wells or trucks.

There are several influencing factors that lead to a vicious cycle of remaining in poverty as education, health, lifestyle. The risk of being poor is also influenced by education level or being educated. A less educated person is more poor and a poor person have less chances to be educated.

Education as an important determinants of poverty

Education is an important indicator and one of the dimensions that helps to define the non monetary poverty index through calculating the education of the head. Sometimes these figures are influenced by the methodology and by the traditional to define the head of the household. In this way the head could be the older male person, but not definitely the persons that contribute more to the socio economic household situation. Individuals living in Tirana have a higher level of education of household head compared with other regions.

The right to education is a principle ensured by the Constitution of the Republic of Albania, which ensures equality before the law and freedom from discrimination on the basis of race, gender, ethnicity and language2. In the field of education is intended to increase children's access to all levels of education and the facilitation of procedures for inclusion in education. To this have been undertaken a number of reforms, legislative, administrative structure in the field of social services, health care, education, culture and the protection of children's rights.

As lower is the education level, higher is the percentage of poverty people for individuals 21 years old and higher. This trend is visible for Tirana and other regions.

Table 1: Poverty by education level

Highest diploma for population aged 21 years old and over	Poverty level, %			
	Tirana	Other urban	Rural	Total
None	23.5%	22.6%	14.7%	18.1%
Basic education (4/5 years)	12.7%	12.2%	16.1%	14.5%
Lower secondary (8 / 9 years)	22.5%	16.9%	13.7%	15.7%
Higher secondary	8.5%	11.0%	12.3%	10.7%
Vocational 2 / 3 years	9.7%	8.4%	12.4%	9.5%
Vocational 4 / 5 years	2.6%	4.8%	4.8%	4.5%
University or higher	3.3%	3.8%	6.0%	4.0%
Total	10.7%	12.0%	13.0%	12.2%

Source: LSMS 2012

The Social Inclusion Cross-Cutting Strategy aimed access to preschool and basic obligatory level for all children by 2015. In this context, further measures are taken to increase the enrollment rate in primary education, especially for children in rural areas, particularly girls, a necessary condition to meet in this way a priority in the Millennium Development Goals of the UN and the European Partnership.

Being or not with a higher level of education is a social factor that influences not only in finding a good and well paid job, but also on the concept of the individual for a better life, not isolated, to get a good health care, although average schooling etc. Mean years of schooling have been increased nationally as well as by regions but still remain at low levels (currently

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[1] Prefecture is NUTS 3 classification

10.3% for the population aged 21 and above from 9.2 % that has been in 2008 and 8.5% in 2002). The mean years of school is 10.3 in 2012 increased by almost by 2 years from 2002. Rural area remains less educated commpared with urban area and Tirana. This difference is significantly higher in 2012, Tirana (12.3%) compared with rural area (8.9%).

Table 2: Mean years of school for population age 21 years old and over

Survey year	Mean years of school for population age 21 years old and over			
	Tirana	Other Urban	Rural	Total
2002	10.9	9.5	7.4	8.5
2005	11	9.9	7.8	8.9
2008	11.3	10	7.7	9.2
2012	12.3	10.7	8.9	10.3

Source: LSMS 2002, 2005, 2008, 2012

Bearing the Financial costs of education: It is an indisputable fact that the level of income has a great impact on education at the national level, but also to each individual.

The shares of the expenses for education of total per capita consumption show the greatest increase since 2002 compared to other items. The average cost for a person in Albania in 2002 was only 177 Leks / person, in 2005 was 275 Leks per person and in 2008 amounted to 432 Leks per person. Although this is a modest increase again it shows an improvement of the situation. In 2012 this figure amounted to 338 Leks per capita1.

In 2008, this phenomenon seems to be directed towards higher investments in education. In fact, during the period 2002-2008, it has been a significant increase of the number of pupils and students in Albania. It is also verified a significant increase of private schools in the country, as well as an increase in the number of students studying abroad. These factors correspond to increased spending on education and the increase of the shares to the total real per capita consumption.

The percentage of education with university degree or higher are higher in the fourth and fifth percentile compared with other percentile. Population in the first quintile are mainly with basic education.

Table 3: Highest education level by consumption quintile

Population aged 21 years and older	Consumption quintile				
	Lowest	Second	Third	Fourth	Highest
Basic education	59.7%	54.1%	50.3%	42.3%	36.6%
Upper secondary	30.3%	33.1%	33.7%	36.5%	35.7%
University and higher	4.5%	8.1%	12.1%	17.5%	24.9%

The non poor individuals are more involved in the education. The percentage of registration is higher for non poor compared with poor, this for urban and rural population. The percentage of registration is higher for ages 7 to 18 that coresponds with completed the secondary level.

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[1]www.instat.gov.al : Trend on poverty in 2002-2005-2008-2012, September 2013

Figure 2: Percentage of registration by area and economic status for individuals aged 6-24 years old, LSMS 2012
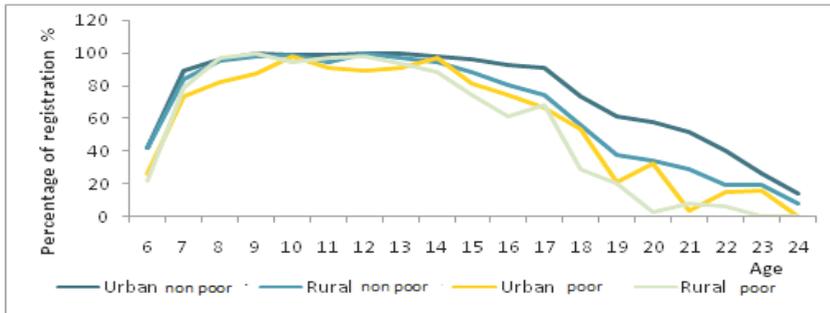
Logistic regression results

The techniques used to identify the contribution of different variables in the analysis of poverty is regression analysis. Regression is a useful technique for testing hypotheses and assess the impact of independent variables on a dependent variable. Special attention should be taken in the selection of independent variables, we must be sure that they are exogenous. Regression models can help us more than other profiles or descriptive analysis of poverty, but they may have problems during estimation and analysis. Based on an extensive econometric literature selected there are some potential problems encountered in linear models, errors in measurement, excluding variables in the model, multicollinearity, heteroskedasticity, remote values, etc. Problems could arise also by the type of the variables included like being dummy or qualitative. Multiple regression model has more than two or more independent variables. In general terms such a model has the form:

$$y = \beta_o + \beta_1 x_1 + \beta_2 x_2 + \cdots + \beta_p x_p + \varepsilon$$

β_0 - is intercept or constant , $\beta_{1\ldots p}$ - parameters of indipendent variables x_i.

Based on the information for the values of dependent variable Y_i and the values of dependent variable X_i, we estimate parameters value β.

We will use the logarithmic form and taking in consideration the characteristics of the dependent and indipendent variables the regression used will be binary logistic regression. We will use as dependent variable education level. The dependent variable has three category where:

Y=1 secondary, 2-university higher, 0- no school or just obligatory level

As a reference category 0-Basic education or none

-Constant,

β_k - estimated coefficients from model

x_i-Predicted or indipendent variables,

ε - error terms

Household composition like household size or number of children have an inportant ifluence on the education level. With the increase of the household size the possibility of being in secondary education will be increased sinjificantly. The possibility of being in the university level or higher decreased with increase of household size.

Gender of the head influence significanlty in the possibility to have a high diploma but have non an important impact on the secondary level.

Geoghraphic division have an important influence on the access of education also in the education level. An individual being in urban area has 3.6 times chances to have at least university diploma compared with rural area and 2.1 times chances to have a secondary diploma.

Being in Tirana region means more acces in basic services and being educated is less coustly. So being in Tirana means more chances to be educated compared with other regions. Being in Mountain region has around 50 % less chances to have at least an university degree diploma.

Health is an important factors influencing social and economic life of the household. Based on the self assesment of the health we conclude that health is an important factors inluencing also the possibility of being educated. Being in good condition have 5.7 times more chances to have a higher education degree and 2.3 times more chances to have a secondary degree compared with other categories. This influence is significantly in 5% level.

Education is an important dimension of non monetary poverty. Being less educated, have more chances to be poor but also being poor have more chances non being educated. The chances are higher for non poor people to have a university degree or higher (5.73 times). Non poor people have 1.103 times more chances to have secondary diploma compared with poor people. This means that poor people are less educated. This influence is sighnificant in 5% level.

Table 4: Logistic model of monetary and non monetary poverty

		Secondary education			University or higher		
		β	p-value	odds	β	p-value	odds
	Intercept	-2,743	0,000		-5,150	0,000	
Household size	hhsize	0.044	0,000	1.045	-0.063	0,000	0.939
Gender of head	Head male	-0.005	0.931	0.995	0.214	0.014	1.239
	Head female						
Gender of person	Male	0.245	0.000	1.277	0.056	0.235	1.058
	Female						
Area	Urban	0.732	0.000	2.080	1.272	0.000	3.569
	Rural						
Non monetary poverty	Non poor	0.648	0.000	1.911	1.409	0.000	4.092
	Poor						
No of children under 18th	No children	0.875	0.000	2.400	1.062	0.000	2.893
	At least one child						
Region	Coastal	-0.333	0.000	0.717	-0.844	0.000	0.430
	Central	-0.460	0.000	0.631	-1.023	0.000	0.360
	Mountain	-0.399	0.000	0.671	-0.700	0.000	0.497
	Tirana						
Health perception	Good or very good	0.834	0.000	2.302	1.746	0.000	5.730
	Average	0.098	0.370	1.103	0.423	0.066	1.526
	Bad						

^Multinominal logistic regression: Y=1 secondary, 2-university higher, 0- no school or just obligatory level, Reference category 0-Basic education or none

^^ Level of significance: *** per 0.001, ** per 0.01,* per 0.05, + per 0.1

Concluding remarks

Risk of being poor is influenced by education level. Being or not more educated is an important indicator influenced the possibility of finding a good job, well payed but also to the concept of the individuals for a better standard of living, better health service and not being isolated. Education and poverty are factors that influence each other. There are also other

important social factors that influence the poverty and as a result education. Education is depended by income/consumption level, by household composition, health status and geographic division.

Being in Tirana have more chances to be educated compared with other regions. Individuals in Tirana has higher mean years of school.

Health perception influence poverty. Individuals that are good or very good have higher education level compared with people that have not good health.

Poverty level influence direct and indirect education. Individuals that are not poor (non monetary) are more educated.

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Peer Influence and Adolescent Sexual Behavior Trajectories: Links to Sexual Initation

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Abstract

This study aims to revisit the studies reported in the area of peer influence with reference to health behavior. Peer groups are social groups that consist of people of the same age and have similar interests and usually equal in terms of the education and social class. Peer groups are important as they tend to provide a space to make friends. They also help provide social and emotional support as well as an identity and a sense of belongingness to a social group, especially during adolescence. The authors have found that sexual behavior is one of the many areas in which teens are influenced by their best friends and peers. Teens are more likely to have sex if their best friends and peers are older, use alcohol or drugs, or engage in other negative behavior. Similarly, they are more likely to have sex if they believe their friends have more positive attitudes toward childbearing, have permissive values about sex, or are actually having sex. The authors have found that most of the studies in this area have been developed have been assessing the negative aspects of peer influence. Understanding important factors related to sexual behavior is important not only to change that behavior; it is important to identify those teens who are most at risk of having sex and unprotected sex. This paper explains the implications for those working to help youth avoid risky sexual behaviors and potential consequences. It is concluded with the recommendations for conducting studies in this direction.

Keywords: peer influence, sexual intercourse, health, adolescent

Introduction

Better understanding of the complexities of parent and peer influences on adolescents' sexual decision making is essential to the development of effective prevention and intervention programming (Kotchick et al., 2001).

Research suggests that an early sexual debut, defined as having occurred prior to an adolescent reaching the age of 15, significantly increases the risk for unintended pregnancy, sexually transmitted infections (STIs) and future risky sexual behavior (Houlihan et al., 2008; Waller & DuBois, 2004). Additional intervention models aimed at delaying an adolescent's sexual debut might be successful in decreasing the future incidence of these negative outcomes. When considering interventions with adolescents, attention to peer influence is critical.

Many adolescents are confronted at some point during their teen years with choices about whether or not to have sex and, if they do, whether or not to use condoms and/or other contraceptives. Many factors affect those choices. Parents, educators, and other adults working with youth have learned that they cannot directly control the sexual behavior of teens. While at times, parents might wish to monitor their sons or daughters 24 hours a day to prevent them from having sex, or at the very least, unprotected sex, they can't do this. Instead, parents and others concerned about youth can only try to affect those factors that in turn affect the sexual decision-making of young people. For example, they might try to affect factors such as the teens' values about sexual behavior, their perceptions of family values and peer norms about sex, their attitudes about condoms and other forms of contraception, their educational and career plans, or their connection to their parents, their schools, and their faith communities, all of which are likely to affect whether or not teens have sex and whether or not they use protection against pregnancy and STD. Understanding important factors related to sexual behavior is important not only to change that behavior; it is important to identify those teens who are most at risk of having sex and unprotected sex. First people can use these factors to identify those teens at greater risk; then they can address the important factors affecting their behavior.

Conceptual Basis

An Early Sexual Debut: Definition and Prevalence

An early sexual debut is when a first consensual sexual experience for an adolescent has occurred prior to age 15 (Baumgartner et al., 2009; Guttmacher Institute, 2012; Houlihan et al., 2008). Current statistics show that approximately 13% of all adolescents have engaged in sexual activity by the age of 15 years old (Guttmacher Institute, 2012). Before age 13, only 6.1% of youth report having engaged in sexual intercourse (CDC, 2012). By age 19, approximately 85% of all adolescents are sexually active (CDC, 2012). These numbers indicate that an important point of intervention among adolescents with respect to sexual behavior is during the span of 13- 15 years of age.

Perceptions in Adolescence around Sexual Behaviors

The proximity and salience of a group is an important factor in establishing the level of influence norms may have on individuals and their behavior (Campo et al., 2003; Dunleavy, 2008). Research indicates that a weak affinity toward a particular reference group results in the social norms for that group having a relatively small impact on the behavior of an individual (Rimal, 2008). With respect to adolescents, it has been established that particular consideration is placed on the makeup of the group they are referencing (Marshall, Scherer & Real, 1998). In other words, if adolescents do not closely identify with the individuals in their immediate surroundings, the norms may have less impact on their intention and subsequent decision to engage in a particular behavior. Everyday experience within one's own social circle can influence behavioral norms, which in turn influences an individual's interpretation of his or her experience (Stewart et al., 2002).

Peer norms appeared to directly affect the individual sexual and contraceptive behavior of teens. Specific findings suggest that, "when teenagers believe that their peers have permissive attitudes toward premarital sex or actually engage in sex, and then they themselves are more likely to engage in sex, have sex more frequently and have sex with more … partners" (Kirby, 2001, p. 277). When youth believe that their peers favor condom use they are more likely to use condoms and contraceptives (Kirby, 2001). The implications of these findings suggest that when adolescents are connected to groups that express a clear value or norm against engaging in sex or unprotected sex, they were less likely to do so themselves. In addition, when adolescents are connected to groups that have permissive attitudes toward sex, they are more likely to engage in sex (Kirby, 2001). The perception of peers' sexual behavior appears to be a strong predictor of an early adolescent's intention to experience an earlier sexual debut (Gillmore et al., 2002; Hollander, 2001; Prinstein, Meade & Cohen, 2003; Sieving et al., 2006).

Empirical Basis

Linkenbach (1998) found that adolescents are more concerned with what they perceive as normative than with what is discerned to be an unhealthy behavior. When identification with the individual or group engaging in the behavior is strong, those behaviors will have a larger influence on the observers' social norms (Gino, Ayal & Ariely, 2009). Increased pressure toward peer conformity can result in a strong desire for adolescents to adopt the expectations and norms of their peers (Hagman, Clifford & Noel, 2007). Adolescents tend to capitulate when the unpleasantness of standing alone becomes too great, fostering a tendency to adopt behaviors that they think are norms in their environment in order to be accepted (Cialdini & Goldstein, 2004; Ott & Doyle, 2005). The argument for focusing on altering an adolescent's immediate environment and perceived norms becomes that much more relevant. One can have significant awareness that a behavior is unhealthy and detrimental while still engaging in that behavior.

Providing information to adolescents about the risks is not enough to discourage them from engaging in the behavior, indicating a need for a considerable shift in conceptualizing intervention models for this population.

Peer norms and peer influences are central in adolescents' development of health-related behaviors. Several decades of scholarship have demonstrated that, on average, teens are more likely to engage in risky behaviors if they perceive a high level of such behaviors among peers (see Brechwald & Prinstein, 2011). Sexual intercourse is one health-related behavior that is often influenced by norms in the peer group (see Buhi & Goodson, 2007). Although sexual behavior is a normative part of adolescent development, with over 60% of U.S. students engaging in intercourse by the end of high school (Centers for Disease Control and Prevention [CDC], 2012), many youth engage in sexual behaviors that confer risks.

Nationally representative samples suggest nearly one quarter of U.S. adolescents have had sex with four or more partners; as few as half of these sexually active youth use condoms consistently (CDC, 2012). Such risk behavior contributes to the

9 million new sexually transmitted infections and 8,300 new cases of HIV contracted among youth each year and also can lead to unplanned pregnancy (CDC, 2011a, 2011b).

Peers may play an especially important role in sexual socialization— the process through which adolescents adopt attitudes and norms regarding sexual behaviors and relationships (e.g., L'Engle & Jackson, 2008). Whereas parents and schools may act as health-promoting agents that slow adolescents' development of sexual behaviors, mass media and peers may serve as agents that increase adolescents' sexual behaviors (L'Engle, Brown, & Kenneavy, 2006). The importance of peer influences for adolescents' sexual behaviors is not surprising, given key characteristics of this developmental period. For most adolescents,pubertal development and concomitant sexual desires occur during a developmental period that also is marked by identity development processes (Kroger, 2003), an increasing reliance on peers for emotional support and acceptance (Harter, Stocker, & Robinson, 1996), and a strong interest in engaging in behaviors that may increase popularity among peers (Cillessen, Schwartz, & Mayeux, 2011). Research and theory have suggested that perceptions of *popular* peers' behavior may exert an especially robust influence on adolescents' own risk behavior (Cohen & Prinstein, 2006; see also Cillessen et al., 2011), but this phenomenon has not yet been empirically tested for sexual behaviors.

Although peers (and perhaps especially popular peers) have been shown generally to exert strong influences on adolescents' behaviors, individual adolescents vary in the degree to which they acquiesce to conformity pressures. In other words, the extent to which perceptions of peers' behaviors influence one's own behaviors is likely dependent on the individual's level of *susceptibility* to peer influence. Leading sexual health theories that posit a direct link between peer norms and intentions to engage in sexual behaviors (e.g., Fishbein, 2000) do not explicitly acknowledge that individuals may vary in their level of conformity to those norms.

Additionally, little is known about how susceptibility may be related longitudinally to behaviors such as sexual intercourse. Most studies of susceptibility to peer influence on risk behaviors have relied on explicit self-reports, which likely generate biased assessments of susceptibility to peer influence (e.g., Allen, Porter, & McFarland, 2006; see also Prinstein & Dodge, 2008). Additionally, adolescents may have especially limited awareness of the extent to which social pressures and norms influence their own sexual attitudes and behaviors, given the bombardment of conflicting messages about sex that teens receive from a multitude of sources (e.g., L'Engle et al., 2006).

To overcome limitations of prior work, researchers have recently begun to develop experimental paradigms, which yield in vivo, performance-based measures of peer influence susceptibility that are unaffected by the biases involved in explicit self-reports. For example, Allen and colleagues (2006) designed a paradigm in which adolescents were asked to participate in a hypothetical decision-making task, first alone, and again after being exposed to a close friend's differing opinions. Susceptibility was operationalized as the extent to which adolescents changed their initial decision after being exposed to the peer's differing opinion. Susceptibility was concurrently associated with higher odds of externalizing behavior and sexual intercourse, and also moderated the association between peers' substance use and adolescents' own substance use, such that friends' substance use was more strongly associated with one's own use among more highly susceptible teens. However, longitudinal analyses did not reveal susceptibility to be a significant prospective predictor or moderator of sexual or other behaviors.

Using a different innovative experimental paradigm to yield an in vivo measure of peer influence susceptibility, Prinstein, Brechwald,and Cohen (2011) found that susceptibility moderated the longitudinal associations between peer norms and adolescents'own deviant behaviors. In this "chat room" paradigm (Cohen &Prinstein, 2006), adolescents believe they are interacting with realpeers in an Internet chat room, while in reality they are interacting with pre-programed electronic confederates ("e-confederates") who endorse risk behavior. Susceptibility is operationalized as the extent to which adolescents change their responses to risk scenarios (compared to their baseline responses to identical scenarios) after being exposed to the high-risk responses of e-confederates. In preliminary work using this paradigm, Prinstein and colleagues found that susceptibility moderated the longitudinal association between perceptions of one's best friend's behavior and adolescents' own deviant behavior.

Research on peer and friendship influences on adolescent reproductive health includes studies of teen perceptions of peer attitudes and behaviors as well as peer reports of behaviors. These studies show influences of peer sexual activity, substance use, educational aspirations, and peer and friendship networks on sexual behaviors among adolescents, with higher risk peers predicting earlier sex and poorer contraceptive use.

Perceptions vs. Behaviors

A longitudinal study of male and female adolescent participants in an urban, STI and pregnancy intervention program found that teens who reported having friends who favor postponing the initiation of sexual intercourse were more likely themselves to delay the onset of sexual intercourse (Carvajal et al., 1999). Similarly, earlier perceived peer sexual debut was associated with an increased likelihood of having had sex and younger age of sexual initiation in a sample of black and Hispanic teens in Alabama, New York City, and San Juan, Puerto Rico from the 1990s (Whitaker & Miller, 2000). Adolescents who believe that their peers do not use condoms or that peers do not like using condoms are less likely to use condoms (in bivariate analyses) (Whitaker & Miller, 2000), while adolescents who believe that their peers practice or support condom use during sexual intercourse are less likely to be sexually experienced and are more likely to report higher levels of condom use (Boyer et al., 1999, DiClemente et al., 1996). Adolescents' perceptions about their peers' sexual activity norms for condoms are related to teen sexual behavior more strongly among teens who have not talked to a parent about initiating sex or about condoms than among teens who have (Whitaker & Miller, 2000). Peer Sexual Activity The perception that peers are sexually active increases with age (Alexander &Hickner, 1997). Adolescents who report believing that most of their peers have had sex are more than twice as likely to report having a high intention to initiate sexual intercourse in the coming year (Kinsman et al., 1998). Believing that peers endorse and engage in sexual intercourse was associated with an increased incidence of teen sexual intercourse for male and female adolescents receiving health care at private family practices in Michigan (Alexander &Hickner, 1997). Sexually experienced adolescents under the age of 15 were more likely to report that their peers were also sexually experienced compared to sexually inexperienced adolescents of the same age in samples of male and female African American adolescents in Philadelphia (Jaccard, Dittus&Litardo, 1999) and male and female, white, black, Hispanic, and Asian sixth-grade students in 14 public schools in Philadelphia in 1994 (Kinsman et al., 1998). In a longitudinal study of middle school students in an urban area of Northern California, adolescents who reported having a greater number of friends who endorse having early sexual intercourse were more likely to have had sex (Marin et al., 2000). Similarly, having a best friend who is sexually experienced increases the likelihood of sexual experience among adolescent females (Lock & Vincent, 1995), and having sexually experienced friends is associated with a younger age at first intercourse among males (Miller, Norton, et al., 1997). Teens who are more likely to be sexually experienced and who report a greater number of sexual partners are also more likely to have a greater percentage of sexually active friends (Whitaker & Miller, 2000).

Peer Substance Use

Having peers who use substances or thinking that peers use substances are sexual risk factors for adolescents. Drinking alcohol, using marijuana, and having peers who drink and have substance use problems are all strongly associated with sexual experience among both males and females aged 14-18 who are the oldest children of young mothers in a national survey (the NLSY 1979) (Kowaleski-Jones & Mott, 1998). Black adolescent females who participated in the inhome interviews of the first wave of the Add Health survey in 1995-1996 and reported having a large number of friends who drink are also more likely to have had sexual intercourse (Blum, Beuhring& Rinehart, 2000). Similarly, a longitudinal study shows that having more friends who engage in problem behavior and problem drinking is associated with an increased risk of sexual initiation for Hispanic adolescents (Costa et al., 1995). Drinking alcohol and spending time with friends who drink are independently linked with nonuse of birth control among sexually experienced females (Kowaleski-Jones & Mott, 1998). A survey of sixth grade students in public schools in Philadelphia found that sixth graders who perceived that older adolescents used alcohol were more likely to have had sexual intercourse (Kinsman et al., 1998). Adolescents who have initiated sexual activity are more likely than their sexually inexperienced peers to report that "most kids they know" start using alcohol and cigarettes at 13 or 14 years old (Kinsman et al., 1998). Peer Educational Aspirations Recent research indicates that low-risk peers (peers who are more engaged in school and less engaged in delinquent behavior) have a protective influence on sexual debut and adolescent pregnancy for adolescent girls in a nationally representative sample (Bearman&Brückner, 1999). Low-risk male and female best friends of adolescent girls protect against sexual debut, while high-risk male and female best friends increase the risk of sexual initiation for adolescent girls (Bearman&Brückner, 1999). This study suggests that for adolescent girls, the risk status of her female friends is a more important protective factor in determining adolescent pregnancy risk than is her own individual risk status—adolescent girls with low-risk female friends are at a lower risk for pregnancy while adolescent girls with high-risk male friends are at an increased risk for pregnancy (Bearman&Brückner, 1999). Having a high proportion of achieving friends (friends who think or hope they will go far in school) in adolescence reduced the risk of being involved in adolescent pregnancy in a sample of adolescents in 150 public high schools in two upstate New York counties from the 1980s and early 1990s (Kasen, Cohen, & Brook, 1998). Sexually inexperienced adolescents were more likely to have high-achieving peers (peers enrolled in higher levels of mathematics

courses), and having higher achieving peers predicted subsequent timing of age at first voluntary sexual intercourse for white boys but not white girls in a longitudinal study of youth in Michigan from the 1980s and early 1990s (Meschke et al., 2000). Similarly, among white adolescents in a longitudinal study of middle and high school students in a large, metropolitan school district in the western United States, having relatively more friends who engage in problem behaviors was associated with an earlier age of sexual initiation (Costa et al., 1995) Relationship with Peers One national-level study of school-age teens suggests that risk characteristics of an adolescent girl's close friends and larger peer group have a greater influence on her sexual debut than the characteristics of her best friend (Bearman&Brückner, 1999). Adolescents who have strong peer affiliations are more likely to be sexually experienced and are at a greater risk for STIs (Boyer et al., 1999), while teens who are not part of a peer group are less likely to have experienced sexual debut (Bearman&Brückner, 1999).

Alternatively, longitudinal data show that girls who are more popular, "in the leading crowd" in their schools, and who have older friends are more likely to have experienced sexual debut than other girls (Bearman&Brückner, 1999). Similarly, placing more importance on popularity is associated with an earlier age at first voluntary sexual intercourse among both males and females (Meschke et al., 2000). In addition, a longitudinal study in seven western states shows that adolescents who reported high levels of bonding (with family, friends, school and community) were less likely to have had sexual intercourse in the past month (McBride et al., 1995). Summary: Peers Adolescents appear to respond strongly to peer influences on their reproductive health behaviors. Teens with sexually active friends are more likely to have sex themselves and to have had multiple partners. In contrast, adolescents whose friends favor delayed initiation tend to delay sexual debut themselves. Not only are actual peer behaviors important, but even the perception of peer behaviors is also influential. Teens experience earlier sexual initiation if they believe their peers are having sex. Adolescents who perceive that their peers dislike or avoid condom use are less likely to use condoms themselves. Actual or perceived substance use by friends is also linked to earlier age of sexual initiation and lack of contraceptive use. The characteristics of one's peers are important as well. Having older friends is related to increased risk of sexual activity. Teens report less sexual activity and lower risk of pregnancy if their friends have high educational aspirations. Finally, the benefits of positive parent-child relationships are not limited to one's own individual experience. Teens report healthier, more responsible reproductive behaviors if they have friends who enjoy close relationships with their own parents.

Friends and Peers

Like siblings, friends are "socializing agents," who set standards of conduct and serve as role models, thus shaping the development of sexual attitudes and norms (East, Felice et al. 1993). A study of minority adolescents found that the number of sexually active girlfriends was positively associated with permissive sexual attitudes, intentions for future sexual activity, and nonmarital childbearing (East, Felice et al. 1993). Other risk behaviors have an impact as well. When a teen's friends are not attached to school, have poor grades, abuse drugs or engage in delinquent behaviors, there is a greater likelihood that the teen will become sexually active at an early age (East, Felice et al. 1993; Brewster 1994; Bearman, Bruckner et al. 1999; Kirby 2001).

Summary and Conclusions

It is interesting to note that it is not only the actual behavior of peers, but the assumption of certain behaviors by peers, that influence adolescent sexual activity. The perception of normative sexual attitudes and behavior is closely associated to the teen's own attitudes and behavior. When teens believe – correctly or not – that their peers are having sex, they are more likely to have sex. When teens believe their peers support contraceptive use, they are more likely to use contraception (Whitaker and Miller 2000; Kirby 2001). The effect of peer influence may depend on the teen's other sources of information on sexual and reproductive health. A study of Hispanic and African American youth determined that peer norms were a great influence on sexual behavior among those who had not discussed condoms with their parents (Whitaker and Miller 2000).

Peer Influence Adolescents garner a wealth of misinformation from each other about sex. They also put pressure on each other to carry out traditional gender roles. Boys encourage other boys to be sexually active even if they are unprepared or uninterested. They must camouflage their inexperience with bravado, which increases misinformation; they cannot reveal sexual ignorance. Even though many teenagers find their early sexual experiences less than satisfying, they still seem to feel a great deal of pressure to conform, which means continuing to be sexually active. One study of rural tenth-graders found that the students overestimated the percentage of their peers who had ever had sexual intercourse, who had had four or more coital partners, or who had used alcohol or drugs before their previous intercourse. The students underestimated the percentage of their sexually active peers who had used a condom during their most recent intercourse.

These findings may indicate that more students engage in risky sex-related behaviors because they believe that their peers are doing the same, and fewer may be using condoms because of their belief that their peers are not using them .

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Table 1

Risk (-) and Protective (+) Factors	Feasibility of Changing	Possible Interventions To Change Factors
Peer		
Age		
- Older age of peer group and close friends	**	In general, pregnancy and STD prevention programs cannot easily affect the age of teens' peers. Some programs may be able to provide activities that encourage teens to interact with people their own age or encourage same-age friends in other ways.
Peer attitudes and behavior		
- Peers' alcohol use, drug use, deviant behavior	**	If friends can be reached, some pregnancy and STD prevention programs with a youth development emphasis may be able to reduce alcohol and drug abuse and other non-normative behavior.
- *Peers' pro-childbearing attitudes or behavior*	***	If peers can be reached, sex education programs can reduce pro-childbearing attitudes and behavior. If peers cannot be reached, programs can implement activities in small or large group settings that demonstrate peer support for avoiding pregnancy.
- *Permissive values about sex*	***	If friends can be reached, agencies can implement effective abstinence or sex and STD/HIV education programs that change permissive values and delay the initiation of sex. If peers cannot be reached, programs can implement activities in small or large group settings that demonstrate peer support for delaying sex.
- *Sexually active peers*	***	If friends can be reached, abstinence or sex and STD/HIV education programs can change permissive values about sex and delay the initiation of sex. If friends cannot be reached, programs can implement activities demonstrating that perceptions of peer sexual activity are typically exaggerated.
+ *Positive peer norms or support for condom or contraceptive use*	***	If friends can be reached, sex and STD/HIV education programs or clinic protocols can increase both support for condom and contraceptive use and actual use of condoms and contraceptives. If peers cannot be reached, programs can implement activities in small or large group settings that demonstrate peer support for condom and contraceptive use for sexually active teens.
+ *Peer use of condoms*	***	If peers can be reached, sex and STD/HIV education programs can increase condom use. If peers cannot be reached, programs can implement activities in small or large group settings that demonstrate peer support for condom use.

