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Sociology by Teachers, Senior Students and Professional Master Students for Teaching

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Abstract

This research is about the role of sociology according to literature, my experience and a questionnaire. The result about it is that the majority of the respondent's estimate about sociology. The answers are connected mostly with the impact of sociological knowledge in making them more courageous in certain situations, defining their individual characteristics, seeing what type of individual they are, discovering new things that they wish and possibly use them, analyzing all the phases of the personal development, making them more optimistic, braver, and more communicative in many aspects, knowing themselves better and make a challenge to it, knowing your best friend better, creating a new concept on them, their character and behavior, you know yourself better, life experience has learned me much more; learning by doing, learning from mistakes, learning different cultures of living, etc. Study sociology is very important. It must be a compulsory subject at our pre-university curriculum.

Keywords: sociology, value, personal development

Methodology

Study of literature; Participating Survey; Questionnaire

Study of literature

Sociology is the study of human social life. Human social life is complex and encompasses many facets of the human experience. Because of its complexity, the discipline of sociology has been subdivided over time into specialty areas[1]. Sociology can perhaps be best regarded as an attempt to name that which secretely keeps society going (Whitty and Young, 1976).

One of its basic concepts is culture. It consists of the beliefs, behaviors, objects, and other characteristics common to the members of a particular group or society. Through culture, people and groups define themselves, conform to society's shared values, and contribute to society. Thus, culture includes many societal aspects: language, customs, values, norms, mores, rules, tools, technologies, products, organizations, and institutions. [2] That's why the study of sociology is very important. It is the process by which humans learn how to function in a particular society. Another basic concept of sociology is socialization. Although it is observably essential among humans, it is important to note here that socialization is very much culturally-relative, meaning that the process and outcomes do vary from culture to culture. Sociology extends its object of study anywhere people find themselves. It is connected with:

Social Life, such as Society, Culture, Socialization, Groups

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[1]*www.cliffsnotes.com/.../**Culture**-and-Society-**Defined**.topicArticleId-...*
[2]Sociology of Education

Social Inequality, such as Stratification, Race and Ethnicity, Gender

Social Institutions, such as Economy, Family, Religion, etc.

Arnett[1] in presenting a new theoretical understanding of socialization, outlined what he believes to be the three goals of socialization:

impulse control and the development of a conscience role preparation and performance, including occupational roles, gender roles, and roles in institutions such as marriage and parenthood the cultivation of sources of meaning, or what is important, valued, and to be lived for.

In short, socialization is the process that prepares humans to function in social life. It should be re-iterated here that socialization is culturally relative - people in different cultures and people that occupy different racial, classed, gendered, sexual, and religious social locations are socialized differently.

Studying issues such it becomes necessary for study in schools. In existing pre-university curriculum, it is an optional subject in our schools. At the core curriculum subjects such place that retrieve information from 2-3 times during high school, such as: training for life, citizenship, biology, etc[2]. Sociology provides information on social problems. Its impact on civic participation is very large. Sociology gives information on social issues. Its effect on an active citizenly participation is very important. We need the sociology of education. It is the study of how public institutions and individual experiences affect education and its outcomes. It is mostly concerned with the public schooling systems of modern industrial societies, including the expansion of higher, further, adult, and continuing education. [3]

Participating Survey

Being a teacher of sociology for 20 years among high school students has helped me to watch and study:

Change in their behavior from their first year of high school to the last one

Their indifference towards disturbing issues in community at the beginning of the high school

Their active participation to effect the others;

This is completed through: educative classes, different activities, regular relations with social groups in need such as orphanages, asylums, competitions between classes and schools, having a continuous communication with colleagues of other schools from different regions of Albania, training sessions for our curricula which are always in process of changing, training sessions for the standards of learning, training sessions for the standards of teachers of social studies school subjects.

All these activities have been useful for a continuous exchange of experiences on how better it could be the education of the youth who lack the necessities of a normal life.

Questionnaire

There were asked 91 senior students, 70 teachers, and 239 professional master students for teaching subjects such as sociology, literature, math, history and geography. 82% of the questioned people were females and 18% were males.

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[1]Arnett, Jeffrey J. 1995.
[2]www.izha.edu.al
[3]Gordon Marshall, 1998
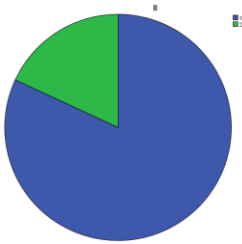
Question number 1:

They were asked to choose three of these values they esteemed the most.

1	Wealthiness
2	Personal dignity
3	Patriotism
4	Tolerance
5	Education
6	Humanism
7	Competitive spirit
8	Practical spirit
9	Respect for outstanding individuals
10	Innovatory spirit
11	Sincerity
12	Pragmatic spirit
13	Honesty
14	Correctness
0	Others (write:. . . . .)
999	Without answer

The following table shows the frequency of each chosen value listed on the table. It shows the percentage for each one and its accumulative percentage. (this is for professional master students)

		Frequency	Percentage	Valid Percentage	Cumulative Percentage
Valid	1	7	2. 9	2. 9	2. 9
	2	42	17. 6	17. 6	20. 5
	3	11	4. 6	4. 6	25. 1
	4	10	4. 2	4. 2	29. 3
	5	75	31. 4	31. 4	60. 7
	6	29	12. 1	12. 1	72. 8
	7	3	1. 3	1. 3	74. 1
	8	2	. 8	. 8	74. 9
	9	1	. 4	. 4	75. 3
	10	3	1. 3	1. 3	76. 6
	11	15	6. 3	6. 3	82. 8
	12	4	1. 7	1. 7	84. 5
	13	31	13. 0	13. 0	97. 5
	14	6	2. 5	2. 5	100. 0
	Total	239	100. 0	100. 0	

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It results that education has the biggest frequency chosen by the questioned people as the most precious value. It is the same result for the teachers and the senior students, too.

The second with the biggest frequency is chosen Personal Dignity. (the 2nd listed on the table)

The 3rd with the biggest frequency chosen is Correctness. (the 14th listed on the table)

Question number 2:

In evaluating the knowledge which helps them in knowing better themselves, 118 of them have answered that knowledge on sociology has helped them; 84 of them think on artistic literature.

There are almost the same results for teachers and senior students.

Some of the explanations on how and why this knowledge has helped them are:

It has made me more courageous in certain situations

In defining my individual characteristics

Seeing what type of individual I am

Knowing my aggressive temperament

Discovering new things that I wish I had in my real life and possibly use them

Analyzing all the phases of my personal development since I was a child

Making me more optimistic, braver, and more communicative in many aspects

Knowing sociology better, we know ourselves better and make a challenge to it

Knowing your best friend better, we know ourselves better at the same time

Putting myself in different book's situations

Finding myself in different characters of literature

Creating a new concept on me, my character and my behavior

Taking much more knowledge useful for daily life

Learning something new, you know yourself better

Life experience has learned me much more; learning by doing, learning from mistakes

Learning different cultures of living

Setting yourself in different situations

Learning about behaviors we learn who we are and what we do

Categorizing myself helps me in my daily behavior

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Being more tolerant; having an easier communication

Defining my own character

Learning individual's different socio-psychological characteristics

Knowing the past of the peoples and their cultures we can make conclusions for their special attributes

Studying man's life and all his problems through life, I can understand my advantages

Being a respectable member of the society, makes me understand how important is to me as a member of this society that surround me

Reading topics on cultures and behaviors, we learn how to be more conscientious

Systematizing my sociologic knowledge, I can see better the differences between me and other people

Thinking how I would act as I were the character of the book, I understand how I am;

Question number 3:

		Frequency	Percentage	Valid Percentage	Cumulative Percentage
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	118	49. 4	49. 6	49. 6
	2	84	35. 1	35. 3	84. 9
	3	35	14. 6	14. 7	99. 6
	999	1	. 4	. 4	100. 0
	Total	238	99. 6	100. 0	
Missing	System	1	. 4		

Analyzing the number of sociologic books read during last 5 five years, results that:

		Frequency	Percentage	Valid Percentage	Cumulative Percentage
Valid	0	116	48. 5	50. 9	50. 9
	1	32	13. 4	14. 0	64. 9
	2	29	12. 1	12. 7	77. 6
	3	8	3. 3	3. 5	81. 1
	4	11	4. 6	4. 8	86. 0
	5	6	2. 5	2. 6	88. 6
	6	4	1. 7	1. 8	90. 4
	7	4	1. 7	1. 8	92. 1
	8	2	. 8	. 9	93. 0
	9	1	. 4	. 4	93. 4
	10	15	6. 3	6. 6	100. 0
	Total	228	95. 4	100. 0	
Missing	System	11	4. 6		
Total		239	100. 0		

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From 239 students of professional master in teaching profile, 116 of them haven't read any sociologic book; 6 of them have read 5 books, and 15 of them have read

		Frequency	Percentage	Valid Percentage	Cumulative Percentage
Valid	0	56	23. 4	23. 8	23. 8
	1	6	2. 5	2. 6	26. 4
	2	7	2. 9	3. 0	29. 4
	3	6	2. 5	2. 6	31. 9
	4	13	5. 4	5. 5	37. 4
	5	14	5. 9	6. 0	43. 4
	6	7	2. 9	3. 0	46. 4
	7	10	4. 2	4. 3	50. 6
	8	4	1. 7	1. 7	52. 3
	9	10	4. 2	4. 3	56. 6
	10	102	42. 7	43. 4	100. 0
	Total	235	98. 3	100. 0	
Missing	System	4	1. 7		
Total		239	100. 0		

10 books.

Analyzing the number of artistic books read during last 5 five years, results that:

Form 239 students of professional master in teaching profile, 56 of them haven't read any sociologic books; 14 of them have read 5 books, and 102 of them have read 10 books.

From 70 teachers, 12 of them haven't read any sociologic book; 11 others have read 3-5 books; 47 of them have read 5-10 books.

From 91senior students, 49 of them haven't read any sociologic book; 18 others have read 3-5 books; 24 of them have read 5-10 books.

 This is a situation we have to do a lot for sociology and the students.

Conclussions and recomandations:

Study sociology is very important.

Sociology helps personal development.

Sociology must be a compulsory subject at our pre-university curriculum.

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The Policy for Maintenance of National and Rural Roads Network in Albania

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Abstract

This paper examines the effects of Territorial Reform on the maintenance of national and rural roads and makes recommendations regarding the implementation of maintenance under the new organisational structure. The background and logic behind those recommendations is elaborated in the body of the paper through summarising the principal actions and policies required to be adopted in order to achieve a proper standards of road maintenance under the new territorial strategy system of local government. It is important to recognise that the roads which will fall under the responsibility of the new bodies are just a part of the overall road system. They should not be considered in isolation and in some respects it is desirable that national policies and standards be adopted which will cover the whole of the road system. In these areas it is important that policy development take place in the context of cooperation between the various responsible institutions, primarily Ministry of Transport, Ministry of Local Issues, Albanian Roads Authority(ARA), Albanian Development Fund (ADF) and the new local government authorities, the LGA1s.

Keywords. national and rural, maintenance, inventarization, territorial

Introduction

There has been a steady process of decentralisation with the local government bodies carrying responsibility for a wide range of services and utilities including the local roads system. LGU finance comes from a mix of local funding in the form of taxes and fees and from unconditional grants from the centre. Overall this funding is roughly 50% local and 50% central.

This model of local government and decentralisation has suffered from serious challenges. These consisted of lack of a national policy development framework, lack of clear legal and regulatory framework, and extreme fragmentation of local authorities causing weak capacities of the local government. Lack of consensus and partisan behaviour among local elected officials, and lack of consensus inside local government associations have weakened local governance vis-à-vis the centre and caused delays in several important reforms. Additionally, the process of consultation between local government associations and the centre has been unsystematic and ad-hoc. Shared functions and competencies are vague, mainly as a result of a deficient and unclear legal framework regulating the structure, roles and competences of the central and local authorities at regional and local level.

Critically, fiscal autonomy of local government is also a challenge. Local authorities do not have appropriate financial resources or local revenues commensurate with their own and shared competences. LGUs are heavily dependent on financial assistance from the State

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[1] In order to avoid any confusion between the present organization of local government units and the proposed future organization, the proposed 61 new units have been referred to throughout this paper as Local Government Authorities (LGAs) rather than as Municipalities.

The Government was well placed to support wide capital investments in rural and national road infrastructure network and in view of this program was a necessity to have a cataloguing of this type of road. base on their geometry, ownership, date of last investment. This catalogue can be used to establish a comprehensive national roads database as well as serving the LGAs individually. Initial field cataloguing need only comprise complete GPS data for road alignment. However, with suitable equipment, this exercise can also provide photographic records along all roads without significant additional effort.

Cataloguing should include National as well as LGU roads since the National network is not clearly defined and is likely to be handed over in part to the LGAs. Cataloguing should be carried out through ADF teams working with local staff. Cataloguing of the more remote commune roads is particularly urgent since inputs from existing commune staff may be essential to identifying these roads. It is desirable that LGA staff should have some ownership of the project through participation in the cataloguing process. It is acknowledged that there is a conflict between this requirement and the need to involve commune staff. Suggestions are made for resolution of this conflict through the use of a 2 stage cataloguing exercise. The cataloguing exercise may be extended to include ARA roads should ARA consider this necessary to gather additional data. The final roads catalogue should include, or be expandable to include, the complete road system of Albania. Cataloguing should be carried out through ADF and LGA staff teams working together. LGA staff must feel that they have ownership of the project and commune staff are likely essential to full identification of remote roads. All roads to be driven for their full length to record complete GPS location data. In the case of larger municipalities only, existing mapping may be used rather than drive over location.

A Roads Database

A basic computerised GIS database of roads can form the basis for comprehensive estimates of maintenance requirements. The basic database will comprise all data collected during the Cataloguing exercise defined above. The database will provide a complete GIS compatible mapping of the catalogued road system. Once established the database can be expanded to include any and all additional details of the road system through entry of additional data on an ad hoc basis. Database will differentiate between Fixed data (eg. road sections location and length, width, structure locations)Variable data (eg road roughness, structure condition, general condition data). The database should be established on a central computer and be accessible to all LGAs for information entry and retrieval. Access via internet connection and via 3/4 G phone system. Set up computer database/GIS programme. Input data from cataloguing to computer. Establish database system using outside consultants as required. GIS or Engineer expert receives data from field teams and enters into Database software. Ensures that all field data is database compatible and error free. Computer system including backup system. Software. Initially as for Cataloguing but with a continuing maintain and update operation.

Reallocation of National Roads

Current records of the National road system are inconsistent. The Cataloguing exercise should include the present National roads to define them and to locate them in a system consistent with the local roads catalogue. The National Roads should be reallocated between ARA and LGAs Approximately half the existing National road system provides links between new LGA centres and existing Commune centres (and, in a few cases, between remote communes and nearest National Road lying outside the LGA)- these are called the main Roads many of these main roads have been improved under SLRP1; there is a commitment to lenders to transfer improved National roads to ARA. It is proposed that Main roads should be transferred to ARA and the balance of National Roads transferred to LGAs. This should satisfy most of the Lender commitments. Transfer of Main roads to ARA should be the basic principal behind reallocation of National Roads but can be reviewed with ARA and LGAs on a case by case basis. Non Main roads will not be transferred to ARA. Some Main roads may be retained by LGAs if it is decided that this is expedient. Review National roads for transfer to LGAs and to ARA on case by case basis using the Main roads principle. Make any necessary orders or pass legislation to effect the agreed transfers. The initial central review to be carried out by ADF in conjunction with ARA and MoT. Local reviews to follow with LGAs. Finalise transfer proposals with any legislative action required. ADF to negotiate with donors to resolve any conflicts with existing loan commitments. Basic proposals for transfer of National roads to be fixed within the time of

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[1] SLRP: Secondary and Local Roads Project; improving 1500 kilometres of Regional and LGU roads

whole urban planning process is over, almost the end of June 2016. Subsequently finalised with LGAs when these are established and when cataloguing is complete.