The Formation Process of Terms from Common Albanian Words in Technical Terminologies (Mechanical, Electrical, Construction)

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Abstract

In this paper, in a more pronounced way we are exploring with priority the formation process of terms from Albanian common words in technical terminologies (mechanical, electrical, construction). The influence of the scientific-technical language on the general one will be further strengthened in future, because science and its language are beginning to play an increasingly more important role on the development of culture in general. Under the influence of these factors, the terminology lexicon and the general lexicon are getting every step closer, where, an intellectualized lexicon is serving as the basic interlink which exists in both macro-layers. On the other hand, this problem could be linked in a particular way with the formation in the course of the times, of the technical terminology built on the basis of words of the native language, which are raised to the level of terms for the nomination of specialized concepts of this field. Thus, for example, a range of words can be brought forward, which we come across as early as in Buzuk's creation "Meshari'' ("Missal") (1555), which today are used as terms also, not only directly in today's technical fields, like: fuqi, forcë, bosht, rrotë, rrotullohet (rrotulluem), (Engl. power, strength, axle, wheel, spinning (spinned) etc. As is evident, on this basis primarily Albanian terminology formations are created, alongside formations originating from foreign languages, as well as those built on the basis of authentic Albanian and of word formative models and types (term formative) thereof: boshtor, i rrotullueshëm (Engl. axial, rotating) etc.

Keywords: terms, formation process, common Albanian words, terminology, mechnical, electrical, constraction.

Introduction

To date Albanian terminology was studied in the form of special terminologies, starting from terminologies of more or less broader fields, like: economy, medicine, mechanics, agriculture and any other within them, such as agronomy, or even narrower. From terminologies of wider areas fundamental generalizations were achieved, but also from the narrower ones it was possible to undertake a thorough study of their specific issues. Partial generalizations discovered more detailed aspects of problems, especially specific aspects of synonyms, antonyms for specific areas, like for example, problems of polysemy for a limited field, when it appears as hybrid like the terminology of agricultural tools, the terminology of the field of mechanism theory etc.

In the conditions of the rapid development of technics and technology in recent years, the cooperation of the scientific-technical language with the standard Albanian language is continuing with a higher intensity than before. We notice a vigor of enrichment in the vocabulary of technical terminology, due to the birth and formation of new fields and subfields of technics, technology, as computing, mechatronics, telemetry, a multitude of concepts many of which, on the one hand, are marked with names of the languages they come from, mainly from English, but on the other hand, they meet their needs with the lexical mother tongue composition (by common words being raised to terms) and with the activation of other layers, such as compound word terms.

As an object of special interest of this paper is precisely the *view of ordinary words*, since the time of their recording, not only in written texts, like for example in *"Meshari" of Buzuk* (1555), etc., also reflected in dictionaries of Albanian language

like from the vocabulary of Frang Bardhi[1] where we meet a series of words, which have functioned as special units and later became terms. Likewise, other later vocabularies become an research objects, like vocabularies of the general language, and as well the terminology type ones.

Technical terminologies

Technical terminologies originate from words related with concepts deriving from very old times and from different countries of the world, as universal linguistic, that have passed from one language to another at different times, translated, adapted, as borrowed words or words in their own right (indigenous). They were used as special words in various fields of human activity, later as terms in technical terminology and terminologies of other fields of knowledge, as has happened in the Albanian lexicon as well.

Motivation of the terms

Most of the terms are motivational in their conceptual content, which means that each term has a base from which it originates and just in the way the base is developed, so it developed as well it is content. However, one part of terms derive from *common words* and enter a knowledge field according to the quality of the term, while maintaining the conceptual content, ie. its content as a word or as a term is more or less the same. Here we are dealing with same concepts that pass from a *low conceptual level* (as a word) *to a higher conceptual level* (as a term). Thus, for example, can be considered a number of terms in the field of construction as *derë (door), prag (sill), kat (level), dritare* (window (const.)), *gërmim (excavation), shirje (threshing), korrje (harvesting (agric.))*. It should be noted here that each of them develop further as *dritare* (ndërtese), and *dritare* (fryrjeje), *derë* (ndërtese) dhe *derë* (furre); Engl: *window* (building), and *window* (air-control) *door* (building) and *door* (oven).

The identity of the terms

In the Dictionaries of terminology, as well as in those technics terminological ones, the identity of the terms is defined by the fields of knowledge in question, which the relevant terms represent, as, for example, term-words with a defined identity in the field, like *derë, dritare, prag, tavan, çati, mur, llaç, suvatim* (conct.), *bosht, rrotë* (mech.), *llambë, fill, tel, kyç, shkyç* (el.), (Eng. *door, window, sill, ceiling, roof, wall, stucco, plastering* (const.), *shaft, wheel* (mech.), *lamp, yarn, wire, key, disconnect* (el.), though even here many term-words are included in dictionaries of other fields (borrowed, terminologised etc.) as *lopatë* (Eng. *blade*) (mech., const.), *krah* (Eng. *wing*) (mech., const.) or with undefined boundaries as *rrymë* (Eng. *current*) (el.) /*rrymë* (Eng. *current* (mech.). Here the problem of the identity of terms, like the terms of specialized units and as belonging to a specific area, is about solved in compound word terms, where, they themselves identify the conceptual content (the concept) and the field, like *rrymë e vazhduar* (Eng.spread current) (el.), *rrymë ajri* (Engl. *air flow*) (mek.), *mur tulle* (Eng. *wall brick*) (const.) - *mur cilindri* (Eng. *wall cylinder*) (mech.), *gur themeli* (Eng. *foundation stone*) (const.) - *gur mprehës* (Eng. *whetstone* (mech.).

The technical lexicon, as part of a scientific-technical style

It is important to note that the technical lexicon, as part of a scientific-technical style; as formation at its origin and later consolidated, relates with the formation of technical fields of knowledge and belongs therefore to the period after the years 1912-1920, but, observed on the level of linguistic styles, it does relate, with religious styles and as with other styles, as is the political-social style (conditioned by social and cultural development of the place like the creation of societies, their culture and politics, their press) from which in the lexicon of technics general terms were borrowed, abstract words for the creation of compound word terms, as: **kusht:** *kusht politik, kusht shoqëror* and later *kusht teknik, kusht kufitar* (Eng. **condition:** *political condition, social condition*, and later *technical condition, boundary condition*). In the same way they entered the technical terminology: *nga gjendje paqeje* etj., *gjendje e ngurtë, gjendje e gaztë.* (Eng. from the *state of peace, solid state, gaseous state* etc.).

Later, with the formation of the scientific and the scientific-technical style in Albania, the technical lexicon entered as a separate system itself (which coincides with the Renaissance, during which the terminologies of mathematics, geometry, chemistry for low level education and later secondary education were incepted). Many terms from these fields contain the

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[1] Bardhi, F.: *"DICTIONARIUM LATINO EPIROTICUM",* Romae, 1635.

terminology of the scientific and theoretic foundation of the language of technics, like: *kënd, rreth, barazim, pikë* etj., as *kënd i prerjes, pikë e rakordimit* (Eng. *angle, circle, equation, point* etc., as in *cutting angle, point of reconciliation*), etc[1].

Through units evidenced in different denominations unit links can be observed to each other and their process from one unit to another as a *fjalë →profesionalizëm* (Eng. *word → professionalism*) → *a contemporary term.* Thus, for example, the word *shtëpi* (Eng. *home*) we find since Buzuku and it continues with other authors, but it so far has not created the status of a term in construction and in any other field, whereas in its place in the terminology of the construction it specialized as the term **ndërtesë** (**building**), which, from its own accord has been used as a word for the first time by Kristoforidhi. It needs to be emphasized that *ndërtesë* (*building*) is related to *ndërtim* (*construction*), while both relate to the verb **ndërtoj (to build)**. The latter, as a verb we have come across it for the first time in Matrënga, *dërtuarë* (today *me ndërtue, ndërtoj/* Eng. *to build, build*). *Ndërtoj* (*build*) relates with the thematic-conceptual field to *ngreh* (*raise*) - *ngreh (ngreh ndërtesën - ndërtoj ndërtesën, (*Eng. *raise a building - build a building*)*;* thus *shtëpi* (*house*) (Bz.) (non-term); *ndërtesë* (*building*) (contemporary term); *ndërtoj (build)* (Ma.) (term); *ngreh* (*raise*) (Ma.), (contemporary term).

Similarly *plug* (*plow*) (as a term) is met for the first time in the Dictionary of 1954, when the technical terminology had not yet emerged. *Plug* (*plow*) connects conceptually with *parmendë* (*plough*) (which has remained in use like professionalism and its relationship with *plug* is confirmed in several languages: ital. *aratro* (for *parmendë* and *plug)* as in Eng. *plough* (also for *parmendë* and *plug)* as in Russian like in Albanian: *parmendë-lemeh,* whereas *plug-pllug.* In the further development as a concept (object) *plug* marks the *plough* (*plug*) as it was then, and also as it is today, *plug* as a machine (= *overall plows*). For this reason we support the proposal that in the second meaning, according to the model *mbjellëse* (*harvesting*) for *plug* as a machine (overall *plows*) to introduce *pluguese* (*ploughing*), which differentiates the tool from the machine, as (Mech. Dictionary of, 2002)[2] *sharrë-sharruese, rul-ruluese (*Eng. *saw-sawing* etc) etc. Further we can see *plug* (plow) relating with *paraplug* (relating part of *plow*), where the latter can become *paraplugues* (tools).

In the same way, *dritare* (*window*) today is used as a term in construction and as terminologised in some other fields: *dritare* (*air-control window*) (met.) - *dritare* (*disc*) (inf.). It was created for the first time by N. Frashëri (circa 1900) and as such could not be reflected by previous authors. In its place before, the Turkish-borrowed word *penxhere* (*window*) could not be used, and as such appears for the first time in the Dictionary of 1954. With other authors, starting from Buzuku, we meet *fënestrë* (Bz., Bu., Bg.) as a foreign word, Italian, and only for the first time it appears as *dritare* in the Dictionary of 1954 (from N. Frashëri *dritore*).

The groups of terms formed on the basis of meanings of common words

The groups of terms formed on the basis of meanings of common words, derived from different sources that relate with different parts of ordinary life deal with objects, phenomena, processes that associate with them. So are used as terms in general technics and technology general words that mark:

*1) Terms built on meanings of words marking body parts of **the human body**:*

trup$_1$ (body$_1$ screw) (mech.)*, trup$_2$ (body$_2$ of ship)* (naut.),

ballë$_1$ (gallery front$_1$) (min.)*, ballë$_2$ (piston front$_2$)*(mech.),

*hundë$_1$ (*hammer *nose$_1$)* (mech.), *hundë$_2$ (nose$_2$ (nozzle))* (mech.) etc.;

*2) Terms built on meanings of words that mark **human clothing and their parts:***

veshje$_1$ (fire resistant clothing$_1$) (mech.), *veshje$_2$ (lining$_2$ of canal)* (const.),

kapotë (motor cover) (mech.), *xhep (dust pocket)* (mech.) *etc.;*

*(3) terms built on meanings of words parking **parts of trees:***

trung$_1$ (trunk$_1$)(const.), *trung$_2$ (column trunk$_2$)* (el.),

rrënjë$_1$ (tree root$_1$) (agr.)*, rrënjë$_2$ (root$_2$ of tooth (gear))* (mech.) etc.;

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[1] Duro, A.: *"Fjala shqipe në terminologjinë e mekanikës",* në "STUDIME FILOLOGJIKE", nr.4, Tiranë, 1984.

[2] *Fjalor i termave themelorë të mekanikës (shqip-anglisht-frëngjisht-italisht-rusisht),* Tiranë, 2002.

*(4) terms built on meanings of words that mark **animals, birds** and **body parts** of **animals or birds**:*

bri_1*(anvil horn$_1$)* (mech.), bri_2 *(steam ship horn$_2$)* (naut.),

$bisht_1$ *(tail$_1$ of lathe carrier)* (mech.), $bisht_2$ *(handle of pitchfork)* (agr.) etc.;

*(5) terms built on meaninghs of words parking **parts** and **accessories** (tools) that humans use for personal hygiene:*

$furçë_1$ *(discal brush$_1$)* (mech.), $furçë_2$ (collector brush$_2$) (mech., const.),

$tegel_1$ *(welding seam$_1$)* (mech.), $tegel_2$ *(seam$_2$ of rivet)* (mech.) etc.;

*(6) terms built on meanings of words marking **objects and working tools**:*

$urë_1$ *(automobile bridge$_1$)* (mech.),$urë_2$ *(railway bridge$_2$)* (const.), $urë_3$ *(electric bridge$_3$)* (el.),

 $kovë_1$ *(rubbish bucket$_1$)* (met.), $kovë_2$ *(excavation bucket$_2$)* (mech.) etc.;

(7) *terms built on meanings of words marking **kitchen tools and equipment**:*

$pirun_1$ *(fork$_1$ cardan)* (mech.)*, $pirun_2$ (fork$_2$ clutch)* (mech.)*, $pirun_3$ (fork$_3$ guide)* (mech., const.)

$lugë_1$ *(mortar spoon$_1$)* (const.)*, $lugë_2$ (excavation spoon$_2$)* (mech.) ect.;

*(8) terms built on meanings of words marking **buildings and their internal and external components**:*

$kullë_1$ *(cooling tower$_1$)* (mech.), $kullë_2$ *(drying tower$_2$)* (mech.,const.,agr.),

$dhomë_1$ *(condensation room$_1$)* (mech.)*, $dhomë_2$ (ventilation room$_2$)* (mech.)*, $dhomë_3$ (vacuuming room$_3$)* (mech.) etc.

Systemic developments of the technical terminology are discovered since the appearance in inception of the lexicon, evidenced since 'Meshari' and to this day, like in "Meshari" "Missal": *forcë – forcojm* (*forcuom*) *– forcuos* (Eng. *force*) and that continues with Matrënga, Budi, Bardhi, Bogdani, Kristoforidhi. Systemic-associative links appear more significantly in terminological vocabularies like in Bindoni, and in vocabularies of the terminological series. These links appear also in the form of microsystems, as in: *punë – punoj – punim-i – punueshëm – përpunoj – përpunim – i përpunueshëm – përpunueshmëri; kokërr – kokrrizë – kokrrizoj – kokrrizim – i kokrrizueshëm – kokrrizueshmëri – kokrrizëti* etc., (Eng. *work – work - work-of - workable - process - processing - pliable - machinability; grain - grain – granule* etc.).

Conclusion

From what we outlined above it can be concluded that from the point of view, that on the level of conceptual content each lexical unit of language is identified as a common word when it falls (is) in the low level, which is presented as the base of the word and as a specialized unit (word or compound word), when it operates in a high level, which is accepted also as the base term. This means that the identity of each unit; term or non-term (ie.), special unit or non-special unit, depends on the level it is used, where the conceptual content is primary and not the form, when the unit is single word (as described in the examples above, *këmbë* (njeriu) (fjalë) (Eng. foot (human) (word) and *këmbë* (minerali) (term) (Eng. foot (mineral) (term)) or *derë$_1$* (fjalë e zakonshme) (Eng. *door$_1$* (common word) and *derë$_2$* (term në ndërtim) (Eng. *door$_2$* (term in construction) and when the unit is a compound word (two words and more), where the conceptual content is revealed by the terms of the unit: *këmbë e urës, derë rrotulluese* (Eng. *foot of bridge, revolving door*).

We conclude that the lexicon of language can be divided into two main groups: the *common lexicon* (always identified as such despite the low level of conceptual contents of units, like *foot, door, machine* (used in common speech), *machine* (of State that oppresses democracy) and special lexicon: *foot, door, machine* and *revolving door*.

It should be emphasized however that the basis of their base is comprised by Albanian lexical units originating from remote times, which have served as word- and phrase forming themes for special units of crafts, handicrafts, as in *rrotë → rrotulluom* (rrotulloj) (Eng. turning wheel (turning)) (Buzuku), *furkë e tjerrit, rrotë e qerrit* (Eng. *wheel of yarn, wheel of cart*) (Buzuku) and until today as term forming topics (single words and compound words): *rrotullues-e – i rrotullueshëm, furrë e rrotullueshme, derë e rrotullueshme (*Eng. *rotary-of - the rotary, rotary kiln, rotary door*) etc.

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The Organization of the Albanian Education System and the Status of the Italian Language in the Period 1920-1944

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Abstract

The article in question reflects in a summarized way the organization of the Albanian education system in the years 1920-1944, as well as the status and position of the Italian language in this system, during that period. The existing interest in the Italian language in Albania is closely related to the old relations the two countries have had. Notwithstanding fluctuations that such relations have undergone, this connection never disappeared. This long-standing relationship is the result of good neighborly ties built and maintained naturally by the people of the two countries. The wish of Ahmet Zog (the king in power at the time) and his cabinet was to create a state based on Western European models. Therefore, there was wide cooperation, not just in the economic and diplomatic field, but also in other areas, particularly concerning relations with the Italian state which at that period was the main supporter of Albania, and also with other western countries. Western European models served to establish and strengthen the Albanian state which had just been taking shape trying to follow the model European-leaning states. Based on historical facts, during the period 1920-1944, the Albanian educational system underwent numerous changes. These changes enabled the Albanian education system to take the form of a more unified and more developed model. The influence of the Italians in Albania was obvious in different fields such as the commercial, economic and social sectors. Given that this period was characterized by the intensification of the relations between Italy and Albania, it was inescapable that this relationship would be manifested also in the field of education. Therefore, this paper intends to demonstrate through historical facts extracted from press articles and publications of the time, the changes to the Albanian education system in the years 1920-1944, as well as the status of the Italian language during this period.

Keywords: Albanian education, Italian language, organization, influence, relations.

Introduction

Scientific works completed by Albanian authors (Koliqi H., 2002) indicated that after the formation of the first Albanian state, one of the main priorities of the first Albanian government was education. Until then education in Albania was characterized by:

Lack of a unique educational system.

A low number of schools.

Existence of many foreign schools.

Separate schools based on religious beliefs, which were supported by religious organizations of the three main religions existent in Albania.

A low level of education of the Albanian population, that was largely illiterate.

Changes that needed to be implemented in the Albanian education system were reflected in congresses organized in Lushnje which was held in 1920 and the second congress which was organized in Tirana in 1922. The Government of King Zog considered with priority the creation of a consolidated and uniform education system, similar to that of developed European countries. The support this government got from developed countries and mainly from Italy was immense. Changes made in the Albanian education system were reflected in the reshaping of the system of primary and secondary education and the creation of more vocational schools. Significant effort by the government at the time was

devoted to the opening of foreign technical institutes, as well as grading of the teachers by their education level and professional training.

Given the fact that Italy was the main ally of Albania at the time, its impact in the Albanian education system was very big. Cooperation between countries and proliferation of Italian language and culture was on the rise, and it went as far as making the Italian language compulsory in high schools and vocational training schools.

Stages of organization of the Albanian education system in the years 1920-1944

The reformation of Albanian education system in the period 1920-1944 went through several stages. Among the most significant stages, which reflected further changes in this process, were the education Congresses held firstly in Lushnje and a second one in Tirana.

Beyond that, changes in the Albanian educational system continued with the application of decisions published in the official gazette, which determined the status of foreign languages, especially that of Italian language in the Albanian education system of that time. The influence of Italians made possible the introduction and dissemination of Italian language and culture in all educational levels.

Education Congresses

The first Albanian Education Congress was held in Lushnje in 1920 and was organized by the Ministry of Education. The main issues discussed in this congress were:

Establishment of a unified education system; the restructuring of schools; the organization and management of schools and other educational institutions; developing programs, curricula and textbooks at the national level; the unification of the Albanian language; the elevation of academic standards and training of teachers across the country; as well more issues of the didactic nature.

This Congress decided that elementary education consisting of five academic years, should be mandatory. Also, another first of this Congress was the categorization of teachers:

Category 1: Teachers who had completed the university (Abroad).

Category 2: Teachers who had completed "Normale" school or higher education.

Category 3: Teachers who had completed Turkish primary normal schooling by expedient classes or Greek urban schools with practice courses.

Category 4: Teachers who had completed Albanian or Turkish urban schools.

Special attention was devoted to the unification of educational records such as the registers, diaries, minutes of meetings, list of official duties. School programs that were used as models were those of Austria. After this Congress concluded its session, a series of educational laws were drafted, laws that served as the basis of education legislation in Albania, some of which are:

The Law on the central organization of the Ministry of Education

The Law on the basic organization of the Ministry of Education

The Law on compulsory school attendance

The Law on appointment and transfer of teachers

The Law on school fees, scholarships etc.

Elbasan "Normale" school reopened, as well as Korca "Licée", the only high schools in the country.

At that time there were 574 schools in Albania, of which 3 were secondary, 12 urban schools, 519 primary schools, 4 kindergartens, 36 schools of belonging to minorities. In the 1921-1922 school year 25,197 students attended academic studies, of which 5889 girls and 863 teachers worked in this system. It was at that time when preschool programs started initially in Streha Vorfnore (Poor Shelter) and Streha Foshnjore (Infant Shelter). On July 21, 1921 in Tirana, Albania a Technical School run by Harry Fultz opened; a vocational school, based on the American pragmatist concept. In the

same year the "Illyrikum" Franciscan Gymnasium opened in Shkodra. This was a western-style school which regardless of the extensive support by the Franciscans, was in fact controlled and monitored by the state. A year later in 1922, in the city of Shkodra another gymnasium opened its doors the Public High School and the "Normale" high school run by Stigmatine Sisters. These were followed by other schools like the Boarding-School in Kosovo.

This great educational movement was accompanied by publication of many pedagogical journals such as "Teacher" (1922) The first pedagogical magazine the "New School" which was published earlier in Shkodra and later in Tirana and was run by Prof. Michael Gasper. "Pedagogical Magazine" (1922-1927).

The second Albanian Education Congress (Tirana 1922)

This Congress was held in Tirana on July 22, 1922. About 40 teachers participated in this congress. The decisions of this Congress were mainly related to:

The democratization of education and its modernization.

A new educational system was approved and stating that primary schools in the city would consist of 6 academic years and in villages 4.

Establishment of vocational schools consisting of 3 academic years, to be attended by children who had completed the fifth grade.

High schools would be attended for 6 academic years.

Abolition of urban schools.

Many changes were approved in new programs mainly associated with primary schools which introduced subjects such as practical work, increased the number of science classes, reduced the number of hours of religion in order for schools to have a more secular approach, departing from their religious character. The new school system took effect in the academic year 1922-1923.

The second Congress of Tirana (1924)

The second Congress of Tirana was held on July 21, 1924. This Congress drafted and published the "Declaration of Albanian Teachers". Many important decisions were the attribute of this Congress such as:

Unification of the education system in all schools nationwide.

Strengthening the democratic foundations of the Albanian education system.

Increasing the number of new schools.

Compulsory education to become mandatory for boys and for girls.

Opening of kindergartens for children aged 5-7 years.

Opening of a girl's school to help educational and cultural status of women.

Opening partial high schools in Berat, Durres, and Elbasan.

This congress established The General League of Albanian Teachers.

The structure of the Albanian education system

Ahmet Zog's selection as head of the Albanian state was followed by numerous changes in the country. The intention of Ahmet Zogu and his cabinet was to create a modern state following the European model. For this reason, the cooperation not only in the economic and diplomatic fields, but also in other areas, particularly with Italian state, which at that period was the main supporter of Albania and also with other western countries, was very extensive. Western models served to establish and strengthen the Albanian state which had started to take its shape as a state with European affinities. So the new Criminal Code was drafted based on the Italian model, the new civil code that was modeled after the French and Swiss codes, the first Commercial code followed the Italian model, as did the organization and the structure of the army. Amid these efforts to build a modern system according to European models, education could not remain outside the focus

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of the state. In an interview given to "Corriere della Sera" Ahmet Zog stated that the first thing he intended to accomplish was the improvement of education and culture throughout the country, because the country's future depended on the advancement of these fields. During the years 1925-1926 were published the school programs for elementary schools consisting of six academic years, as well as the programs of male and female "normale" (equivalent of high schooling) school. According to the program near any "normale" school a training school was to be available so that the students of these schools would have the opportunity to perform their practical academic training. In the following years educational reforms followed one another.

Hence elementary schools from 6 academic years were diminished to 5 (during1928-1940), many new schools opened e.g. the Albanian-American Agricultural School Kavaja, as well as many other professional schools. Despite the influence and the opening many foreign schools, the government's primary goals were the education and upbringing of young Albanians with love for their homeland and allegiance to their state and Albanian institutions. For this reason, in 1933 the Albanian Parliament issued a law for the nationalization of all foreign schools (decree law approved of Prime Minister's Office, dated 10.09.1934).

In the years 1934-1935 the educational system in Albania had the following structure:

Kindergarten

Elementary school

Secondary schools (which had different branches)

Gymnasium

Normale

Vocational schools

The new law on the Albanian education system, adopted in the following years, provided that primary schools should consist of 5 academic years, gymnasiums of 8 academic years, urban schools of 4 academic years, "Normale" schools 4 academic years which were to follow the 4 years of high school. Primary education had a mixed organizational system, while the secondary education was separate for boys and for girls. The exception to this was the National Korca Lycée, "Normale" of Elbasan and the Urban School of Berat. High schools of that time according to the "Law on high school reform" of 1938 were classified as follows:

Vocational Schools

Technical Institute

"Normale" schools

Lycée

All these schools consisted of two levels (degrees):

Low levels, which included vocational schools, low courses of the technical institute, low courses of "Normale" school, low courses of Lycée.

High levels, which included the high courses of technical Institute, high courses of "Normale" school and high courses of Lycée.

This period (1938-1939) was characterized by a significant increase in the number of students at all school levels and in the number of new schools, an increase in the number of professionally trained teachers who completed their training courses or graduated schools abroad.

Albania had:

23 kindergartens, where 2434 children were enrolled,

643 primary schools attended by 52,024 students,

22 secondary schools,

1660 teachers,

380 education specialists who had completed their education abroad.

Furthermore, the number of students who choose to continue their education abroad increased significantly, mainly in countries like Italy, Greece, Germany, Austria, and these numbers kept growing with the arrival in power of Ahmet Zogu. A significant number of these scholarships were awarded by the General Directorate of Italian schools abroad in cooperation with their representative offices in Albania (Archival documents1924, Archival documents 1925). This great educational movement was accompanied by the publication of journals and periodicals derived from various Albanian specialists who intended to boost the quality of teaching through texts or translations published in different languages in various developed European countries. "Pedagogical Magazine" (1922-1927); "The Teacher" (1927-1929); "National School" (1937-1939); "Normalisti" (1929-1937). Albanian teachers offered a great contribution to this process, in cooperation with foreign specialists who jointly tried to bring a new spirit of a progressiveness and democracy to the Albanian education. Here we might mention the pedagogical publications by Gasper Belortaja; "Theoretical Pedagogy for elementary school teachers," by Alexander Xhuvani, with the second publication of this volume. After the fascist occupation education, as every other sector in Albanian society, underwent many changes. The intensification of relations between the two countries was slowly replaced by the implementation of complete control of the Italian government and Italianization of each sector. At the time of occupation, Italians found in Albania 660 primary schools (6-11 years), 19 second-level schools (11-13 years), 1595 teachers and 62,971 students. At this time in addition to existing high schools which were:

At this time in addition to existing high schools which were:

Gymnasiums (Lycée) in Shkodra, Tirana and Korca

"Luigj Gurakuqi" Normale School in Elbasan

"Nana Mbretneshë" all Female Institute

"Karl Gega" Technical Institute in Tirana

There were also three other vocational schools for boys in Kavaja, Berat, and Elbasan. Furthermore, 5 schools of agricultural profile and many two-year vocational schools were functional in different cities and towns of Albania.

Status of foreign languages in the Albanian education system

Referring to the facts mentioned above, which show the great efforts by the Albanians to build a unified and democratic education system based on the most developed European models of the time, a very important and special place was dedicated to the learning of the languages and culture of the developed European countries. Because Albania was a country lacking educated people and with a high number of illiterates, an educational system that at the was sporadic and relying primarily on education offered by religious organizations and individuals, the need of learning a foreign language that was a necessity at that time. The intensification of relations with Italy, France, Austria, and America somehow dictated the need for recognition of foreign languages. The government at the time gave priority to foreign language teaching mainly Italian language, which had the highest number of schools and students taught in them. This was due to the fact that Italy was the main partner of Albania in many sectors. So in a way, Italian language became the number one foreign language taught in all schools in the Albanian education system, with the exception of the primary schools where the Albanian government, by a special order, did not allow the teaching of any foreign language but only the native Albanian language. Linguistic policies followed by the government of King Zog demonstrated an excellent balance between Italian language and other foreign languages, French, English as well as German. Proof of this is the opening of such schools such as French Lycée, Harry Fultz Technical School in Tirana or the Albanian-American Agricultural School in Kavaja, where the French language and English were the primary foreign languages. It should be pointed out that despite the need to learn foreign languages Albanian was the primary language in all school levels. Especially at the elementary level a special government decision prohibited the teaching of a foreign language (Archival documents 1930).

This fact is confirmed by the law no. 52, published in the Official Gazette of 1933, on foreign language teaching in high schools.

Article 1

"In all high schools, commercial and technical schools of the Kingdom the following languages will be taught: Italian, French, English, and German."

Article 2

"Of the above mentioned foreign languages in Article 1, the teaching of Italian language is mandatory for all students of the above mentioned schools, and starts from the first grade. Students in high schools, students of commercial schools, starting from the third grade are required to learn, in addition to the Italian language, one of the other foreign languages mentioned in the article above."

Article 3

"This Regulation shall enter into force in the academic year 1933-1934" (Archival documents 1933). Given this decision, the Italian language became the number one foreign language studied by Albanian students. For example, in the Industrial School of Applied Arts in Shkoder, the Italian language was taught every day of the week, from Monday to Saturday (Archival documents 1931). Italian language was mainly taught by Italian teachers and only in cases when there was a shortage of teaching staff, an Albanian teacher was permitted to replace them on the condition that he had completed his studies in Italy (Archival documents 1931). Following the government's decision to introduce Italian as a first language, all students had to take mid-term maturity exams and regular maturity exams of Italian and as French was not taught in the first year but in third it an exam was not required (Archival documents 1938). After the fascist occupation in 1939, the Italian language becomes mandatory and first language in all school levels. So students began studying other subjects in Italian language as well. During this period the study of Latin as a mandatory subject was introduced in high schools, but its hours were less intensive compared to the study of Italian, and also Greek language was introduced as part of the curriculum. Italian language was a mandatory exam subject at the end of school's years and graduation. This decision was applicable to all schools without exception (Archival documents 1940). The Fascist government tried to introduce the study of Italian language from the first grade of primary schools (Archival documents 1940). During the period 1940-1941 many Italian teachers came to Albania and were allocated mainly in high schools in Elbasan, Gjirokaster, Korce, Shkoder, Tirana Licée, "Nana Mbretneshë" Female Institute, Vlore, etc. (Archival documents 1940).

Hence, Albanian students besides the language also absorbed the Italian culture. In many high schools, especially those in the second tier, the Education Ministry had introduced a subject called General Culture. Below are examples of questions for a preparation course titled General Culture (Archival documents 1931). Mainly, the subject of General Culture introduced knowledge relating to the basic notions of Italian grammar, geography, history, zoology, literature. Besides the introduction at all levels of high school, the Italian language was also taught in courses that took place in the evening. These classes were called evening courses (Corsi serali). They were held at the high school premises. Anyone who was willing to study and learn Italian could enroll in these courses. In some cases, the largest number of people, who wanted to enroll in such classes, was workers who needed knowledge of Italian in order to communicate with the Italian staff at the enterprise where they worked. Also in a significant number were children, and students who wanted to upgrade their knowledge of Italian. Groups were divided by age and the language level of people (Archival documents 1931). Italian language skills, which students learned, varied depending on the school profile and school ratings. For example, in Shkoder Industrial School in crafting classes during the first year, students were mainly taught dictation and reading in order to improve their reading and writing, grammar, to learn concepts and develop basic conversations skills keeping them simple and short. Also, the sectorial language elements were present. During the second year, work was focused in further developing language skills, but the themes were more diverse and the amount of knowledge greater (Archival documents 1931).

Conclusions

1. Reorganization of the Albanian education system was the result of:

Lack of a unified system of education.

Low number of schools.

Presence of many foreign schools.

Schools divided on the basis of religious convictions, which were supported by religious organizations of the three main religions in Albania.

A low level of education of the Albanian population, which for the most part was illiterate.

2. Western Schools were the model to follow in order to make reform of the entire educational system in Albania possible.

3. Necessary changes were observed not only in the reorganization of classes and schools, but also in the classification of teachers, who were categorized based on their level of education and the school that they had attended.

4. Special attention was given to the drafting of programs, plans and textbooks at national level, the unification of the Albanian language, the establishment and training of teachers across the country as well as to issues of a more didactic character.

5. Given the strong ties with Italy and the priorities of the Albanian government at the time, in relation to numerous agreements with Italy in many vital sectors for the country, it is obvious that the dominance of Italy in the educational sector was evident. The decision to make Italian a compulsory language to be studied in high schools, led to a greater dissemination of Italian culture not only in schools but also in the social and cultural life of the country.

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Opportunities for Increasing Efficiency by Public Utility Organizations

György Kocziszky

Mariann Veresné Somosi

Abstract

The result and expenditure based performance measurement and evaluation are much the same age in the private sector with the modern enterprise theory. It is enough to make an overview of the Anglo-Saxon and German literature between the two world wars, which pays significant attention on the economic and work organizational tools and methods of enterprise level performance measurement and improvement. The public sphere and within this the issue of operational and economic efficiency measurement of public utility organizations has got a more modest past and methodological framework, although its significance is not smaller. The authors in their research make an attempt to compensate it, when they make suggestions for the performance evaluation process and methods of public utility organizations.

Keywords: performance management, public utility organizations, public economics, integrity.

JEL codes: D73, H83, P43

Introduction

1. Function, national economic importance and role of public utility organizations

The role of state and market, and their relationship is one of the stressed questions of economic theory and economic policy, but also one of the most disputed questions from several aspects (e.g.: social policy, ethics, competitiveness, regulation etc.).

It represents the values of a given society how the needful resources are secured for the state engagement, what are the aspects of allocation and what efficiency has the utilization of resources. It reflects what the political elite consider as important: the low tax rates or the improvement of public services? This political decision influences basically the principles for the reallocation of resources, which in some cases does not meet the society's needs.

The satisfaction or non-satisfaction depends on the available resources and on the other hand on the efficiency of the resource utilization. That is why the operation of public utility companies is not alone an economic but also a social policy question.

The public services and service providers fulfil public needs, and because of this their financing comes partly or fully from public money (Figure 1).
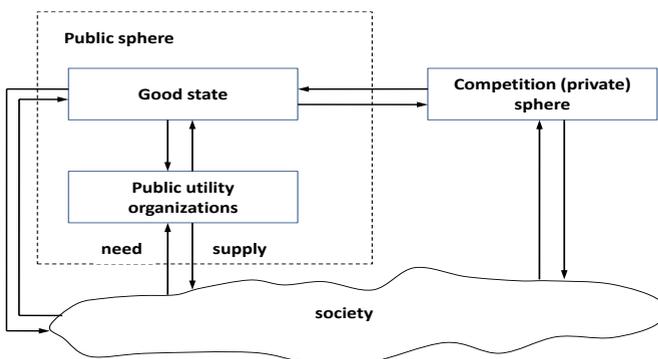
Figure 1. Logic of public resource creation and allocation. Source: own compilation

It is not easy to harmonize the resources (which are from above limited) and the increasing expectations (which sometimes do not have any upper limit). This fact can be verified also according the last three decades' national practice. It matters in what kind of efficiency the public utility organizations utilize the available resources for the public needs. That is why the government considers the improvement of the public services' efficiency as a high priority in the recent EU financing period (2014-2020).

The public utility organizations can be different according their objectives, ownership or control, and economic character (Figure 2).
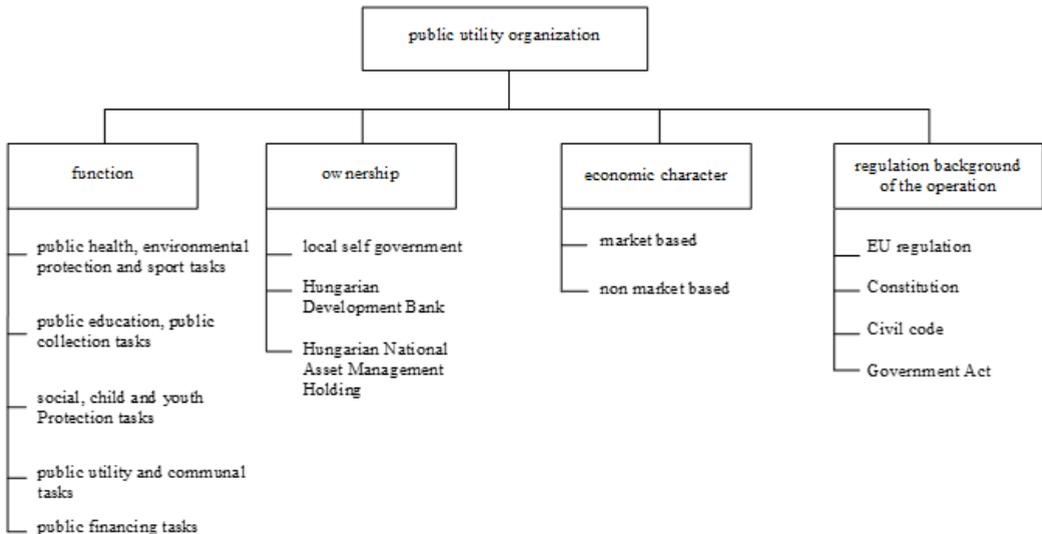
Figure 2. Typology of public utility organizations

Source: own compilation

Their operating conditions are regulated through the EU regulations (e.g.: the 90th clause of the Treaty; the CEC, 1996. etc.) and on the other hand through the national legislation. The first concentrates basically on the opportunities and limitations of state supports, while the second summarizes the performance regulations (which can be very different among the member states).

As it also the literature underlies the national economic role of the public utility organizations has changed and is changing depending on the liberal or welfare policy model (Leinhard, 2005; Reinermann, 2000; Pulay, 2012; Domokos, 2015).

As a result of the economic and social policy change happened after the governmental change in 2010 the state engagement has became greater in Hungary, which can be verified also through the increasing number of public utility organizations and the number of their employees. In this process the state share purchases have a significant role (Figure 3).
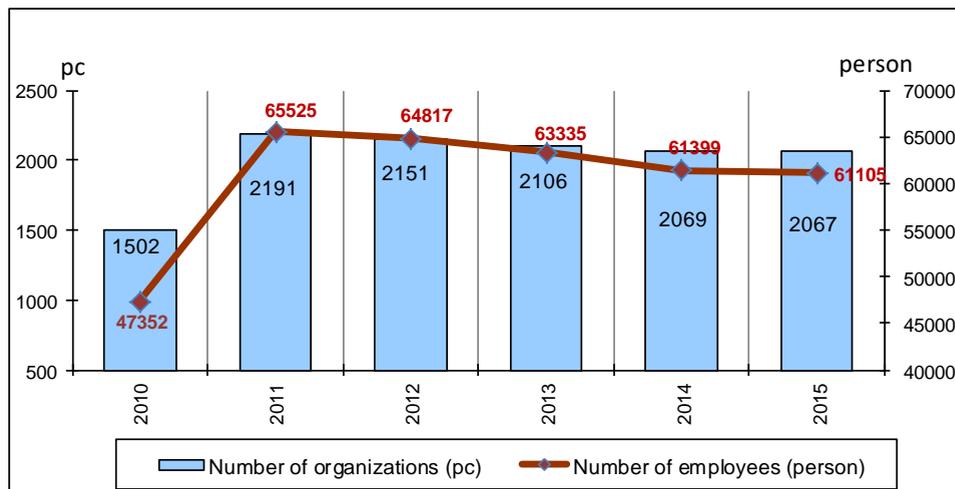
Figure 3. Change in the number and employment of public utility organizations

(Left axis – number of public utility organizations (pc); right axis – number of employees (person))

Source: own compilation

The operation area of the public utility companies has been changed in the last five years. In some sectors the state has assigned its ownership position, while in other areas beside his regulation role also his ownership role has appeared. Most of the companies are working in the utilities sector as a result of the last years' reprivatisation.

As an effect of the last years' profile deepening and investments the total balance sheet and tangible assets stock of public utility organizations has been increased (Table 1).

Table 1: The improvement of public utility organizations' balance sheet in Hungary (million Ft)

	2010	2011	2012	2013	2014	2015	2015/2010 (%)
Tangible assets	3,336,741.5	3,487,431.1	3,542,305.9	4,049,029.4	4,402,123.6	4,763,807.5	142.7
Total balance sheet	7,094,837.3	7,890,750.8	7,985,096.0	9,314,145.2	12,129,564.5	13,795,142.0	194.4

Source: own edited based on the dates of the Registry Court

2. Operation of the public utility organizations

The operation logic of the public utility sector is basically different from the private (competitive) sphere. While in the second type the basic goal is the profit, and the social responsibility is only a sub goal; the basic goal of the public services is the social responsibility. At the same time this goal can not save the management of any public utility organization from efficiency requirements. So the quality and efficiency of the public utility organizations' services and tasks is a sensible question not only from social policy aspects but also from economic aspects.

The losses in the operation of public utility organizations can be the results of external (institutional or control) and internal (economies of scale, competence, methodology, process controlling, ethics or assets management) causes (Figure 4).

The lack of resources is in most of the cases reality but it is not the only problem!
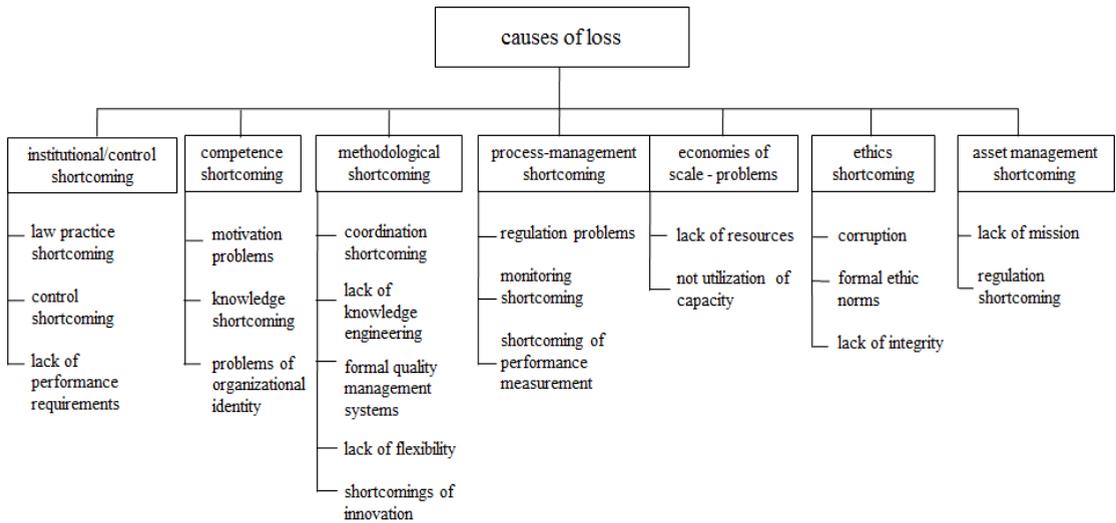
Figure 4. Factors reducing efficiency by public utility organizations

Source: own compilation
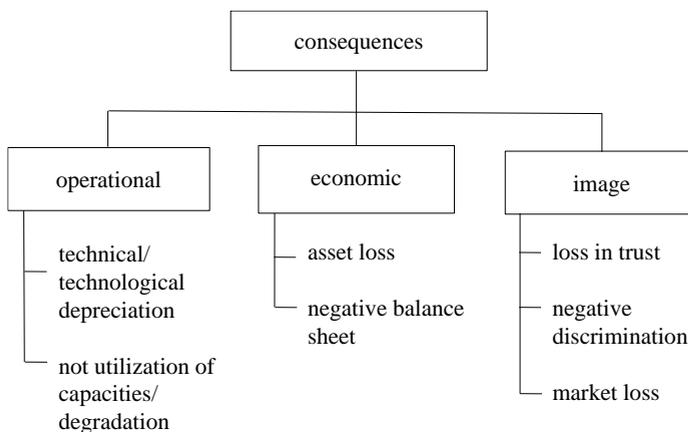
Figure 5. Consequences of loss

Source: own compilation

The external and internal causes have mostly multiplicative effects, which can sometimes intensify each other, and this can have a negative influence both on the efficiency and on the social effects of the organization (Figure 5).

3. The performance measurement of public utility organizations

There are several aspects in the literature to define organizational performance. Most of these mention as important the efficiency to achieve goals, and the economic aspects (used expenditures for the achieved results) (Kocziszky – Veresné Somosi, 2015).

According our opinion the public utility organizations are systems with limited resources, which have some inputs and outputs. But the outputs are not the same as their effects. While the output can be measured basically with values (like properties and total balance sheet, etc.) or natural dates (quantitative and qualitative parameters); the welfare effects can

be measured through the change of the life quality (the differences can be seen in the case of Hungary e.g. in Szendi, 2016) or the availability of public services (e.g.: in share of population, etc.) or environmental pressure (Figure 6).
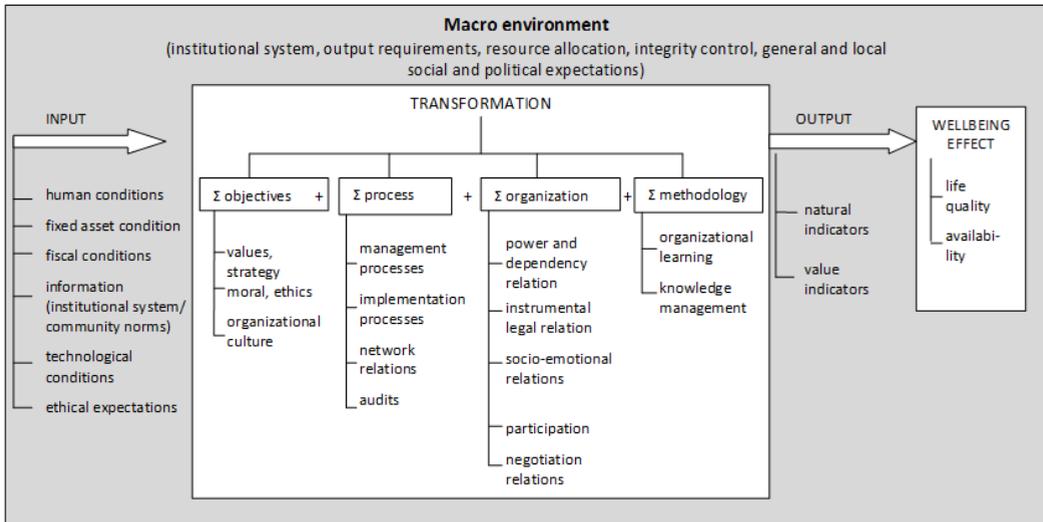
Figure 6. Influential factors of public utility organizations

Source: own compilation

4. The performance management process of the public utility organizations

Former the terminology and methods applied for the analysis of public utility organizations' performance were the same as applied in the enterprise level. The researchers have only recognized from the 90s that these types of organizations have got specific performance management system, which has to be in a concordance with the requirements of "good-state" and "good-governance" concept (Schedler – Proeller, 2011).

The function of the public utility organizations' performance management:

defining development objectives and expectations which are relevant for the organization's performance,

follow up of the interventions which are made to meet the performance expectations,

defining the development needs,

defining and developing the individual performances which are relevant for the organization.

The performance management process of the public utility organizations can be separated into five steps (Figure 7):

defining the organization's mission, objectives and performance standards,

estimating the initial conditions/situation, and building a value map,

comparing targets and facts, and defining the performance expectations,

elaborating the directions of interventions,

feedback of the interventions' results, implementing possible corrections.
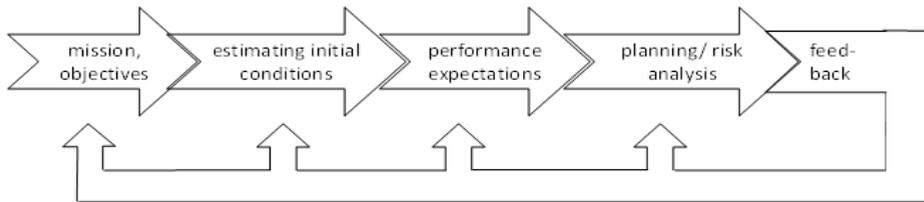
Figure 7. Logical process of performance management by public utility organizations

Source: own compilation

4.1. Defining the organization's mission, objectives and performance standards

In the social public thinking, and social needs (e.g.: rights, security, well-being, etc.) the ethical expectations have an outstanding role by the definition of the public utility organizations' mission (Domokos – Pulay, 2015). According to our opinion the operation of a public utility organization can be sustainable when it follows the ethics; so where the institutional system does not abuse with its rights, and which solves the problems through real innovation and not with budgetary tricks, etc. (Figure 8).

It is important to emphasize this, because the value system which was created through the effects of the geopolitical changes happened after 1989 is eclectic; at the same time contains elements of hedonist thinking and ideology which makes actions for public well-being. The value system is a stable point; with a help of it the mission and objective system can be defined.
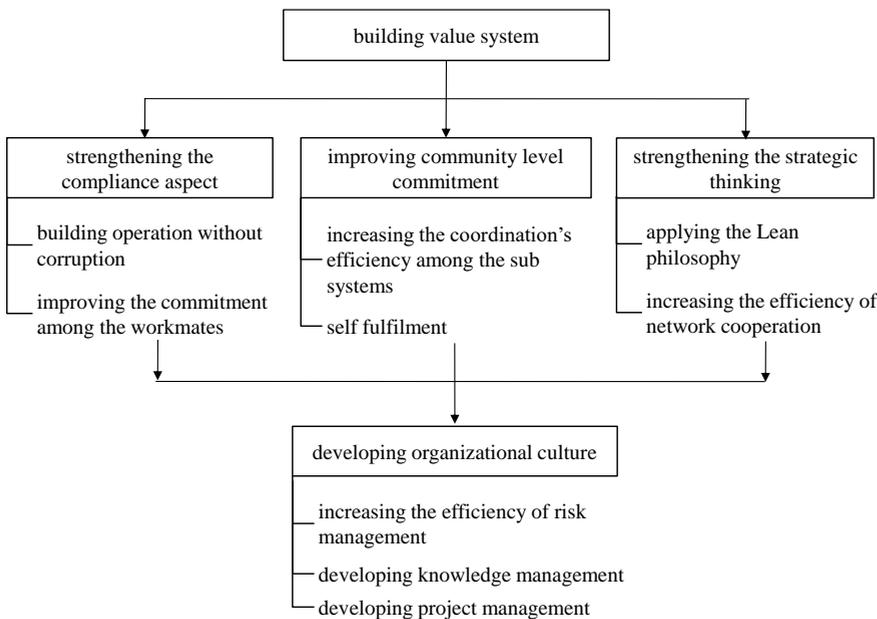
Figure 8. Goal/ Objectives tree. Source: own compilation

The organizations using public resources have to define parallel with their mission also the norms, which define the area of their operations.

4.2 Estimating the initial conditions

The objective of the initial conditions' estimation is positioning the public utility organization, and examining the factors which can hinder the operational efficiency.

The methodology of estimation

We have elaborated a questionnaire to analyse the efficiency of the operation, which has a system approach, and which is adequate beside the analysis of input and output elements also for the analysis of transformation capacity.

The test is appropriate for the examination at a sum of 14 main directions, and 48 sub dimensions. It contains in the case of sub dimensions at a sum of 570 questions (Figure 9).

The main advantages of this questionnaire are:

their questions have a common, unified approach, and their application is flexible, the questions can be complemented according the organizational and sectoral characteristics;

the questions can relieve the applicant from the memoriter (he/she has to concentrate instead of "what should I examine" for the "how to evaluate" question);

the questionnaire can be repeated based on the same aspects, which gives an opportunity for making chronological comparisons.

Evaluating the questionnaire

The evaluation of the questions can be made based on a five point ordinal scale with points from 1 to 5 (Table 2, 3 and 4). As a result of the points the value and median of a given sub dimension can be calculated.

Public utility organization

Analysis of the input side

1. Analysis of social expectations
1.1 Client focus, trustworthiness
1.2 Need for availability of services
1.3 Price/value share analysis

2. Analysing resources
2.1 Analysing fiscal conditions
2.2 Analysing human conditions

3. Analysis of legal and institutional background
3.1 Comprehensiveness
3.2 Calculability

Analysis of transformational capacity

1. Analysis of value system and strategy
1.1 Analysis of value system
1.2 Examining mission
1.3 Examining objective hierarchy
1.4 Analysing methodology
1.5 Analysing workplace culture

2. Analysis of ethical norms
2.1 Examining ethical expectations
2.2 Examining corruption
2.3 Examining ethical codex
2.4 Analysing ethical processes

3. Operational and economic processes
3.1 Buying processes
3.2 Economic processes
3.3 Service processes
3.4 Production processes
3.5 Asset management
3.6 Facility management
3.7 Process of cost management
3.8 Knowledge management
3.9 Knowledge production, R&D processes
3.10 Evaluation of controlling
3.11 PR, marketing evaluation
3.12 Sales
3.13 Logistics
3.14 Maintenance
3.15 Waste management

4. Analysis of the organization
4.1 Regulation of work system
4.2 Inner audit
4.3 Legality
4.4 Information management

5. Analysis of human management
5.1 Personal competencies
5.2 Education, training
5.3 Conflict management, fluctuation

6. Evaluation of the organization's acceptance
6.1 Opinion of ownership
6.2 Opinion of workmates
6.3 Opinion of sevice users
6.4 Opinion of suppliers
6.5 Operation of professional organizations

7. Evaluation of communication
7.1 Internal communication
7.2 External communication

8. Risk management
8.1 Input side
8.2 Transformation
8.3 Output side
8.4 Project risks
8.5 Positioning risks
8.6 Risk management

Analysis of the output side

1. Efficiency of the operation
1.1 Balance sheet
1.2 Results
1.3 Asset management

2. Output analysis
2.1 Quantitative
2.2 Qualitative
2.3 Price/value share

3. Analysis of social responsibility
3.1 Tools and methods

Figure 9. The questionnaire structure for public utility organizations

Source: own compilation

Table 2: An example of the test's structure

1.1. Analysis of the value system							
No.	Examined area	Evaluation of the organization					Σ
		1	2	3	4	5	
1.1.1.	Is the value system of the organization declared?						
1.1.2.	How actual is the value system of the organization?						
1.1.3.	What kind of concordance can be found between the activity of the top management and value system of the organization?						
1.1.4.	What quality has got the organization's value hierarchy?						
1.1.5.	How much the organization's values are communicated for the new entrants?						
1.1.6.	What quality has got the communication of the value system inside the organization?						
1.1.7.	What quality has got the communication of the value system outside the organization?						
1.1.8.	What quality has got the control of the value system based operation?						
1.1.9.	In what quantity determines (influences) the value system the procedures of the organization?						
1.1.10.	Whether the supervisory body monitors the concordance between the activity of the top management and value system of the organization.						
1.1.11.							
1.1.12.							
1.1.13.							
	Summa						

Evaluation of the answers:

1	2	3	4	5
not carried out	imperfect	satisfying	good	high quality

Source: own compilation

The examined organization's input transformation and output capabilities analysis can be carried out (based on the test's answers) through factor and cluster analysis, because the evaluation is based on quantitative and qualitative (more or less subjective values) indicators. The cluster analysis gives an opportunity to compare the enterprises acting in the same sector, and also for evaluating their positions.

Table 3: An example of the output analysis' test

1.3. Analysis of asset management's efficiency							
No.	Examined area	Evaluation of the organization					Σ
		1	2	3	4	5	
1.3.1.	Is the property of the organization clear?						
1.3.2.	Has the organization an asset management strategy?						

1.3.3.	Is there a consonance among the objectives of the asset management strategy?						
1.3.4.	Is there a consonance between the organization's development and asset management strategy?						
1.3.5.	Is the asset management strategy of the organization structured into one-year plans?						
1.3.6.	Is the asset management of the organization evaluated yearly?						
1.3.7.	Is the asset management of the organization regulated?						
1.3.8.	Is the right above the assets regulated?						
1.3.9.	Is there a helping informatics system which deals with the assets' register and management?						
1.3.10.	Is the change of assets evaluated based on analytics?						
1.3.11.	Is the stock-taking process regulated?						
1.3.12.	Are the asset management's risks well analysed?						
1.3.13.	Are the asset management's risks well handled?						
	Summa						

Evaluation of the answers:

1	2	3	4	5
not	imperfect	average	good	full

Source: own compilation

Table 4: An example of the input analysis' questions

1.1. Client focus, trustworthiness							
No.	Examined area	Evaluation of the organization					Σ
		1	2	3	4	5	
1.1.1.	Are there any client forums, where the needs of the organization's performance can be presented?						
1.1.2.	Is the needs analysis well structured?						
1.1.3.	Is the sample size of the asked people adequate?						
1.1.4.	Are the expectations of the consumers (service users) regularly analysed?						
1.1.5.	Is the organization's objective hierarchy in a consonance with the quantitative expectations of the society (consumers)?						
1.1.6.	Is the organization's objective hierarchy in a consonance with the qualitative expectations of the society (consumers)?						
1.1.7.	Are the needs' surveys trustworthy?						
1.1.8.	Is the needs' survey anonym?						
1.1.9.	Is the need supportable with KSH dates (Central Statistical Office of Hungary)?						
1.1.10.							
	Summa						

Evaluation of the answers:

1	2	3	4	5
not	partly	average/moderately	good	fully

Source: own compilation

4.3 Defining the performance expectations

In the case of the public utility organizations there is a problem with the performance expectations, which are imprecise and incomplete. There are some parts/requirements of the organization which should be among the performance expectations, these are:

property situation (increase in the properties, asset management, etc.);

environmental pressure;

economic activity (employment, balance sheet, etc.).

4.4 Planning, risk analysis

The national public utility organizations and their business plans are created in some times in the old plan-bargain aspect, while the potential risks are not smaller as in the competitive sphere (Table 5).

Table 5: Risk elements

Risk		
No.	Type	Causes/Reasons
1.	political	change in the social, cultural conditions lack of social minimum inconsistent political institutional system
2.	financial/economic	lack of resources depreciation planning shortcomings (under-/overestimation) lack in financing shock-effects
3.	legal	shortcomings of regulation lack of legal harmonization lack of implementation decision
4.	ethics/human	corruption incompetence lack (shortcoming) of value system irresponsibility lack of ethical codex
5.	environmental	environmental damage
6.	operational/business	deregulation of business processes organizational deregulation deregulation of management processes

Source: own compilation

According to our opinion the compliance culture is more modest.

4.5 Feedback

The performance management is not one-fold, but a permanent task, which has got some parts like: the review of achieved results, the comparison with the plans, analysing the differences and feedback.

5. Conclusions

The efficient working organizational structure is an important criterion in the operation of the good state's concept. The performance management aspect is an important (but not sufficient) condition of this in the case of public utility organizations.

The performance management is a process in which the leaders of the organization define what the actors have to make for fulfilling the strategic goals; beside the individual performance to increase organizational performance. The described model has a complex viewpoint, which unseals the planning of organizational performance to individual performance requirements. It also combines the individual performance evaluation with the motivation system and competence development.

The presented model has a heterodox character; the novelty is its complexity, system and value approach, and the adaptation capacity of business solutions.

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Identifying Adolescent Problem Gambling Using Latent Variable Techniques

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Abstract

Recently disordered gambling is reclassified as an addictive disorder which inter alia affects a little but significant proportion of adolescents. The aim of this study is to identify and assess different levels of gambling severity among adolescent gamblers (N=1157) from middle and high schools of Korca region, utilizing a cross-sectional design and self-report questionnaire. Using Exploratory, Parallel, Reliability and Confirmatory Analysis, the PGSI measurement instrument, designed for these purposes, resulted to be an appropriate unidimensional screening tool of adolescent disordered gambling in terms of psychometric properties. A traditional Latent Class Analysis using the nine PGSI-items as indicators is performed to identify and predict subtypes of adolescent gamblers, classifying them into latent classes based on their problem gambling severity levels. The inclusion of three covariates related to adolescent gambling problems into Latent Class Model improved the model, helping us to better understand the latent structure.

Keywords: adolescents, disordered gambling, latent variables, measurement instruments.

A. Introduction

Problem gambling is being viewed increasingly as a behavioural addiction and has been re-classified from an impulse control disorder to an addictive disorder in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition *(APA, 2103).* Problem and pathological gambling are recognized as being major societal problem, with millions of individuals suffering from them. While disordered and pathological gambling has been primarily thought of as an adult problem, there have been increased research efforts to examine the prevalence and underlying factors associated with problems among adolescents. The rates of problem gambling in children and adolescents are nearly two times higher than for adults (3 - 8%), however, it is estimated that 10-14% of youth exhibit behaviors that place them at increased risk for developing gambling problems (Petry, 2005). Shaffer and Hall (1999) provided the semantic architecture of problem gambling selecting the phrase *disordered gambling*. This must be conceptualized as a wide range of gradual shifting from regulated gambling to problem or pathological gambling. To facilitate the estimation of prevalence and the understanding of disordered gambling, researchers have divided this continuum in distinct categories. The majority of people gamble with little or no adverse consequences. These people are classified as *Level1* gamblers ("non-problem" gamblers). However gambling is associated with meaningful negative effects for certain segments of the population. The people who experience some negative consequences are the *Level 2* gamblers ("at-risk" gamblers), whereas individuals with the most serious of these consequences are *Level 3* gamblers, which are refered as "problem" or "disordered" gamblers. *Level 2* gamblers represent people who may be moving in either of two directions: some *Level 2* gamblers are moving toward an increasingly disordered state, while others are moving toward *Level 1* gambling. Studying all gamblers, considering problem gambling severity levels, may be helpful to better understand gambling related problems. As a result, it is important to build a predictive or structural model for class membership, underlying problem gambling severity levels. Identifying groups based on similar behavioral characteristics and using appropriate methods to model gambling behavior may be particularly useful. In a more explanatory study, one may wish to build a predictive or structural model for class membership whereas in a more descriptive study the aim would be to simply profile the latent classes by investigating their association with external variables (covariates) and to examine if some risk or protective factors of problem gambling among adolescents influence gambling problems differently across classes.