Classification of Roads

Review the existing classification criteria and expand/modify to suit new situation. Avoid unnecessary changes Road classification to be reviewed mainly to reflect redistribution of Regional Roads, Align road classification with Maintenance Responsibilities Correct any anomalies identified during cataloguing/review Review LGA roads to identify Urban and Primary and Secondary Rural roads as defined in the text of this paper. Central review and definition of criteria by MoT, ARA and ADF. ARA and LGA level reviews to establish classification within the national and each local road system. Working group from ADF, ARA and MoT to review classification system and guidelines. ADF to define preliminary classifications for all LGA roads and then to finalise with LGA representatives. Initial review phase prior to establishment of LGAs. Finalise road classifications within LGAs as soon as possible after these are established and staffed.

Levels of Service and Maintenance Standards

A national system of Levels of Service and corresponding Maintenance Standards should be established. Levels of Service are the qualitative standards which users can reasonably expect from different classes of road. Maintenance Standards are numerically defined physical parameters which must be achieved to provide the various Levels of Service.

As a minimum, setting up a system of standards will require participation of ARA, MoT, ADF; at some point representation for LGAs would also be desirable. The object should be establish appropriate standards for each class of road and traffic level.

This is not a trivial exercise. Standards need to be set according to economic criteria considering maintenance costs, road conditions, vehicle operating costs, values of time and other factors. Establishment of National Standards to be done within 12 months. Establish appropriate Levels of Service for the roads within each LGA in accordance with these standards and compare with actual levels at present.

Common Contracts

A common family of standardised maintence contract forms should be established for use on most road maintenance works in Albania. Three common contracts would cover at least,

Performance Based Maintenance Contracts

Admeasurement Contracts

Simplified Performance Based Maintenance of low volume gravel roads.

Contract forms to be established jointly with ARA and used by ARA and all LGAs. Use of standard contracts makes tendering much simpler for contractors and makes evaluation much simpler for the Employer(s)Standard contracts can be expected to keep costs down over the long term. Prepare standard contract forms to cover 95% of maintenance requirements for national use. Joint ADF/ARA working group to agree scopes and prepare draft contracts. To be reviewed/commented/approved by MoT and appropriate legal authorities. Possibly make use of Consultants presently employed with ARA and ADF.

Road Roughness and Traffic Volumes

Road Roughness is a key indicator of paved road condition and maintenance requirements. Historical roughness data is a key indicator of the rate at which any specific pavement section is deteriorating. There are presently no comprehensive roughness surveys being carried out. Traffic volumes are a second key indicator of a roads importance and of the economic justification for additional maintenance. There are presently no comprehensive traffic surveys being carried out. Roughness of paved roads and traffic volumes on all roads should be measured regularly:

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Roughness at annual intervals

Traffic at annual intervals with additional counts to establish and then control seasonal variations.

Decide how to set up a unit or units able to carry out these activities. Roughness should utilise a national unit. Traffic counting could be done at the LGA level with a national unit carrying out verification checks. Set up and operate the units - possibly with outside funding assistance to set up. Liaise with ARA to mesh with their activities in this area.

Funding and Costs of Maintenance

LGUs do not spend enough on maintenance. Money spent of maintenance now saves much more money being spent on rehabilitation later LGUs use "investment" projects to make good some of their maintenance failings. This results in complete blurring of the real total of expenditures on maintenance. Further, LGU accounting formats do not allow for the clear identification of all direct maintenance costs/expenditures. It is estimated that total LGU expenditure (Municipalities and Communes) on maintenance and on "Investment" in lieu of maintenance is around ALL 1. 95 billion and that this should rise to ALL 3. 5 billion if a reasonable standard of road maintenance is to be achieved. These figures do not include the present Regional Roads invested from ARA. These figures assume only the most basic standards of maintenance (effectively, just maintain access) for the bulk of the Rural gravel roads

These figures do allow for an element of "improvement through maintenance" on the poorer surfaced roads. Provide LGAs with the requisite funds to meet their responsibilities. Implement controls to ensure that LGAs spend appropriately on road maintenance. This may involve specifying percentages of funds for certain activities or the provision of separate funds for maintenance; alternatively LGAs could submit draft budgets for approval; they would then be tied to the approved budget. Review the system of accounting proformas/subheads and revise to ensure that all types of expenditures are clearly identifiable in the permanent records. Review and revise the overall systems for allocating funds to ensure they provide incentives to maintenance rather than "investments" to make up for lack of it. In the longer term, use a maintenance management system to estimate the required total annual spend on maintenance and the optimum distribution of available funds.

Decentralisation and Local Government Reform

The whole background to, and the proposals for, the reform of Local Government in Albania are available in the report on the National Crosscutting Strategy for Decentralization and Local Governance (NCSDLG) 2014-2020. It would be pointless to repeat the information provided in that report in detail here, however, a brief recapitulation of the salient points may be of help in understanding the background to the contents of this paper.

Government in Albania is currently effectively organised on three levels:

The Central Government,

Twelve Regions or Qarks

61 Municipalities

There are also 36 Districts, however, these play only a minor role and do not affect consideration of road maintenance issues.

This organisation model dates from the adoption of the Constitution (1998) and the National Decentralization Strategy, adopted in January 2000. The most important specific step was the approval and implementation of the Law No. 8652 of 31 July, 2000, "On the Organization and Functioning of Local Government", which sanctions the rights and authorities of the local governments units..

The situation and these criticisms from the Strategy Report are general and relate to the whole field of LGU operation. Since the maintenance of the local road systems is the province of the LGUs, the defects in LGU governance and funding are of critical importance in considering the ability and effectiveness of LGUs in the field of road maintenance.

The present proposals for Territorial Reform are a part of a broader strategy to improve the quality and standards of local government and to further the process of decentralisation.

It has become clear that a major factor in the poor and confused governance exercised by the present LGUs is their small size. This problem has actually grown worse over the years as a result of migration from the countryside to the cities and there are now considerable numbers of LGUs with populations of just a few thousand and some with populations less than one thousand. The proposed Territorial Reform is partly an effort to improve this situation by reducing the number of governing units to create a more limited number of reasonably sized entities which should be more suited to exercising the decentralised responsibilities which they have been given.

This Paper is concerned not with the general philosophy of decentralisation nor, directly, with the overall range of devolved responsibilities; its purpose is to examine the present state of local roads maintenance for national and rural ones, to assess how this will be affected by the proposed Territorial Reforms with the creation of the 61 new LGAs and to consider what measures might reasonably be implemented to assist the new LGAs in the improved maintenance of the road systems which they will inherit from the present LGUs and, probably, from the Qarks.

To supplement this brief appreciation of the situation regarding Decentralisation and Territorial Reform a short assessment of the legal background and possible future legal requirements is presented as below.

ROADS MAINTENANCE CURRENT SITUATION

The existing Albanian legal framework on road maintenance is a product of different and intersectorial rules, essentially based on the road transport rules, such as the Albanian Road Code1 and respective bylaws, and the law on local governmental units2. Several other legal provisions are correlated to this issue.

During recent years the Albanian government has been focused on improvement of the road infrastructure with the intent of helping the economic development of the country. The road structure was not satisfactory and internal financial resources have never been sufficient to permit the full development of the road system. In an effort to improve this situation Albania has, in recent years, received conspicuous donations and grants for road improvement from foreign entities, such as the World Bank, EIB, KFW, EBDR, etc.

Despite these investments, to date the whole situation of the road system remains problematic. These problems do not concern only the infrastructure and budgeting issues, but also require an improvement of the legislation in force and the implementation procedures. Furthermore, legal questions will now arise as a consequence of the new territorial reform of the local administrative units and any corresponding decentralization of competences. This specific topic is analysed in Section 2 below.

With regard to the development of a sustainable road maintenance system, the current legislation and the de facto situation demand improvements. Based on the Secondary and Local Roads Programme analysis, it seems that the existing legislation requires improvements focused on road maintenance issues. As detailed in the policy paper, there are different aspects that are not transparent and clear to date. A legal review of such aspects is detailed in this document and suggestions for improvement are provided.

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[1] Law 8378 dated 22.7.1998, "Road Code of the Republic of Albania", as amended
[2] Law 8652 dated 31.7.2000, "On the organization and functioning of the local government", as amended

Currently, the management of roads is handled either by the central government or by the local governmental units. National/State roads are administered by the central government through the Albanian Road Authority, an entity created specifically for this purpose by a special law1.

With regard to local government units; qarks, municipalities and communes, the administration and the maintenance of roads are competences, specifically granted by the legislation on local governmental to LGUs as a derivation of the decentralization principle and the autonomy of LGUs granted by the constitution2.

In addition to the above competences within their territorial jurisdiction LGUs have also other competences related to roads management, based on the Road Code provisions3, such as the classification of roads, the creation of the respective road maps, keeping the road cadastre.

The Present Road System

The present system of road classification in Albania is theoretically a functional system based on an appreciation of the functions of each road. Functions range from use by transnational traffic and communications between the major cities at one end of the scale to providing access to remote mountain villages at the other.

The functional classification is reflected in the de facto division of the road system into three main classes or groups, each with its own administration:

The National Network administered by the Albanian Roads Authority (ARA)

The Regional Network (Secondary roads) administered by the Qarks

The Urban and Local roads administered by the LGUs (Communes and Municipalities)

The basic system has, however, become corrupted to some extent over time with roads being effectively reclassified in order to reallocate them to a different maintenance organisation in the hope that they will receive improved maintenance and not because of any change in their function.

This degradation of the system was started through the perceived inability of some Qarks and LGUs to carry out their maintenance functions adequately. Roads were therefore transferred "up" the system to the higher organisation which was considered more able to handle the maintenance. The Secondary and Local Roads Project (SLRP) is further confusing this situation through lender's covenants requiring that rehabilitated secondary roads (or all Secondary roads) be allocated to ARA after completion without regard to their logical place in the system.

The national roads form the backbone of the countries road system and are managed and maintained by the Albanian Roads Authority (ARA, successor to the General Roads Directorate, GRD). The ARA was set up with the idea of removing roads administration from the general political arena, however, the original intended level of independence has not been achieved and the ARA remains very much a part of the political system. The national roads comprise the principal through routes of the country. They provide direct service for cities and larger towns and the main border crossing points, generating and attracting a large proportion of trips and forming the key integrated network providing access to the subsidiary routes and locations. The National network is well defined and comprises some 3285 kilometres of road which will increase to about 3975 kilometres when currently planned transfers of rehabilitated Secondary roads from Qarks to ARA are finalised. If all Secondary roads are transferred, the national network will increase to around 7000 kilometres.

The Regional, or Secondary, roads are the next lower tier of roads in function and importance; they link lesser cities and provide links for all the primary centres, communes and municipalities, both to each other and/or to the main national

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1 Law 10164, dated 15.10.2009, "On the Albanian Road Authority"

2 Article 13 of the Albanian Constitution: "Local Government in the Republic of Albania is based on the principle of decentralization of power and exercised according to the principle of local autonomy".

3 Articles 13 and 14 of Albanian Road Code

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network; they provide the necessary additional linkages which are essential to facilitate communications at the regional level and to feed traffic into the national network. These regional roads are administered by the twelve regional authorities, the Qarks, and currently total about 3700 to 3900 kilometres before any transfers to ARA are taken into account. The exact length is uncertain because Qark responses to a variety of questionnaires have provided conflicting details of their road systems.

Local roads are the lowest tier in the system and provide communications within the local government units; they provide for internal communications within the LGU and feed traffic to the regional road network and to the national road network where direct connections exist. Local roads are in the ownership of the LGU (commune or municipality) within which they lie and the LGU is responsible for their maintenance. Local roads may conveniently be considered in two subclasses:

Urban or municipal roads

Local Rural Roads

The urban and municipal roads are a mix of paved and gravel roads whilst the local rural roads are mainly gravel surfaced although with some (usually short) lengths of asphalt paved road, generally in the more important commune and village centres.

The strict legal situation is somewhat more complex. Up to 1998 all the roads were under the jurisdiction of the GRD. Whilst the budgets for national roads were awarded separately and specifically for the national roads, the financing of the regional and communal roads was made available through the award of unconditional grants to the regional authorities. These grants also included provisions for the services and expenditures for other departments for which the regional authorities had responsibility. The decision for how much of the grant was to be expended on the regional and communal road networks was therefore the responsibility of the regional councils.

The Council of Minister's Decree no. 405 on the national and rural road network administration in the republic of Albania was issued on the 8th January 1996.

Based on the proposal of the respective Ministries of Construction and Ministry of Tourism the Council of Minister's Decree defined the roads to be under the administrations, respectively, of GRD, Qarks and LGUs (Communes and Municipalities). The decree also required the Ministries to issue guidelines, complete the road inventory and develop organisations to administer the road networks.

The Council of Ministers Decree no. 104, date 20. 2. 2003, included the division of rural roads into communal rural roads and regional rural roads and definitions of these roads as follows:

Communal rural roads are those connecting:

The commune centres with the villages and settlements or the roads connecting the villages with each other within the jurisdiction of a commune.

Regional rural roads are those connecting:

The commune centres with district centres or the national road network; road between two or more communes;

Roads that have a special importance, such as the roads connecting the commune centres or villages with museums, archeological centres or other tourist zones".

However, this decree is no longer in force following the issue of the Albanian Road Code which now has the legal authority to administrate and classify the road network and provides a more complex version of this classification system thus:

"According with their constructive technical and management characteristics roads shall be classified as following:

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Highway

Main interurban road

National interurban road

Main urban road

National urban road

Rural road"

Fortunately, it then goes on to provide a simpler regime, stating:

"According their use, function and needs to the administrative character these roads are divided into:

National roads, whose entity property is the state;

District road whose entity property is the district (Qark)

Communal (urban) roads whose entity property is the municipality

Interior roads whose entity property is also (depending on the circumstances) the municipality or commune. "

As will be seen, this second definition is substantially in accord with the simple descriptive classification set out at the start of this section and effectively reflects the actual situation at present. For practical purposes the general principle in defining the regional roads has been to maintain the provision of Decision 104 given above: Regional rural roads are those connecting the commune centres with district centres or the national road network, together with roads between two or more communes and roads that have a special importance, such as the roads connecting the commune centres or villages with museums, archeological centres or other tourist zones.

Network lengths

11. 1 The National Network

The national network is under the sole administration of the ARA. The ARA is an organised institution with proper records of the roads under its control. The result is that the national network is properly defined and catalogued. At 2013 the network comprised a total of 3285 kilometres of road including motorway, dual carriageway and single carriageway road lengths. Whilst most of the national network is paved, either asphalt or cement concrete, there remain some sections which are still only gravel paved.

As a result of transfers of rehabilitated Secondary roads from Qarks to ARA commencing in 2014, the length of road administered by ARA is rising substantially. It is not clear if these transferred roads are now to be considered as a part of the National Network or if they are to be classified separately as Secondary or Regional roads maintained by ARA. The length involved is discussed in the following Section.

11. 2 The Regional Roads

The regional roads are administered by the 12 Qarks. The length of the Regional road system is less clear than that of the national network.

Lengths of regional road for each Qark have been considered based on listings in a variety of places.

The central database

Tables in the 2009 SLRP reports by Roughton

Returns by all 12 Qarks to Ministry of Transport query in 2014

Statements, by some Qarks only, in response to queries raised by this project in 2014. In a few cases these queries are answered twice - with different results.

Further responses by Qarks to additional requests made to try and clarify the situation October 2014

As can be seen from examination below of the lengths recorded in this table there are some very substantial discrepancies regarding the lengths of road under each Qark's responsibility. Some of these discrepancies might be due to confusion over the inclusion or omission of roads scheduled to be handed over to ARA but this cannot explain cases where the regional road length has apparently increased over the last 5 years nor can it account for cases where the length has apparently decreased by more than the amount scheduled for handover. In addition there seems no good explanation for the difference between the central database lengths and the SLRP report lengths from 2009 since we understand that these were both compiled on the basis of reports from the Qarks at that time. Additional work is needed to determine the precise lengths of the Regional Roads and to define any roads which are not strictly Regional Roads but are nevertheless under Qark control. However, for present purposes, it is probably sufficient to state that the Regional roads total about 3,800 kilometres, of which 690 kilometres have definitely been or are due to be handed over to ARA under the SLRP commitment that ARA will take over maintenance of rehabilitated Secondary Roads.