Correlates of adolescent disordered gambling

Gender

Male gender has continuously been linked as a risk factor for disordered gambling (Blanco et al., 2006). Males can gamble longer than females before their gambling develops as disordered (Potenza et al., 2006; Ibanez et al., 2003; Ladd & Petry, 2002; Tavares et al., 2001). Males gamble more than females, particularly at more severe level (Shaffer et al., 1999; Potenza et al., 2006). Adolescent males are more involved in gambling than females, in terms of both frequency and expenditure, and that they experience more gambling related problems than females (Buchta, 1995; Griffiths, 1991; Chiu & Storm, 2010; Derevensky et al., 2010). In a study of middle and high school students, males were found to be almost six times more likely than females to be identified as having a gambling problem and twice as likely to be classified as at-risk gamblers, endorsing a number of criteria for gambling problems (Dickson et al., 2008). Pathological gamblers are thought to be 5 to 10 times more likely than recreational gamblers to have a co-morbid addiction (drug, alcohol) (Daghestani et al., 1996).

Substance use

The links between gambling and substance use have also been found in many studies (Barnes et al., 2009; Goldstein et al., 2009; Jackson et al., 2008). Disordered gambling and substance abuse are more severe when they co-occurs compared to those with only one of the disorders (Petry, 2000). Clearly, data on adolescent substance use and gambling indicate that these behaviors tend to co-occur in youth suggesting that substance use should be viewed as a warning sign for comorbid gambling problems and vice versa.

Peer influence

Adolescent problem gamblers tend to have peers who gamble (Donati et al., 2012) and those peers often have gambling problems (Hardoon & Derevensky, 2002). Having peers who gamble, especially peers who gamble excessively, has consistently been found to be a risk factor for youth gambling problems (Jacobs, 2000). Gupta and Derevensky (2000) indicated that, having friends who engage in any addictive behavior, and not just gambling, poses a significant risk factor.

B. Statistical Methods

Exploratory Factor Analysis (EFA) and Confirmatory Factor Analysis (CFA).

Factor Analysis is a statistical technique applied to a set of variables, discovering which variables in the set form coherent subsets that are relatively independent to one another. Variables correlated with one another but largely independent of other subsets are combined into factors. The purpose of Exploratory Factor Analysis is to determine the number of factors that are needed to explain the correlations among a set of observed variables. This technique help us to understand the structure of the set of observed variables, reducing the data set to a more manageable size while retaining as much of the original information as possible. EFA is an "exploratory" analysis because no a priori restrictions are placed on the pattern of relationships between the observed and latent variables. This is a key difference between EFA and CFA. In CFA, the researcher must specify in advance several key aspects of the factor model such as the number of factors and patterns of indicator-factor loadings. These techniques often rely on Maximum Likelihood estimation (ML) which helps us to evaluate how well the factor solution is able to reproduce the relationships among the observed variables in the sample. This is very helpful for determining the appropriate number of factors. EFA is often used as a precursor to CFA in scale development and construct validation. The process of deciding how many factors to keep is called extraction. We retain only factors with large eigenvalues ($\lambda > 1$). An additional technique is Horn's Parallel Analysis (Horn, 1965). Parallel Analysis compares the random data eigenvalues at the 95th percentile with the eigenvalues of the polychoric matrix. Only those eigenvalues that exceed the corresponding values from the random data set are retained. CFA is much more sophisticated technique used in the advanced stages of the research process where variables are carefully and specifically chosen to reveal underlying processes.

Latent Class Analysis (LCA)

A statistical technique that can be used to characterize patterns of gambling involvement is Latent Class Analysis (LCA) (Lazarsfeld & Henry, 1968; Goodman, 1974; McCutcheon, 1987; Vermunt & Magidson, 2004; Collins & Lanza, 2010). Latent Class Analysis (LCA) is a statistical method used to identify subtypes of related cases using a set of categorical or continuous observed variables. These subtypes are referred to as latent classes. The classes are latent because the

subtypes are not directly observed; rather, they are inferred from the multiple observed variables or indicators. When categorical data are used, the latent class model has the advantage of making no assumptions about the distributions of the indicators other than that of local independence. LCA application follows a three step- process: 1) a LC model is built for a set of response variables, 2) subjects are assigned to latent classes based on their posterior class membership probabilities, and 3) the association between the assigned class membership and external variables is investigated using simple cross-tabulations or multinomial logistic regression analysis (Vermunt, 2010). LCA has two main quantifiable issues: a) Latent class probabilities and b) conditional probabilities for each class. Latent class probabilities describe the distribution of classes of the latent variable within which the observed measures are (locally) independent of one another. Conditional probabilities represent the probability of an individual in a given class of the latent variable being at a particular level of the observed variables. The goal of LCA is to determine the smallest number of latent classes that is sufficient to explain away the relationships among observed indicators. In order to obtain improved description and prediction of the latent variable(s), multinomial or logistic regression models are used to express these probabilities as a function of one or more exogenous variables called covariates (Dayton & Macready, 1988). The inclusion of covariates into mixture models allow us to examine relationships of mixture classes and auxiliary information, to understand how different classes relate to risk and protective factors or to examine differences in demographics across the classes. Controversary, including covariates in mixture models, latent class variable may have an undesirable shift in the sense that it is no longer measured simply by the original latent class indicator variables but now it is also measured by the auxiliary variables (Asparouhov & Muthèn, 2014). However, a recent study (Wurpts & geiser, 2014) suggested that researchers can in general feel comfortable using a larger set of indicators and adding theoretically meaningful covariates to the model.

Assessing Model Fit

Fit indices are often used to supplement the χ^2 test to evaluate the acceptability of latent variable models. The most commonly used information criteria (*IC*) in different studies are: Comparative Fit Index (CFI) (Bentler, 1988) and Tucker Lewis Index (TLI) (Tucker & Lewis, 1973) which are incremental fit indices, measuring the improvement of fit by comparing the hypothesized model with a more restricted baseline model. Values can range from 0-1. For these indices, values above .90 indicate reasonable fit. Values above .95 indicate good model fit. CFI has smaller sampling variability than TLI. The Root Mean Square Error of Approximation (RMSEA) estimates the lack of fit in a model compared to a perfect (saturated) model. Browne and Cudeck (1993) suggested that RMSEA values larger than 0.1 are indicative of poor-fitting models, values in the range of 0.05 to 0.08 are indicative of fair fit and values less than 0.05 are indicative of close fit. A cut-off value of RMSEA close to 0.06 has been recommended. SRMR and WRMR are residual-based fit indices that measure the (weighted) average differences between the sample and estimated population variances and co-variances. SRMR-the standardized root mean-square residual (Joreskog & Sorbom, 1981) is an absolute measure of fit. It is defined as the standardized difference between the observed correlation and the predicted correlation. A cut-off value close to 0.08 has been recommended for SRMR. WRMR- Weighted Root-mean-square Residual (Muthèn & Muthèn, MPlus User's Guide, 2nd Version 1998-2001) is suitable for models where sample statistics have widely disparate variances and when sample statistics are on different scales such as in models with mean and/or threshold structures. It is also suitable with non-normal outcomes. WRMR ≤ 1.0 can be used to identify good simple models when N ≥500. Some other important model fit indices are the penalized information criteria AIC, BIC, and adjusted BIC. The Akaike Information Criterion (AIC) (Akaike, 1987) is defined as:

AIC = -2 log L + 2 p (Eq.1)

where p is the number of free model parameters. The Bayesian Information Criterion BIC (Schwartz, 1978) is defined as:

BIC = - 2 log L + p log (n) (Eq. 2)

The adjusted BIC (SABIC) (Sclove, 1987) replaces the sample size n in the BIC equation above with n*:

n* = (n + 2)/24. (Eq. 3)

A smaller AIC and BIC for a particular model suggests that the trade-off between fit and parsimony is preferable. AIC is not a good indicator for class enumeration for LCA models with categorical outcomes (Yang, 2006). The BIC and the adjusted BIC are comparatively better indicators of the number of classes than the AIC. Comparing across all the models and sample sizes, there seems to be strong evidence that the BIC is the best of the Information Criteria considered (Nylund et al., 2007; Collins et al., 1993; Hagenaars & McCutcheon, 2002; Magidson & Vermunt, 2004; Jedidi et al.,

1997). The Lo-Mendell Rubin (LMR) adjusted (LRT) test is able to distinguish between the k-1 and k class models, comparing the improvement in fit between these neighboring class models and providing a p-value that can be used to determine if there is a statistically significant improvement in fit for the inclusion of one more class. A low p-value rejects the k-1 class model in favor of the k class model. Mplus reports the relative entropy of the model, which is a rescaled version of entropy. The relative entropy is defined on [0, 1], with values near one indicating high certainty in classification and values near zero indicating low certainty.

C. Data Analysis

The study included 1157 participants (53.5% females, 46.5% males) from middle and high schools of Korça region, ranged from 18 to 23 years old. The survey was conducted between June and July, 2015. Data were collected using a self-reported questionnaire. We focused only on respondents who had played at least ones during the last 12 months. *Participants were given a questionnaire during regular class time assessing their past gambling history, frequency of gambling behavior, other addictive behaviours, and PGSI items.* The total time required for completion of the questionnaire was approximately 20 minutes.

Measures

It is used SPSS and Mplus software packages to analyze our data. Missing data are assumed to be "missing at random", and Mplus used all data available to estimate the model under the MCAR mechanism. Gambling problems among students were measured using the nine-item questionnaire of the Problem Gambling Severity Index (PGSI) measurement instrument. Among a lot of measurement instruments, the consensus in the literature is that the PGSI (Ferris & Wynne, 2001) is the most appropriate measure of disordered gambling in terms of psychometric properties (Jackson et al., 2009; McMillen & Wenzel, 2006; Svetieva & Walker, 2008). This nine-item self-report instrument was designed to measure a single problem gambling construct. Four of the nine items assess problem gambling behaviors: **Have you bet more than you could really afford to lose? (Bet); Have you needed to gamble with larger amounts of money to get the same feeling of excitement? (Tolerance); When you gambled, did you go back another day to try to win back the money you lost? (Chase); Have you borrowed money or sold anything to get money to gamble? (Borrowed).** The other five items assess adverse consequences of gambling: **Have you felt that you might have a problem with gambling? (Felt problem); Have people criticized your betting or told you that you had a gambling problem, regardless of whether or not you thought it was true? (Criticized); Have you felt guilty about the way you gamble or what happens when you gamble? (Felt guilty); Has gambling caused you any health problems, including stress or anxiety? (Health problem); Has your gambling caused any financial problems for you or your household? (Financial problem**). For each item, respondents answered on a four-alternative scale (0 = never, 1 = sometimes, 2 = most of the time, 3 = almost always). To examine the psychometric characteristics of PGSI in the present study, Exploratory Factor Analysis (EFA) and Parallel Analysis (O'Connor) were used to determine its appropriate number of factors. Reliability and Construct Validity of this instrument was detected using Reliability Analysis and Confirmatory Factor Analysis (CFA). The classification of adolescent gamblers into latent classes based on problem gambling severity levels was performed running a Latent Class Analysis. The optimal number of classes was determined by estimating models with an increasing number of classes, and then comparing those models using information criteria, classification criteria, the interpretability of each class, and the LRT tests, requesting TECH11 in the OUTPUT command of the Mplus syntax. Models that include between one and five latent classes were investigated for this purpose. Lower values of the Akaike information criterion (AIC), Bayesian information criterion (BIC), and adjusted BIC were preferred. The interpretation of the results was relied primarily on the BIC and the adjusted LRT. LRT tests the null hypothesis that a given model fits no better than a model with one less class. Failing to reject this test provides evidence for the model with one fewer class. There are used three covariates to increase the classification accuracy of adolescent gamblers into each latent class and to examine their influence on the outcome variable of problem gambling. These covariates which are already included in the model are: 1. Gender, as binary categorical variable; 2. Peer influence, as ordered categorical variable with four categories; 3. Drug use, as ordered categorical variable with four categories. The scores were coded positively with high scores in the last two variables indicating higher frequency in gambling involvement and drug use, respectively.

Results

The results from Parallel Analysis, using SPSS syntax (O'Connor, 2000) indicated the two-factor solution as the best solution for the PGSI measurement instrument. This is because only two factor eigenvalues listed under the heading "Prcntyle." (the 95th percentile) are less than the factor eigenvalues (raw data column) from the original matrix (table1).

Table 1: The results from Parallel Analysis
 Root Raw Data Means Prcntyle
1.000000 **4.158764** 1.141592 **1.182471**
2.000000 **1.186659** 1.096091 **1.126727**
3.000000 .731458 1.059026 1.084144
4.000000 .577415 1.028133 1.051004
5.000000 .554981 .998437 1.020402
Source: Authors' calculations.

The results from Exploratory Factor Analysis with one to three factors (EFA 1 3), using the robust estimator WLSMV and specifying the factor indicators as categorical in the Mplus syntax indicated that the two-factor model was the best fitting model in terms of fit and parsimony (table 2).

Table 2: Fit indices for EFA and CFA

IC	One- factor model	Two-factor model	Three-factor model	CFA F1 by pgsi1-pgsi4 and F2 by pgsi5-pgsi9
χ^2	343.934	57.444	22.384	103.994
RMSEA	0.101	0.042	0.027	0.051
CFI	0.956	0.995	0.999	0.989
TLI	0.941	0.990	0.996	0.985
SRMR	0.076	0.026	0.015	-
WRMR	-	-	-	0.987

Source: Authors' calculations.

The three-factor model resulted to have the best values of the fit indices, however, taking into account the parsimony of the model, the model with only two factors is considered to be the best solution. All the fit indices' values indicated a good fit of the model. The results of the table "Geomin Rotated Loadings" indicated that the first factor is highly correlated with the first four items (PGSI1-PGSI4) which assess "problem gambling behavior", whereas the second factor is highly correlated with the other five items (PGSI5-PGSI9) which assess "adverse consequences of gambling", as in table 3.

Table 3: Geomin rotated loadings

PGSI items	Factor 1	Factor 2
PGSI1	0.890	-0.001
PGSI2	0.756	0.098
PGSI3	0.544	0.299
PGSI4	0.790	-0.014
PGSI5	0.201	0.588
PGSI6	-0.081	0.749
PGSI7	-0.015	0.838
PGSI8	0.013	0.809
PGSI9	0.058	0.724

Source: Authors' calculations.

The correlation between the two factors is considerable (r = 0.685), indicating that both factors measure the same latent construct, the adolescent gambling problems. To evaluate the construct validity of this model, Confirmatory Factor Analysis (CFA) was performed. The values from all the fit indices indicated an acceptable fitting model (the last column of Table 2) which is evidence for an adequate construct validity In addition, to examine if the PGSI screening tool consistently reflect the one-dimensional construct that is measured, we have developed a Reliability Analysis. The Reability was calculated in terms of internal consistency for the entire scale (nine items) and separately for the two subscales, based on the two-factor solution.

PGSI resulted to have an adequate reliability in terms of internal consistency for the set of the nine items (α=0.853) and for the two subsets of items. Specifically, for the subset of the first four items (PGSI1-PGSI4) the coefficient of internal consistency is 0.785, whereas for the second subset of indicators (PGSI5-PGSI9) this coefficient had a value α=0.808. All

the above results are a good evidence to believe that the measurement instrument PGSI is an adequate screening tool and measure only one latent construct, called "adolescent disordered gambling". The results from a Latent Class Analysis with one to five classes to classify adolescent gamblers into latent classes, based on their problem gambling severity levels identified with the PGSI screening tool, indicated that the model with three latent classes is considered the best solution. The best solution is evaluated while balancing the values of the information criteria, entropy, LRT p-value, theory, parsimony, interpretability, and average latent class probabilities. The three-class solution had the lowest BIC value, a relatively high entropy value, and a significant LRT test p-value (table 4).

Table 4: Fit indices for the appropriate latent class number model

Nr. of classes	1	2	3	4	5	3+gender+peer infl.+drugs
Loglikelihood	-9243.350	-8037.188	-7821.598	-7731.783	-7658.304	-7373.996
# of parameters	27	55	83	111	139	89
SCF for MLR	1.000	1.042	1.094	1.082	1.135	1.091
AIC	18540.700	16184.376	15809.196	15685.566	15594.609	14925.992
BIC	18677.147	16462.323	16228.644	16246.514	16297.057	15373.027
SSABIC	18591.386	16287.625	15965.009	15893.941	15855.548	15090.339
Entropy	NA	.867	0.828	.775	0.787	0.848
LMR-LRT p-value	NA	.0000	0.0010	0.0863	0.3459	0.0000
Most likely LC membership %	100.00	C#1=36.73 C#2=63.27	C#1=13.31 C#2=35.44 C#3=51.25	C#1=12.36 C#2=18.24 C#3=32.07 C#4=37.33	C#1=9.33 C#2=10.72 C#3=11.93 C#4=31.63 C#5=34.66	C#1=11.23 C#2=35.20 C#3=53.57
C#1 on gender, peer infl. drugs	-	-	-	-	-	4.707 2.117 17.417
C#2 on gender, peer infl. drugs	-	-	-	-	-	2.888 1.529 5.061

Source: Authors' calculations.

The first class had a high average probability of endorsing all of the nine PGSI items, so this class is called "problem gamblers". The second class has moderate endorsement for those items. So this class is called "at-risk gamblers". The final class has low endorsement of all items and comprised the largest percentage of the sample and so it is called the "non-problem gamblers" class (Figure 1.).
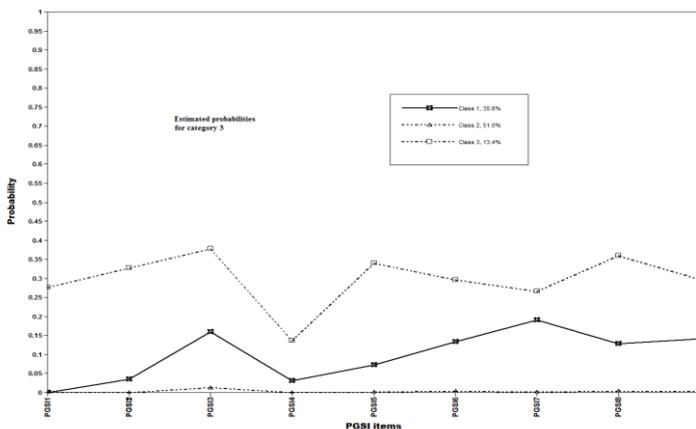
Source: Authors' calculations.

Figure 1. Estimated probabilities of latent classes for category 3 of PGSI

The entropy is 0.828, while 13.31% of adolescent gamblers are classified as "problem gamblers", 35.44% are classified as "at-risk gamblers", whereas 51.25% are classified as "non-problem gamblers". A slight shift is caused by the simultaneously inclusion of three covariates (gender, peer influence and substance use) into the three-class model. However, the latent class model with covariates is improved and the odds ratios' values from a Logistic Regression indicated that adolescent males are over 4 times and about 3 times more likely to belong to the "problem gamblers" and "at-risk gamblers" class respectively, compared to females, holding the "non-problem gamblers" class as reference class. Adolescent gamblers who used substances are over 17 and 5 times more prone to belong to "problem gamblers" and "at-risk gamblers" class respectively, compared to non-users, taking the "non-problem gamblers" class as reference class. Finally, having peers who gamble increases the probability to belong to "problem gamblers" and "at-risk gamblers" class. However, the influence of the three covariates is not statistically significant for the three latent classes

D. Conclusions

The study indicated that PGSI may be an adequate measuring instrument to identify and assess adolescent problem gambling severity levels. This measurement instrument resulted to have satisfactory psychometric properties measuring only one latent construct, called "adolescent disordered gambling". Latent Class Analysis, specifying the indicators as categorical and using robust estimators, may be an adequate method for identifying problem gambling severity levels for cross-sectional data, non-normally distributed. Subtyping adolescent gamblers may improve our understanding of the etiology of problem gambling. The high prevalence rates of adolescent "problem gamblers" and "at-risk gamblers" indicate that, the involvement of the adolescents in gambling may be associated with many problems for their future.

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Administrative Acts and Their Impact on Development of Albania and Madedonia Reforms

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Abstract

Public administration plays a special role in the global social, economic, political and legal processes, for the realization of the rights and legitimate interests of citizens and other subjects. From all segments of local public, the administration is the most frequented segment by citizens and all those who claim to exercise any right or interest. In this sense, the administrative act should be thought as manifestations of will power entities exercising administrative activities, in full compliance with the constitution and laws, aiming at the creation, changing or termination of the certain legal effects, implemented through the free will whose subjects addressed or coercive power by the state. The existence of diverse legal relations arising in the activity of public administration, and necessarily brings different types of administrative acts that differ from the content as well as form. Through these administrative acts are expressed purposes, carried out concrete goals and objectives, forms and methods which appeared to run the country, is defined the organizational and creative character of the administrative body that compiles and issues act, and create a vision for the real existence of the state.

Keywords: Fundamental principles, public administration, administrative acts

In this context, the relationship between citizens and administrative authorities means:

Fundamental principles of administrative procedure which develop public administration bodies when making decisions, and sub-legal issue and administrative issues

Authorizations that were given to law administration bodies;

Methods and techniques of settlement procedure;

Position and rights of the parties to whom they are addressed the administrative acts;

Legal means that have at their disposal the unsatisfied parties;

Implementing or enforcing administrative acts.

From all these,is demonstrates clearly the importance of having the administrative act, the necessity of having the concept of the right and knowledge of the constituent elements, as well as understanding about the criteria that determine the validity, invalidity, its power or its rest.

INTRODUCTION

As all countries around the world the state has its own law, this legislation carries out its function and importance.State functions and restrain its acts, but if we refer to the selected theme "administrative acts" they are expression of state and this country will be managed by people of various spheres in every field defined by law.The Act is a unilateral act of the man which is made for a specific purpose, "work", job action or these actions are defined and this is a term used worldwide.

Administrativ act: is a formal expression of the will of the state to regulate certain legal relationship, which the bodies of state administration make them exercise in the specified functions by the Constitution and laws and to bring organizations and municipalities that are dutiable relationship in administrative law.

Administrative acts are an important part of public administration, are important for the work they perform and are a guide of the work itelf. Administrative Act is one of the main forms of realization of the executive operation and decision-making

bodies of public administration, it is the main concept of administrative law, which determines the proper amount and timing of its intention . It has the power of acting which is Beneficial, resolves disagreement, institutional and individual and it is beneficial in administrative law, so governing the institutional disagreement.

Albanian legislation has his special importance and is applied in all areas where state administrative acts is applied to. Administrative Act power is a fundamental concept of administrative law. It covers most of the actions of administrative authorities through which they affect the legal interests of subjects affecting the right. The origin of this concept goes back to the French term originally named as administrative acts, from which it borrowed and transformed into the concept of administrative law in general and particularly in Albania and Macedonia.

Administrative act as a concept is covering all administrative measures and actions, including the right to private and public as well. Over time, the meaning to be confined to the administrative measures in the field of public law and eventually was professor Otto Mayer, scholar in this field, in his monumental work on administrative law Germany 1895, defines act as a "revelation of authoritarian administration, which sets out the rights of a subject in a particular case".

2. METODOLOGY

To get this topic done I and my coauthor, based my study through qualitative methodology; firstly I took into consideration the literature (books, papers, reports, etc.).Initially I and my coauthor, read the bibliography taken during the studies in MC, UET,SEEU university, Erazmus mundus projects etc.

Albanian and FYROM constitution as the most important act that gives verdict for all rights and fundamental freedoms of Albanian citizens

Albanian legislation for administrative acts

Code of administrative procedures

Topic to different degrees published on the "Internet"

Also the normative acts in the US

Primary research resources have been administrative procedure, administrative law books that I and my coauthor, found very valuable material and which were truly qualitative. Albanian and Macedonia administrations of historical years, the Albanian administration in the days of democracy, the creation of the administrative court as an innovation in Albania, the Code of administrative procedures as a very powerful legal basis.

Legal framework: Code of administrative procedures of Republic of Albania principles and substantive rules for drafting legal acts.

Importance of administrative acts: Administrative acts have their particular importance in administrative law, they are part of that without them it could not have Prosperity and Administrative legislation, no constitution, no law end there is no administrative court.

2.1 Act perceived in the Albanian legislation

The administrative act for the first time in his understanding of the Albanian legislation is provided through the Administrative Procedure Code which has been approved by the Assembly of the PRA-which by the law no 8485, dated 12.05.1999 published in Official notebook No. 19 of the year administrative 1999. The Act is a fundamental concept in administrative law.

The origin of this concept comes from the French term appointed as ACT Administratif, whence is based and translated into the concept of administrative law in general and the Albanian community in particular.

Administrative act initially as a concept covered all the measures and legal actions of the administration, including both the public and private law whivh Means that over time was limited to the administrative measures in the field of public law. The concept for the act defined in this way, which was implemented by administrative court and further elaborated in the juridical writings in the legal expression "administrative act" used in a number of laws in administrative court.

Research Hypotheses

H1. Where does his administrative act find reflection in science of administrative law?

To us, the meaning of the administrative act has found its reflection only in theoretical treatments of science of administrative law, because there was no specific law to regulate exactly this problem.

In Albanian legislation in particular in the Code of Administrative Procedure, for the first time is given the meaning in Administrative Procedure that has the criteria of validity and invalidity of his concept of resting power and especially the meaning of administrative contracts and real acts.

In doctrinal studies, but also in the administrative jurisprudence, mostly foreigners, when they mention the term administrative act is meant only an act by the individual nature.But if you turn to the Albanian jurisprudence this difference was not very clear and often confused with these concepts by including as individual acts, as well as with the general characters.

But if we rely on the Code of Administrative Procedure Article 1 Visualize rule that "The provisions of this Code shall be implemented by all bodies of public administration in the exercise of their functions leads by means of individual acts. Principles of sanction in this code are not applied on the normative acts in so far as a thing is possible.

Terms that qualifies administrative act as a source of administrative law to take various decisions designations order,regulations, guidance, up to terms that administrative organs of administration that differ act from other acts of legal trailer character, unilateral , regulations and the trailer being specific to public administration bodies.

I and my coauthor refer to the issuance of an act that aims to pass on correct procedures and that an administrative acts to have validity must respect the form, content, purpose of issuing the trailer and mostly to keep the procedure to be followed for the extraction of a act (let's refer to procedure it should be noted that failure of extraction procedure act, causes absolute invalidity of an administrative act)

The procedure of issuance of an administrative act by the sanctions described in the provisions of the Code of Administrative Procedure Code Administrative. Administrative act being authorized by law has automatically legal consequences.So, in that sense an administrative acts is a legal juridical act . An administrative act is called every order , decision, or action that was taken by the administrative authorities for the regulation of a particular case or cases that already exists in general or in the field of public law

Data and Research Methodology in This Research Paper

Administrative acts join and interlink through all space that relations the law, they can create rights, privileges, powers, responsibilities and duties, or may change or extinguish them,but when the general act is therefore with regulatory effects the legal consequences for nature will be general.If the act is specific, individual as well, then he speaks with the language of concrete legal consequences for individuals violation of administrative acts.The Role that Administrative acts play for legal regulation of these relations is quite understood that is Important.

As the legislation, as well as administrative practice of public administration bodies the term "administrative act" no articulated in this form.The science of administrative law uses the term "administrative act" to designate in its entirety to all acts that administration bodies derive their activity during the executive and administrative orders.

Administrative act has different names such as decision, orders, ordinance ,regulation, as a guide, to the license, circular, protocols, paper, evidence, licenese, diploma, etc, Important for the science of law is to define a definition for administrative act, in order to distinguish it from other legal acts of each power.

Defining the term administrative act presents a difficult task for the legal doctrine for the reason that its ad hoc legislation has not given us any precise definition (refer to Article 105 of the Procedural Code of administrative review)

If we refer to the theory of administrative law that has defined act in different ways, but essentially not differ very much from one another.Even the science of administrative law has given its definition, but firstly watching the state administration in continuous evolution because the different factors, that have influenced in this direction, mostly political and social and has reflected the ongoing elements of these changes.

In this respect, there has been a determining influence adoption of the Code of Administrative Procedure, which is significantly expanding the concept for administrative acts, that has included bodies along the central and local government bodies and public institutions, to the extent that they carry out administrative functions.

Included in the group of administrative bodies and the legal non-state subjects, Log Obviously dimension gives a definition of administrative act, given so far by the doctrine of administrative law. According to this new rule of law; administrative act is not only a manifestation of the will of state power bodies, but also to other private entities, where the latter exercise activities of public interest.

A new definition and with full administrative act must take into consideration the willingness shown by the organs of state in the implementation of private law.

2.3 Administrative act conceptualization

From this point of view, administrative acts should be thought as manifestations of a will power by authorities who exercise administrative, in accordance with the Constitution and by the Law, in order to establish the state, amendment or termination of the effects of certain legal, implemented by the free will subjects to whom it was directed through coercive power. Administrative act is one of the main forms in executive and decision-making activities of public administration bodies.

This activity gives the element of authority administrative act. The activity of every organ of public administration is characterized by the emergence of the act. It is the administrative act that creates a new legal relationship for entities to which it was directed, changes mardheninet created by the perfect ago more or extinct ones. It provides specific legal nature of administrative act and to stop the actions of material nature, which are not few in administrative activity. Concreteness element constitutes another feature of administrative act. It regulates specific issues of normative differences.

H2. Is the legal act by which determines the rules of behavior in general respectively abstract rules that are applied to a defined number of persons and cases, every laws, resolution, ordinance, regulation, administrative order, instruction, rule, ordinance or other act known and represented by legal force within a given territory by public authorities of that territory, very laws, resolution, ordinance, regulation, administrative order, instruction, rule, ordinance or other act known and represented by legal force within a given territory by public authorities of that territory?

To provide a clear vision and complete concept of an administrative act, it is necessary to recognize and understand to its constituent elements. The theoretical definition given above the administrative act includes the qualities and distinctions. The Treatment in specificway of these features serves as a methodological study of the theory of administrative act, as well as administrative and judicial practice.

2.4 The Form and content of the administrative act

The emergence of the will power of the administrative body and necessarily requires a certain act.The Form, which appears in the administrative act, as a rule is written, but does not exclude other forms, which are required by law or when such a thing imposed by the circumstances. This is the meaning of the form to be taken by the administrative act, which has found its reflection in Article 106, paragraph 1 of the Code of Administrative Procedure. A verbal administrative act must be confirmed in writing, in the event that such confirmation has a legitimate interest of the person concerned and immediately requires such a thing.

The Administrative Act requires the existence of several important elements, to which must be introduced, but its missing which they can do it without legal effect. For example, acts of collegial bodies are indiscriminately in their written form, if the law expressly requires. In other cases, these acts must be recorded in minutes, without which they do not have any legal effect.

In any administrative act the essential elements, which mean both the content and its form, are act authorization, the description of the object and the subjects addressed, the disposition and the reasoning. In this regard the act has similarities with the verdict. In addition to these essential elements the administrative act may have other elements that complement it.