The further or alternative commitment, that all Secondary roads will be handed over to ARA for maintenance is discussed separately below.

The details of these various listings are given in the table below:

Tab. 1 : Various listings

Qark	ADF Database	SLRP Report 2009	Qark Responses to Questionnaire 2014	Qark list of Roads 2014	Qark Responses to MoT 2014	Qark Response to ADF Question Supplement 2014	Total Length Scheduled for ARA Handover
Berat	199.1	199	88.6	88.6	80.6	112.6 *	50.9
Diber	403.2	403			347.2	403.2 **	52.9
Durres	134.4	90	116		115.5	115.5	32.5
Elbasan	471.8	478		528	562.1	562.1	73.9
Fier	368.3	368	437.7 ***	454.5	417.2	410.3 ***	78
Gjirokaster	225	199			220		15.2
Korce	541.6	591	584	578.7	624.3		28.1
Kukes	328.6	340	183.5	183.5	183.5		76
Lezhe	386.3	296			400		45.8
Shkoder	302	302			404		140.5
Tirana	276.69	277			97.7	278.29	71.16
Vlore	147.6	249			140.7 ****	271.7	24.8
Total	3784.59	3792			3452.1		689.76

Notes

* includes Berat - Sinje (17.9 km) which has been handed over to ARA

** includes 55.5 km listed for handover to ARA

*** Fier supplied 2 lists of roads. 410.3 the most recent. 437.7 is dated 12/2012

**** This length quoted to MoT is Vlore District not Qark

Urban and Communal Roads

The total length of Urban and Communal roads is a far more obscure and contentious problem than that of the National and Regional elements of the system.

The central records show that there are approximately 6,060 kilometres of communal roads. In the course of preparing this paper and in the initial phases of this project a total of some 53 communes and 11 municipalities have been interviewed. The total length of communal roads within the 53 communes, according to the details provided by the local administrations, is 2549 kilometres compared with a length of 805 kilometres from the central record. If this scale of under-recording is duplicated throughout the 308 communes then the overall length of communal road is likely to be around 19,000 kilometres. We believe that this is far higher than any previous estimate of LGU communal road length.

Although we have been unable to locate comparable central records of municipal road lengths, the figures which we have found in the field are much less daunting. Eleven municipalities have been examined (including the large municipalities of Durres and Fier) and the total length of municipal roads within this sample is just 407 kilometres split roughly 50/50 between Paved and Gravel roads. Disregarding Tirana itself, the implication here is that the total length of municipal roads may be of the order of 1300 kilometres of paved road and 1300 kilometres of gravel roads. However, this is a very rough extrapolation and it must be noted that we have serious doubts about the road lengths quoted in respect of Durres (too low) and Fier (too high).

In any case, in round figures, the Urban and Communal road system is expected to have a total length in excess of 20,000 kilometres.

The principal reasons for the very high value of the estimated length of communal roads are probably twofold:

Initial misreporting

Communes taking responsibility for routes not previously reported as roads.

It is our understanding that central records relating to commune road length were compiled on the basis of returns made by the Qarks in the period 2007-9. It is not clear that the Qark returns were based on details submitted by the communes. In some cases communes have noted that the central list of roads definitely omits significant commune roads linking major villages to the commune centre.

In discussion with various communes it seems that for many of the more obscure village roads they see their obligation as one to keep the road open rather than as a comprehensive maintenance obligation. It would appear that a large number of existing access roads may never have been formally recorded beyond the commune level as roads under maintenance.

Despite the expressed preference for carrying out their own maintenance, the Qarks interviewed generally had very little equipment to do so and their activities are largely limited to straightforward routine maintenance tasks executed by labour, as shown in table below:

Tab 2: The quantity of carrying in different qarks

Qark	Trucks	Exacavator	Roller	Tractor/Trailer
Fier	1	1	1	
Kukes	1	2(1)		
Korce	4	1		3
Durres	1	2	1	
Berat	1			

None of these Qarks has any obvious capability to deal with asphalt paving works. The general scale of equipment is too low to draw any worthwhile conclusions except to note that it confirms the acknowledged inability to deal with anything but routine maintenance. In the case of those Qarks with an excavator this appears to be used to deal with drainage problems (Durres and Fier) and with minor landslides (Korce and Kukes).

The costs of maintaining their road networks vary considerably from Qark to Qark. The costs given in the table below are based on reported expenditures from Qarks for the year 2013.

Tab 3: The costs of maintaining the road

Qark	Road Length	Percent of Paved Road	Total Cost of Maintenance (ALL/year)	Cost of maintenance/ Km/year (ALL)
Elbasan	*528.0*			*140,000*
Fier	437.7	71%	40,100,000	91,615
Kukes	183.5	26%	25,030,000	136,403
Korce	578.0	21%	60,470,000	104,619
Durres	116.0	64%	31,984,000	275,724
Berat	88.6	32%	20,695,000	233,578

Note: Elbasan figure based on estimated cost using contractors

It is noticeable that the Qarks with the least road (Berat and Durres) have the highest rates per kilometre for maintenance whilst those with the most road have the lowest rates. The overall average cost of maintenance across the 6 Qarks considered, works out to ALL 130,550 per kilometre per year.

Territorial Reform and its Implications

In order to understand the implications of reform it is necessary to have a picture of what the new LGAs might consist. To create such a picture we have examined five of the proposed new LGAs each of rather different character:

Kukes. Mountainous. Moderate Central Municipality. 928 Sq. km. Population 48,000.

Pogradec. Semi mountainous. Moderate Central Municipality. 610 Sq. km. Population 61,500.

Durres. Coastal. Dominated by a large municipality. 281Sq. km. Population 168,500.

Fier. Coastal, Large central municipality. 630 Sq. km. Population 120,500.

Polican. Central, mountainous. Only 3 constituent LGUs. 286 Sq. km. Population 11,000.

Each of the communes and municipalities (the LGUs) comprising the five selected proposed LGAs has been asked to complete a questionnaire to provide details of the LGU covering its roads and road maintenance capacity and its funding. Each of these LGUs has then been visited by a Consultant's team member to discuss the questionnaire response and to amplify data in respect of the roads within the LGU and the LGUs actual responsibilities and activities in respect of roads maintenance and improvement. By amalgamating these responses we have attempted to gain a picture of what the proposed LGAs obligations and possible funding will be in respect of road maintenance. This will give a picture of the situation with which the new LGA administration must deal.

In addition to visiting all the component LGUs we have also visited the relevant Qarks to review their present road maintenance capabilities and obligations. This may become an important issue if the Qarks cease to have responsibility for roads maintenance and their obligations are passed, in whole or in part, to the LGAs.

The proposed Kukes and Pogradec LGAs are the only ones of the five LGAs studied which conform exactly to the old District outline. Two others, Durres and Fier, are essentially old Districts shorn of some of their constituent communes whilst a fifth, Polican, is a new construct.

Definition of Road Catalogues

The changes outlined above would not alter the principle of functional classification but would provide for the distribution of the Regional roads to ARA and to the LGAs. This process of distribution would automatically include a review the current Qark road catalogues eliminating the current anomalies of roads which have been wrongly defined as Regional. They will also provide an opportunity for the ARA to review its own road catalogue and provide a clear definition of a primary and secondary national network. It is highly desirable to rationalise both ARA and LGA catalogues to remove anomalies which have accrued over the years.

14. 1 The Costs of Road Maintenance

Section **Error! Reference source not found.** examines expenditures on road maintenance within the Qarks, Municipalities and Communes and estimates current expenditures per kilometre at:

Qarks   ALL 130,000 per km. per year

Municipalities   ALL 340,000 per km. per year

Communes   ALL 40,000 per km. per year

These figures illustrate the estimated current maintenance rates based on ESTIMATED road lengths. It is also advisable to consider the absolute estimated expenditures:

6 Qarks: ALL 178 million (12 Qarks   356 million)

11 Municipalities   ALL 133. 5 million (75 Municipalities   910 million)

53 Communes   ALL 96. 7 million (308 Communes   562 million)

These figures are very low. They effectively cover the costs of routine maintenance only, with no allowance for periodic maintenance or for improvements incurred as a result of inadequate maintenance.

These costs do not include substantial management costs, especially for the communes where there is really no element of management at all included within the costs. The commune accounting and record systems do not break out many of the costs associated with maintenance, in general they detail specifically only the costs of materials supply, casual labour and,sometimes, permanent labour. Voluntary labour is, of course, not costed, and the costs of permanent labour are not always clearly assignable.

Routine maintenance alone is not the major element in a fully costed, fully functional maintenance regime. Roads deteriorate and incur higher maintenance costs as time goes by until periodic maintenance is required. The full maintenance costs can only be estimated by considering the complete cycle of events over a prolonged period.

Routine and Periodic Maintenace costs per km. Annualised over 20 years (ALL)					
Growth Rate	2.50%	Platform Width	6.7	6.7	6.7
		Traffic AADT	1000	500	2000
New Roads	No Winter Maintenance		452995	410809	512655
New Roads	Three month Winter Maintenance		487255	445069	546915
Old Roads	No Winter Maintenance		856012	695785	1082607
Old Roads	Three month Winter Maintenance		890272	730045	1116867

The costings over such a twenty year cycle are estimated in Annex D and result in the following estimates of annualised costs:

Tab 4: The estimates of annualised costs

The "platform width" of 6. 7 metres is the average width of the surfaced area (as opposed to the carriageway width between edge lines) over the Phase 4 and Phase 5 SLRP contracts. Maintenance costs are influenced by platform width since this affects both pavement patching costs and periodic maintenance costs.

A winter maintenance requirement increases the general maintenance rate appreciably but is not a great contributor. This is because the overall maintenance costs are driven more by the pavement degradation and periodic maintenance costs than by the routine maintenance.

The rate for old roads is much higher than for new roads because the estimate foresees a serious effort in the first 5 years to bring these roads up to a reasonable pavement standard - Improvement through maintenance.

Applied to the probable LGA road holdings and assuming that the regional roads are handed to ARA these rates produce an overall annual cost of maintenance to the LGAs, based on the average of costs over 20 years, of:

Tab 5: The rates produce an overall annual cost of maintenance to the LGAs

Estimated LGA Maintenance costs - without Qark Roads			
Road Type/origin	Length - Km.	Cost/km/yr ALL	Total - ALL
Urban Roads - Paved	1248	873,100	1,089,628,800
Urban Roads - Gravel	1745	156,000	272,220,000
Primary LGA Roads New Paved	500	427,900	213,950,000
Primary LGA Roads Old Paved	540	873,100	471,474,000
Primary LGA Roads Gravel	5020	156,000	783,120,000
Secondary LGA Roads	15150	44,200	669,630,000
Total LGA Maintenance Cost			3,500,022,800

These figures are not a precise amount required by the LGAs for road maintenance but are an indication of the scale of expenditure which they will need to build up to if they are to implement comprehensive and effective road maintenance strategies designed to keep their roads in reasonable condition and to gradually upgrade their less satisfactory roads to an acceptable standard.

Conclusion

The control of routine maintenance operations does not generally require the application of test procedures other than the use of a measuring tape or stick and a straightedge.

 The quality of materials for patching, pothole repair and other interventions to paved carriageways can be difficult to control adequately because the volumes are so small. In general, the only practical means of material quality control for bituminous surfacing for these purposes is to accept certification from the supplier. Because of this it is desirable to limit acceptable suppliers to those with a proven track record of satisfactory materials supply or to those who can demonstrate the acceptability of their materials through programmes of regular testing.

At its crudest, the adequacy of routine maintenance can be verified simply by driving over the road. If there are no perceivable faults then maintenance, at least in the visible aspects, is basically satisfactory. If any possible faults are observed then it becomes necessary to stop and measure defects for checking against specified requirements in respect of both the dimensions of the defect and the frequency of occurrence.

This form of visual inspection on its own is not sufficient. There are areas of the road structure which are not always visible and these too must be checked for compliance with requirements. Such areas will include drainage and culvert cleanliness

on a regular basis and, perhaps less frequently, items such as embankment slopes, erosion around major structures and at culvert inlets and outlets, free flow in major waterways.

The key to control of routine maintenance quality is the availability and use of experienced supervisors. Supervisors need to be familiar with the roads they are controlling; they will know where problems are likely to occur, which roads are the most problematic under which conditions, which material sources give good and bad results and which elements of the labour force/contractors require closest supervision.

Properly planned road maintenance designed to keep the system in good order requires substantially more funds than are presently available. A reasonable proportion of the savings anticipated under the reforms should be allocated to improved maintenance. Improved maintenance should bring about a reduction in the level of investment in "Improvements" necessitated by lack of maintenance.

In order to ensure that some minimum level of maintenance is observed, consideration should be given to moderating the nature of the present unconditional grants and earmarking percentages of the grant for specific purposes.

Provided that adequate data regarding road conditions can be supplied, a maintenance management system will help to generate a desirable budget and through this provide a picture of the real national requirements for road maintenance expenditure. A comprehensive system can then accept an actual budget allocation for maintenance and generate the optimum distribution of that budget amongst the various parties and on the named road sections; either the LGAs alone or, if data on the national roads has been included, on both LGA and National Roads.

Such a system can either be installed at the LGA level for planning and budgeting of maintenance or a system can be established under which LGAs will report on road conditions to ADF and ADF will then analyse the road system, nationwide, and generate funding requirements and subsequent budget allocations. In any case it would seem best that ADF be in a position to analyse the whole of the LGA road system, generate desirable budgets and providing an optimum allocation of actual budgets.

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Econometric Modeling and Forecasting of Food Exports in Albania

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Abstract

Exports of goods and services represent one of the most important sources of foreign exchange income that alleviate the pressure on the balance payment and create employment opportunities. Exports' opportunities in Albania for food products have been increasing significantly, but still they are far from their real capacity. This study is an attempt to model and forecast the monthly export of food, beverages and tobacco products of Albania, using the seasonal autoregressive integrated moving average (SARIMA) methodology. The data used are covering the period 2005:M1-2015:M12, and are taken from the database of National Institute of Statistics of Albania. Unit root tests are used to test the stationarity of the series. Autocorrelation and partial autocorrelation functions are used to identify the most suitable SARIMA model, in explaining the time series and forecasting the future monthly food exports. The residuals of the best fitted model are used for the diagnostic checking. The results indicate that the best fitted model is SARIMA $(3,1,1)\times(1,1,0)_{12}$. The best identified model for the data in the study is used to forecast monthly food exports up to the year 2017. These findings are useful for customers, producers and policymakers.

Keywords: stationarity, trend, unit root test, seasonality, SARIMA methodology.

Introduction

Trade is an important part of the total development effort and national growth of all economies including Albania. Exports of goods and services represent one of the most important sources of foreign exchange income that ease the pressure on the balance payment and create employment opportunities. Albania's geographical location offers a trade potential, especially with the European Union market and the free trade agreements with all Balkan countries have created opportunity for trade development all over the region. During the last years exports in Albania indicate an increase and the food exports as well, although the imports are higher than exports.

Exports' opportunities in Albania for food products have been increasing significantly, but still they are far from their real capacity. Mainly due to lack of marketing facilities (storage, processing, packing of products), low standards related to food safety, low level of competiveness in the market of Albanian food products due to low quality and relatively high cost of the Albanian products, and deficiency and low levels of food production and industry (Bezhani, 2013).

Prediction is very important for decision making in food industry. The decision making in this industry involves planning of uncertainty, finding of the optimal level of production and even strategic planning for capacity expansion. The cost of underestimation or overestimation can be very high; therefore, accurate forecasts are very important. Accurate short-term forecasts are considered necessary by producers, clients and customers particularly during the periods with the highest demand. Seasonal autoregressive integrated moving average (SARIMA) methodology can be applied to model and to forecast the exports and imports of food products.