According to the meaning given in our legislation, an administrative act shall contain the authority, the body that issued the act, as well as any delegation or sub-power delegation, the identification of parties to whom the act is sent, the submission of the facts which gave rise to the issuance, when these are important legal basis to act, arguing the meaning of the act,

the date of entry into force, the signature of the head of the body that issued the act etc. Some of these demands to the formal act can not be applied to acts expressed by signs or other forms of automatic mechanisms.

The content of the act must be clear and well defined. In particular, there should be no doubt about the person for whom the actis sent, the importance of the subject involved in the act and the act creates legal consequences. The most important clause in the administrative act is the disposition, because by him is created, modified or extinguished a concrete legal relationship to the subjects in the act. The device contains the expression of the will of the administrative body. The device is the most substantial and from it there is no administrative act

The Contents of an administrative act shall include the presentation of legal means that serve legally to the subject to oppose the act. An administrative act of writing, as they may be subject to rejection or failure of the subjects of law because of invalidity must contain an explanation that informs the person concerned for a remedy against the act, the authority which should be run, and the fixed time within which this tool should be used.

These elements of form and content of an administrative act are extremely important and can not be ignored. They are considered as an integral part of their act and their disregard or failure can have direct impact on the fairness and validity of it.

Analyzing Data

3.1 Purpose of the Act: The Administrative Act is issued for a specific purpose, to create, modify or extinguish concrete legal consequences for all entities that are obliged to submit their ordinances performed with the desire and the will of the administrative body that has the right . The administrative body will be included in the nature of the act that is issued and is not explicitly mentioned by law or legal act in question. The willingness expressed by the legal administrative act aimed at achieving a specific goal that is associated with the advent of legal consequences.

In the legal facts of natural events, legal consequences are already known to be arised automatically, without requiring the appearance of a legal will, and in the administrative act that constitutes a human fact, required the appearance of this will necessarily by the administrative body. Create, or change or extinction of a legal relationship occurs only as a result of a voluntary behavior and its conscious too, in the case of administrative act of the relevant authority. This brings the effect that the act will not only relate to the body, but also with the will for the effect which create. So, it is necessary to have the desired body advent of concrete legal consequences.

Precisely,the goal for the issuance of an administrative act represents the will of the administrative state. Also, the legal consequences arising from administrative acts are those which administrative act entities are wishing to come.

However, from an administrative act may arise even legal consequences, which are not desired by the relevant administrative body. So,it may appear consequences that are beyond the scope for which it was issued this act.

If, for example by an act of expropriation or an act for the destruction of illegal constructions unfairly violated and other subjects that are not part of the concrete act, then it is obvious that the purpose of the act but also the organ that issued this act is not intended to consequences created. This legal consequence, which may be due to the wrong interpretation of the administrative act, the content of the act or acts of executors of his subjective, it is also due to the invalidity of the act or acts that have influenced it.

Administrative Act differs from illegal actions, because his purpose is the arrival of the legal consequences and therefore provides the act presumed as a legal action. This does not mean that it is immune from the acts of lawlessness elements. If the content of the act is contrary to the Constitution or the law, as well as their purpose and spirit, then the consequences that it will create will be considered illegal. Therefore act shall be subject to administrative controls, firstly to its organ that has issued, the highest administrative body, if established this right and, finally, judicial control.

3.2 The reasoning act

Every administrative act expressed or confirmed in writing must contain the reasons for its issuance. The reasoning of the act should include the essential facts, logical and legal grounds axis that has given administrative authority. By reason of the act that has been clarified the goal in enacting administrative body. The reasoning is an essential element of form and content of the act and directly affects its validity. According to Article 116, paragraph "c" of the Code of Administrative Procedure, the disregard of form and procedure established by law it is due to absolute invalidity of the act.

In this Code are some cases where the justification of the act is indispensable for its validity. So, they should justify all acts, which partly or completely deny, deny, abolish, restrict or otherwise affect the rights and legitimate interests of entities which are directed, or put a burden of liability to penalties. For example, a television operator for violations of the law that may be deprived of license to exercise further activity; a tax entity is obliged by an administrative act to pay a tax liability, or to a fine for violation of tax legislation, etc.

The reasoning is necessary to acts taken on the basis of examination of applications or appeals entities, and decisions which hold an opinion contrary to the claims of interested parties or contrary to an opinion, information a formal proposal. If an act of the administrative body, in the way how would deal with an issue or the consequences that would create, would change or would bring a new practice, the opposite or evolving in comparison with the previous practice of resolving similar issues, his reasoning is necessary.

This case is related to the way of interpretation that makes law the competent authority or a change of circumstances to those conditions, which directly affect the change of consolidated practise. For such a case it is necessary for entities to inform and orient the reasons for the change of practice by the administrative body. The reasoning is an important part of the act in cases where the new revoked act is repealed, modified or suspended a previous act. So, in such cases the reasoning of the act appears as a legal obligation for the competent administrative body.

Also, the reasoning of administrative acts is a legal obligation for all bodies of state administration, not only in cases of written acts, but also when it appears necessary to introduce a verbal act. It is understood that such practice is rare and occurs mostly in features of a ruling bodies, but even in these cases the law provides reasoning of the act only when it will be appealed by interested parties. Under Article 110 of the Code of Administrative Procedure: "When verbal act is expected to be appealed, his reasoning made in writing and communicated to the interested parties within 10 days."

3.3 The reasoning is an important element of form and content that an administrative act should have, but should be understood that it is necessary and indispensable for all kinds of acts. The law itself can allow in certain cases the lack of reasoning to act. So, there are not required by law if the administrative act is corresponding and comply with the request of the person concerned and does not cause any injustice to third parties. The third person may be aware of the legal and factual basis of the opinion of the administrative authority that issued the act and that the possibility to be informed about the act, without the need of giving reasons in writing or in any other way.

It Does not appear necessary the reasoning of the act, when the administrative authority issues a large number of acts of the same type or when the act is publicly announced an order. Also, are acts that ratify or approve decisions, such as the boards, panels or committees established by the public administration on various issues, or the orders of the officers are dealing with the internal affairs of an institution, which is not required, but he will be called redundant their reasoning.

In Administrative practice there are administrative acts that are not justified. Most of them are. Even in those acts, for which that the law requires as a condition of its validity, may lack the reasoning.

And what happens to them?

At first glance, one would believe that is being violated the law. Indeed such an allowance is legal and it appeared necessary for the physiognomy of administration and dynamism that it carries. Thus, the diversity of acts of organs of public administration often that administrative action is taken, relying on information or previous proposals, the links to prepare relevant documentation. In these cases it is adequate only as an excuse acceptance of these proposals by the body that issued the act to be considered as done this legal requirement, as in these cases, opinions, information and previous proposals are considered an integral part of the act itself.

Conflicting data that can be reflected in the reasoning of an administrative act, ambiguity, inaccuracy or nonsesing that may be encountered in its drafting, will serve as a sufficient argument to call unjustified act and, therefore, invalid. While the reasoning of making an act on the basis of resolution of other analogous issues, but always without burdening the position of the entities involved in the act, the act would not violate the reasoning in his direction

All the concepts discussed above and dealing with form, content, scope and rationale of the act, so far have been subject of science of administrative law, without being able to foresee clearly any legal concrete provision . Only in the Code of Administrative Procedure, in a separate chapter, and specifically in the VI "Administrative Activities" and the first chapter of "Administrative acts", Articles 106 to 110 it is given a more detailed legal regulation of these concepts.

Analysis and expectations

The Definitive moment to understand that a project has finished its cycle, by becoming a law is the announcement. After the approval of the law-project, it is sent to the President, who must declare it within 20 days of its submission. The President has the right to return for review the law once. Decree for review of a law loses its effect when a majority vote against the members of the Assembly. If the President does not promulgate or return the law for reconsideration within 20 days of its submission, the law is considered promulgated.

When the law is back for reconsideration, the President of the Assembly immediately passes it for consideration to the responsible committee, who reviewed it initially. The Commission examines the decree only responsible for the matters presented by the President. In USA each law-project was approved by the House of Representatives and the Senate, before it becomes law it will be submitted to the President of the United States. Usually edited copies of the draft are sent to the White House to convey various departments concerned in the case in order to advise the President, who naturally can not recognize any aspect that the law-project is having.

If the President approves the law-project, he signed and usually writes the word "approved", even though the constitution only requires his signature. Based in constitution in its article of a law-project, may become law without the signature of the President. This happens with the suspensive veto as well as in our country, where the President is not expressed by bringing the law for reconsideration within 10 days and even when he does not approve ,the law is called The self-proclaimed, and the American call it "pocket veto". An interesting question arises at this point, "Would it approve the law-project, after reviewing the draft room, despite opposition from President to?" Of course this happens when is approved by the majority.

4.1 Incoming into Force:

An important step in the adoption of a law to force action is the request that to be made known to the people, who should obey him. Of course, there would be no justice if the state would make your people in charge before he would acknowledge the illegality of such behavior.

In Albania the law enters into force by not less than 15 days from its publication in the Official Journal, but in the event of emergency, and in an emergency and need, when Parliament decides by a majority of all the members and the of Republic President consent, the law only comes into effect immediately after being announced publicly. The law must be published in the next issue of the Official Journal. More or less the same practice is applied in the US but with these changes that will be presented below.

Practice has shown that the laws in the US are published immediately after their enactment to be made known to the public. If President approves a the law-project or let it become law without signing it, after being edited ,the White House sends it to US Archivist for publication. If the law-project is approved by both chambers despite the President's remark, it sends the most recent edition body that exceeds the veto. The first edition of the law is generally in the form known as "seperate law."

5.Conclusions and Recommendations

In this form each law separately is published as a pamphlet and unrelated. In order to ensure a permanent overview of laws related volumes are prepared, and it belongs to a "second edition". This connection can reach up to the formation of the Code of the United States, which contains a regulation to consolidate and codify the laws and general, permanent USA laws collated on the basis of the case 50 titles alphabetically.

As conclusion, we can say that these countries that we took as sample of analysis have visible changes due to different legislative system which as we mentioned above are part of two major subdivisions of law (Common Law and Romano-Germanic family). However, it is evident that, due to the facts that the two countries are based on the democratic rule of their practice of drafting normative acts is more of the same. All the phases that we examined above are a good indication of a comparison that is rarely undertaken in our country, but we think that by treating in this way, we will understand better our legislation and its position that for sake of truth is quite new and still incomplete

6. Legal power of the administrative act

6.1. The Meaning of the Legal Power Act

The purpose of the issuance of an administrative act is to create a legal effects whose subjects it is addressed. It can not be understood the issuance of an administrative act by a competent authority, without its legal power. The Administrative bodies, when tehy put out a legal act, they have in mind that the legal authorities will find in it the complete and clear expression, as well as the act itself will serve the needs of the time. These requirements must be assessed before or during the extraction of the act because the statement of the will power to act which is closely associated with the creation, modification or termination of legal consequences.

Administrative Act, as a rule, arises of certain rights and obligations, creating utility, a favor, and affects the interests of certain persons addressed to. Therefore, in addition to legal requirements for content that administrative act should have,with the great importantance are presented the issues related to the legal power act.

The Legal power act, as any judicial or legislative action, is dependent on several legal stages or important moments, disregard of which brings legal powerlessness to act. Legal power of the act coincides with the terminology used so often in practice, when we say that the act came into force. There are three stages that dismanteled the concept of judicial power act.

-The first stage is related to the time of issuance by the competent administrative body;

-The second phase is the recognition of the content of the act by the interested parties;

- The third phase is related to the delayed effect of the power of the act.

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 THE CONSTITUTION OF THE REPUBLIC OF ALBANIA

ADMINISTRATIVE PROCEDURE CODE OF ALBANIA

Constitutional court decisions No. 47 and No. 53 of 1999

Under the article about administrative procedural code of 59.56.60,

Administrative Law 1 Prof.as,dr ERMIR DOBIANI

Administrative Law 2 dr. SOKOL SADUSHI E DREJTA

How laws are made in America - EDUARD F. UILLIET Junior; The Speaker,

United States House of Representatives, Washington D. C (internet page)

Recognition and Enforcement of International Arbitral Awards in Albania. Current hallenges to the Albanian Domestic Law

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Abstract

The Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) is described as the most successful treaty in private international law. For more than half a century this document has contributed to the protection of incomparable values of free trade. In this way it served well also to the interests of human society, providing a valuable contribution to the world economic development. Legal instruments of recognition and enforcement of foreign arbitral awards in the Republic of Albania do not justify the rightful place of arbitration mechanism in resolving international commercial disputes. The domestic normative framework that governs the enforcement of such awards is not fully sufficient. Albania has ratified the New York Convention more than 40 years after its entry into force, but that's not enough. In fact, the enforcement of arbitral awards which resolve international commercial disputes is facing with the lack of a modern legal framework and an unconsolidated jurisprudence. Since last 15 years, the New York Convention is part of Albanian legal order, but its implementation is not appropriate. Mostly this is due to the lack of approaching process of the Albanian legislation to the international standards in this field. Adoption and implementation of legal instruments in accordance with the international legal framework, for the recognition and enforcement of foreign arbitral awards, will be a good service to the integration process of the Albanian economy.

Keywords: arbitration, convention, enforcement, award, disputes, international.

Introduction

International arbitration and its values in the global economy.

In recent years, globalization has brought the spirit of breaking down cultural and social barriers between people and particularly has accelerated communication and economic cooperation between states. In this context, legal issues regulating these relations can not remain within national frameworks but have received more and more an international prospective. A clear example of this context is the international commercial arbitration. The great increase of the international trade and companies investment in foreign countries is associated with the tendency to transform the international commercial arbitration into a mechanism used increasingly to settle disputes arising from these relationships.

What is international arbitration?

International arbitration is a consensual way or means by which international disputes can be definitively resolved, pursuant to the parties' agreement, by independent and non-governmental decision-makers, which produce a final decision, legally binding and enforceable through national courts[1].

There is a principle in the heart of this method, which has been described by Mr.MMichel Gaudet[2], honorary president of the International Court of Arbitration at ICC: **"The purpose of arbitration is not to provide from the relevant law a decision against parties involved in the dispute, but to clarify, together with the parties, what should be done in a given situation, to achieve justice in collaboration".** The arbitration method creates understanding between the parties to the dispute, without leaving trace of intolerable bitterness behind[3]. Above all International Arbitration avoids the difficulties and uncertainties created eventually by the submission to the jurisdiction of the court of another country.

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[1] Gary B.Born, *International Commercial Arbitration in the United States: Commentary and Materials* (The Netherlands: Kluwer law and Taxation Publishers, 1994), p.1.

[2] Former Chairman of the ICC International Court of Arbitration.

[3] International Arbitration and National Courts: The Never Ending Story. A.J.van den Berg, Permanent Court of Arbitration. International Bureau, International Council for Commercial Arbitration. Kluwer Law International, 2001.

Unease at playing in the other side's home court begins in childhood. For international business lawyers, it never goes away. Global deal makers are very wary of the home court advantage, harboring mistrust of each other's legal systems, where the rules are unfamiliar and the results are at best unpredictable and at worst actively hostile.

When the parties come from different political systems, there also is mistrust of the underlying substantive law; mistrust of the procedural fairness of the forum where that law is to be invoked; and mistrust of the enforceability of judicial or arbitral decisions.

As a transnational tool for dealing with conflict, international arbitration is a way to create trust between foreign entities and their local business partners, even in the face of vastly different legal systems and laws. Arbitration is a way to resolve disputes according to internationally accepted norms, promising a fair process. In other words, it avoids either side's home court[1].

The popularity of arbitration as e means for resolving international commercial disputes has increased significantly over dhe past several decades[2]. Number of cases resolved, for example from the the world's leading international arbitral institution – the International Chamber of Commerce[3] – is large enough to justify the statement that actually judicial system has a worthy opponent.

New York Convention[4], a success of private international law.

Although arbitration is consensual, the enforcement of the arbitral awards is not. Nothing worries the parties on dispute more than discovering, after a long and costly procedural "battle", that the arbitrator's decision can not be applied. Parties want money and not a piece of paper stating the fact that they are right. Perception for the applicability of the decision is likely to influence the decision of a businessman to choose arbitration or court jurisdiction to resolve his dispute and also the decision to determine the place of arbitration. It can even influence the decision to fund or to make business.

An empirical study of why parties choose international arbitration to resolve disputes found that the two most significant reasons were (1) the neutrality of the forum (that is, being able to stay out of the other party's court) and (2) the likelihood of obtaining enforcement, by virtue of the New York Convention[5].

Convention on the Recognition and Enforcement of Foreign Arbitral Awards, adopted in New York, 10 June 1958 (hereinafter the New York Convention), is described by an eminent personality of the field **- Albert Jan van den Berg**[6] - as the most successful treaty on private international law. It is being applied today in 145 countries worldwide, becoming part of the their national legal framework[7]. This Convention has been defined as the "super-oil for the complex machine" (international commercial arbitration), which has made the explosion of global trade possible over the last fifty years.[8]. In

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[1] How International Arbitration Bridges Global Markets in Transition Economies, CPR Institute for Dispute Resolution VOL.22 NO.9 October 2004, by Lucy V. Katz.

[2] Gary B.Born, *International Commercial Arbitration in the United States: Commentary and Materials* (The Netherlands: Kluwer law and Taxation Publishers, 1994), p.7.

[3] Court of *Arbitration* of *International Chamber* of *Commerce* - is renowned for its unmatched experience and expertise in international commercial dispute resolution. Established in 1923 as ICC's arbitration body, the International Court of Arbitration pioneered international commercial arbitration as it is known today, initiating and leading the movement that culminated in the adoption of the New York Convention, the most important multilateral treaty on international arbitration.

[4] Convention on the Recognition and Enforcement of Foreign Arbitral Awards - was prepared and opened for signature on 10 June 1958 by the United Nations Conference on International Commercial Arbitration, convened in accordance with resolution 604 (XXI), of the Economic and Social Council of the United Nations adopted on 3 May 1956. The Conference met at the Headquarters of the United Nations in New York from 20 May to 10 June 1958.

[5] The Principles and Practice of International Commercial Arbitration; Margaret L.Moses 2008, Cambridge University Press, f.3.

[6] Albert Jan van den Berg, Brussels, Belgium. President, Netherlands Arbitration Institute, Rotterdam. Professor at law (arbitration), Erasmus University, Rotterdam. General Editor, Yearbook: Commercial Arbitration.

[7] Website - http://untreaty.un.org/cod/avl/ha/crefaa/crefaa.html.

[8] The Review of International Arbitral Awards, editor.E.Gaillard; V.V.Veeder "Is There a Need to Revise the New York Convention?" (Keynote Speech, IAI Forum, Dijon, 2008), p.185, par.4

short, the New York Convention directly affects the lives of billions of people around the world, every minute of every day, in both seen and still more unseen ways[1].

Impact of the New York Convention on the development of international commercial arbitration has been phenomenal, consolidating the two basic pillars of the regulatory framework in this field. First it ensured the mandatory implementation of any foreign arbitration award in the member States of the Convention. Second, the Convention fundamentally altered the relationship between arbitration agreements and jurisdiction of ordinary national courts, because the contracting states agreed that valid arbitration agreements constitute a sufficient legal reason for the ordinary courts to declare their lack of competence in favor of arbitration[2].

These two important pillars give to arbitration the value of a serious institute which provides non-judicial resolution of commercial disputes. So the New York Convention is probably the main reason why arbitration is the most preferred method for resolving international business disputes. The increasing number of Convention signatory countries has affected the international trade development and has attracted foreign investment.

I. The mechanism established by the New York Convention

1. Historical factors determining the birth of the Convention.

After the second world war, the countries need for economic development affected the expansion of international trade. International arbitration at that time was regarded as a successful means for resolving disputes in this field. But the effectiveness of this mechanism had been put in question, because of the difficulties raised in connection with enforcement of arbitral awards in different countries.

The rapid growth of international trade would increase more and more the requirement for prompt and effective resolution of related disputes. But the system established under the 1927 Geneva Convention on the Execution of Foreign Arbitral Awards no longer corresponded to the these requirements. Consequently, the conclusion of a new Convention on more liberal terms than the Geneva Convention of 1927 was generally regarded as the most urgent task in the field of international commercial arbitration[3].

The initiative to replace the Geneva treaties came from the International Chamber of Commerce (ICC)[4], which issued a preliminary draft convention in 1953. The ICC's initiative was taken over by the United Nations Economic and Social Council[5].

The Convention was prepared and opened for signature on 10 June 1958 by the United Nations Conference on International Commercial Arbitration, which met at the Headquarters of the United Nations in New York. At the end of the conference,

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[1] The Review of International Arbitral Awards, editor.E.Gaillard; V.V.Veeder "Is There a Need to Revise the New York Convention?" (Keynote Speech, IAI Forum, Dijon, 2008), p.186; par.1.

[2] New York Convention, art.II (3) - *The court of a Contracting State, when seized of an action in a matter in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration…..*

[3] Memorandum by the UN Secretary General: "Recognition and enforcement of foreign arbitral awards" – document of the United Nations Economic and Social Council, no. E/2840, 22 march 1956, p.3, par.5.

[4] The International Chamber of Commerce (ICC) is the largest, most representative business organization in the world. Its hundreds of thousands of member companies in over 130 countries have interests spanning every sector of private enterprise. It was founded in 1919 to serve world business by promoting trade and investment, open markets for goods and services, and the free flow of capital. The organization's international secretariat was established in Paris and the ICC's International Court of Arbitration was created in 1923.

[5] The Report of the "ad hoc" Committee on the Enforcement of International Arbitral Awards – document of the United Nations Economic and Social Council, no. E/2704, E/AC.42/4/Rev.1, p.1, par.1,2.

after 4 years of effort[1], the New York Convention[2] was born. It would spell the end of the Geneva Convention and the start of a new spirit of international commercial arbitration.

2. Features of the New York Convention.

2.1. Convention's field of application.

The Convention's title and its first article refer to the recognition and enforcement of "foreign arbitral awards" arising out of differences between persons, whether physical or legal[3]. Which arbitral awards are to be considered as "foreign", and hence which fall under the Convention's field of application, is defined in Article I of the Convention.

Paragraph 1 of Article I contains two definitions for a foreign award. The first definition, set forth in the first sentence of paragraph1, is an award made in the territory of a State other than the State where recognition and enforcement are sought. The second sentence of the paragraph also provides that it applies to the recognition and enforcement of an arbitral award which is not considered as a domestic award in the State where recognition and enforcement are sought (second sentence). With this second definition of "foreign arbitral awards", the convention drafters took the view that parties can agree to arbitrate in one country under the arbitration law of another country.

In this way the Convention makes the award nationality or national associations of the parties to the award immaterial for the purposes of its implementation[4]. This is because arbitration awards will be recognized and enforced regardless of the country where the award was made and the nationality of the parties in dispute.

2.2. Convention obligations to a contracting state (a state who has adopted the Convention)

a. Recognition and enforcement of foreign arbitral awards

Any country that accepts the Convention (it means any state that has signed, ratified or accede to the Convention after the entry into force), is legally obliged, under international law principles (inter alias, the principle of pacta sunt servanda), to recognize and enforce all kinds of arbitration awards that in terms of the Convention are considered as "foreign arbitral awards".

The Convention also provides limits for this obligation, because when signing, ratifying or acceding to the Convention any state has the right to two reservation[5]: **Reciprocity reservation** and **Commercial reservation**. The first reservation permits contracting States not to be bound to apply the Convention to awards made in a State that does not accept the Convention. The second reservation permits a State to reserve the applicability of the Convention only to differences arising out of legal relationships, which are considered as *commercial* under the national law of the State making such reservation.

b. Recognition of international arbitration agreement

The second obligation for any state accepting the Convention lies in the recognition of written arbitration agreement. Under the provisions of the Convention we can use this definition: "An arbitration agreement is an agreement in writing under which the parties undertake to submit to arbitration all or any differences which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not, concerning a subject matter capable of settlement by arbitration[6].

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[1] The "Ad hoc" Committee on the Enforcement of International Arbitral Awards, was set up on April 6, 1954.
[2] Convention on the Recognition and Enforcement of Foreign Arbitral Awards - New York, 10 june 1958. Entry into force: 7 june 1959, in accordance with article XII. Registration: 7 june 1959, no. 4739. Status: signatories: 24. parties: 146. text: United Nations Treaty Series, vol.330, p.3.
[3] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.I, par.1..
[4] The United Kingdom comments on the draft Convention on the Recognition and Enforcement of International Arbitral Awards - document of the United Nations Economic and Social Council, no.E/2822, Add.4, 3 April 1956, p.3, par.2
[5] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.I, par.3.
[6] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.II, par.1.

The same sense to the arbitration agreement is drawn from the UNCITRAL Model Law[1]. This definition confirms the validity and effect of a commitment by the parties to submit to arbitration an existing dispute ("*compromis*") or a future dispute ("*clause compromissoire*")[2].

c. Exclusion of jurisdiction of the National Court

The court of a Contracting State, when seized of an action in a manner in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration unless it finds that the said agreement is null and void, inoperative or incapable of being performed[3]. This important clause repeats the guarantee given by the first paragraph of article 2 of the Convention to the legal value of the expressed willpower of the disputing parties for submittion to arbitration. This willpower exclude the jurisdiction of a national court to resolve the dispute between the parties, forcing olso the court to address this dispute in the arbitration forum selected.

d. Not applying differential procedures in the effective implementation of awards.

There shall not be imposed substantially more onerous conditions or higher fees or charges on the recognition or enforcement of arbitral awards to which this Convention applies than are imposed on the recognition or enforcement of domestic arbitral awards[4]. A state that has adopted the Convention should treat equally and not differently, in terms of procedural bureaucracy, the recognition and enforcement of domestic arbitral awards against foreign ones.

3. Grounds for refusal of enforcement of an arbitral award.

Article IV is set up to facilitate enforcement by requiring a minimum of conditions to be fulfilled by the party seeking enforcement of a Convention award[5]. That party has only to supply the duly authenticated original award and the original arbitration agreement, or duly certified copies thereof[6]. By meeting these conditions, the party seeking enforcement produces *prima facie* evidence[7] entitling it to obtain enforcement of the award on oll contracting states of Convention. It is then up to the other party to prove that enforcement should not be granted on the basis of the grounds enumerated exhaustively in the subsequent Article V(1). It should be emphasized that the conditions mentioned in Article IV are the only conditions with which the party seeking enforcement of a Convention award has to comply.

Article V, which is divided into two paragraphs, includes the grounds for refusal of enforcement of an arbitral award. The first paragraph lists the refusal grounds which are to be proven by the respondent (the party against which enforcement of the award is sought)[8]. That party has the burden of proving that one or some of these grounds exists in the present case. This exhaustive list of grounds for refusal is as follows:

-Lack of a valid arbitration agreement (Article V(1)(a))[9];
-Violation of due process (Article V(1)(b))[10];

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[1] UNCITRAL Model Law on International Commercial Arbitration 1985, with amendments as adopted in 2006 (United Nations documents No.A/40/17 and No.A/61/17, annex I), art.7, par.1: "Arbitration agreement" is an agreement by the parties to submit to arbitration all or certain disputes which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not".

[2] Explanatory note by the UNCITRAL Secretariat on the model law on International Commercial Arbitration, p.28, par.19.

[3] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.II, par.3.

[4] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.III, second sentence.

[5] Albert Jan van den Berg – "The New York Convention of 1958:An Overview".

[6] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.IV, par.1.

[7] *prima facie* evidence - evidence that is sufficient to raise a presumption of fact or to establish the fact in question unless rebutted.

[8] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.V, par.1.

[9] The parties to the agreement referred to in article II were, under the law applicable to them, under some incapacity, or the said agreement is not valid under the law to which the parties have subjected it or, failing any indication thereon, under the law of the country where the award was made;

[10] The party against whom the award is invoked was not given proper notice of the appointment of the arbitrator or of the arbitration proceedings or was otherwise unable to present his case.

-Excess of the arbitral tribunal's authority (Article V(1)(c))[1];

-Irregularity in the composition of the arbitral tribunal or arbitral procedure (Article V(1)(d))[2];

-The award "has not yet become binding", the award "has been set aside", or the award "has been suspended" (Article V(1)(e))[3].

The second paragraph of Article V, which concerns violation of public policy under the law of the forum, lists the grounds on which a court may refuse enforcement on its own motion (ex officio)[4]. This second group of grounds for refusal is as follows:

a. Arbitrability (article V(2)(a)). This clause permits a court to refuse enforcement of an award on its own motion if the subject matter of the difference is not capable of settlement by arbitration under its law. The non-arbitrability is generally regarded as forming part of the general concept of public policy and thereby the non-arbitrable subject matters differ from country to country[5].

b. Other cases of public policy (article V(2)(b)). This clause allows a court to refuse enforcement of an award on its own motion if the enforcement of the award would be contrary to the public policy of the country where the enforcement is sought. There are a number of diverse cases in which the question of public policy was raised. Cases that are regularly (but almost always unsuccessfully) invoked in practice are the following: <u>Due process *(the parties have an equal opportunity to be heard);* Procedure *(Irregularities in the arbitral procedure);* Impartiality *(The arbitrator's impartiality);* Reasons *(the award must contain the reasons on which the arbitral decision is based).*</u>

The overall scheme of Articles IV-VI is the facilitation of the enforcement of the award. The scheme reflects a "pro-enforcement bias" as certain courts have said. This is also the manner in which Articles IV-VI are generally interpreted by the courts[6].

The main features of the grounds for refusal of enforcement of an award under Article V are the following:

-The first main feature is that the grounds for refusal of enforcement mentioned above, are exhaustive. Enforcement may be refused "only if" the party against whom the award is invoked is able to prove one of the grounds listed in Article V(1) or if the court finds that the enforcement of the award would violate its national or international public policy (Article V(2)).

-The second feature of the grounds for refusal of enforcement, which follows from the first feature, is that the court before which the enforcement of a Convention award is sought, may not review the merits of the award because <u>a mistake in fact or law by the arbitral tribunal</u> is not included in the list of grounds for refusal enumerated in Article V.

-The third main feature is that the party against which enforcement of the award is sought has the burden of proving the grounds for refusal of enforcement listed in the first paragraph.

-Finally, it is arguable that in a case where a ground for refusal of enforcement is present, the enforcement court nevertheless has a residual discretionary power to grant enforcement in those cases in which the violation is *de minimis*.

These main features are almost unanimously affirmed by the courts[7].

II. New York Convention *versus* Albanian legislation on Recognition and Enforcement of Foreign Arbitral Awards

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[1] The award deals with a difference not contemplated by or not falling within the terms of the submission to arbitration, or it contains decisions on matters beyond the scope of the submission to arbitration, provided that, if the decisions on matters submitted to arbitration can be separated from those not so submitted, that part of the award which contains decisions on matters submitted to arbitration may be recognised and enforced.

[2] The composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties, or, failing such agreement, was not in accordance with the law of the country where the arbitration took place.

[3] The award has not yet become binding on the parties, or has been set aside or suspended by a competent authority of the country in which, or under the law of which, that award was made.

[4] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.V, par.2.

[5] Albert Jan van den Berg – "The New York Convention of 1958:An Overview".

[6] Albert Jan van den Berg – "The New York Convention of 1958:An Overview".

[7] Albert Jan van den Berg – "The New York Convention of 1958:An Overview".

1. Legal instruments that provide recognition and enforcement of a foreign arbitral award in Albania.

Recognition and enforcement of foreign arbitral awards in the Republic of Albania is regulated by two legal instruments: provisions of the New York Convention and the Code of Civil Procedure.