SARIMA methodology has been applied for modeling and forecasting of exports of products from several countries. Farooqi (2014) using the yearly data of Pakistan exports for the period 1947-2013, fitted the ARIMA(1,2,2) model to forecast the

exports with the lower value of AIC. Shitan et al (2012), proposed the SARIMA $(1,1,0)x(0,1,1)_{12}$ to model Bangladesh export values based on the AIC_C criterion after differencing at lags 12 and 1 and then subtracted the mean of the differenced series. Paul et al (2013), using the data of meat exports from India for the period November 1992 to December 2011 and after one non-seasonal and one-seasonal differencing to the original time-series, found the SARIMA$(2,1,0)x(1,1,0)_{12}$ model to best fits to the original data.

In this study, SARIMA methodology has been applied for modeling and forecasting of monthly export of food, beverages and tobacco products from Albania. The Akaike's Information Criteria is used to select the best model that fits to the data and the best identified model was used for forecasting monthly food exports up to the year 2017.

Materials and Methods

The time series models are used in this paper to model food exports. Stationarity is required for fitting a time-series into SARIMA framework. A time series is called stationary if the mean, variance, and covariance of the underlying series do not depend on time (time invariant). To determine the stationarity, the time plot, autocorrelation function (ACF) and partial autocorrelation function (PACF) can be used as a first attempt. The Augmented Dickey Fuller (ADF) unit roots test can be used to detect the stacionarity of a time series. The ADF unit roots test performs a regression model of the form

$$\Delta X_t = \alpha_0 + \alpha_1 t + \rho X_{t-1} + \sum_{i=1}^{m} \beta_i \Delta X_{t-i} + u_t \tag{1}$$

where m indicate the lag order, and $\Delta X_t = X_t - X_{t-1}$. The null hypothesis is: the time series $\{X_t\}$ has a unit root or the series is not stationary (H0: $\rho = 0$ and Ha: $\rho < 0$). If the p value is less or equal to 5%, the null hypothesis is rejected and is concluded that the series is stationary.

When a time series is not stationary usually non seasonal and seasonal differencing at the appropriate lag can be applied to achieve stationarity.

The multiplicative seasonal autoregressive integrated moving average model is given by

$$\phi(B)\Phi(B^s)(1-B)^d(1-B^s)^D X_t = \theta(B)\Theta(B^s)Z_t \tag{2}$$

where $\{Z_t\}$ is a sequence of uncorrelated random variables with zero mean and constant variance σ^2 (white noise), s is the seasonal period, B is the backward shift operator ($B^k X_t = X_{t-k}$ and $B^k Z_k = Z_{t-k}$), $\phi(B) = 1 - \phi_1 B - \cdots - \phi_p B^p$, $\theta(B) = 1 + \theta_1 B + \cdots + \theta_q B^q$, $\Phi(B^s) = 1 - \Phi_1 B^s - \cdots - \Phi_P B^{Ps}$ and $\Theta(B^s) = 1 + \Theta_1 B^s + \cdots + \Theta_Q B^{Qs}$ (Brockwell and Davis, 2002; Shumway and Stoffer, 2006).

The Akaike's Information Criterion (AIC) is useful for determining the order of an SARIMA model, and it can be written as

$$AIC = -2\log(L) + 2k \tag{3}$$

where L is the maximum likelihood for an SARIMA model, k is the number of estimated parameters in the model (including σ^2, the variance of the residuals). For small sample sizes, that is, if n/k is less or equal to 40, the corrected AIC should be used instead:

$$AIC_C = -2\log(L) + \frac{2kn}{n-k-1}$$

where n is the sample size after differencing. The good models are obtained by minimizing either the AIC or AICc value.

The residuals of the best fitted model are used for the diagnostic checking. The Ljung-Box test is used to the residuals to determine if the residuals are random and that the model provides an adequate fit to the data in the study.

In order to evaluate the performance of the best model are used the Mean Absolute Error (MAE), Root Mean Square Error (RMSE) and the Mean Absolute Percentage Error (MAPE), defined respectively by the following equations:

$$MAE = \frac{1}{n}\sum_{i=1}^{n} |y_i - \hat{y}_i| \qquad RMSE = \sqrt{\frac{1}{n}\sum_{i=1}^{n}(y_i - \hat{y}_i)^2} \qquad MAPE = \frac{1}{n}\sum_{i=1}^{n} \frac{|y_i - \hat{y}_i|}{y_i} \cdot 100\%$$

The food exports data used in this study, measured in ALL million, are covering the period 2005:M1-2015:M12, and are taken from the database of National Institute of Statistics of Albania. Food exports comprise the commodities in these four sections: live animals and animals' products; vegetables products; edible oils; and prepared foodstuffs, beverages and tobacco.

R statistical package is used to analyze and model the monthly food exports data.

Results and Discussion

The value of total exports from Albania is increased during the period under study, and the value of food exports is also increased. The percentage of monthly food exports to total exports in Albania are shown in figure 1. The lowest percentage of food exports to total exports was in January 2011, 5. 68%; whereas the highest percentage was in August 2005 and October 2015, respectively with 13. 14% and 13. 07%.
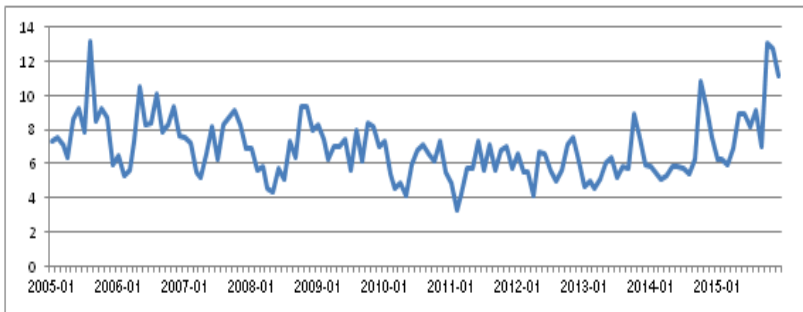
Figure 1. Food exports as a percentage of total exports

The figure 2 shows the value of food exports by sections, and the prepared foodstuffs, beverages and tobacco, and vegetables products have dominated the two other sections. From 2005 to 2010 the exports of prepared foodstuffs, beverages and tobacco has dominated the other three sections, whereas from 2011 to 2015 the exports of vegetables products has dominated the other sections.
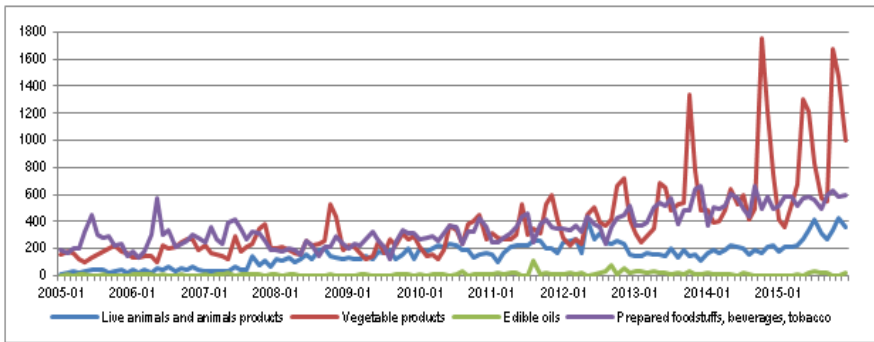
Figure 2. Food exports by sections

The main partners of food exports from Albania, during the period under study are: Italy, Kosovo, Greece and Germany. Food exports from Albania to Italy have dominated with more than one third of total food exports during the period under study. More specifically, during year 2015, main partners were Italy with 32,7% of total food exports, followed by Kosovo with about 11%, Greece with 10% and Germany with 5. 7% of food exports.

The food exports plot for the period 2005-2015 in figure 3 shows that the food exports are increased from year to year. Since 2005, the food exports is increased nearly by 4 times. The smaller value was in February 2006 and the biggest in October 2015.
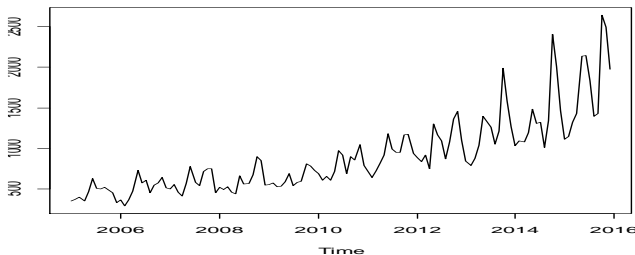
Figure 3. Food exports time series

The figure 4 shows the monthly plot of the data and also a positive trend of food exports during years for all months. The highest values of average food exports were in October and November, and the lowest values in February and January.
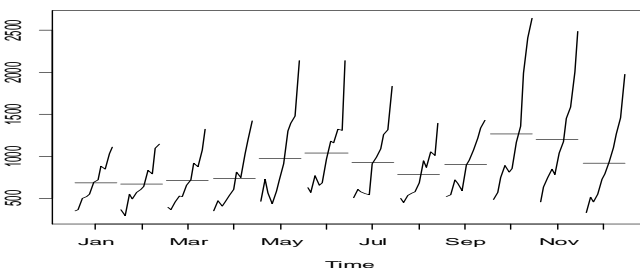
Figure 4. Food Exports by month

The ACF and PACF plots of the food exports series, in figure 1 in Appendix, show that the series is not stationary. The ADF test statistics for the food exports series was found to be -2. 567 (lag order = 5), p = 0. 34, so the null hypothesis of unit root cannot be rejected at 5% level, indicating that the food exports series is not stationary.

To achieve the stationarity of the food exports series, a non seasonal differencing at lag 1 and a seasonal differencing at lag 12 is applied to the original series. The ADF test statistics for the differenced series was found to be -22. 55 (lag order = 4), p < 1%, so the series is stationary. The plot of the differenced food exports series and also the respective ACF and PACF plots are shown in figure 2 in Appendix.

Many possible models are considered. In the table 1 are shown several estimated model and their respective AIC_c value.

Table 1. Some SARIMA estimated models and their respective AIC_c value

Model	AIC_c	Model	AIC_c
$SARIMA(3,1,1)x(0,1,1)_{12}$	1513. 72	$SARIMA(3,1,1)x(0,1,0)_{12}$	1518. 47
$SARIMA(3,1,1)x(1,1,1)_{12}$	1515. 59	$SARIMA(0,1,2)x(0,1,1)_{12}$	1518. 19
$SARIMA(3,1,1)x(1,1,0)_{12}$	1513. 35	$SARIMA(1,1,0)x(0,1,1)_{12}$	1537. 63

The best fitted model was the SARIMA $(3,1,1)x(1,1,0)_{12}$ model with the lower AIC_C value of 1513. 72 and the value of Log likelihood of -750. 3. The results of the best model are shown in table 2.

Table 2. Results of SARIMA $(3,1,1)x(1,1,0)_{12}$ model

Variable	Coefficient	Standard error
AR1	0. 245	0. 110
AR2	-0. 009	0. 100
AR3	-0. 280	0. 097
MA1	-0. 798	0. 085
Seasonal AR1	-0. 280	0. 100
$Sigma^2$	17211	

The results of ADF test for the best fitted model residuals indicated a ADF value of -5. 08, lag order = 5 and p-value < 1%, so the residuals series is stationary. The ACF and PACF plots of the residuals up to 30 lags, shown in figure 3 in Appendix, indicated that none of the autocorrelations was significant at 5% level. This confirms that the selected SARIMA model was an appropriate model for forecasting the food exports, which also indicated the 'good fit' of the model.

The results of Ljung-Box test indicated a value of statistics of 27. 98 (df = 28), and p-value = 0. 465 > 5%, that is the model is appropriate for the data. The standartized residuals plot and p-values for Ljung-Box statistics are shown in figure 4 in Appendix. The results of Lagrange Multiplier (LM) test for autoregressive conditional heteroscedasticity (ARCH) test, with null hypothesis: no ARCH effects of best fitted SARIMA model, indicated a chi-squared value of 20. 8, df = 12 and p-value = 0. 054. To evaluate the performance of the best fitted model, are found the values of MAE = 83. 59, RMSE = 124. 56, and MAPE = 9. 57%.

The figure 5 shows the actual values food exports for the period under study and the forecasted values of monthly food exports for years 2016 and 2017 based on the best fitted model.

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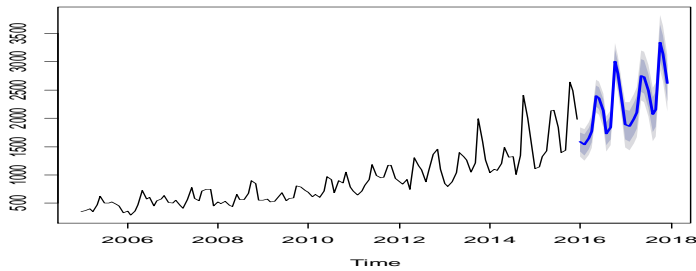
Figure 5. Predicted food exports (blue line) from SARIMA (3,1,1)x(1,1,0)$_{12}$ model

The forecasted values of monthly exports are very important for customers, producers and policymakers as exports are an important source of foreign exchange income and create job opportunities. The forecasted values of monthly food exports for 2016 and 2017, and their corresponding lower and upper 95 % confidence interval limits are given in table 3.

Table 3. Predicted monthly food exports for years 2016 and 2017

Year 2016	Forecast	Lower limit	Upper limit	Year 2017	Forecast	Lower limit	Upper limit
January	1582. 98	1325. 85	1840. 11	January	1887. 27	1488. 00	2286. 55
February	1532. 00	1250. 27	1813. 73	February	1858. 85	1437. 80	2279. 90
March	1642. 25	1349. 94	1934. 56	March	1987. 40	1552. 98	2421. 82
April	1769. 58	1477. 26	2061. 90	April	2107. 35	1670. 20	2544. 50
May	2391. 15	2098. 24	2684. 06	May	2753. 98	2312. 31	3195. 65
June	2357. 59	2062. 62	2652. 55	June	2731. 38	2283. 48	3179. 29
July	2135. 99	1834. 82	2437. 18	July	2486. 06	2028. 51	2943. 61
August	1725. 62	1418. 24	2033. 01	August	2067. 94	1600. 82	2535. 06
September	1835. 17	1522. 59	2147. 76	September	2155. 89	1680. 03	2631. 75
October	3005. 58	2689. 28	3321. 88	October	3337. 44	2854. 10	3820. 78
November	2787. 65	2467. 99	3107. 30	November	3138. 68	2648. 26	3629. 10
December	2267. 91	1944. 82	2590. 99	December	2620. 88	2123. 38	3118. 38

The highest value of food exports is predicted to be in October, respectively with value of 3005. 58 ALL million in 2016 and 3337. 44 in 2017, whereas the lowest value in February, respectively 1532 and 1858. 85 ALL million for the two coming years.

Conclusions

Exports are a very important factor to reach a sustainable economic development. The importance of increasing exports is not related only with the reduction of trade balance, but also with the improvement of the quality of products and the increase of the production capacity, new jobs creation, and the wellbeing. The increase of quality of Albanian products will have a positive impact on exports and food exports growth.

This study is a first attempt to model the monthly food exports in Albania for the period 2005-2015 and to forecast the monthly food export for years 2016 and 2017 using SARIMA methodology. Fluctuations in the value of food exports are a matter of concern for customers, producers and policymakers.

The results of the descriptive analysis indicated that the percentage of food exports to total exports varied from 5. 68% in January 2011 to 13. 14% in August 2005. The food exports are increased from 2005 to 2015 and are dominated by two sections: the prepared foodstuffs, beverages and tobacco; and vegetables products.

The food exports time series indicated a positive trend and seasonality. Monthly food exports of Albania is found to follow the SARIMA (3,1,1)x(1,1,0)12 with an AICc value of 1513. 72. This model was used to forecast the monthly Food Exports for year 2016 and 2017. The highest predicted value of food exports is 3005. 58 ALL million in October 2016 and the lowest value 3337. 44 in February 2016.

To increase food exports from Albania is necessary the improvement of the infrastructure in rural areas that obstructs the arrival of products to the market, to increase the state subventions for producers and farmers because the level of loans for investments is still low in this sector, and to achieve the Europian Union standards of food products. Increasing the quality of food products is the most important factor for improving the competiveness. Technological advancement and new methods for management of production systems will encourage the growth of production of food products.

In the future research, the relationships between food exports, foreign direct investments and exchange rate ALL/euro can be studied using econometric models.

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Appendix

Figure 1. The ACF and PACF of the original food exports series
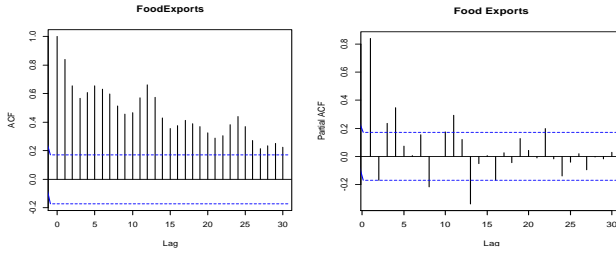
Figure 2. The plot of food exports series after differencing at lag 1 and 12, and the ACF and PACF plots
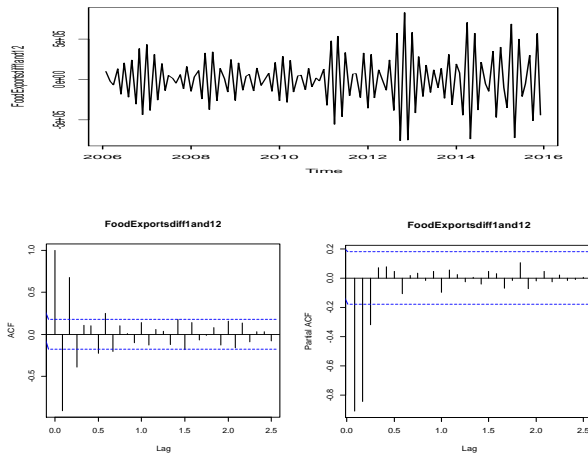
Figure 3. The ACF and PACF plots of residuals series
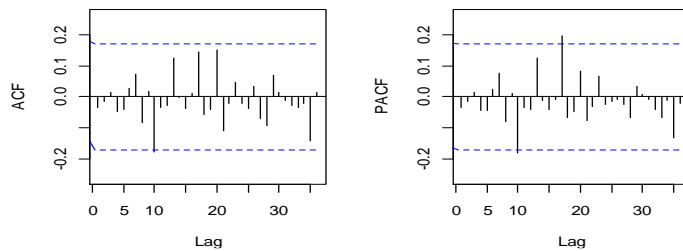
Figure 4. The standartized residuals plot and the plot of p-values for Ljung-Box statistics
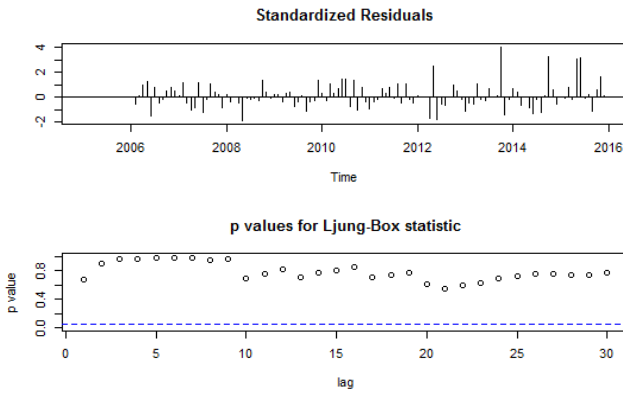
Teaching Foreign Languages Through Culture

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Abstract

The word is becoming globalized in every aspect. As a result, people are encountering everyday many foreign languages and cultures either through mass media, social media, schools, books etc. Living in this type of environment gives us the opportunity to learn and study many foreign languages and cultures. The importance of the relation between language and culture has been studied and assessed since a long time. This study is focused on how foreign languages are taught through culture. There can be raised several important question regarding the relation between language and culture. Is there any connection between language and culture? Do they influence one another? Can someone learn a language without knowing the culture and vice versa? In order to answers such questions there was revised the most modern literature on this topic. After revising the literature, a survey was also conducted to the lecturers and students of foreign languages faculty at "Aleksander Xhuvani" University in Elbasan. The purpose was to approach the topic from both perspectives and get the results and opinions from different point of views. The number of students participating in the survey was higher than lecturers, so percentages are given separately for both categories. Then the results were analyzed and compared with one another.

Keywords: *Language, Culture, Foreign languages, Effective communication, Cultural barriers, Education.*

Introduction

The relation between language and culture has long been studied and analyzed. According to Timpe it is essential to consider the relationship between language and culture in order to obtain a better idea of the close and mutually-influential interconnectedness between language and culture. It is only through language that a person is able to access the foreign culture and enter the realm of the new cultural territory (Timpe 2014, p. 13). Hence, both language and culture are inextricably linked, as one does not function without the other (Timpe 2014, p. 15). So, here the importance of studying both language and culture is highly emphasized. Timpe claims that one cannot study the foreign culture without studying the language. They are very closely connected an inseparable from one another.

Kinginger claims that there is great interest in 'teaching culture' as a part of the second language learning project. Even though, he continues that language and culture are not included in the same second language curricula, study abroad programs, and other learners and researchers programs. Kinginger insists that in the broader field of teacher education, the attention should be focused on the barriers that culture can create on effective teaching while teaching a foreign language. It influences the teacher's performance. (Kinginger, 2013, p. 76). As a result culture and language should be studied in the same language curricula. To avoid the barriers in teaching performance the teacher should be well aware of cultural differences and should include culture in their everyday language teaching activities.

Hager suggests that culture and language are closely knit and that they need to be taught/learned simultaneously (Hager 2011, p. 3). The semantics of grammar are loaded with cultural values and ideas; this can be found in the social structures speakers use, e. g. the social organization of speech communities (Hager 2011, p. 37). So, it is of great importance to study them at the same time. You may not understand the language without the culture as culture takes part in all aspect of the language including grammar and social structures.

It is impossible to translate the languages word for word. According to Reid all languages have idiomatic expressions which carry cultural connotations that are beyond the meanings of the individual words. As such it becomes impossible to translate appropriately without any cultural knowledge. Reid also claims that each language and culture is concerned with gestures and body movements which also importantly convey meaning. Gestures and body movements do not al-ways mean the same in different languages and cultures (Reid 2014, p. 25). So in order to avoid misunderstanding one should also study other aspect of communication such as body language.

If we are unfamiliar to a language and culture it would be even more difficult to understand a text in that language. Matos emphasizes that if the readers we have in mind are reading in a foreign language and that if both the culture and the language are foreign in the perspective of these readers, learners may experience greater difficulty in identifying potential meanings in a given context (Matos 2012, p. 59). Being unfamiliar with both language and culture makes it quite difficult to understand a context in that foreign language.

Some people show interest on a language just because of its culture. If it is a dominant or a popular culture people may be encouraged to start learning the language of that culture. James and Georgieva said that speaking the language of a popular culture may be associated with prestige, and be valued by younger people (James & Georgieva, 2010, p. 5).

According to Pütz teachers are unaware of the culture they transmit while teaching a language. After conducting a survey with several lecturers he concluded that all lecturers are of the opinion that language teachers are generally un-aware of the culture that they transmit when they teach a language. As one lecturer put it, "We think in our culture and we transmit this in our teaching, but we are unaware" (Pütz,. 1997). The teachers should be aware of the culture and messages they transmit and should be aware of the culture of their students.

Zarobe, Y., & Ruiz de Zarobe, L argue that contemporary linguistics and communication practice have shown that cultural contact occurs simultaneously with language contact, and therefore understanding cultural contact is essential for setting up efficient communication among members of different cultures Ruiz de Zarobe, Y., & Ruiz de Zarobe, L. 2012, p. 337). As a result knowing the culture is a key factor for achieving effective communication.

Method

This research was conducted at "Aleksander Xhuvani" University in Elbasan. A questionnaire composed of ten questions was prepared and distributed to students and lecturers of the foreign language faculty of this university. There were asked the same questions for both categories in order to get the answers and opinions from different point of views. The results of both groups could be contrasted and compared. Some of the questions were open ended and some closed ended, so that it made it possible to conduct a qualitative and quantitative analysis on this topic. This study was about teaching foreign languages through culture, so the students and lecturers involved were not just part of one department. It included students learning English, French, German, and Italian. For the study it did not matter what department belonged each student as the culture and language relation is almost equally important for all languages. The questionnaire was anonymous and each participant was given enough time and explanation to complete the survey. In total there were 100 students and 10 lecturers involved in the research. Each of them answered and submitted the following questionnaire.

Do you think culture and language are connected with each other?

Can someone learn the language without learning the culture or vice versa?

Can language and culture function without each other?

Can culture be a barrier to language learning performance?

When learning a foreign language, is it necessary to learn culture and the language simultaneously?

Does culture influence the grammar of a language?

Is the body language the same in all cultures?

Will you ever study a foreign language because of its culture?

Can a language be translated word for word?

What do you think about the role of culture in effective communication?

Results

Analyzing the questionnaire was the next step in this research. Regarding the question about the connection between culture and language all the lecturers and 85% of the students agreed that there is a connection between the two. The rest of the students either claimed that they did not know the answer or they said that there was no connection between them. As it is shown from the results the vast majority of student and lecturers believe that there is a relation or a strong relation between language and culture that is worth studying.

The next question asked for the opinion whether a language or culture could be learned separately. Most of the lecturers 80% think that language cannot be learned without culture and 90% of them think that a culture cannot be studied without knowing that language. The percentages were a little lower when it came to students results. 60% of students think that a language cannot be learned without culture and 65% think that a culture cannot be learned without knowing the language.

Again all the lecturers agreed that language and cultures cannot function without each other. Surprisingly here even the number of students who think the same way as their lecturers was too high. 97% of students declared that both language and culture do not function without each other.

The following question was about barriers that a culture can cause in language learning. Most of the teachers agreed that a culture can be a serious barrier 60% to language learning whereas other 30% said that it can cause some difficulties. Only one lecture, 10% responded that the culture cannot be a barrier to language learning. On the other side only 40% of students said that the culture can be a real barrier to language learning. The other 35% claimed that it can cause some problems and the remaining 25% did not consider culture as a barrier at all.

The answers of the following questions were not easy to be analyzed as there were various types of responses. Nevertheless, most of lectures, 70% insisted on learning language and culture simultaneously. On the other hand the students did not produce solid results like lecturers. If answers without any relevance to the study are excluded then the result was 37% declaring that language and culture should be studied simultaneously, 28% said that it does not matter which one you study first and another 25% did not know or did not answer the question.

In the question asking about the influence of culture in the grammar both students and lecturers, 83% and 90% respectively, were certain that was a kind of influence coming from culture. Most of the lecturers also gave concrete examples were culture influenced grammar as in the example of gender categories.

The only question which had a unanimously response was whether the body language was the same in all cultures. Here lectures and students all agreed that body language differed from culture to culture. Body language is a very import aspect of communication. As a result one should know very well the body language of another culture in order to communicate appropriately. The importance of culture in language and communication is best understood from the results to this question.

The next question asked lecturers and students whether they will study a foreign language just because of its culture. Only 40% of lecturers and 26& of students claimed that they will study a language in the future just because they are interested or encouraged by its culture. Even though the results may seem low, still there are a significant number of students and

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lecturers who want to study a language just to know or become familiar to its culture. Considering that there is an unlimited number of reasons to study a foreign language cultural reasons seems to be considered quite high.

The following question asked the two groups whether a foreign language can be translated word for word in the mother tongue. All the lecturers unanimously responded that a foreign language cannot be translated word for word as you need to know the culture, idioms and expressions of both languages in order to make an appropriate translation. 82 % of students also claimed that word for word translation is either wrong or impossible. Only 18% of the students agreed that word for word translation is possible or is the same in different languages. The results of this question show once again the importance of knowing language and culture at the same time in order to have a better understanding or translating o foreign language.

Regarding the last question we may say that the responses varied considerably as it was an open ended questions. Most of the lecturers, 90%, considered the role of culture in communication either as important or very important. As they defined communication as something larger than language which includes it, they declared that the role of culture in communication was even higher. 75% of students also defined the role of culture in communication as important. Even the rest of the students, who did not emphasize the role of culture, accepted that there is some importance of cultural knowledge in communication.

Discussion

After analyzing the results, based on the majority of the responses, it can be said that the language and culture are closely connected with one another. As a result a language cannot be learned without knowing the culture and vice versa. They cannot function without one another. Not knowing a culture can a barrier when studying a foreign language. In order to avoid such problems one should study also the culture related to that language. So, when learning a foreign language it is necessary to study both the language and the culture simultaneously.

The culture of a nation can influence the grammar of the language, its vocabulary, and the body language. As it can be seen the impact of the culture in the language is enormous. There cannot be an appropriate communication or understanding without knowing both of them. We may misunderstand other people just by not being familiar to their culture. It would be impossible to translate a foreign language to a mother tongue without any knowledge about the culture as word for word translation most of the times is impossible. Culture has a great influence in learning a foreign language. Many people start learning a new language just because they interested about the culture of that nation.

Conclusion

To conclude it can be said that language and culture relation is very important when considering studying a new language. One may not succeed in learning a language without studying its culture simultaneously. Cultural aspects can be the main barriers of communication between individuals. Body language, grammar, vocabulary, idioms, and politeness they all change from culture to culture. It is almost impossible to have a good knowledge of language without all these components. Even if you know a lot of vocabulary of a foreign language you are most likely going to misunderstand and misinterpret their language if you do not have any knowledge about their culture and tradition.

It is strongly advisable that someone should study both the language and the culture of a target language as they cannot function separately. It is very important to become familiar with the culture in order to progress or improve the language capabilities. Nowadays many texts include cultural aspects when designing the curricula of a language program. Language and culture are said to be mutually influential and very closely connected to one another.

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Social Circumstances of Deviant People, Case Study in Gjakova Region

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Abstract

One of the factors influencing groups to hold together as one united 'body' for a social stability, is also the level of appearance of criminality within the region. Alongside evolution of the society, crime has also evolved and refined. Therefore, in the modern world of technology and science, criminality emerges in most diverse and most advanced forms. Based on that, criminality is encountered in every pore of society, irrespective of development, tradition, culture and nationality, and that from the local level, regional, state and all the way to international dimensions. This is furthermore sustained particularly by social evolutions experienced by the countries in transition, which were subject of a 'reformation' in all social spheres thus without sparing the human values. These trends of global development have, through some deviant cases, resulted with situations where all the existing social norms are being relinquished. Regardless of where you may happen to be, whatever newspaper you read, whatever news edition you watch on TV, one cannot but note that various criminal offences are being discussed or reported about, starting from the most common ones all the way to the terrorist acts. Based on the number and type of criminality, and based on the number of deviant persons, from 1999 onwards Gjakova region results with entirely new 'behaviour' in this direction. Therefore, current studying and analysing of social circumstances related deviant persons of this region consists of an immense and specific importance. Social circumstances and other factors of such persons shall be reflected through this study and that from the analysis generated from 95 of them which, in relation to the number of criminal offences reported with the law enforcement authorities from 2001 until 2012, appears to be 0. 41%. The sample included convicted deviant persons coming from the population of Gjakova region.

Keywords: social, criminality, social development and Gjakova region

Introduction

The present-day social development trend has increased the complication and complexity in the society. Moreover, various criminal activities and occurrences turn up to be even more complex, in particular when they represent a 'cut' between the past, present and the future. Based on the literature on criminology, there was a long-time-persisting opinion that only unstable social strata and individuals belonging to a rather poor economic situation dealt with criminality. This theory is nevertheless dismissed given that individuals from higher social strata and of good economic situation have been lately involved in criminality. Therefore, 'modern' criminality knows no boundaries in sex, age or in economic situations or social strata. These have oftentimes generated social conflicts of scales even dangerous to life and property in global level.

Human-being way of life and thinking is formed and stabilized under the influence of social and economic conditions of a certain period of time (Krasniqi, 1990:297). By way of change of economic and social conditions, especially with the most recent technological developments in all spheres of social life, it is by all means imposed a change in the way of living, in the positive sphere as well as in the negative one and this is an unceasing process. 'Modern' societies in the contemporary world confront with ever increasing criminal activities. Some of such criminal activities dwell on use of violence all the way to the most severe aggressiveness. Gjakova society suffered exactly these activities after the war of 1999. Based on the above it results that an individual's personality, besides behaving within the frame of ordinariness, can also often exhibit negative behaviour, i. e. to deviate.