The albanian parliament has approved the accession of the Republic of Albania in this Convention by law no.8688 dated 09.11.2000 "On accession of the Republic of Albania in the "Convention on the Recognition and Enforcement of Foreign Arbitral Awards". Based on the Constitution of the Republic of Albania[1], the provisions of the New York Convention after ratification by law have become part of the internal legal system of our country. They are applied directly and prevail over national laws that disagree with them. So the provisions of the New York Convention prevail, in case of conflict, over the provisions of the Code of Civil Procedure, in terms of legal regulations applying for recognition and enforcement of foreign arbitral awards.

The second instrument that regulates the recognition of foreign arbitral awards is the National Law. The provisions relevant to arbitration are found in the "Code of Civil Procedure of the Republic of Albania"[2] (the "CCP"). Part II, Title IV ("Arbitration", art. 400 – 439) is a special title in the Albanian CCP regulating arbitration. The provisions of Title IV are applicable to arbitration procedures when: (i) the participants in the case have their place of residence in Albania and (ii) when the place of arbitration is within the territory of Albania[3]. The arbitration chapter of the CCP focuses on the procedures for domestic arbitration and fails to provide rules of arbitral proceedings and court proceedings related to international arbitration. The CCP states that rules on international arbitration shall be established by a separate law[4] - a law which still has to be adopted in Albania.

Other important provisions in the field of international arbitration are contained in Title III, Chapter IX, regulating recognition and enforcement of foreign arbitral awards in Albania. These provisions treat recognition of foreign arbitral awards as a *special judgment* regulated by this Code[5]. The judicial decisions of the courts of foreign states and final awards of a foreign arbitration are recognized and enforced in the Republic of Albania according to the same rules, under the terms provided in CCP[6].

Within the framework of recognition of foreign arbitral awards, the provisions of the Code of Civil Procedure take a dual character, containing both material and procedural legal norms. Material norms are the ones providing for the circumstances in which foreign awards may or may not be recognized and enforced in Albania. Whereas procedural norms are those that provide the procedure for recognition and granting power to a foreign award, and those that provide the competence of the judicial authorities for recognition and the form of the recognition judicial decision[7].

2. The provisions of the domestic law that do not meet the requirements of the New York Convention (analytical overview).

In general, the CCP provision that legal arrangements for the recognition of foreign state courts decisions will apply equally for recognition of foreign arbitral awards is not adequate. Especially the grounds for refusal of enforcement of a foreign court decision shouldn't be equally applied to refuse the enforcement of a foreign arbitral award.

It is true that the legal effects of foreign arbitral awards are the same as those of final decisions of foreign ordinary courts, but the processes providing these two kind of decisions have very distinct features. An important feature that distinguishes them, is the profoundly public character of ordinary courts proceedings on the one hand and the private nature of arbitration processes on the other. Likewise, the exclusive right of the agreement between the parties in dispute to determine the jurisdiction of an arbitral forum, or the parties' right to select the arbitrators are other distinguishing features of the arbitration versus judicial process.

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[1] The Constitution of the Republic of Albania, art.116 (1); art.122(2).

[2] Law No.8116, dated 29 March 1996, as amended.

[3] Code of Civil Procedure of Albania, art.400

[4] Code of Civil Procedure of Albania, art.439

[5] Code of Civil Procedure of Albania, Part II, Title III, Chapter IX "Recognition of judgments of foreign states", art.393 – 399.

[6] Code of Civil Procedure of Albania, art.399.

[7] Civil Procedure, the first edition, Alban Brati, Dudaj Editions 2008, p.413, paragraph 4.

The aforesaid distinguishing features between these two processes, justify the necessity for approval of **distinct criteria** for recognition and enforcement, which means **different grounds** for refusal of enforcement, for each kind of decisions - judicial decisions or arbitral awards.

For example, one of the grounds for refusal of enforcement of an arbitral award, provided by the New York Convention but not included on the grounds listed by the CCP of Albania[1] is: *The composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties[2].* It is understandable that such a ground for refusal of enforcement can not be anticipated from the provisions of the CCP, as long as this code provides the same grounds for refusal of enforcement of arbitral awards with those of judicial decisions.

Moreover, considering the approximation of national law with the New York Convention requirements, the provisions of the Code of Civil Procedure pose some problems, which deserve to be analyzed.

a. The first problem occurs with the content of Article 399 of the Code of Civil Procedure, which does not clearly explain whether the application of the provisions of chapter "On recognition of decisions of courts of foreign countries"[3] will also be applied to foreign arbitral awards respecting strictly the provisions of this Chapter, or only to the extent that the content of these provisions does not fall in contradiction with the features of an arbitral process (application according to the *"mutatis mutandis"* principle).

b. The second problem - the excess of "obstacles" of the Code of Civil Procedure for the recognition and enforcement of a foreign arbitral award.

Recognition of a foreign arbitral award represents the judicial procedure for verifying the legal requirements, through which the arbitral award is been given the legal power to be enforceable on the albanian territory[4]. In fact the Code of Civil Procedure do not expressly provide the conditions for the recognition of a foreign arbitral award, but on the contrary it provides the conditions that are considered as "barriers" for recognition, known as the "grounds" for refusal of enforcement. It is understood that in any other circumstance not included in the framework of these legal restrictions, foreign arbitral award can and should be given executive powers.

Specifically, a foreign arbitral award is not been given effect (that means it is not recognized and enforced) in the Republic of Albania, on the circumstances or under the following conditions:

i) *When, under provisions in force in the Republic of Albania, the dispute concerned by the decision (award) might not be in the competence of the court of arbitration of the state that has issued the decision (award)[5].*

ii) *When the lawsuit and the summons have not been notified to the defendant in absence on the default and orderly time, to give him the opportunity to be defended.[6]* (the principle of due and equal process to the parties).

iii) *When, between those same parties for the same subject and the same reason, a different decision has been given by the Albanian court.[7]* (the "res judicata" principle).

iv. *When the foreign arbitral award has became final in contradiction with the law under which the award was made.[8]*.

v. *When the foreign arbitral award is not in accordance with basic principles of the Albanian legislation[9].* (the "public policy" principle).

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[1] *See infra p.13*: The grounds for refusal of enforcement of an arbitral award, according to the CCP provisions.

[2] Article V(1)(d) of the New York Convention.

[3] Code of Civil Procedure of Albania, Part II, Title III, Chapter IX, art.393 – 399.

[4] Civil Procedure, the first edition, Alban Brati, Dudaj Editions 2008, p.414, paragraph 2.

[5] Code of Civil Procedure of Albania, art.394, par.1.

[6] Code of Civil Procedure of Albania, art.394, par.2.

[7] Code of Civil Procedure of Albania, art.394, par.3.

[8] Code of Civil Procedure of Albania, art.394, par.5.

[9] Code of Civil Procedure of Albania, art.394, par.6.

vi) *When the Albanian court is examining a lawsuit that is filed before the foreign arbitral award has became final.[1].* **This legal ground seems redundant in the group of grounds which may justify the refusal to enforce a foreign award, arguing as follow:**

First of all, such a provision laid down on the article 394/(4) of CCP to prevent the recognition of foreign arbitral awards exceeds the conditions known as the grounds for refusing the recognition and enforcement of a foreign arbitral award, provided by the New York Convention[2].

Secondly, such a final obstacle to the recognition of the award, provided by the CCP, falls in contradiction with the obligations imposed by the ratification of the New York Convention, specifically with the obligation to exclude the jurisdiction of a national court when it is seized of an action in a matter in respect of which the parties have made an arbitral agreement[3]. In implementing this obligation, the Albanian court if it's examining a lawsuit (action), should declare the lack of jurisdiction when there is an arbitral agreement between the parties. The submittion of the arbitration agreement by an interested party should be enough for the court to declare the lack of jurisdiction.

In these circumstances, the fact that the Albanian court is examining a lawsuit in a matter in respect of which the parties have made an arbitral agreement, means that this court is acting in the lack of jurisdiction and this fact should not prevent the recognition and enforcement of an foreign arbitral award, as currently provided from the article 394/(4) of CCP.

Thirdly, the provision of article 394/(4) reopens the issue of verification of competence or incompetence of the arbitration forum. As already mentioned, the Code of Civil Procedure makes a specific prediction about the competence of the arbitral forum, when it provides as an "barrier" to recognition of foreign arbitral award the fact that *the dispute concerned by the award might not be in the competence* of the court of arbitration that has issued the award (CCP, art.394(1))[4]. The confirmation of the validity of the arbitration forum competence implies indirect proof of incompetence of the Albanian court to examine a lawsuit over the dispute. It seems that we are dealing with the same ground for refusal of enforcement, as provided from the article 394(1), but repeated in another form in the provision of article 394(4).

Fourthly, the refusal of enforcement of an arbitral award due to the submittion of a lawsuit in an albanian court, before the moment of time that the award has became final, as provided by the article.394 (4), may be used intentionally as an artificial barrier to the enforcement of an award from the party against whom it is invoked. This party may file a lawsuit in an Albanian court deliberately to refuse later the enforcement of the foreign arbitral award issued over the dispute, in our country. This would be contrary to the spirit of the New York Convention, whose aim is to facilitate the conditions for recognition and enforcement of foreign arbitral awards.

c. The third problem – the burden of proof.

Provisions of the CCP does not predict **who** has the burden of proving to the court of appeal that one or more legal grounds of refusal, mentioned above, are met. In fact, article 397 of CCP stipulates that "the court of appeal examines whether the present award applied for enforcement does not contain provisions that conflict with article 394". In general interpretation of this provision, the court of appeal may examine the existence of the grounds of refusal on its own motion (*ex officio*), without request of the interested party.

Whereas the New York Convention is very clear at this point, when stipulates the obligation of the party against whom the award is invoked: *first* **to make a request for refusal** of the arbitral award applied for enforcement and *second* **to submitt evidences to the competent authority to prove the grounds of refusal**[5]. There are only two grounds on which a

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[1] Code of Civil Procedure of Albania, art.394, par.4.

[2] New York Convention, art.5.

[3] New York Convention, art.2, par.3 "The court of a Contracting State, when seized of an action in a matter in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration unless it finds that the said agreement is null and void, inoperative or incapable of being performed".

[4] *See supra p.13*, Code of Civil Procedure of Albania, art.394, par.1.

[5] Article V(1) of the Convention: *Recognition and enforcement of the award may be refused, at the request of the party against whom it is invoked, only if that party furnishes to the competent authority where the recognition and enforcement is sought, proof that:….*

court may refuse enforcement on its own motion. These two grounds for refusal of enforcement are limitatively listed in the second paragraph of Article V, which concerns violation of public policy under the law of the forum[1].

d. The 4th problem – The Code of Civil Procedure does not provide for submission of the arbitration agreement as a condition for recognition and enforcement of foreign arbitral awards.

According to the CCP provisions, the formal request for recognition and enforcement of a foreign arbitral award should be attached to **some documents**, in order to be considered regular. Specifically the following documents are required to be submitted: (a) copy of the foreign arbitral award, which is subject of the application for enforcement; (b) certificate of the arbitral forum, which issued the award to certify that this award has become final; (c) power of attorney, if the application is filed by a representative of the interested party[2]. These documents are required to be duly translated and authenticated.

As above, the provisions of the Code of Civil Procedure do not require as a condition the submission of "arbitration agreement" by the party applying for recognition and enforcement of the award. Such a prediction does not comply with the provisions of the New York Convention[3], where the application for enforcement of the award is provided to be accompanied by the "arbitration agreement". This written arbitration agreement, under the Convention, should be submitted along with the foreign arbitral award, subject of the application for enforcement, otherwise the formal request for enforcement is not considered regular.

3. Consideration of application for recognition and enforcement by the court of appeals.

The court of appeals does not review the merits of the case, therefore does not examine how the dispute between the parties is resolved through the foreign arbitral award. The court of appeals simply controls whether the award submitted contains elements that, according to the law, are considered legal obstacles (barriers) for the enforcement of foreign arbitral awards[4]. At this point the provision of the CCP is consistent with the predictions of the New York Convention.

CONCLUSIONS AND RECOMMENDATIONS

Concluding Reflections

Regardless that the Republic of Albania has ratified the New York Convention, the recognition and enforcement of international arbitral awards in Albania is being carried out through a non-contemporary national legal framework.

a. A group of provisions of the Albanian Code of Civil Procedure governs the recognition and enforcement of foreign (international) arbitral awards for reference of the recognition of the foreign state courts decisions. The national law does not provide a direct adjustment for the recognition and enforcement of foreign arbitral awards. The complete conformity of the grounds for refusal of enforcement of these two different categories of decisions (judicial decisions and arbitral awards) can not be considered the best choice.

b. The provisions of the CCP are not fully in accordance with the provisions of the New York Convention, regarding the recognition and enforcement of foreign arbitral awards. These discrepancies, which may create obstacles to judicial procedures for enforcing foreign arbitral awards in practice, are mentioned briefly as follow.

-The New York Convention clearly provides to the interested party the **right to refuse** the enforcement of a foreign arbitral award, but also the **burden of proving** the grounds for refusal. Provisions of the CCP does not make such a prediction and consequently the court of appeals **on its own initiative** (without request of the interested party), controls whether foreign arbitral award contains elements that constitute the legal grounds for refusing its enforcement.

-The provisions of the CCP do not require the submission of "arbitration agreement" from the party concerned, as a validity condition of the request for enforcement, in contrast to the New York Convention which provide as mandatory the presentation of "arbitration agreement" in order that the request for recognition and enforcement to be acceptable by the competent authority.

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[1] Article V(2) of the Convention: Recognition and enforcement of an arbitral award may also be refused if the competent authority in the country where recognition and enforcement is sought finds that: ….

[2] Code of Civil Procedure of Albania, art.396.

[3] New York Convention, art.IV(1)(b).

[4] Code of Civil Procedure of Albania, art.397.

-The article 394 of CCP provides a legal ground for refusal of the enforcement of a foreign arbitral award, which not only exceeds those provided by the New York Convention but also may become an obstacle in practice to implement the spirit of the Convention[1].

Recommendations.

Albanian legislation needs to be updated, aiming the approach to the contemporary spirit and principles of international legal framework. In this regard, the legal regulation of recognition and enforcement of foreign arbitral awards by the provisions of a special law, would be a good option. A hypothetical law, for example "On arbitration" or "On commercial arbitration", could be the proper act to consolidate the legal framework, regulating both the internal and international procedures of arbitration[2]. In this way the obligation that derives from the article 439 of Albanian Code of Civil Procedure will be fulfilled[3].

A good option would have been to make part of domestic law the UNCITRAL Model Law provisions, which on one side do not conflict with the provisions of the New York Convention and in turn improve the recognition procedures of international arbitration awards[4]. A similar pattern which can be applied to reference is the Arbitration Act - English Law of Arbitration - which in its third section regulates the recognition and enforcement of foreign arbitral awards[5].

Another possible version of a contemporary regulation of the recognition and enforcement of foreign arbitral awards is to amend the provisions of the Albanian Code of Civil Procedure. For analogy, our domestic law might be referred to the provisions of the Italian Code of Civil Procedure, which directly govern the international arbitration[6] **and the recognition of foreign arbitral awards in Italy**[7]**.**

For Albania, the adoption of a special law on arbitration, or the amendment of the provisions of CCP, is becoming a necessity in the present conditions when the Albanian economy is increasingly oriented towards her integration, putting on the spotlight the expansion of trade relations, particularly international ones. To meet the needs of a more open economy, its actors (businesses and individuals) naturally will be looking for more effective legal instruments of conflict resolution. At this point, special attention should be paid by the domestic law to those legal instruments that serve to the recognition and enforcement of foreign arbitral awards.

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[1] *See suppra* the explanation of the ground for refusal, provided by Article 394(4) of Albanian CCP – *a foreign arbitral award can not be enforced in the Republic of Albania, when the Albanian court is examining a lawsuit that is filed before the foreign arbitral award has became final.*

[2] The International Comparative Legal Guide "On the international arbitration 2008", ed.Global Legal Group Ltd. London, with the contribution of "Kalo & Associates, Attorneys at Law", p.86, par.14.1.

[3] *See suppra* p.10.

[4] Let's mention here the provision of the UNCITRAL Model Law for clarifying the form of arbitration agreement - Article 7, option I and II of the UNCITRAL Model Law.

[5] Arbitration Act 1996, art.100-104.

[6] Italian Code of Civil Procedure (Codice di Procedura Civile - Dei procedimenti speciali - Parte 2), Chapter VI (dell'Arbitrato Internazionale), art. 832 – 838.

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Mentoring and Career Development of Academics in Colleges of Education in Cross River State Nigeria

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Abstract

Currently the reasons for mentoring in our career is on the increase as the operational environment is embedded with risk , change ,staff competition, unethical career practices , high uncertainty, unfavourable government policy implementation and ignorance of the role of mentors being in control of the weak site. It is grossly required for good mentoring to be in our educational system of rewards and promotion. The study therefore investigates mentoring and career development of academia in colleges of education in Cross River state, Nigeria. A descriptive survey research design was adopted for the study. The population for the study comprised all the 1075 Chief lecturers and young lecturers 'while multi choice sampling technique was used to sample 570 respondents. One research question and two research hypotheses guided the study. The researcher developed questionnaires tagged 'Mentoring and Career Development for Academia Questionnaire' (MCDAQ). Questionnaire containing 12 items was the instrument for data collection, which was validated by three experts from the University of Calabar, Calabar with total reliability coefficients of 0.82. Mean ratings and standard deviation were used in answering the research questions. While T test was used in testing the hypothesis. The major findings of the study revealed that mentoring is in practices in collages of education in Cross River state, Nigeria. That there is mentoring relationships among academic staff. The study also revealed that female face more challenges in course mentoring than the male academic

Keywords: Mentoring, Career development, Career experience re- orientation, and Career openness

Introduction

The world today is in a state of flux and there has been an incredible pressure on human resource managers to meet up with the continuous changing environment, most especially as it relates to human resource in academics in colleges of education in Nigeria. The cardinal objective of Colleges of Education in Nigeria is to prepare the will-be teachers in areas of teaching, research, community development. (NCCE,2015) For the above objective to be achieved the human resource (academia) must be properly harnessed. It is in this light that Spencer, C. (2010) emphasized that the effectiveness of a college or university is directly linked to the quality and vigour of its faculty members. Today's conditions of limited resources and ever-increasing demand for accountability have made the optimum performance of a college a top priority in higher education.

Colleges career development is recognized as an important factor in maintaining colleges vitality (Ugwuanyi, RNC 2011). Career development and advancement are believed to be influenced by a variety of personal characteristics; however, evidence suggests that environmental and organizational factors also play a significant part in the academic career development process (Baugh & Sullivan, 2005) One of such factors is that of mentoring. "Today one can make mention of mentoring in almost every publication aimed at management, administrators, educators, human resource professionals, and the general public" (Okurame, (2006);

Mentoring is a very old concept in a new guise. It can be traced back to Greek mythology when Odysseus entrusted his son Telemachus to the Goddess Athena, who disguised herself in human form as a mentor and old friend of Odysseus. Her function, according to Ezenwa (2011) was to act as a wise counsellor and helper to the youths. Mentoring then became common practice in the time of the guild and trade apprenticeships when young people, having acquired technical skills,

often benefited from the patronage of more experienced and established professional. Most successful people in any walk of life probably have had one or more people over the years who have established particularly a strong influence over their lives and careers.

Mentoring therefore can be seen as a deliberate coupling of a more skilled or experienced one with the agreed-upon goal of having the less experienced person grow and develop specific competencies (Murry and Owen 2002). Also, mentoring according to Olowu A. (2013) connotes an assistance given to an individual in other to enable him/her grow in the profession. In the same vein, Young A. M, Cady, S. and Forom M. I (2006) define mentoring as a relationship which exists between the mentor (principals) and the mentee (subordinates) with the aim of assisting the mentee to cope with a new situation like a new job or a change in personal circumstances or in career development.

Barth R. (2011) defined mentorship as a process of informal transmission of knowledge, social capital and the psychosocial support perceived by the recipient as relevant to work, career, or professional development which entails informal communication, usually face to face and during a sustained period of time, between a person who is perceived to have greater relevant knowledge, wisdom or experience (the mentor) and the person perceived to have less (the mentee). By this definition, mentoring is a process which involves time, helping, personal development and relationship between an expert which in this study is principals in Imo state secondary schools and a neophyte being teachers and vice principals in Imo state secondary schools. The principals in this study as mentors are expected to give their expert knowledge so that their subordinates (vice principals and teachers) will develop their full potentials while in the teaching profession.

It is in this vein that Okurame, , (2006), noted that in Colleges of Education or Faculties the Professors or Chief Lecturers are the mentors while the newly employed lecturer ranging from Assistant to about Lecturer II are often subjected to mentorship , he further noted that other ranks of lecturers below the ranks of Professor and Chief Lecturer do it as self profession growth

 The pursuit of development by young scholars in the Nigerian academic terrain is not without challenges, fears and anxieties. Indeed, Murray & Owen,. (1991) suggests that youthful entrants into the adult workplace encounter a variety of developmental tasks that are effectively facilitated by a good mentor relationship . Mentoring is regarded as one of the best tools for "reducing stress for novice teachers, orientation to curriculum and promoting the creation of better norms of collegiality and collaboration" (Paynes, 2006). It helps in the resolution of challenges and predicaments, making it more likely that an individual attains his career goals and growth. The benefits of mentoring are based on a developmental social learning perspective which posits that behaviour is learned in interaction with others, especially when they serve as models (Dancer, J.A 2003). In this regard, mentoring is especially valuable for the transmission of positive attitudes as mentors provide invaluable information on the mission and philosophies of the organisation, help employees cope with career stress and give proper orientation towards workplace values (Payne, 2006).

In addition, mentoring affords the transfer of skills which protégés can apply in diverse professional circumstances, promotes productive use of knowledge, clarity of goals and roles, career success, career growth, salary increases and promotions, career and job satisfaction (Okurame & Balogun, 2005). Mentoring relationships are also useful even to the senior partner in the union, as it provides an opportunity for them to develop a base for technical support and power which can be readily summoned in the future (Okurame 2002). Being recognised as the mentor of a successful protégé enhances the reputation of the senior academic/partner among his or her peers. Obviously, the positive outcomes of mentoring are capable of fostering a satisfied and 'well-groomed' professional workforce. The corollary of the mentoring relationship can therefore be summed up as the professional development of employees and institutional effectiveness.

However true mentoring is more than just answering occasional questions or providing ad hoc help. It is an on-going relationship of learning, dialogue and challenge. One can deduce from all these definitions above that mentorship is a personal developmental relationship in which a more experienced or more knowledgeable person which in this study are Chief Lecturers, help to guide the less experienced and less knowledgeable person, which who are young or newly employed Lecturers .

This cordial relationship between the mentor and the mentee with the aim of assisting the mentee to grow in the line of business if effectively applied in the school system may yield result that is capable of maintaining effective school administration in Nigeria (Ayodeji, I.O and Adebayo, L. F. 2015). This is because, teaching has always been described as a multifaceted, and complex task that requires guidance from experience or senior colleagues. Conventional Wisdom among Educators, (2011) outlines the concern that new teachers are poorly introduced to the profession, resulting in a loss

of the best and the brightest among these teachers. In other words, mentoring in colleges setting could be likened to maintaining and facilitating professional growth among academia

Therefore, for Colleges of Education to fulfil this mentoring role to their subordinates (assistant's lecturers to lecturer ii), they have to create conditions which promote the growth and development of these subordinates within their colleges or schools. These can be achieved by exposing mentee to instructional leadership. Research work Lecturers could be delegated to duties that promote career growth of mentee (Flath, 2000).

Despite the values underpinning mentoring in academic such as increasing satisfaction and retention rate to members of school organisation, increasing self-confidence, professional growth developing competence, encouraging collaboration and not competition among members of an organization, Colleges of Education in Cross River State Nigeria seems to have ignored mentoring in school administration. Several factors that have been found to account for this ugly state of affairs include, inability of young academia willingness to follow, due to the drive quick riches, their inability to manage personnel and to ensure good school community partnership in schools. Likewise Inability to support subordinates professional growth and inability to mentor subordinates on school discipline by school administrator because of godfatherism have been attributed to be the most critical. The present study therefore explores Mentoring and careering development academia in College of Education in Cross River state Nigeria

Research Questions

The following research question was formulated to guide the study

To ascertain if mentoring is in practices in Colleges of Education in Cross River state Nigeria

Hypothesis

Ho₁: There is no significant difference between the mean rating scores of Federal and State

Academia to the extent of mentoring relationships among academic Staff.

Ho₂: There is no significant difference between the mean rating scores of male and female

lecturers on challenges experienced by protégés in mentoring relationships.

Methodology

The study adopted a descriptive survey design. Descriptive survey design is the plan of study which enables the researcher to collect data from a well-defined population and systematically selected segments of the population in order to determine the attributes of the population. This definition is in line with Bowlsbey J. (2002) who defined descriptive surveys as those studies concerned with collecting data and describing in a systematic manner, the characteristic features or facts about a given population. Thus, the researcher deemed it wise to adopt descriptive survey design in carrying out this research work.

The area of the study is the two public Colleges of Education in Cross River state

The population of this study consists of all the 1075 Chief lecturers and young lecturers in the two colleges of educations in Cross River state.

The sample size for this study consisted of all the 56 Chief Lecturers and 514 young Lecturers. This gave a total number of 570 respondents which was used for the study. The whole population was used for the study because of the manageable size.

The instrument for data collection is researcher developed questionnaire titled 'Mentoring and Career Development for Academia Questionnaire' (MCDAQ). The questionnaire has two sections. Section A deals on personal data of the respondents. Section B contains Twelve (12) items structured on mentoring and career development of academia in collages of education in Cross River State. This was presented on a 4-point Likert type scale of Strongly Agreed (SA) (4 points), Agreed (A) (3 points), Disagreed (D) (2 points), and Strongly Disagreed (SD) (1 point).

The instrument was first validated by three (3) experts: from the Faculty of Education, University of Calabar , Calabar. These experts were requested to review the items in terms of their clarity, the appropriateness of the language and expressions to ensure ambiguity and the relevance of the items to the problem under investigation. The experts made necessary corrections and the corrections were affected by the researchers.

The validated instrument was trial tested with twelve (12) Chief Lecturers and eight (8) Assistant Lecturers from the College of Education Katsina-Ala Benue State, which is not part of the study area to ensure its reliability. To ascertain the internal consistency of the instrument Cronbach's Alpha technique was used for its analysis. Reliability coefficients score of 0.96. The result indicated that the instrument was reliable and therefore considered appropriate for use.

In analyzing the data, mean ($\bar{X}$) and standard deviation (SD) were used to answer the research questions while t test was used to analyse the null hypothesis at 0.05 level of significance. An acceptance level of 2.50 was used for the research questions. Any item with 2.50 levels and above was considered acceptable while any item below 2.50 levels was considered not acceptable.

Results and Discussion

Research question 1: To ascertain if mentoring is in practices in colleges of education in Cross River state, Nigeria.

Table 1. Mean Ratings of chief lecturers and other lecturers on the practice of mentoring in collages of education in cross River state

Chief Lecturers Other Lecturers

S/NO	ITEM DESCRIPTION	Mean	SD	Decision	Mean	SD	Decision
1	Joint research, publications, teaching and conference/workshop attendance	3.09	0.78	Agreed	3.01	0.70	Agreed
2	Provision of academic leadership by senior members	2.69	0.67	Agreed	4.04	0.72	Agreed
3	Mutual respect and reverence for academic feats, resolve to share resources and experience	3.18	0.75	Agreed	2.60	0.66	Agreed
4	Junior lecturers are attached to chief lecturers	3.15	0.73	Agreed	3.07	0.79	Agreed
5	Branding of mentors as spearheads of cliques and protégés as favoured	2.90	0.65	Agreed	2.98	0.69	Agreed
6	Self-withdrawal of junior members	2.58	0.60	Agreed	3.13	0.77	Agreed
7	lack of trust	2.82	0.68	Agreed	2.95	0.92	Agreed
8	Chief lecturers Monitoring and supporting the appraisal of young lecturers	3.04	0.65	Agreed	2.64	0.82	Agreed
9	Chief lecturers Appreciate subordinates for a job well done	3.12	0.61	Agreed	2.98	0.93	Agreed
10	Allowing subordinates express their view during staff forum	2.60	0.59	Agreed	2.89	0.65	Agreed
11	Management organizes mentoring for newly employed lecturers (Group mentoring)	3.16	0.76	Agreed	3.09	0.91	Agreed
12	Newly employed lecturers willingly seek advice and guidance from experienced lecturers at any time? (informal mentoring)	2.73	0.62	Agreed	3.18	0.71	Agreed

Based on the data enumerated above, both chief and other lecturers who responded to the twelve (12) questionnaire items, agreed on that mentoring is in practices in Colleges of Education in Cross River State, Nigeria. The mean ratings of Chief Lecturers and other lecturers demonstrated this agreement. The cluster mean of 2.92 and 2.94 were calculated for Chief Lecturers and other lecturers respectively. Overall Standard Deviation of 0.81 and 0.71 were also calculated. This proves their agreement on the existence of mentoring in colleges of education in Cross River state, Nigeria..

Hypothesis one

Table 2 There is no significant difference between the mean rating scores of federal and state academia to the extent of mentoring relationships among academic staff.

Status N Mean SD DF t Sig Dec

Chief I 56 2.68 0.83 568 -2.55 0.01 S

Lecturers 514 2.99 0.87

Decision Rule: If the mean is more than 0.05, it implies that the hypothesis is not accepted or is rejected, but if the calculated value is less than or equal to 0.05, it implies that the hypothesis is accepted. Therefore since the T—cal is 2.55 which is greater than the 0.05 level of significance the null hypothesis is not accepted. There is no significant difference between the mean rating scores of federal and state colleges academia on the extent of mentoring relationships among academic staff.

Table 3 There is no significant difference between the mean rating scores of male and female lecturers on challenges experienced by protégés in mentoring relationships.

Status N Mean SD DF t Sig Dec

Male 56 3.34 0.69 568 -1.15 0.25 NS

Female 514 3.44 0.64

Decision Rule: If the mean is more than 0.05, it implies that the hypothesis is not accepted or is rejected, but if the calculated value is less than or equal to 0.05, it implies that the hypothesis is accepted. Therefore since the T—cal is 1.15 which is greater than the 0.05 level of significance the null hypothesis is not accepted. There is no significant difference between the mean rating scores of male and female academia on the challenges they face.

Discussion of finding

Through the reactions of the respondents on research question one, it was established that the Colleges of Education in Cross River state practice mentoring as: Joint research, publications, teaching and conference/workshop attendance, Mutual respect and reverence for academic feats, resolve to share resources and experience Junior lecturers are attached to chief lecturers, Chief lecturers Monitoring and supporting the appraisal of young lecturers and Chief lecturers Appreciate subordinates for a job well done

 This finding is in consonance with Okurame, (2008) who noted that mentoring has recently been revived in Nigerian universities as there is a growing concern about raising academic standards and a desire for Nigerian universities to compete favourably with their counterparts in other parts of the world.

The result of the test of hypothesis (1) further buttressed this findings because There is no significant difference between the mean rating scores of Federal and State academia to the extent of mentoring relationships among academic staff. The study discovered the fact that there is mentoring relationships among academic staff in both Federal and State Colleges of Education, which significantly affected the professional growth of the academia. This confirms the views of (Kilbung Gary, M. 2002). The only means through which academic members in the faculty could benefit from the relationship is therefore through good mentoring. Faculty administrators who may wish to establish mentor/protégé relationships are therefore confronted with the task of ensuring that these partnerships are not only formed but are effective and satisfying. With reference to second research hypothesis, which seeks to determine if there is no significant difference between the mean rating scores of male and female lecturers on challenges experienced by protégés in mentoring relationships. The findings of hypothesis two revealed that female Lecturers experience challenges on protégés in mentoring relationships which is largely due to female Chief Lecturers. These respondents agreed with the views of (Okurame, 2007) and noted that in the Nigerian setting, male mentors provide low levels of psychosocial functions compared to female mentors. It should not be a surprise that psychosocial functions were low. At the same time, the setting of the present study could be adduced as reasons for the low level of psychosocial functions in identified relationships.