Social Development and Theories on Criminality

Many a studies have been hitherto conducted in relation to goading of individuals on such behaviour, violating norms and laws of the concerned society, where according to sociological explanation such deviances are learnt during the course of life in society. Nowadays it is not the human being living in caves and kindling fire by way of 'friction', but it is the human being living in one-hundred-storey skyscrapers, the human being flying spaceships in conquering the universe or piloting submarines in exploring the sea and ocean life. Thus, "*while the cultural environment we are born and grow up in influences our behaviour, it may seem that we are with no individuality or free will"* (Giddens, 2004: 94).

Therefore, this beginning of the century has started with an even bigger increase of perils to human life. We now have not only the natural risk but also the risk from the very developments of the society. Today, "*development, modernization, the increasing quality of life culture, are faced with some eminent natural and social liabilities, which have engaged to a full meditation the society, politics, the state and everything"* (Tushi, 2006: 379).

Dealing with criminality was a subject of many a authors and researchers since the early times, labouring to understand such actions. The very infringement of life and material goods has led to such dealings purposing to avoid such risks. These forms and reactions have been made based on the circumstance of the time and depending on the social developments, which every once in a while suffered radical change.

Criminality, as an occurrence dangerous and harmful to the society, has been at the epicentre of many a philosophers and scientists since primeval times. Thus, opinions in relation to this occurrence and causes of its presence *begin from the primordial points of views of ancient Greek philosophers* (Halili, 2002: 69), although there were even earlier opinions continuing to the present days.

Various and numerous opinions have been provided in relation to criminality since ancient times and they continue to the present days and such are opinion from renowned researchers in this field. Various researchers have also provided from most diversified definitions to the most alike ones. Such a statement is also asserted by prof. I. Salihu, according to whom: "*though they agree on the general definition of phenomenology, some differences exist amongst them"* (Salihu, 1985: 125).

With regard to criminality, ideas and opinions have been provided since ancient times. Plato assesses that the impact of ill instinct and soul bring strong emotions and lusts with certain individuals who commit crimes. Based on this, he goes as far as a prevention of criminal occurrences may be achieved only if it is permeated through the inner psychological side, and in addition, he assesses also some of the external factors.

The issue of criminality was dealt even by Aristotle, who assessed that the way of organizing a society plays a role in this matter. Amongst the scholars who elaborated on this occurrence was also J. Jacque Rousseau who claimed that the causes of criminality and ways of preventing criminality lay within the social conditions and circumstances of the perpetrators of criminal offences. According to him, a human being is not born as a criminal but rather the society and societal environment as well as socio-political conditions and circumstances drive him in conducting criminal behaviour and committing criminal acts (Halili, 2002:74). This view parallels also with the current reality in Gjakova region. Based on this reality currently we currently have concrete criminal behaviour and activities which are a result of the of the social environment, social and political circumstances and conditions.

In addition, viewpoints which, from their appearance to the present day, represent and provoke debates and critical discussions are the viewpoints of sociologist E. Durkheim. According to him, the causes and roots of crime are in the very nature of human society, in the social surroundings and in the want of social control. Criminality is characteristic to every society and it is a loyal companion of all human societies. He goes as far as underlining that: the society in which criminality has decreased is in an unhealthy and not normal social situation. Such society lacks processes and manifestations that drive forward the development of the society (Vold, Bernard, Snippes, 1998: 124-126).

Gabriel Tad provides his viewpoint on criminality advising that the main cause of its appearance are *"social circumstances and problems in adapting to the existing life conditions",* where he emphasizes "*the process of imitating and learning criminal behaviour"* (Halili, 2008: 95). That criminality emerges from the society itself, is also asserted by the philosopher Emil Dyrkheim, according to whom: *"cause of criminality and its roots are in the very nature of human society, in the social environment and in lack of social control"* (Halili, 2008: 96).

One of the key measures in combating criminal occurrences is the identification of factors that abet individuals in criminality. An assessment on criminality is also provided by Giddens expressing, amongst the rest, that: "*In the recent years there have been attempts to use an interpretation with rational choices in analysing of criminal offences. This implies that people are not goaded in criminal activities, but in an active manner they chose to engage in them. They believe it is worth of taking a risk. Persons having "criminal mentality" are those who envisage profit from situations when they break the law, or while being conscientious of the risk they may be apprehended*" (Giddens, 2004: 136).

Social Circumstances Change and Impact

Since its very rise, human society has been confronted with and continues to be challenged by change, many times also facing with breaches of rules, norms and existing laws. Therefore, incidents started occurring as of the age of the first human society, infringing thus the rules of social life based on the customary law. In order to safeguard of these activities it was necessary to react towards the persons committing such activities. For this reason, the criminality phenomenon is an issue that provoked many a researcher to deal with it, "*it is a constant negative occurrence which has accompanied human society from the first primitive community to the present day* (Hajdari, 2004: 189).

Referring to the most recent studies in the aspect of criminology, criminogenic factors of appearance of antisocial and criminal occurrences in a society are the factors that affect significantly the occurrence of criminal behaviour, and they are: *the economic-social group of factors, ideo-political factors, micro-group factors, socio-pathological factors and others* (Millutiniviq, 1985: 375-376).

Many a researches have been conducted to the present with regard to instigation of individuals in such behaviour, breaching norms and laws of a certain society, where according to the sociological explanation these deviances are learnt while living in the society. With regard to social change, it results that there are three main segments that cause social change: physical environment, political organizing and cultural factors. Moreover, many observers have suggested that what is taking place nowadays is transferring to a new society which no longer bases itself on industrialism. They claim that we are entering a development stage that is beyond the industrial one (Giddens, 2004: 619).

The Overview of Social Circumstances of Deviant Persons in Gjakova Region

Age: Referring to the data released by research, it results that we have to do with the involvement of all ages that have been the subject of legal violations and that in satisfactory percentage of all categories. This shows that deviate behavior knows no age.
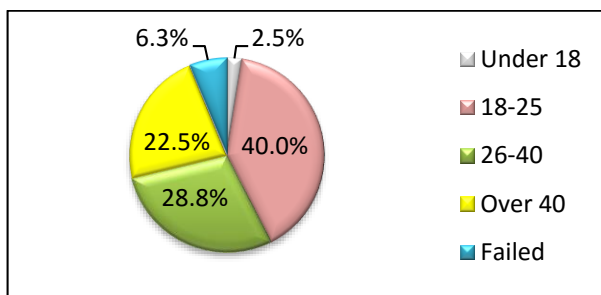
Diagram 1. Age of convicted deviant people

Gender: Many texts in criminology still include almost nothing for women, except for rape and prostitution parts and most of the theories of avoiding are leaving women almost aside. Although women are less likely to participate in avoiding activities than men, it cannot be the reason to leave out of consideration (Giddens, 2004: 145). However, the recent social developments in the field of crime have involved the deviants regardless of gender, resulting that the subject of legal violations were both sexes.
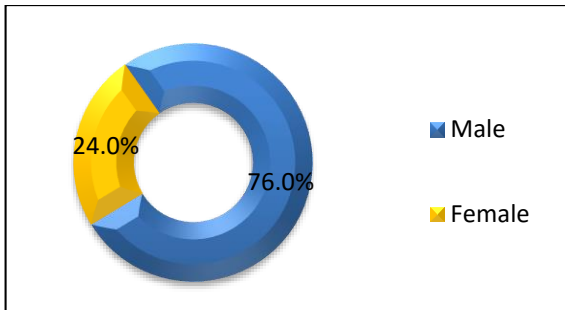
Diagram 2. Gender of convicted deviant people

Education level: During the field research it appears that in criminality have been included all levels of education. This proves that in the 'modern' world, from deviant behavior to the crime are involved not only citizens with a low level of education, but also them with a higher level. This comes as a result of developments in technology and the most diverse businesses. So it turns out that crime has raised the intellectual level and that today not only those who do not have education are committed to crime.
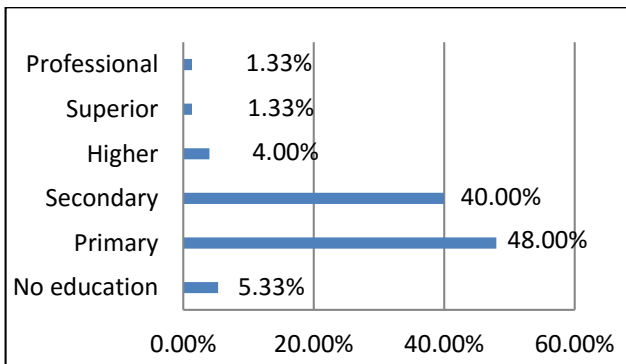
Diagram 3. Education Level

Marital status and family: It seems that we are dealing with the champion that is part of a broader community and less belongs to individuality. We are dealing with people who are basically part of the family. Considered in social terms, this is the category that has no obligations to many others, but it is precisely this category that deals more with society.
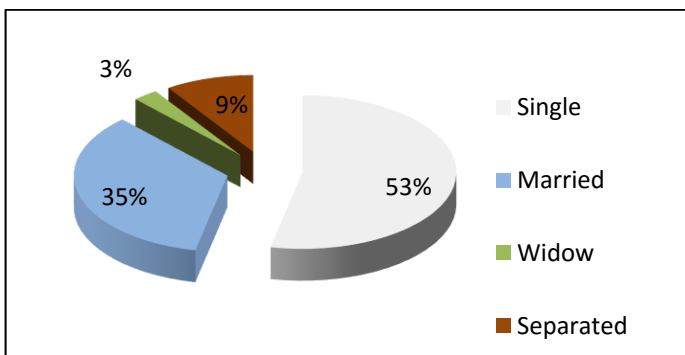
Diagram 4. Martial status
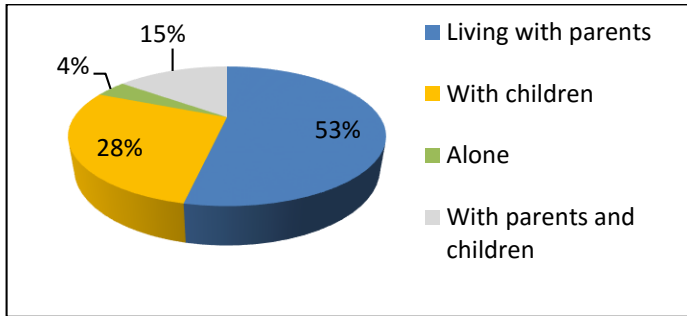
Diagram 5. Family status

Residence: Considering that the evolution of social and criminal acts have involved roughly the same as the urban area, as well as the rural areas, we have inclusion sample from both areas. It dominates the urban areas because of greater population, where population is concentrated after 1999, given that during these years there have been numerous internal migrations, where the city is populated by the population of rural areas.
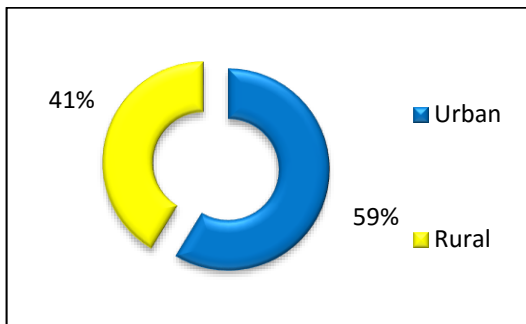
Diagram 6. Residence

Employment status and economic situation: Based on these, we see the prisoners come not only from the poor economic situation, but also from the medium and good levels. This presents an interesting feature on encouraging various individuals and groups in order to insert the path of crime, where it appears that not only persons whose survival security was imposed through criminal activities, but in crime, much more, are being encouraged people dealing with such activities only for faster enrichment, and there are those who do the dirty work just because of passion.

	Employed	Unemployed	Retired
Employment status	20.0%	78.7%	1.3%
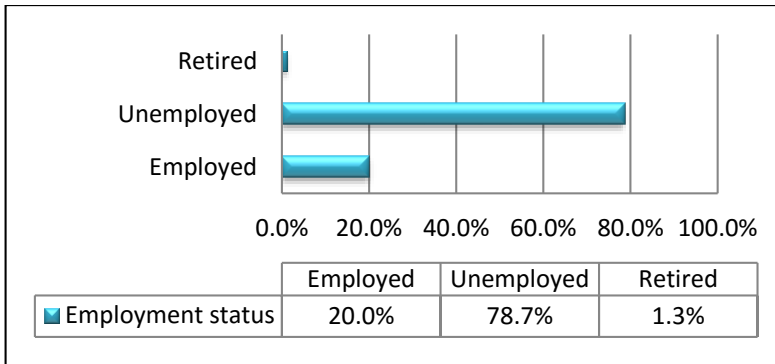
Diagram 7. Employment status
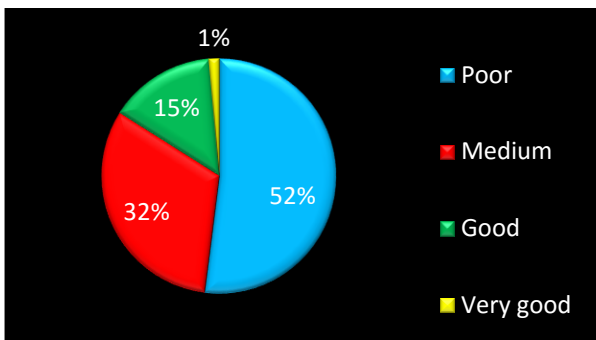
Diagram 8. Economic situation

Other residence and legal violations: Considering that soon after the intervention of the international community in Kosovo and governance during the transition period of this society, even after the declaration of the state of Kosovo, many people from different countries of Europe, and other countries, have returned voluntarily or with eviction in their place, among which in Gjakova, many people have been convicted abroad and other habitats.
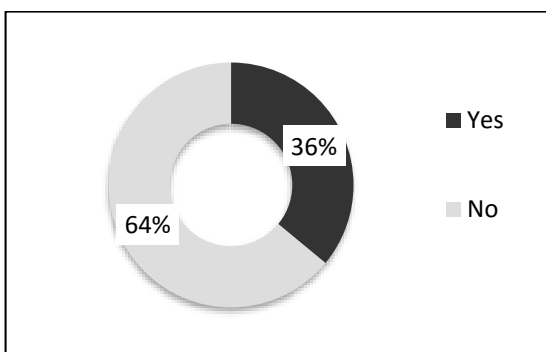
Diagram 9. Abroad residence

From this sample, it appears that there is a large number who have lived in different countries of the world and have knowledge on developed and open societies and they had to do with violations in these countries.

Legal violations: People convicted into the sample of dealing with violations, which itself are proved by the data questionnaire.
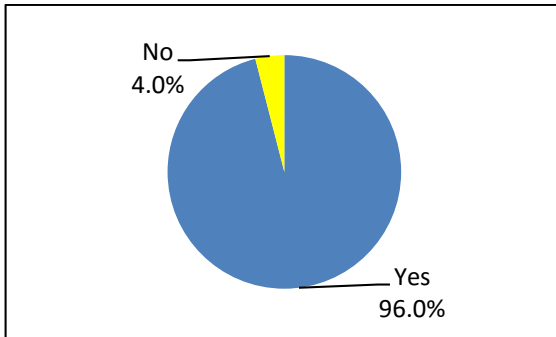
Diagram 10. Legal violations

In the second half is treated the decline against the law, arrests and punishments, where we have: 96. 0% of them admit that they have violated the law.