Supporting this views Isiugo-Abanihe U. C (2007) suggests that power disparity in society at large creates a conflict in male mentor-female protege pairs) when the purpose of the relationship is to foster development and achievement that removes the original disparity. Nevertheless, there is an evidence that male mentors had a more positive impact on their female proteges' careers than on their male proteges' careers.

Conclusion

 This study has shown that mentoring plays an important role in the career development of academia in Colleges of Education in Cross River State , Nigeria and that mentoring in these Colleges of Education have some challenges which affect he female folk more.

Recommendations

Based on the findings of the study, the following recommendations are made:

An enlightenment campaign should be done by the various Management of the Colleges of Education as a criterion for promotion

Newly employed lecturers should willingly seek advice and guidance from experienced lecturers at all time (Informal mentoring) as it boosts their academic development.

Recognise and provide discipline –oriented career counsellors who are other staff and offer up to date information on the benefit of mentoring

Topics relevant to mentorship with professional standard , ethnical values balancing career or post doctorial programmes should be introduces as Lecture series in Colleges

Annual seminars on latest employment trends and internship opportunities should be introduced in staff forum activities.

Create an institutional award for a distinguished mentor in annual staff programmes.

Track the progress of mentorship of staff through the provision of information about career experiences of young staff

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Why Do Albania Doctors Migrate?

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Abstract

Migration has become a very topical political and economic concern over the past few years, with particular reference to human migration from developing countries to more developed countries. Health workforce migration from the countries in Western Balkans, especially from Albania to more developed countries is increasing during the past few years according to official statement of medical associations. So, last three years 400 doctors have asked for certificate of "Good standing" in order to apply for a job abroad. Thus, the migration of healthcare personnel in Albania is becoming a phenomenon that might risk the stability of the healthcare system with its upgrading intensity. It also contributes to lowering the quality of services rendered and at the same time reduces the necessary transfer of knowledge to the younger generations. Quantitative research performed during 2014, outlines and frames the problems and causes for the migration in five basic categories: economic, professional, political, personal and social factors for migration, including questions concerning the index of satisfaction for the profession. In order to respond to the objective of the study, doctors were invited by email to fill online the questionnaire in Survey Monkey webpage. The aim of this paper is to understand the "push" factors which affect the mobility of Albanian healthcare personnel. The needs for higher income, living and working conditions are the main causes of the expansive trend of migration of healthcare workers from Albania in the past several years. Still, the reasons behind migration of health workforce are multifold, ranging from economic and professional, to political and personal factors. The lack of job satisfaction and possibilities for further education and career development, poor working conditions, political pressure, the exposure to verbal and physical violence, are also the factors that stimulate the migration.

Keywords: Albania, health workforce, migration, factors, higher income, professional development

Introduction

Albania has experienced massive migration since in early 1990 immediately after the communist regime has fallen, whereas one third of Albanian population leaves abroad (Nurja 2011). Albanian healthcare system is one of the sectors most affected by massive migration of population where health staff is part of this massive movement. So, according to Order of Physicians there are 400 doctors have asked for "Certificate of good standing" in order to go and work abroad[1]. As consequence of massive migration and other factors Albania has the lowest rate of medical doctors for covering healthcare to population, by 1.1 doctors for 1000 inhabitants. Taking in consideration very low ration of population coverage by medical service and number of doctors leaving country to migrate to other countries, it is a small production of doctors in Albania. Thus, there are two medical faculties situated in Tirana and total students graduated last five years is 1141 (Table 1). The number of students graduated each year can't replace number of doctors retired, leaving the country, shifting from public service to private practice. This will require other options from government in order to fulfill the need of the system for medical doctors.

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[1] Order of Physician 2016

Table 1. Basic indicators for Albania

Indicator	Value	Remark (e.g. year)
Total population	2,886,026	INSTAT 2016
GDP per capita	11,900 PPP USD[1]	World Bank 2015
Health expenditure as % GDP	6%	WHO, World health statistics 2014
Health expenditure (in US $)	534 PPP int. $	WHO, World health statistics 2014
Number of doctors	7708	2016
Number of specialists	3960	2016
Number of medical universities / faculties	2	2016
Number of graduated medical students	1141	2012-2016

According to Lee's Push and Pull Theory[2] migration is likely to occur when the plusses at the destination outweigh the plusses of staying at the origin. Using this theory, this paper inventories those "plus factors" of the destination country as compared with the "plus factors" remaining in the home country (Albania) regarding doctors' migration.

Methodology

In the framework of this study are selected and analyzed six main groups of factors behind mobility of health workforce: *employment opportunities, salary, working conditions, career opportunities, social status and living conditions*. These push or pull factors are analyzed for the three groups of respondents: doctors who already migrated, potential migrants abroad, and potential internal migrants who participated in the survey specially designed and conducted for the purposes of the project. An on-line questionnaire was available in albanian language, and over 254 doctors from Albania and abroad responded. The total number of completed responses was 210 with response rate 83%.

Findings

Albania has faced huge migration of population since early 1990, where around one third of population (1.4 million) moved abroad[3]. Parts of these phenomena were even healthcare workers, as social strata which suffered a lot during transition. In table 2 of this paper is presented the socio-demographic characteristic of the interviewed doctors.

Table 2. Socio-demographic characteristic of the sample

Category	Sub-category	%
Sex	Female	58.6
	Male	41.4
Age (years)	<36	54.2
	36-45	27.3
	>45	18.5
Family Status	Married	64.8
	Not married	35.2
Have children	Yes	60.3
	No	39.7
Profession	Specialist	50.9
	Specialist-in-training	8.3
	General physician	40.7

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[1] Index mundi 2016

[2] Lee, E. 1966. A theory of migration. *Demography* 3(1), 47-57.

[3] Albanian Census 2011

Most of the interviewers belong to specialized doctors, age cohort younger than 36 years old, married and female. Most of potential migrants see living conditions and working conditions as main factors that influence their migration from Albania to other countries which offer better conditions (Table 3).

Table 3. Factors that influence migration of doctors from Albania

Factors that influence migration				
Very important	Migrants	Potential migration abroad	Internal migration	Unemployed
Working conditions	88.2	72.5	67.6	64.3
Career opportunities	58.8	54.5	64.9	71.4
Social status	47.1	55.7	47.3	21.4
Economic situation in the city you live in	35.3	50	57.4	64.3
Employment opportunities	64.7	68.6	64.9	85.7
Living conditions	82.4	78.6	66.2	71.4

The factors that influence the migration of doctors are different for four groups of respondents: migrants, potential migrants, inner migrants and unemployed.

On the other hand, different groups have some similarity in pushing factors. So, working conditions and living conditions are factors that affect mostly decision of migrants and potential migrants to leave the country. Unemployed doctors are motivated to migrate because of employment opportunities, living conditions and career opportunities, as most important issues for them. Doctors thinking to move into other cities inside the country are motivated by working conditions, living conditions, career opportunities and employment opportunities as factors they can't fulfill in their present city. By analyzing data according to six groups of factors which influence migration of doctors abroad for each group of doctors, we can have better picture of main "push" factors. So, in graph 1 we see that salary is the most important factor that influence decision making to move abroad. This happen because average salary for specialists in Albania is 414 Euro/month[1] which is less than average salaries in other regional countries[2].

Graph 1: Factors that influence potential migrants to consider leaving home country

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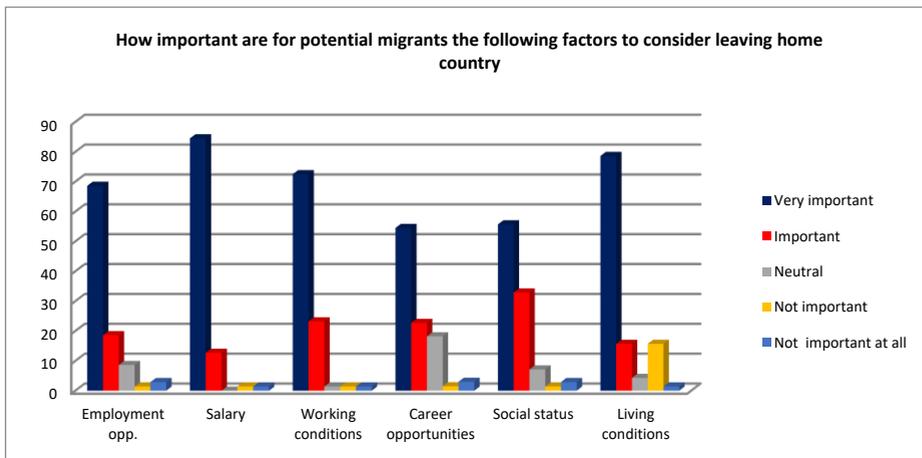
[1] Health Insurance Fund 2012
[2] European Hospital Doctors' Salaries, Enrico Reginato, Rosario Grosso, 2011

Another important factor influencing decision to leave home country is working condition (Graph 1). Unsatisfactory working condition is one of the reasons that decrease satisfaction of doctors at the working place. So 35% of interviewed (Graph 2) declare they are dissatisfied or not at all satisfied at the working place. According to motivation theory of Herzberg[1] working conditions and salary level are factors for dissatisfaction or hygiene factors, which make doctors decide to leave home country.

Graph 2: Satisfaction of interviewed doctors at the working place
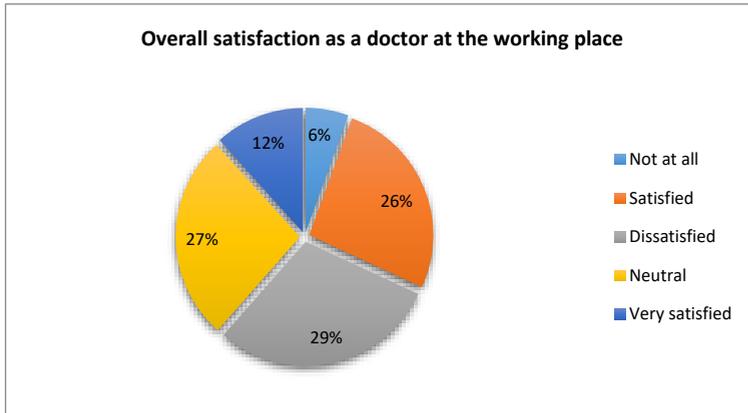
On the other hand, most important factors that influenced their decision to leave home country and work abroad were working conditions, leaving conditions and salary (Graph 3). These results reinforce the findings from the interviews of potential migrants who had salary and leaving conditions as main drivers to leave Albania.

Graph 3: Importance of factors for migrant's decision to leave home country

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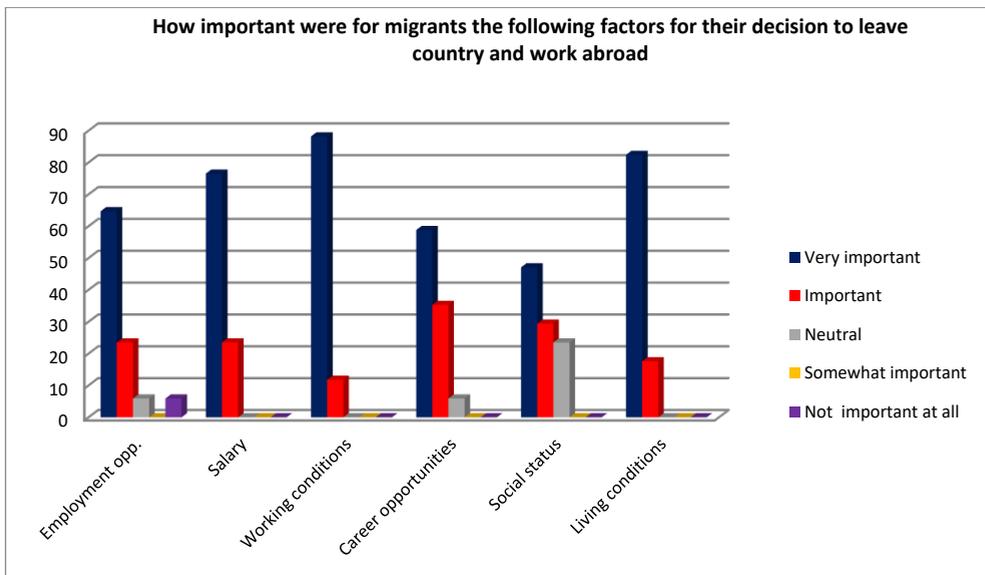
[1] Herzberg's Motivators and Hygiene Factors

Conclusion

The increasing trend of health workforce migration from Albania endangers normal functioning and quality of services delivered by national health care systems. According to Order of Physician over 400 doctors from Albania left over the past years to work abroad. This number may increase in the following years, which brings this problem to be recognized and put in the center of development of further health and educational policies in these countries.

Based on research findings, the needs for higher income (better salary), better working and living conditions are the main causes of the expansive trend of migration of healthcare workers from Albania in the past several years. Still, the reasons behind migration of health workforce are multifold, ranging from economic and professional, to political and personal factors. The lack of job satisfaction and possibilities for career development, poor working conditions are also the factors that stimulate the migration. On the other hand, the main "pull" factors are attractive salaries, better possibilities for professional development and employment policies that recognize good performance.

Albanian institutions must take actions in order to stop the increased trend of the migration of the healthcare workers and protect the stability and quality of the healthcare system. Based on our research, the main recommendations for measures that need to be taken by institutions in order to improve the situation in the health system's, are:

To increase the investments in the health sector in order to improve the working environment

To increase the income level of doctors

To improve the access to quality program for healthcare workers

To improve the education infrastructure and continued education of the health workforce

Health worker's migration is a serious condition that requires timely intervention from the concerned authorities. If appropriate recommendations are not taken, there will be serious consequences for healthcare system and population health in Albania.

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Health Insurance Fund 2012

European Hospital Doctors' Salaries, Enrico Reginato, Rosario Grosso, 2011

Herzberg's Motivators and Hygiene Factors

Motivation of Slovenian and Norwegian Nordic Athletes towards Sports, Education and Dual Career

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Abstract

This research examined the motivation towards dual career of Norwegian and Slovenian elite Nordic athletes who compete in specific sports disciplines (cross-country skiing, ski jumping and biathlon) where winter conditions are essential. Due to preparations, trainings and competitions these athletes are often far away from their place of residence and education and make every effort to coordinate their sports career and their education. The sample consisted of 51 Norwegian (female: n = 18, age: 25.2 ± 3.7; male: n = 33, age: 23.6 ± 3.6) and 66 Slovenian athletes (female: n = 31, age: 22.9 ± 5.82; male: n = 35, age: 22.0 ± 4.59) who participate in the elite competitions. We have examined the links between three types of motivation (for study, sports and dual career) and socio-demographic characteristics. The factor analysis of the SAMSAQ-EU questionnaire demonstrated a three-factor model and the Crombach's Alpha reliability test confirmed the reliability of the measurement of three latent dimensions of motivation: AM (alpha = 0.878), SAM (alpha = 0.738) and CAM (alpha = 0.694). The results showed that female athletes are more motivated towards education than male athletes and that Slovenian athletes are more motivated towards sports careers than their Norwegian peers. The parents of the respondents from Norway (fathers as well as mothers) tend to have higher education than the parents of the Slovenian athletes, whereas the mothers have higher education than the fathers. More educated (Norwegian) parents contributed significantly to their children's involvement in sports, whereas Slovenian athletes would generally choose their sports career by themselves. Our research did not show significant links between the factor of motivation towards education and the factor of motivation towards sports. Although Norway and Slovenia both experience the lack of structural measures for education of elite athletes in higher education, student-athletes of both countries are highly motivated towards academic and sports career.

Keywords: education, sports, dual career, competitive systems, school systems

Introduction

The term "dual career" was introduced in 2007 when it was first written down in official documents (European Commission, 2007). It indicates the career of the athletes who coordinate their sports activities with education during their sports career, i.e. during their active trainings and competitions. Several studies were already published in this area (Brettschneider, 1999; Chen, Snyder & Magner, 2010; Wuerth, Lee & Alfermann, 2004; Flanagan & Winther, 2004; Gaston-Gayles, 2005; Althouse, 2007; Aquilina & Henry, 2010; Alfermann, Stambulova & Zemaityte, 2004; Comeaux, & Harrison, 2011; Corrado, Tessitore, Capranica, Rauter & Doupona Topič, 2012; Henry, 2013; Cosh & Tully, 2014; Ryba, Stambulova, Ronkainen, Bundgaard & Selänne, 2015). In addition, the term "dual career" can also indicate athletes' activities and their life after the end of their sports career when former athletes actively participate in after-sports life and build new life careers (Lavallee, Grove & Gordon, 1997; Wylleman, DeKnop, Ewing & Cumming, 2000; Torregrosa, Boixados, Valiente & Cruz, 2004; Stambulova, Stephan & Japhag, 2007; Stambulova, 2010; Moesch, 2012; Park, Lavallee & Tod, 2013). The legal basis for sports regulation in the European Union member states was developed based on different dual career studies (Parrish, 2003; Amara, Aquilina, Henry & PMP Consultants, 2004) that identified significant differences regarding student-athletes between the European Union member states. Moreover, the EU Work Plans 2011-2014 and 2014-2017 covered the development and support measures for the employment, education and trainings of young elite athletes (Guidotti, Curtis & Capranica, 2015).

Every year one third of the athletes between the ages 10 and 17 discontinues their sports activities because they spend too much time at trainings and competitions and do not devote sufficient time to other areas, such as education (European Commission, 2012).

The elite athletes often encounter difficulties with coordinating their sports career and education. Due to the nature of the sport, some athletes are absent from their home and study even more than 100 days per year. Their trainings and competitions take place at home as well as abroad; therefore, athletes must be very self-confident, have a high level of motivation and be prepared to sacrifice and take the necessary responsibility to be able to do sports and education at the same time. In addition, the elite athletes must be capable of good organisation with the aim to coordinate their sports and school obligations. If not, they are often forced to choose between their sport and school (European Commission, 2012).

According to Capranica and Millard-Stafford (2011), this is why the protection and support of young athletes during their active participation in the elite sport is essential to ensure their development in the area of sport and education, and further on professional opportunities. The European Commission (European Commission, 2012) supports the efforts of sports and educational institutions that exploit the benefits of curricula, adapted to the needs of the elite student-athletes at the secondary school and university level. On one hand, the high pressure on the elite athletes aimed at more successful coordination of sports and academic careers and the absence of support provided by schools, universities, state institutions or clubs and sports associations often lead to a premature end of the elite athletes' sports career (Aquilina, 2013; Wylleman & Reints, 2010). On the other hand, some athletes prioritise their sports career and achieving sports results which leads to neglecting their academic achievements or education in general (Cosh & Tully, 2014; Lally & Kerr, 2005). In North America, sports and education systems are closely linked. The education systems incorporate sports and provide scholarships for student-athletes. Love and Kim (2011) state that student-athletes are very recognizable and are an important part of the USA university system, having all the possibilities for coordinating their sports and study. Trainers and other professionals in the area of trainings and education, state-of-the-art sports infrastructure and scholarships for study programmes are available to them while they compete for their universities; nevertheless, the student-athletes strive for good grades (Gatmen, 2012) and are usually motivated to achieve good sports results (Gaston-Gayles, 2005). On the opposite, in the European Union member states the elite sport more or less depends on small private clubs and national sports associations with basically no connections to the education system (Aquilina & Henry, 2010; Stambulova, Stephan, Jäphag, 2007). Consequently, young athletes are confronted with considerable difficulties when coordinating their dual careers (Brettschneider, 1999). Therefore, according to Amara et al. (2004), many young athletes choose education over sports as a preparation for their later employment, thus abandoning their sports ambitions or ending their study courses much later.

Exploring the motivation factors enables us to recognise the student-athlete motivation level and to motivate him/her for the academic level before it considerably influences his/her grades (Althouse, 2007). Fortes, Rodrigues and Tchantchane (2010) established that on average athletes are more motivated towards good academic results than any other population. The student-athletes are highly motivated towards sports (Simons, van Rheenen & Covington, 1999), but are not interested in education. Moreover, the time they spend in trainings limits their time and energy for schooling and fulfilling their study obligations (Peltier, Laden & Matranga, 1995). Corrado et al. (2012) conducted a research on student-athletes form Slovenia and Italy. They established that there are no differences between the two genders regarding motivation, whereas women are more motivated towards the academic career than men are. Furthermore, the female athletes are more motivated towards dual career than male athletes are, although the level of motivation is extremely high regardless the gender (Corrado et al., 2012).

Each EU member state deals with the dual career problems differently. In 2012, the EU Expert Group on Education and Training in Sport (European Commission, 2012) recommended general guidelines on dual career for the EU member states. Regarding this, each EU member state takes decisions on the implementation of these guidelines autonomously in line with its financial situation and development strategy. In their research that analysed 25 EU member states, Aquilina and Henry (2010) identified four approaches to the academic education of the elite athletes. At the same time, they established that several states do not take any of the identified approaches.

A unique challenge in the framework of studying the dual career is represented by the athletes who are absent from their regular education process most of the time during winter (up to 150 days per year) due to the nature of their discipline (winter sports). We have not found a research on problems faced by Nordic athletes when coordinating their sports and school obligations. The aim of this paper is thus to establish how elite Nordic athletes form Slovenia and Norway cope with coordinating their sports and school obligations, whether problems are extensive and how they are motivated for doing their

sport and studying. Norway and Slovenia were chosen because neither of them has structural measures for the education of the elite athletes in higher education. However, Norway is more successful in providing better conditions for the dual career of Nordic athletes than Slovenia.

Adjustment of Study Programmes to Student-athletes in Slovenia and Norway

In the Slovenian education system, the concern of the state for the athletes' education is demonstrated by the adjustment of the schoolwork and the organisation of sports classes in primary and general upper secondary schools; however, this is not the case in the higher education. In Slovenia, this area is regulated by the Higher Education Act. On its basis higher education institutions autonomously establish their study regimes and the forms and timetables of examination. The adjustment of study obligations to the elite athletes at universities is entrusted to individual higher education institutions, whereas the elite athletes seek to exploit these adjustments (examinations, possibility of longer absence, doing one year of study over several academic years) mainly by themselves or together with their sports associations.

To assure equal education opportunities for the elite athletes, it is necessary to adjust the process of fulfilling the education programme obligations, particularly at the university level. Regardless the lack of institutional support, the Slovenian athletes are highly motivated for dual career (Lupo, Tessitore, Capranica, Rauter & Doupona Topič, 2012).

At the secondary education level in Norway, there are five secondary schools with different programmes, publicly supported by the Norwegian government and the Norwegian Ski Association. According to the interview with Baldishol (personal communication, November 27, 2015), who is a Norwegian Ski Association responsible for the coordination with education system, these regionally distributed schools ensure the enrolment and adjustment of schooling to Nordic and other athletes. There are no special conditions for the enrolment of athletes to universities in Scandinavian countries (Aquilina & Henry, 2010). Rimeslåtten (2013) agrees with this and explains the details of the Norwegian programme for athletes' dual career. The aim of the programme is for the elite athletes to achieve sports excellence and be fully prepared for their life after the end of their careers. According to Rimeslåtten (2013), this is achieved by general professional orientation before, during and after the sports career, finding appropriate employment in cooperation with Adecco, the help of sponsors from the Norwegian Olympic Committee and counselling on the coordination of sports and academic development of the elite athletes. Rimeslåtten (2013) states that Norwegian athletes do not receive any special state-regulated treatment at universities. The adjustments aimed at the elite athletes are specified by their faculties and encompass mainly the prolongation of their study, examinations outside the school premises and the possibility of distance learning. Rimeslåtten (2013) further states that it is the athletes' responsibility to make decisions regarding the coordination of schooling and sports; and the responsibility of sports organisations is to help them with it and cooperate with academic institutions in finding best solutions for the elite athletes.

Research Methodology

The sample included 117 elite sportswomen and sportsman from Norway and Slovenia participating in the elite competitions (the Olympic Games, World Championships, and World Cup) in the following disciplines: cross-country skiing, ski jumping and biathlon. The relevant information was gathered with the on-line SAMSAQ-EU questionnaire and live interviews that included socio-demographic questions aimed at examining the motivation for study, sports and dual career. The applied rating scale was 6-point Likert scale where 1 means "strongly disagree" and 6 means "strongly agree". The SAMSAQ-EU questionnaire had 39 closed questions for measuring the motivation of the responding athletes for study (AM), sports (SAM) and dual career (CAM). 30 questions were taken from the original questionnaire (Gaston-Gayles, 2005) whereas 9 questions were taken from the Italian version SAMSAQ-IT (Corrado et al., 2012). According to Aquilin and Henry (2010), this questionnaire is adequate for establishing the motivation for dual career of student-athletes especially in the states where there are no identified and defined rules, measures and legislation that would help the student-athletes.

Questions about trainings and competitions, schooling and life of athletes during their top-class career were added to the SAMSAQ-EU questionnaire. The data were coded and processed with the IBM SPSS 20.0. In the research, the descriptive statistics with cross section tables was performed. The interconnections between variables were demonstrated with the analysis of the hi2 test, the analysis of Spearman's rank correlation coefficient and one-way ANOVA test. The SAMSAQ-EU questionnaire was analysed with the research factor analysis.

Research Results

Socio-demographic Results

The sample consisted of 51 Norwegian (35.3 % of women) and 66 Slovenian athletes (47.0 % of women). The analysis of disciplines revealed that the majority of the athletes competed in cross-country skiing and ski jumping. Some respondents have participated in the Olympic Games, World Championships and World Cup races (56 % of Norwegian and 62 % of Slovenian athletes) whereas the others took part in the Continental and Scandinavian cups, which are second most important right after the World Cup competitions. The respondents' average age was 23.28±4.54. The oldest athletes came from Norway (the average age was 23.94) whereas the average age of the Slovenian athletes was 22.58.

Schooling and Sports

Among the respondents, 60 % of the Norwegian and 64 % of the Slovenian athletes train between 20 and 35 hours per week and 60.7 % of the Norwegian and 68.2 % of the Slovenian athletes are involved in schooling during the time of their active sports career. The level of schooling differs significantly; namely 74.2 % of the Norwegian athletes and only 28.9 % of the Slovenian athletes are at universities; 16.1 % of the Norwegian and 13.3 % of the Slovenian athletes are at short-cycle colleges or professional colleges; and 9.7 % of the Norwegian and 57.8 % of the Slovenian respondents are at general upper secondary schools, whereas the Norwegian athletes are only 1.36 years older on average. All of the Norwegian respondents who were in education during their sports career had "very little" to "some" problems in coordinating sports and academic careers while 57.7 % of the Slovenian respondents had "some" to "too many" problems which is indicated also by the significant statistic correlation between the quantity of problems the respondents experienced in fulfilling school obligations and their country of residency ($r = 0.466$, $p < 0.01$). This may result mainly from the regulated university education in Norway which covers not only the adjustments for the student-athletes regarding schooling but also smart sports infrastructure near universities and the help of professional staff (trainers, physicians, physiotherapists). The Norwegian student-athletes can therefore attend trainings and schools in one place without wasting precious time for long drives to their training sites. This is demonstrated also by the fact that 92 % of the Norwegian respondents do not spend more than one hour on the road to the training site per day whereas 95 % of the Slovenian respondents spend there between 1 and 4 hours daily.

Reliability and Analysis of SAMSAQ-EU Data

The research factor analysis (the principal axis method and oblique rotation) was used to clarify the correlations between a large number of variables resulting from the Student Athlete's Motivation towards Sports and Academics Questionnaire (SAMSAQ-EU) and a small number of factors. The questions that did not meet the criteria of the factor weight value ≥ 0.30 were eliminated. The rest of the variables were given the names of the thematic categories; AM - Academic Motivation; SAM - Student Athletics Motivation; CAM - Career Athletics Motivation. These factors, shown in Table 3, explain the 33.36 % common variance.

Insert Table 3 here.

The acceptance of the sample was verified by KMO (Kaiser-Meyer-Olkin Measure of Sampling Adequacy) which showed the sufficient value of 0.71 implicating that the acceptability of the sample is appropriate. At the same time the adequacy of the collected replies, considering the importance of the research, can be confirmed with the statistical significance of the Bartlett's sphericity test ($p < 0.05$). The factor values of the three standardised factors (AM, SAM, CAM) were calculated using the regression method.

The Crombach's Alpha index of variables, weighing more than 0.30, confirmed the reliability of the measurement of three latent dimensions of motivation (Table 1).

Insert Table 1 here.

Table 2 shows the correlation of the three factors and other variables such as gender, nationality, discipline, the education of mothers and fathers and respondents' direction into sports. There is a strong link between the gender of the respondents and their motivation for study ($r = 0.203$, $p = < 0.05$), showing that women are more motivated for education than men are. Important is also the link with the motivation for dual career which is higher among the Slovenian respondents ($r = -0.187$, $p = < 0.05$). The mothers of Norwegian athletes have higher education than the mothers of the Slovenian athletes ($r = 0.411$, $p = < 0.01$) and there is a strong link between the education of fathers and the education of mothers ($r = 0.566$, $p = $

< 0.01). Very interesting is also the correlation between the nationality and the direction into sports ($r = -0.191$, $p = > 0.05$) and between the education of mothers and the direction into sports ($r = -0.187$, $p = < 0.05$). The Slovenian respondents were oriented towards sports mainly by themselves whereas the Norwegian respondents were oriented mainly by their more educated parents.

Insert Table 2 here.

The research included also the analysis of the average values of Academic Motivation (AM), Student Athletics Motivation (SAM) and Career Athletics Motivation (CAM) in relation to the respondents' gender. The analysis results show that women have statistically significantly better results for academic motivation ($M = 0.39$, $SD = 0.91$) than men ($M = 0.07$, $SD = 0.80$), ($p = < 0.05$). Further, they are more motivated for sports career ($M = 0.18$, $SD = 0.85$) than men ($M = -0.13$, $SD = 0.90$) while men are more motivated for dual career ($M = 0.19$, $SD = 0.79$) than women ($M = -0.05$, $SD = 0.91$).

The largest differences in terms of the average values were shown in the education of fathers and the education of mothers in relation to the country. The Mann-Whitney test was used.

Discussion and Conclusions

The aim of this research was to examine how the athletes who compete in quite specific disciplines where winter conditions are essential coordinate their sports career and their education in view of their frequent absence from their place of residence and education due to preparations, trainings and competitions. Considering the Norwegian school system being supportive to winter athletes, which Baldishol (personal communication, November 27, 2015) stated in the interview, and that the "Olympiatoppen" consortium, established in 1988, among others, supports student-athletes (Augestad, Bergsgard & Hansen, 2006), it was expected that Norwegian athletes would experience less problems in coordinating school and sports obligations. At the same time, they had finished a certain level of their studies before fully entering their sports career, while most of the Slovenian respondents (63.6 %) left schooling due to their sports career already in secondary schools or later at higher levels of education. The reason for these differences lies partly in the nature of the Norwegian competition system for athletes up to 16 years old. Namely, the system is not competitive; only athletes after the age of 17 can enter national championships and the teams participating in international competitions are formed only for a particular match and are later dismissed. In Norway, there are no national teams for athletes of this age, etc.