Arrested: By these people a large percentage of them have been arrested, which arrests were attributable to periods of pre-war, post-war and from both periods, but the one which dominates is the time after 1999.
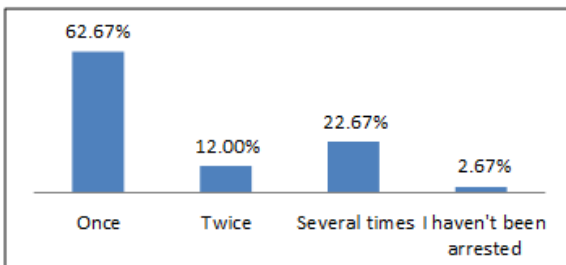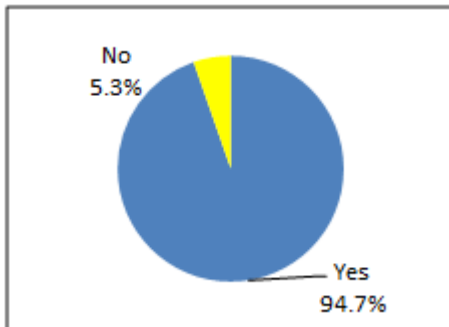
Diagram 11. Arrested Diagram 12. Times - arrested
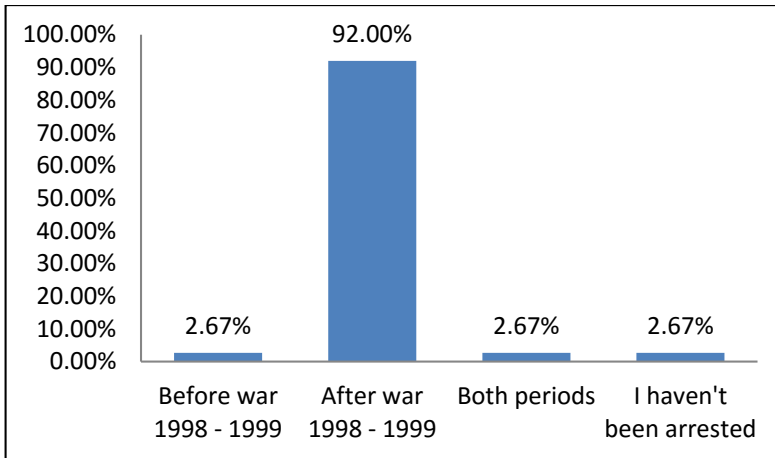
Diagram 13. Arresting period

Here can be seen that most delinquent are teenagers and that a number has been arrested several times.

Convicted: From this sample it appears that almost all were also convicted, and not just once. Also periods in which they have been convicted range from once to several times
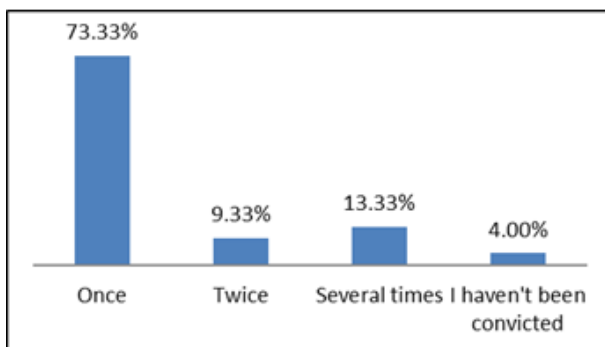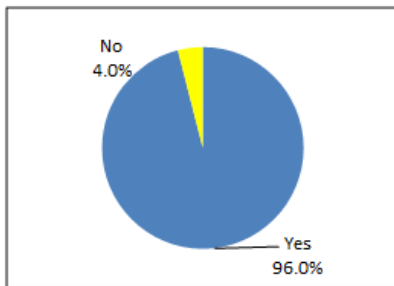
Diagram 14. Convicted Diagrami 15. Times - convicted
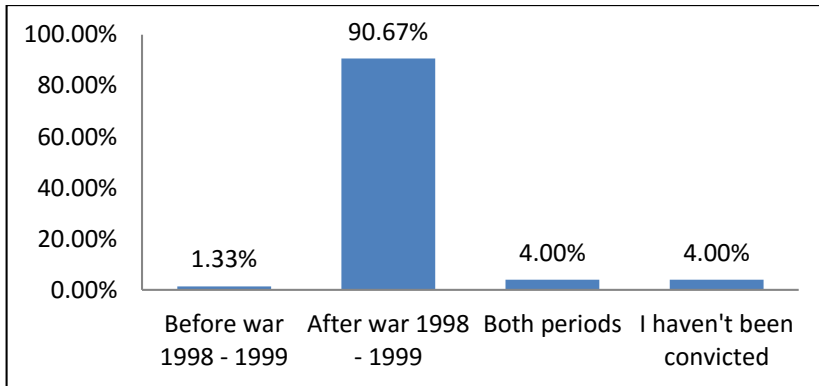
Diagram 16. Convicting period

This shows that the concerned people have criminal records, in which dominates the only once punishment, but there is also present and worrying fact when there are convicted people two, three or more times. This proves for repeat offenders who are not reaching the proper socialization. Then, there dominates the 1998-1999 period of post-war punishments, but there are those who have been convicted even before that period and also in both periods. What is striking is that some have written that have not been arrested. This is reportedly due to two reasons: first some thought to evade reality and secondly, there are times when after the offense they have not been arrested, but they were presented themself in the justice institutions and from there they took measure of punishment.

Arrested and convicted familiars:

Based in criminological literature it is stated that a major role in the appearance of crime and criminality also plays the social environment. According to professor of forensic Alexander Lakasanji, social environment breeds crime and criminal culture is the environment microbe. Here is emphasized more the role of social factors in comparison to the economic and underestimates individual aspects of crime, especially the personality of the perpetrator. Therefore it is obvious that they have an accompanying heritage from their family members in violation of social norms.
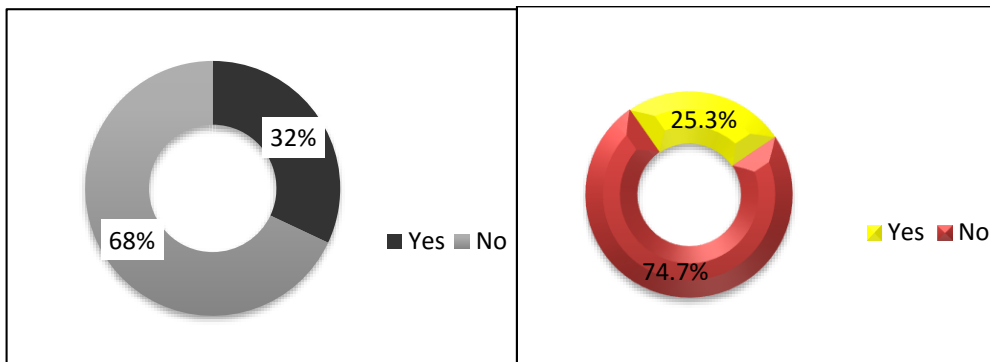
Diagram 17. Familiars arrested Diagram 18. Familiars convicted

Arrested or convicted by society: It seems that convicted people have had arrested and convicted people as their friends. This could indicate that they have a good cooperation between themselves and also the time they spend together. In fact, they make you realize that they might be a model of each other, encouraged in criminal activities. It is understood that the influence of society and the environment has an important role, especially among the youth.
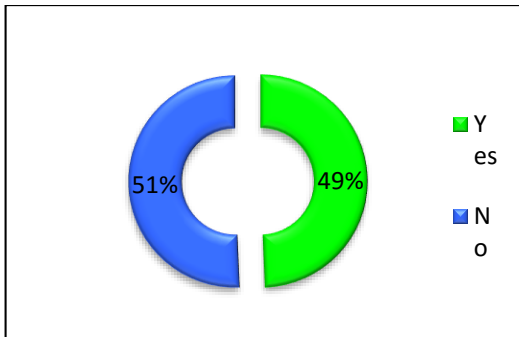
Diagram 19. Arrested and convicted by society

Conclusion

The trends of criminality are increasing in almost all societies of the world. Despite numerous attempts carried out by subject-matter experts and various sciences of this field with regard to identification of causes and required measures to at least alleviate it a trifle, it has remained only an attempt though hoping to be accomplished. In the recent times at the beginning of this century, crime inclination has brought many new forms that are dangerous to the humanity. These forms appear to be dangerous and lethal, because the very technology used by crime perpetrators is very sophisticated and involves devastating dimensions, both against property and against the life of persons, causing innumerable victims. This does not exclude the level of crime in a barbarous manner that existed since antiquity; however, the magnitude of victims in modern times is overwhelming.

Based on the statistics and the data of this study, it results that the number of persons that venture in deviant behaviour and criminality is increasing. It appears that an important factor is age and sex, where it is obvious that there is significant percentage of all the ages, but young ages are the leading ones; on the other hand, there is also a considerable percentage of female sex as well. This proves that criminality turns out to be tempting, which inexorably represents perils and creates instability in the society of this region.

Referring to theories that usually in criminality are involved persons lacking education, persons with no family supervision and of poor economic situation, it results here that social change in this region have brought novelties in this region. Currently, criminality embroils also persons of even highest intellectual degrees who live in family unions and who have a rather good economic situation.

There are persons who have also lived abroad, outside Kosovo, for a extended period of time and who have been engaged in criminal occurrences, who have not returned and continued to be engaged in their 'trade'. They have adapted very quickly and have created friendships with others by becoming successful co-operators.

Concerning is the fact that the vast majority of convicted persons are recidivists, who have been arrested and sentenced more than twice. This indicates that we have to deal with 'professionalism' and that re-socialising institutions are not at all efficient.

Continuation of family tradition in the field of criminality is also not wanting; nevertheless, there are also a great number of them coming from well-boding families. It appears here that their company has an influence, as it results that many of them socialise with persons having criminal background.

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The Impact of Modern Trends in the Social Work and Social Care in the Republic of Macedonia

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Abstract

Social care is an organised network of institutional and non-institutional facilities designed to meet the needs of citizens. The reforms that are taking place in social protection are influenced by modern trends in social work, expressed through decentralization, de-institutionalization, pluralism, strengthening of civil society and the possibility of providing private services, affecting and enriching the content of social work. These change the relationship to the client's position and improve the professionalism of social worker. Changes in social policy, resulting from diverting from central to local level, influence and give direction to the overall social activity. The paper describes the three components thereof (areas): the state of social work and social protection in the Republic of Macedonia, rights and services in the social protection system in the Republic of Macedonia and research part. Starting from the assumption that modern trends affect reforms in the social protection system of the Republic of Macedonia, this paper aims to determine the state of social protection in the Republic of Macedonia. The aim is to gain knowledge about the situation and the changes occurring in the social institutions of public character, influenced by modern trends. Also this paper makes analysis of the legislation in the Republic of Macedonia in the field of social protection. Ultimate goals of the implementation of reforms in the social protection are the welfare of the beneficiary, improving the quality of work and professional development of social workers.

Keywords: social work, social care, reforms, decentralisation, de-institutionalisation, pluralisation, rights and services in the social protection.

Introduction

Internationalisation and globalisation do not avoid any country in the world, and this continuous process is also reflected in the Republic of Macedonia, which is a signatory of several international conventions declarations, charters and strategic documents. Hence, the state social policy implemented by the Ministry of Labour and Social Policy is in line with European trends and values, based on which a number of laws, regulations, national strategies and programs have been developed and implemented. New trends in social work cause changes in the organizational structure, management and activities, i. e. changes in the socio-structural and personal orientations methodical action of social work.

The state of social work and social protection in the Republic of Macedonia

Development trends in modern social work are connected with the establishment of specialised services for social activities that employ large number of professionals from different profiles, such as social workers, pedagogues, psychologists, lawyers and others. In the Republic of Macedonia, besides the institutions of closed type, intended for certain categories of beneficiaries depending on age and social problem, the only institutions of open type operating in the area of social protection are the Centres for social work.

Social work has its application in various areas, but when it comes to social work in the Republic of Macedonia and beyond, it is often understood as social protection, an area in which the social work is formed and has the oldest tradition. Hence the most frequently used working method is social work with an individual and family. Also in the literature, the social protection is often pointed out as a primary social work, therefore when talking about social work, primarily meant is the area of social protection and the mention working method.

The state ensures the social protection and security of citizens, according to the principles of social justice, but also it provides special care and protection of the family. Humanism, social justice and solidarity are fundamental values underlying the constitutional order of the Republic of Macedonia. According to constitutional provisions, the Law on social protection was adopted in 1997, undergoing several amendments and supplements, and represents the cornerstone of state laws on social protection in our country

The system of social protection is a complex system operating on the basis of interconnected sub-systems:

Sub-system of social protection conducted by the Centres for social work

Sub-system of non-institutional care, conducted by the Daily centres for protection of elderly and infirm persons, adults at social risk and persons with disabilities

Sub-system of institutional care conducted by the Institutions for accommodation of persons at social risk

Sub-system of financial assistance that guarantees the necessary means for the persons at risk and is implemented through the Centres for social work. (Amicin, 2004)

The Republic of Macedonia as a signatory of a number of international declarations, agreements and conventions is obliged to ensure respect and realisation of the fundamental human rights and freedoms and realisation of social rights of every citizen in the country. The principles of social solidarity, the principle of assistance, the principle of authorisation and various principle related to the management (adequate administration, equal treatment, legal security, trust in administrative bodies) are implemented in the Law on Social Protection (1997). The reforms in the social protection system consist of retaining the good practices and introducing new principles, such as pluralism in the social protection, social inclusion and decentralisation of the supply in the social protection.

Pluralism in the social protection means creating conditions for various entities to provide certain services in the social protection. According to the Law on Social Protection of 2007, article 47 paragraph 5, besides the Government of the Republic of Macedonia, that is the Ministry of Labour and Social Policy, other physical and legal entities and the local self-government units may establish institutions for social protection. Also, this Law regulates the participation of the non-governmental sector in social services provision. The amendments to the Law on social protection in 2004, provide an opportunity for all interested civil organizations in the field of social protection to be registered in the register kept by the Ministry of Labour and Social Policy (MLSP), and implement a part of the programmes for social protection. In addition to associations, certain individuals have the opportunity to carry out certain activities in the field of social protection as a professional activity. This enables self-employment of persons who meet the criteria for performing activities of social protection, in cooperation with the competent Centres for Social Work. In this regard Pejkovski points to the need to create legal and systematic basis for developing social entrepreneurship, whereas potential forms of social enterprises would be: social enterprises, NGOs, cooperatives or social cooperatives, foundations and trusts, religious and humanitarian organizations (Pejkovski 2014).

The principle of decentralisation means planning and implementing social policy at local level according to the needs and possibilities of the specific local community. (Amicin, 2004) Decentralisation process in the area of social protection in our country started in 2004 and is implemented through a transfer of certain institutions for social protection into competence of the municipalities and also inclusion of the local self-government in the identification of the needs for social protection for the citizens from its area. Namely, when it comes to the planning of the activities for decentralised social protection, then the policy is specific and corresponds exactly to the needs and interests of the citizens who participate in it. Therefore, the municipalities have a responsibility to prepare development programmes for the specific needs for social protection for the citizens of their areas. The objective of the programmes is to determine the exposure of citizens to social risks, to determine the number of beneficiaries in the system of social protection, rights and services of social protection being used, the availability of social services and institutions to the citizens and the possibilities of the municipality to carry out specific measures to reduce and mitigate the situation. Within the program, and depending on funding provided by the municipality, the immediate care for citizens can be achieved through the establishment of appropriate institutions or the development of non-institutional forms of social protection.

Social inclusion implies inclusion of vulnerable groups in social and economic life, building human capital and increase the potential of people at risk. (Amicin, 2004). The process of deinstitutionalisation of the social protection system in our country is carried out by taking measures and activities for the promotion of alternative forms of social services, expanding the opportunities for assistance and support to the beneficiaries and their families by providing social protection in the place of residence of the person and his/her biological family. In this regard, apart from the possibility of using cash benefits in accordance with the beneficiary needs, other forms of social inclusion of people who need assistance and support from the community are being constantly developed.

Rights and services in the social protection system in the Republic of Macedonia

The Law on Social Protection regulates the system and organization of social protection, the right to social protection, funding and procedures for exercising the right to social protection. Social protection is a system of measures, activities and policies for preventing and overcoming basic social risks to which citizens are exposed throughout life, reducing poverty and social exclusion and strengthening its capacity for its own protection. Social risks include: health risks (illness, injury and disability), old age and aging, single parent family, risks of unemployment, loss of income support on the basis of job, risks of poverty and other kinds of social exclusion.