The SAMSAQ-EU questionnaire helped us observe the links between the three factors of motivation: (1) Academic Motivation (AM), (2) Student Athletics Motivation (SAM) and (3) Career Athletics Motivation (CAM) and other socio-demographic variables. Fortes et al. (2010) established that athletes are on average more motivated towards good academic results than any other population and Gaston-Gayles (2005) further stated that female student-athletes are more motivated for study than men are, which was confirmed also in our study. It was found out that female athletes in both examined countries are more motivated than men. Further, it was established that the Slovenian athletes are more motivated for their sports career which may be directly linked to the Slovenian system of competitions which allows even 10-year-old children to compete in cross-country skiing, ski jumping or biathlon races to win the national championship title. Our research showed only minor links between the factor of motivation for schooling and the factor of motivation for sports. This indicates that the Norwegian as well as Slovenian student-athletes are extremely motivated for academic and sports careers, even though they prioritise their sports career since the elite student-athletes are extremely motivated for sports (Simons et al., 1999). However, the statements of Cosh and Tully (2014) and Lally and Kerr (2005) that this is often the reason for athletes neglecting their academic achievements or education in general were not confirmed. A strong link between the parents' education (particularly mothers') and their country and a very strong link between the education of fathers and mothers were established, too. In view of the above it can be concluded that more educated (Norwegian) parents contributed significantly to their children's involvement in sports, whereas the Slovenian athletes would generally choose their sports career by themselves. This goes hand in hand with the traditional orientation of Nordic countries (notably Norway and Sweden) towards Nordic sports with which children and young people get familiar at a very early stage of their lives. The children perceive these sports as a part of their play or a lifestyle, which is also the primary goal of the Norwegian doctrine concerning the development of children under the age of 12 (Norges skiforbund, 2016).

The above findings could be usefully applied for the improvement of Slovenian education and sports systems, since the Norwegian application of such system proved to be extremely successful. This is demonstrated also with the results of the Norwegian athletes in the sport and academic areas. Slovenia will need a legislative intervention to enable reasonable adjustments of higher education for the elite student-athletes through regulatory arrangements, which would facilitate their academic career and even greater sporting performance.

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Table 1: Crombach's Alpha test

		Crombach's Alpha	N
Factor 1	Motivation for study (AM)	0.878	14
Factor 2	Motivation for sports (SAM)	0.738	14
Factor 3	Motivation for dual career (CAM)	0.694	10

Key: N=number; Crombach's Alpha interpretation: α ≥ 0.8: excellent reliability; 0.7 ≤ 0,8: very good reliability; 0.6 ≤ 0.7: moderate reliability.

Table 2: Two-way connection of individual variables

	AM	SAM	CAM	Gender	Country	Sports discipline	Father's education	Mother's education	Direction into sports
AM	1								
SAM	-.011	1							
CAM	-.013	.025	1						
Gender	**.203***	.133	-.099	1					
Country	-.044	**-.187***	.179	-.047	1				
Sports discipline	.078	.139	-.098	**-.215***	**-.406****	1			
Father's education	.071	-.029	-.051	-.001	**.360****	-.134	1		
Mother's education	.003	-.083	-.072	.033	**.411****	-.147	**.566****	1	
Direction into sports	.030	-.003	-.110	-.026	**-.191***	.105	-.155	**-.187***	1

* Correlation is significant at the 0.05 level.

** Correlation is significant at the 0.01 level.

Table 3: Factorial results of the SAMSAQ-EU questionnaire

Questions	Factor		
	1	2	3
I am confident that I can achieve a high grade point average this year.	.542		
It is important to me to learn what is taught in my courses.	.742		
I am willing to put in the time to earn excellent grades in my courses.	.714		
The most important reason why I am in school is to play my sport.			.301
The amount of work required in my courses interferes with my athletic goals.			.449
I will be able to use what is taught in my courses in different aspects of my life outside of school.	.562		
I chose to play my sport because it's something I'm interested in as a career.			.315
I have some doubt about my ability to be a star athlete on my team.		-.590	
I chose (or will choose) my major because it is something I am interested in as a career.	.677		
Earning a high grade point average is not an important goal for me this year.			.458
It is important to me to learn the skills and strategies taught by my coaches.		.323	
The time I spend engaged in my sport is enjoyable to me.		.577	
It is worth the effort to be an exceptional athlete in my sport.		.633	
Participation in my sport interferes with my progress towards earning a college degree.			.385
I get more satisfaction from earning an "A" in a course toward my major than winning a game in my sport	.455	-.417	
During the years I compete in my sport, completing a college degree is not a goal for me.			.390
My goal is to make it to the professional level or the Olympics in my sport.		.671	
I have some doubt about my ability to earn high grades in my courses.			.548
I am confident that I can make it to an elite level in my sport (Professional/Olympics).		.726	
I am confident that I can earn a college degree.	.576		
I will be able to use the skills I learn in my sport in other areas of my life outside of sports.		.508	

I get more satisfaction from winning a game in my sport than from getting an "A" in a course toward my major.		.530	
It is not important for me to perform better than other students in my courses.			.508
I am willing to put in the time to be outstanding in my sport.		.702	
The content of most of my courses is interesting to me.	.696		
The most important reason why I am in school is to earn a degree.	.454		
It is not worth the effort to earn excellent grades in my courses.			.571
Within an academia environment, I find it more challenging to face difficult tasks.	.329		
For me studies are important to achieve knowledge and skills.	.802		
For me, it is important to train seriously to improve my performance.		.594	
The achievement of a degree is important to enrich my knowledge.	.700		
In sport, I find stimulating those situations requiring high performances and being difficult to perform.		.356	
Situations that allow me to test my capacities stimulate me.	.363	.499	
Difficult situations bother me.			.393
It's important for me to obtain a degree because it will help me to find a job.	.588	.400	

Extraction method: Principal Axis Factoring.

Rotation method: Varimax with Kaiser Normalization.

Benchmarking the Egyptian Shopping Tourism Sector against International Best Practices in Dubai, UAE

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Abstract

Shopping tourism has become one of the main economic motivators for tourism development in several destinations. "Shopping means entertainment and experience. Regardless of trip purpose –business, family or vacation—shopping is woven into the human interactions of the visit." It means exploring and discovering and could be about the planned or temporary consumption. Shopping became gradually more significant element of the tourism "value chain". Shopping has improved into a contributing factor determining tourism destination selection, a vital element of the total tourist knowledge and, sometimes, the major tourism incentive. Destinations have consequently an enormous chance to influence this innovative "market trend" by increasing realistic and exclusive shopping experiences that enhance value to their tourist deal while strengthening, and even, outlining their tourism brand and planning. This research suggests that there are increasing numbers of tourists who are travelling to Dubai with the aim of shopping, not only because they are encouraged by a mixture of first-class shopping, reasonable costs, trustworthy deals, Duty-free and a variation of rate or goods related aspects, but the charm of the destination certainly creates decision when selecting a destination. This study provides an outline of the significance and up-to-date types of shopping tourism, principally in the emerging market of Dubai, offering recommendations to support Egypt as a central tourist destination to stimulate the inbound shopping tourism. This research first examines relevant literature on possibility to develop this tourism type in Egypt and make it one of the tourist attractions by comparing it to Dubai, UAE as a shopping destination. The study explores the objectives, and factors affecting the progress of that type in Egypt and the improvements made in Dubai. The research then investigates potentialities of developing that type in Egypt and its impacts on improving the tourist experience in Egypt and increasing the tourist flow into Egypt. Results indicated that shopping tourism could face several obstacles in practical performance, but it could be very helpful in supporting the tourism industry in Egypt especially at the time of deterioration. However, shopping tourism can also offer incentives to the tourism employees who have almost lost their jobs and may change their career. Benefits are not only confined to this, but also extended to cover enhancing existing tourism types and introducing new ones as well as enhancing the tourist numbers and their average expenditure. The Research provides recommendations for actions that could encourage more tourists to visit Egypt as a shopping destination.

Keywords: shopping, Dubai, purchasing, goods, products.

Definition of Shopping Tourism

Shopping is an action in which a consumer looks through the obtainable products or services offered by one or more stores intending to buy a proper choice of them. In some contexts it may be considered a leisure activity as well as an economic one. Even though, the correlation between tourism and shopping must be of essential care. (UNWTO 2014)

Shopping as a tourism stimulus has turned out to be a motivation to leisure industry and is currently a major tourist type. Tourists are gradually selecting shopping as a method to practice native culture activities concluded through an involvement with domestic goods and native craftsmen. Various destinations offer distinct tourist shopping types for tourists to buy their products.

Shopping tourism has appeared as a mounting element of the travel experience, either as a principal incentive or as one of the main deeds commenced by tourists at destinations. It is a fashionable type of tourism promoted by individuals for whom buying products away of their typical atmosphere is a decisive factor when they take the decision to travel. (UNWTO 2014(UNWTO))

Women are usually more concerned and more interested in shopping, encouraged partially by leisure and partially by need. Alternatively, by assigning particular period for shopping when traveling, women tend to allocate a high social value to shopping as a leisure activity.(MICHALKÓ, G. and RÁTZ, T. 2006)

Importance of Shopping Tourism

Shopping has changed from being a side tourist's activity to a very significant motivation and is a main aspect while selecting a destination over another. This phenomenon is one of the main economic aspects in tourism development in the upcoming decades, owing to its great added value, capability to create jobs, tourism activity, return of main infrastructural investments and creativity.

Tourism types are varying with times, as tourist currently not only travels for leisure or business but also for shopping. The overall perception of a consumer has improved over the years from reductions to trademark existence and diversity presented.(Mehta, S. and others2014)

According to the World Tourism Organization, "shopping tourism has experienced an increase in the number of international tourists and visitors travelling to indulge in more retail activities. Taking advantages of this growth, countries are now focusing on promoting themselves as a shopping tourism destination and implementing the tools needed to meet the growing needs of these affluent shopping tourists."(Westwood, S. (2006)

When tourists are buying goods for diverse motives, they may support a destination to improve a positive mental picture in the awareness of tourists or their friends and relatives by sharing experiences through photos and videos. (Kim, S., & Littrell, M. (2001)

In Malaysia shopping represents the second largest tourism expenditure after accommodation and the significance of shopping for global tourists has been acknowledged since over twenty years. The government introduced the 'Malaysia Mega Sales Carnival' that takes place for about three months every year and stimulates the country's fashion industry and culture. Moreover, in New York the major activity among all visitors is shopping. Barcelona, which is representing shopping tourism nowadays, is hosting a five kilometer long Shopping Street - the Barcelona Shopping Line- found in the same regions as the greatest tourism attractions of the city. Additionally, Vienna, which is one of the top international shopping cities, attracts high-class visitors from Russia, Asia and the Arab countries and offers special shopping perceptions.

Shopping Tourism Facts

- Of the 5 most common things travelers are willing to spend more on as an indulgence, shopping tourism ranked 4th overall with 35% of the total tourist activity count.
- Shopping tourism is intimately related to city travel.
- 58% of business travelers add a day or even a weekend to their business trip.
- Shopping tourism is an important factor for travelers when choosing their trip and destination.
- Small and local shopping experiences are much more attractive for travelers than the big global brands.
- Shopping tourism is the primary focus of leading urban destinations worldwide, as it multiplies the impact of tourism on the economy and employment.
- Non-EU tourists generate the most income in shopping tourism. Spending on shopping is four times higher than for EU residents, and seven times the national average. Tourists from Asian countries have significantly higher average sales receipt amounts.
- Saudi Arabia and the United Arab Emirates have purchase receipts higher than the average.
- Growth forecasts for international tourism are exceptional. The World Tourism Organization estimates that in 2030, the number of international tourists will reach 1,800 million (2014: 1,133 million).
- Asian countries lead in terms of source market growth: forecasts are for 5% annually, and an average of 17 million international tourists every year.

Ease of accessibility, transport and safety are important factors for shopping tourists when choosing destinations.

The main elements which attract tourists to luxury destinations are culture, shopping, and gastronomy. Entertainment options, cultural events, and other activities are factors which attract and create loyalty with tourists who shop. (Hedric-Wong, Y. and Choong, D. 2016)

Sopping Tourism in Dubai

Dubai has become one of the most popular shopping destinations all over the World competing super cities like Paris, London, New York, and Beijing. Over the last decade Dubai has promoted itself as a city of shopping malls, luxurious lifestyle destination and land of opportunities for stores from all over the world. In addition to a long list of luxury brands and a wide diversity of merchandizing choices, Dubai's shopping centers have also been globally recognized for their unique facilities, such as the one-of-a-kind indoor ski slope at the Mall of the Emirates, and the majestic view of the iconic Burj Khalifa tower at the Dubai Mall, one of the largest shopping in the world.

It is very obvious that if the individuals do not enjoy being in a mall, and then they shop rapidly and return back quickly. Therefore, one way to keep the customers at the mall longer is to make the shopping experience more enjoyable. Existence of different kinds of specialty entertainment amenities like snooker, bowling, movie theatre etc. has a vital significance for the attraction of tourists. They want things like sport centers, dance clubs, restaurants playground for kids and cafe. (Kaur, A. *2013)*

One of the main motives of tourists visiting Dubai is to shop at various malls mainly in the Dubai's old market mentioned as Souk market, Gold Souk being one of the most famous among them. Significant amount of revenue is contributed to retail industry through tourists. Dubai has more than 70 shopping centers. It is regarded as the shopping capital of Middle East region.(Mehta, S. and others2014) 2014

Dubai shopping festival (DSF) is organized in January month every year, it has played a very important role in enhancing the fame of Dubai as a exceptional shopping and tourist destination. The festival was inaugurated in 1996 as the innovation of His Highness Sheikh Mohammed bin Rashid Al Maktoum, Vice-President and Prime Minister of UAE and Ruler of Dubai, and was founded on his vision to convert Dubai into a modern city, and a major trading and shopping hub of the region.

Global Village Dubai opened in 1997 as a leading family entertainment and cultural attraction in the region that offers a exclusive shopping experience with its 30 pavilions, each representing a different country. Global Village offers several dining, shopping, and entertainment options for visitors to choose from.

The common themes of distinctiveness and multiplicity of the goods sold and the presentation of the village and it surrounds to tourists, both of which help to distinguish the experience from mainstream urban shopping experiences, were identified as key success factors.(Murphy, L. and others2008)

Shopping Tourism in Egypt

The Egyptian Tourism Sector has seen various improvements such as marketing, ICT infrastructure and human resources, in line with the ministry's efforts to promote Egypt as a worldwide tourism destination. New niches areas like shopping tourism have evolved. (OECD2010)

Egypt has a wide variety of shops, from the popular bazaars such as the thousands of stores scattered across the country that hold everything from jewelry to clothing to food. The *Souks,* or the local markets, and the larger bazaars are the most amazing attractions of Egypt. The most famous and widely known bazaar in Egypt is the Khan El Khalili Market in Al Hussein District in Cairo. This bazaar is about 500 years old and, although at first it appears to be just for tourist attraction, holds gift and souvenirs as well as wonderful jewelry, glass, copper, and brass-ware where the tourists can get wonderful prices from the artisans. In the contrary of the traditional *Souks*, many larger cities in Egypt like Cairo and Alexandria have some large malls and shopping centers like City Stars, Nile Hilton Mall, Nile Mall, and Geneina Mall in Cairo, San Stefano Mall, Zahran Mall, and Grand Palaza Mall in Alexandria where globally recognized brand names can be found in a much less hectic atmosphere.

Obstacles and Opportunities of Shopping Tourism in Egypt

There is a sequence of prevailing issues, as acknowledged in a report by the Organization for Economic Cooperation and Development, which oblige the consideration of officials at all levels if the tourism industry is to reach its full prospective in backing social and economic growth worldwide.

The greatest obstacles to the sustained development of the shopping tourism sector are those that touch the tourism industry as a whole. There is, nevertheless, a sequence of more particular parts that destinations should study as vital to the sustained development of the shopping tourism sector.

To guarantee the best possible outcome for all stakeholders in a shopping tourism destination (visitors, local residents, tourism operators & suppliers, local government & tourism organizations, regional tourism organizations, State tourism industry councils and national tourism organizations), continuous, controlled and significant discourse is crucial between all of these. This involves the establishing of public-private partnerships. The following table shows some of the areas to consider when establishing such partnerships:

Accessibility	Good air connectivity, efficient tourist visa regime
Infrastructure	Dependable and efficient local transport links, parking facilities, energy supplies to businesses
Safety	Political and social stability, security against terrorist attack, violence and petty crime
Cleanliness, attractive location	Provision and maintenance of shopping areas, street furniture etc
Marketing and destination promotion	Effective research, planning and execution of marketing programs
Connect the tourism value chain	Bring other tourism partners to the table (accommodation, transport, visitor attractions…)
Research and development	Carry out research on visitor profiles, consumer trends, market behavior; engage with all stakeholders and share information
Regulation	Maintain an open and flexible approach to business trading hours and taxation; ensure rigorous implementation of trading standards legislation
Training and education	Join in training and education programmes to produce a well-trained, motivated and innovative workforce

Source: World Tourism Organization (UNWTO), Global Report on Shopping Tourism, Madrid, Spain, May 2014.

Findings

Based on the wide analyses and negotiations of connected literatures, this study suggests that shopping tourism is anticipated to be the most vital tourism type in the future.

1. The study of shopping tourism is still inadequate and in an investigative stage.

2. For tourists, Shopping is considered not only a process of buying products, but also a home of amusement and leisure.

3. The development of Shopping Districts and places can inspire tourists to visit and extend their stay in a destination.

4. Shopping tourism has been embraced by Dubai Government as an essential aspect in a program of economic diversifications.

5. Generally, shopping tourism and all tourism types face a lot of obstacles in Egypt especially safety and security as they are the most important tasks to the incoming tourism to Egypt.

6. Dubai has an remarkable group of international brands and retail outlets competing those of any other shopping city in the world which gives the Emirate a unique advantage as the best shopping destination in the Arab World.

7. Despite, in Egypt, political events have caused worries and pressures which seem likely to further depress tourists and investors.

8. Additional obstacles of shopping tourism in Egypt relate to humble accessibility and inadequate promotion.

9. In Egypt, Promotion and sales investment in shopping tourism are currently inadequate, and need for a great change.

Recommendations

1. To promote shopping Tourism in Egypt, There is a need for planning its international shopping brand which will stick in the minds of potential tourists.

2. The brand should create Egypt's bargain, its characteristics, and distinguishing values as a first step in establishing an ambitious and professional promotion process.

3.   Egypt should also promote shopping tourism in the country and overseas through all tourism Egypt's offices as well as via various online marketing platforms including websites and social media that reach out to a worldwide audience.

4.   Tourism missions, dialogues and meetings at national and international levels encompass the promotion of shopping tourism in Egypt.

5.   The tourism development strategy of Egypt have to include shopping tourism as a key element to achieve the sustainable tourism development in Egypt.

6.   Organizing Events like shopping festival is a very effective tool to gain a greater impact in order to promote shopping tourism in Egypt.

7.   the establishment of public-private partnerships of all stakeholders in a tourism destination in the following fields: accessibility, infrastructure, safety, cleanliness and attractive location of shopping areas, marketing and promotion, tourism value chain, research, regulation, and training and education for the employees in the tourism industry.

8.   Competitive pricing has been used as a key driver to attract tourists and increase tourist expenditure on shopping.

9.   The exemption of import duties results in tax-exempted products, making them more attractive for tourists.

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Constraints on Leisure Consumption Behavior among Albanian Youth

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Abstract

This study in focused on developing a deep analysis on Constraints on Leisure Consumption Behavior. Researchers have investigated factors that have been identified to have a negative influence on Leisure consumption behavior. The purpose of the study consists in exploring leisure preferences and the perceptions of constraints to leisure among Albanian youth, in attempt to answer question such as: What are the preferred leisure activities of Albanian youth and how are they relate to gender, hours of time for leisure, and socio-economic level? What are the leisure constraints of Albanian Youth and how are these constraints related to gender, hours of time for leisure, and socio-economic level?

Keywords: Leisure activities, Consumer behavior, Constrains, Youth.

Introduction

The leisure sector has dramatically evolved over the last decade. Increased consumer spending in the sector coupled with developments in technology has encouraged more innovation and new offerings (Aydin, 2009).

The recession led consumers to cut household spending and replace out-of-home activities with in-home leisure. Improved technology in the form of smart TVs and the emergence of TV and movie streaming services has encouraged consumers to enjoy leisure in the comfort of their own home. Similarly, wider adoption of devices such as smart phones and tablets, and the improved customer experiences online have enabled people to make more spontaneous decisions about booking restaurants and travel, as well as supported online leisure consumption, such as gambling or video streaming (Deloitte, 2016).

A new classification emerging?

When examining leisure activities through two different views, the typical frequency of activity and cost or expenditure per occasion, a new classification of leisure activities is emerging. Leisure activities can now be divided into two categories: a) occasional and frequent, b) habitual leisure activities (Delloite, 2016). Occasional leisure activities are those traditionally at the heart of the leisure sector. These are activities that consumers typically associate with leisure time and include leisure travel, going to the cinema, theatre and bowling. The frequent, habitual leisure activities tend to exist more at the edges of the sector. Many have either emerged in the last decade or slowly evolved to be part of consumers' leisure spending. Spending on these activities tends to consist of small but frequent purchases and includes activities such as betting and gaming; TV, video game and music subscriptions or buying takeaway coffees and food. Other activities have become frequent and habitual due to wider changes in consumer behavior. The market for gyms and sport has benefitted from consumers' increasing focus on health, wellbeing and appearance. In addition, the flurry of media attention around obesity and recent public sector campaigns has prompted consumers to get more active. In Albania spending structure for Leisure is not detailed but if we compare spending for hotels, restaurants, entertainment, cultural activities marked 6.5 (INSTAT, 2016 with the BE countries marked at 17.2 (Eurostat, 2016), obviously we ask what does causes such a huge difference? Research from various studies has found constraints as an important factor in understanding consumer behavior.

REVIEW OF THE LITERATURE

In the leisure studies, a constraint is defined as a factor that prevents or prohibits an individual from participating and enjoying a leisure activity (Jackson, 2000). Crawford and Godbey divided leisure constraints into three categories: intrapersonal (Godbey, Crawford, Shen, 2010), religiosity, reference group attitudes, subjective evaluation of the appropriateness and availability of various leisure activities), interpersonal (e.g., lack of an appropriate partner with whom to participate in a leisure activity), and structural (e.g., financial resources, season, climate, and the of games).

The model is a cross-cultural one, and it may examine forms of behavior in all dimensions of leisure activities. Kim and Trail added two categories to the constraint mode, creating a new model, which consists of four dimensions: internal motivators, internal constraints, external motivators, and external constraints. Internal motivators are viewed as internal psychological cognitions that encourage consumption, and internal constraints as internal psychological cognitions that discourage consumption. They also defined external motivators as environmental factors that motivate the individual to attend a sporting event, and internal motivators as environmental factors that discourage people from attending a sporting event.

Leisure researchers have conducted extensive studies of leisure constraints, as well as explaining the nature of participating in leisure activities (Anaza and McDowell, 2013; Crawford and Godbey, 1987). Nonetheless, the topic of leisure constraints is still in progress, especially models of multivariate analyses involving leisure constraints, negotiation, motivation, and participation (Hubbard and Mannell, 2001). The model that has framed much of the research about constraints in the past 20 years has been the hierarchical model proposed by Crawford, Jackson, and Godbey, 1991. The variables that emerged from the LCQ scale fit the hierarchical constraints model related to intrapersonal, interpersonal and structural categories. The individual/psychological, time and lack of interest subscales fit the intrapersonal designation. Social knowledge and lack of partners were interpersonal. So we find appropriate to use LCQ scale for the purpose of our study. The category of access related primarily to structural constraints (Shaw&Henderson, 2005).

MOTIVATION VS. CONSTRAINTS

Whereas motivation facilitates intentions and behavior, constraints prevent or dampen it. Leisure consumer behaviorists continue to consider the "why" in terms of the psychological motives behind sport consumption activity. Some research suggests that the link between motivation and product behavior is ambiguous and some external force must intervene to prevent the motivated consumer from acting consistently (Assael, 1995 ; Bagozzi, 1993). Bagozzi (1993) insight remains informative today as accurate predictions of behavior from intentions will remain elusive until attention is directed at how internal mechanisms mediate between intentions and behavior. Unfortunately, understanding how these obstacles influence intention to engage in sport consumption activities remains scarce. Even in higher Consumer Behavior in Sport And Events: Marking Action stages of involvement such as attachment and allegiance, obstacles can alter or discontinue behavior as well as influence the individual to substitute different behaviors. Current theory and writing suggest that constraints play a formative role in the decision-making process through volition. Funk suggests customers who perceive barriers as inhibiting their sport consumption activity feel less free to continue their behavior. This perspective runs parallel with Bagozzi (1993**)** who suggests motivation's ability to explain consumer behavior would improve when volition's role in the sequence was considered (i.e., motivation → volition → behavior). So in order to explain leisure nonparticipation we need to have a brief look at the factors effecting leisure participation.

METHODOLOGY

Questionnaires were distributed to four public high school students in Vlora City. The study used a convenient sampling approach. From each level class was choose randomly one for each school. Students were asked to participate in the survey on a voluntary basis during school participation in order to increase the number of respondents. A total of 554 questionnaires were distributed in which 510 samples were returned, and 457 were deemed valid.

One-way analysis of variance (ANOVA) was used to compare the mean scores of the subscales of the LCQ questionnary and t-tests were applied to examine the mean differences of variables. The constraints factors measured with the LCQ resulted in six subscales: individual/ psychological (e.g., feeling tired, afraid of getting hurt), social knowledge (e.g., not happy in social situations, not knowing where to learn leisure skills), access (e.g., no opportunities near home, transportation takes time, facilities poorly kept, facilities inadequate), lack of partners (e.g., friends do not have time, nobody to participate with), time (e.g., timetable does not fit, too busy with family) and lack of interest (e.g., did not enjoy activities in the past, not interested).

A 4-point Likert-type scale with 1 = not important and 4 = very important reason.

The survey consisted of three sections: preferred leisure activities, the Leisure Constraints Questionnaire (LCQ) (Alexandris and Carroll, 1997) and demographic questions. The preferred leisure activities list was divided into six categories: *home-based* (i.e., watching television, do-it yourself hobbies), *sports* (i.e., as participants or spectators), *social* (i.e., entertaining, eating out, visiting relatives), *cultural, educational and artistic interests* (i.e., visiting concerts, exhibitions, attending non-vocational classes), *outdoor recreation* (i.e., driving for pleasure, walking, picnics) and *tourism* (i.e., an overnight stay, long distance travel, weekend breaks) Alexandris and Carroll, 1997). Data was coded into the Statistical Package of Social Sciences (SPSS).

The purpose of the study was to explore leisure preferences and the perceptions of constraints to leisure among Albanian youth. The research questions are:

1. What are the preferred leisure activities of Albanian youth and how are they relate to gender, hours of time for leisure, and socio-economic level?

2. What are the leisure constraints of Albanian Youth and how are these constraints related to gender, hours of time for leisure, and socio-economic level?

RESULTS

The data analyses are based on the research questions identified. Descriptive results for all questions asked were included to anchor each of the questions.

Preferences for leisure activity. The preference for leisure activities for all students was;

home-based (81%)

sports (53%)

social (62%)

cultural, educational and artistic interests (12%)

outdoor recreation (28%)

tourism (17%)

Findings demonstrated that the access subscale was the biggest constraint to leisure for the students (M = 2.8, SD = .57). This constraint mean did not differ to much compared to lack of time (M = 2.72, SD = .61), social knowledge (M = 2.7, SD = .72) and individual/psychological (M = 2.6, SD = .73) constraints and lack of interest (M = 2.4, SD = .67) The most unimportant as a constraint was lack of partners (M = 2.33, SD = .80).

Table nr.1 Descriptive statistics

Subscales		Total		
Nr	Description	M	SD	α
1	Access	2.8	0.57	0.79
2	Time	2.72	0.61	0.65
2	Socila Knowledge	2.7	0.72	0.84
4	Individual/Psycological	2.6	0.73	0.72
5	Lack of partners	2.33	0.8	0.79
6	Lack of interes	2.4	0.67	0.86

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		Hours of leisure time in a week		
Gender				
	Male	Female, N = 251	≤24 hours	25–48 hours
	N = 206		N = 102	N = 355
Subscales	M(SD)	M(SD)	M(SD)	M(SD)
Access	2.86(.57)	2.8(.72)	2.69(.55)	2.81(.61)
Social knowledge	2.6(.72)	2.7(.74)	2.65(.72)	2.67(.78)
Individual/psychological	2.5(71)*	2.72(.74)*	2.71(.62)	2.69(.80)
Lack of partners	2.4(.72)*	2.29(.81)*	2.45(.78)	2.35(.83)
Time	2.7(.58)*	2.82(.76)*	2.77(.67)	2.75(.70)
Lack of interest	2.3(.75)	2.41(.81)	2.35(.81)	2.31(.85)

Gender		Hours of leisure time in a week		
	Male, N = 206	Female, N = 251	≤24 hours, N = 102	25–48 hours, N = 355
Subscales	M(SD)	M(SD)	M(SD)	M(SD)
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Time	2.7(.58)*	2.82(.76)*	2.77(.67)	2.75(.70)
Lack of interest	2.3(.75)	2.41(.81)	2.35(.81)	2.31(.85)

Table nr. 2 LCQ subscales gender and hours of leisure time

Gender		Hours of leisure time in a week		
	Male, N = 206	Female, N = 251	≤24 hours, N = 102	25–48 hours, N = 355
Subscales	M(SD)	M(SD)	M(SD)	M(SD)
Access	2.86(.57)	2.8(.72)	2.69(.55)	2.81(.61)
Social knowledge	2.6(.72)	2.7(.74)	2.65(.72)	2.67(.78)
Individual/psychological	2.5(71)*	2.72(.74)*	2.71(.62)	2.69(.80)
Lack of partners	2.4(.72)*	2.29(.81)*	2.45(.78)	2.35(.83)
Time	2.7(.58)*	2.82(.76)*	2.77(.67)	2.75(.70)
Lack of interest	2.3(.75)	2.41(.81)	2.35(.81)	2.31(.85)

	Socioeconomic level Low N=181	Socioeconomic level Average, N=221	Socioeconomic level Hight, N=75
Subscales	M(SD)	M(SD)	M(SD)
Access	2.91(.52)	2.89(.55) *	2.75(.64) *
Social knowledge	2.83(.74)	2.75(.73)	2.57(.78) *
Individual/psychological	2.71(.74)	2.61(.70)	2.63(.78)
Lack of partners	2.35(.82)*	2.35(.76)	2.30(.85)
Time	2.7(.66)	2.77(.57) *	2.65(.69) *
Lack of interest	2.41(.84)	2.25(.75)	2.21(.81) *

Table nr. 3 LCQ subscales gender and socio economic level

Findings demonstrated that the access subscale was the biggest constraint to leisure for the students. (M = 2.85, SD = .57). This constraint mean did not differ to much compared to lack of time (M = 2.72, SD = .61), social knowledge (M = 2.7, SD = .72) and individual/psychological (M = 2.6, SD = .73) and lack of interest constraints (M = 2.4, SD = .67) The most unimportant as a constraint was lack of partners (M = 2.33, SD = .80).

Female students had the higher mean constraint scores in LCQ subscales. Students with low-socio-economic levels had highest constraints mean score in all the six LCQ subscales. However, the differences were not significant for individual/psychological constraints and lack of interest.

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