The social protection is an activity of public interest. On the basis of rights to social protection, and under conditions stipulated by the Law on Social Protection from 2009, measures are undertaken through which social prevention, non-institutional and institutional protection and financial assistance for social protection are realised.

The system and organisation of social protection consist of the institutions, measures, activities and forms that are realised within the realisation of citizens' rights in the area of social protection. The Government determines the network of public institutions for social protection. Social protection is accomplished through professional work in institutions for social protection, implementation of development programmes, professional development of staff depending on the user needs and international standards, monitoring the conditions and work planning, record-keeping, as well as conducting surveillance and research in this area. The public servants in the public institution for social protection are personally responsible for the performance of duties and tasks in the workplace. The Law on Public Servants of 2013 except the violations committed by a public official in a public institution for social protection also considers disrespect for the Code of experts in social protection institutions (adopted by the Commission for licensing) or failure to provide the social protection of the person in social risk, as disciplinary offense.

By determining measures and activities for social prevention (Articles 24 and 25 of the Law on Social Protection, 2009), the occurrence of social risks is prevented, early detection and early treatment of citizens exposed to social risk is done. The aim of social prevention is to overcome or mitigate the adverse effects of exposure to social risks. Measures to prevent social risks for the citizen, family or group of people, are implemented in particular through education and counselling, development of forms of self-help, voluntary work with personal engagement, as well as through implementation of other methods that suit the needs of the beneficiaries of social protection.

According to Article 26 of the Law on Social Protection (2009), non-institutional care is provided in or through the Centre for Social Work and covers: the right of first social service of social protection, assistance to an individual, assistance to family, home care and assistance to an individual and family, daily and temporary care to help an individual or family, placement in a foster family, placement in a small group home and organized supported living. Institutional care includes the right to training for working-production activity and the right to accommodation in an institution for social protection (Article 41). The right to accommodation in an institution of social protection is provided to: children without parents and parental care until being enabled for independent life and work, and latest until the completion of secondary education, if there are no possibilities to provide care and education otherwise; children with educational and social problems, ignored, neglected, abused and financially insecure; children victims of domestic violence, with disorderly conduct; pregnant women a month before delivery and single parents with a child up to three months of age; people with moderate and severe mental disabilities sent to training for employment and productive activity; people with profound mental disabilities and people with permanent physical disability who need permanent care, the elderly, adults with physical disabilities and mental disabilities who are unable to take care of themselves, and who due to the and family situation are unable to provide protection otherwise; and asylum seekers.

According to Article 132 of the Law on Social Protection of 2009, institutional care is performed by the institutions for: accommodation for infants and young children without parents and parental care until the age of three; orphans and children without parental care over three years of age and youth; children and youth with educational and social problems; children and youth with behavioural problems; children and youth with moderate and severe mental disabilities; children and youth with physical disabilities; elderly, adults with physical disabilities; people with mental disabilities; and asylum seekers. Institutions for non-institutional social protection are: centres for social work; daily centres and clubs for elderly and adults; daily centres for street children; daily centres for people who use or abuse drugs and other psychotropic substances and precursors; daily centres for people who abuse alcohol or are being treated for alcohol addiction; centres for homeless persons; centres for persons - victims of domestic violence; centres for persons - victims of trafficking; daily centres for people with mental or physical disabilities; centres for assistance at home; centres for social rehabilitation of persons abusing drugs and other psychotropic substances and precursors, i. e. therapeutic community; small group homes and counselling centres.

With the amendments to the Law on social protection in 2011 and 2013, the right to financial assistance for social protection includes: social financial assistance, permanent financial assistance, financial assistance to a person who until the age of 18 years had the status of a child without parents and parental care, financial assistance to a mother who gave birth to a fourth child, financial assistance to foster, allowance for assistance and care by another person, one-off financial assistance and assistance in kind, salary compensation for reduced working hours for care of a child with physical or mental disabilities, financial assistance for social housing, right to health care and allowance for blindness, mobility and deafness.

Research

In order to determine the impact of modern trends in social work on the reforms in the social protection system of the Republic of Macedonia, research was conducted in 2014 and it included interviews with experts from the Ministry of Labour and Social Policy, Institute for Social Affairs and the Institute for Social Work and Social Policy and surveyed of 100 social workers employed in eight centres for social work in the Republic of Macedonia. The research was conducted as a part of the doctoral dissertation "Ethical profile of the social worker and modern trends in the social work". [1]

Combined qualitative-quantitative methodology was applied. The research method is exploratory, and in that context, the applied research techniques were: survey questionnaire, interview and content analysis. Data processing used mainly statistical methods, while analytic-synthetic method, comparative method and the method of generalisation were used in the theoretical analysis. Social workers were included in the research as research unit. The research sample has been combined with intended and random choice. The research was conducted in in eight towns in the Republic of Macedonia, considered to be typical representatives of the basic regions (Eastern, Western, Central and the City of Skopje) – Skopje, Bitola, Prilep, Tetovo, Veles, Kumanovo, Ohrid and Strumica, which represents an intended sample of territorial units and then a total of 100 social workers were chosen at random (from all eight municipalities), employed in public social institutions, and they represent the final sample that was surveyed. The choice in these towns for the survey was designed to cover all the regions of the Republic of Macedonia and include the larger Centres for social work. Also, expert interviews were conducted with employees of the Ministry of Labour and Social Policy, Institute for Social Affairs and the Institute for Social Work and Social Policy. Interviewed employees were selected at random, and a random sample was institutions that employ interviewed.

Following the analysis and comparison of theoretical scientific materials, legislation and survey results, it can be concluded that they largely coincide, and baseline assumptions are confirmed. Namely, from the conducted research, it can be concluded that the research results fully confirm the hypothesis that modern trends affect the reforms in the social protection system of the Republic of Macedonia.

The purpose of the questions in this section is to get knowledge about the changes happening in the public social institutions under influence of the modern trends.

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[1] The research was conducted as a part of the doctoral dissertation "Ethical profile of the social worker and modern trends in the social work"[1] of Biljana Nackovska – Veljkovikj, defended on 29.02.2016 at the Faculty of Philosophy at the University "Ss. Cyril and Methodius" Skopje.

Overview no. 1 About the possibility of providing private services in the area of social protection, 83% of the social workers think it would be a good reform, which should be carried out by experts, but they point out that such services should be provided in counselling offices. According to them in this way would increase competitiveness, service quality and efficiency. 17% of social workers do not know what effect private services would cause.

Chart no. 1 Answers of the social workers on the cooperation of the social workers with the non-governmental (NGO) sector
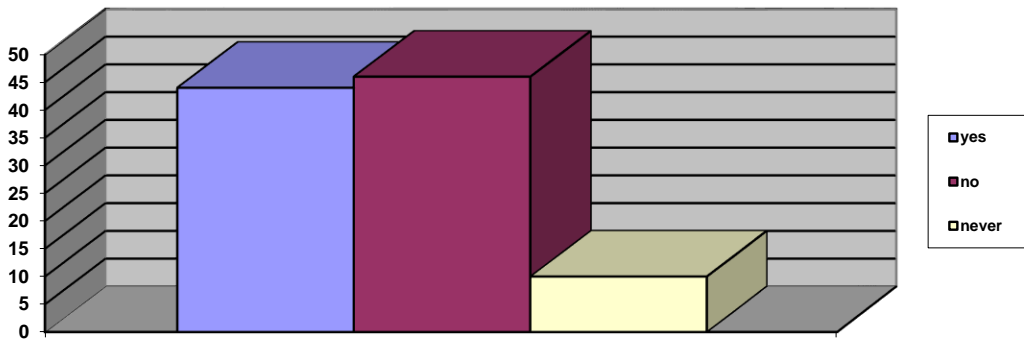
As for the cooperation of social workers with the NGO sector, the analysis of the data shows almost equal fragmentation among respondents, significant number of the social workers (44) cooperate with the NGO sector and almost the same number (46) do not have such cooperation, and 10 had no answer.

Chart no. 2 Cooperation of the social workers with colleagues the other Centres for social Work or organisations/agencies of social character from other countries
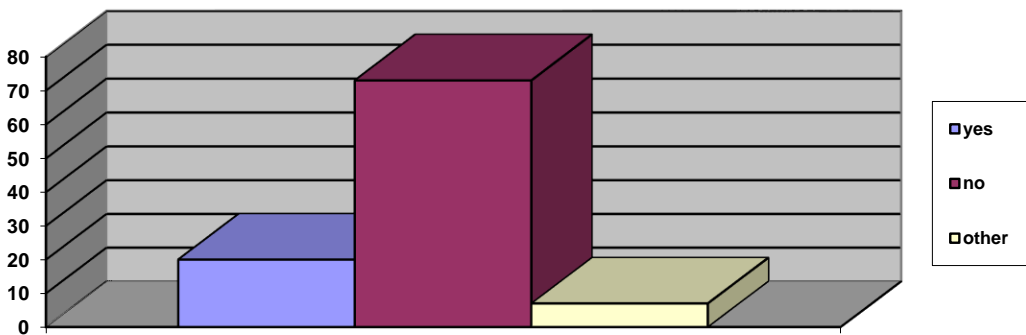
Data in Chart no. 2 show low level of international cooperation of the social workers. Only 20 social workers, compared to 73, have established direct international cooperation with social workers from other countries, and 7 did not answer the question.

Chart no. 3 Effects of the reforms in the system of social protection
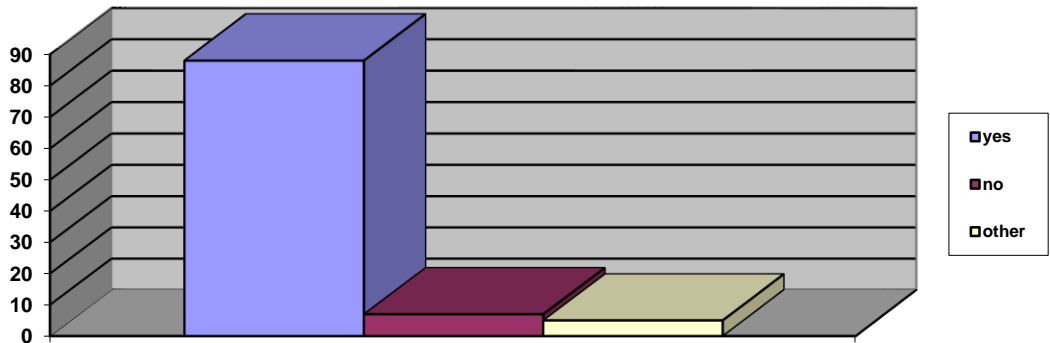
As to welfare reform - decentralisation, deinstitutionalisation, pluralism and the possibility of providing private services for social protection, the data in Chart 3 clearly indicate that they positively influence practical social work, and which was answered by 88 social workers. Only 8 respondents believe that reforms do not have a positive impact, and 2 did not answer this question

When asked about the influence of the decentralisation, deinstitutionalisation and pluralism in the social work, the interviewed experts emphasised the following:

Decentralisation of the social work is a response to the local needs; hence the processes of adoption of laws and by-laws in our country are aimed at its implementation. In these processes, a smaller number of municipalities are in the third and final phase of decentralisation, a significant part in the second stage, and there are municipalities where decentralisation is the first stage. The fiscal and functional decentralisation has not yet been implemented in full, which in turn, according to experts interviewed, limits the opportunities for development and implementation of programmes and measures at local level. They also identify a problem in many municipalities which are not staffed and in their organisational and structural set up have not provided special units and posts for professionals in the field of social work. With the decentralisation as a step forward, each local community should take care of their citizens, and provide support to people who need social protection.

Deinstitutionalisation has also commenced. As pointed out by the interviewees, some beneficiaries already have the opportunity to use non-institutional services. Such is the case with the accommodation of some of the persons with disabilities from the Special Institution Demir Kapija, in residential communities intended for their independent living. As for pluralism in the social work, experts share the view that in our country it is necessary to support the private social work, which has not yet been elaborated. For example, for some of the services that can be provided privately, there is no price list and the work cannot start. According to them, the private social work would enable the overall improvement of quality of service.

In addition, some experts emphasise that non-governmental organisations should be mandatory involved in the implementation of policies and measures in the field of social protection, but those that meet certain programme standards for quality of managing processes and cases and at the same time to be registered, monitored and evaluated by relevant state institutions.

Conclusion

From the analysis of the results it can be concluded that social workers (surveyed respondents) and interviewed experts share the view that the private social work, pluralisation, decentralisation and deinstitutionalisation of social work positively

reflect on the practical social work. However, it can be concluded that social workers are generally open to the changes in social work, but the main role for their full implementation into practical social work remains with the state.

As for the cooperation of social workers with non-governmental organisations and their involvement in the implementation of policies and measures in the field of social protection, it can be concluded that it is not satisfactory. It speaks of the closeness of the institutions and not in favour of promotion of overall social activity. The same situation can be stated in terms of international cooperation in the field of social work, which in our country is realised through the MLSP. In this regard, as pointed out by the interviewed experts, there is a need to reorganise the way of work and to allow direct communication and exchange of experiences of social workers with international institutions, and also to improve and intensify cooperation through joint development and implementation of programmes and projects in the field of social work and social protection.

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Cooperation and Importance of School and Family on Values Education

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Abstract

Values are one of the basic identifier of personality traits and are not innate but acquired by training. Although values can be taught in all stages of life, values education gain importance in childhood because personality takes shape in it. Values education firstly begins in family, than continues at educational institutions. Basic values are acquired respectively by taking parents as role models and education at schools. For the strengthened personality traits, the values thought at whole life must be coherent. Especially consistency of school and family that is important on children personality highlights for values education. If there is no consistency between the values that students learned or witnessed in the school and in the family, then conflicts are occurred and these situations cause personality disorders. This research aims to investigate the importance of family and school consistency in values education and how it should be during fundamental/primary education level. Considering findings, proposals were developed for family and school in values education.

Keywords: Values education, family, schools, consistency, character education

"…man's first master and most influential teacher is his mother. " Said Nursi

Values Education

All educational efforts try to develop three domains: Cognitive, affective and psycho-motor domains. Cognitive domain contains knowledge; affective domain holds affections, attitudes, and values; psycho-motor domain includes behaviours, acts. Effective educational systems should improve these three domains simultaneously. Ignoring affective domain cause a certain numbers of personal and social problems. As values are criteria and standards for behaviours, students should acquire some values. Values lead our lives and works in many dimensions. That's why, values must be indispensable part of educational systems.

Values education is relatively new umbrella term for a range of common curriculum experiences like spiritual, moral, social and cultural education; personal and social education; religious education; multicultural/antiracist education; cross-curricular themes, especially citizenship, environment and health; pastoral care; school ethos; extra-curricular activities; wider community links; collective worship / assembly; school life as a learning community" (Slater, 2001). The concept 'value education' refers to teaching social, political, cultural, and aesthetic values. 'Moral education' refers to a more universal notion of justice, but this justice becomes meaningful in a social and political context (Veugelers & Vedder, 2003). Lickona uses values education and moral education interchangeably and both as shorthand for "moral values education". Moral education is not a new idea. It is in fact as old as education itself. Down through history, in countries all over the world, education has two great goals; to help young people being smart and helping them to become good (2009). Character education can be defined as a comprehensive school based approach to foster the moral development of students. Effective character education supports and enhances the academic goals of school; in short, good character education also promotes learning (Berkowitz & Bier, 2007)

The conceived character has three interrelated parts: moral knowing, moral feeling, and moral behaviour (as seen in Figure. 1). Good character consists of knowing the good, desiring the good, and doing the good – habits of the mind, habits of the hart, and habits of the action (Lickona, 2009). In the same way, Berkowitz & Bier (2007) state that the character education

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effects various aspects of "head" (knowledge, thinking), "heart"(emotion, motivation), and "hand" (behaviour, skills). Values education aims to improve some traits. Lists of traits are often as numerous as definitions of character education. Several traits are frequently cited by different authors. Among these traits, there are responsibility, honesty, respect, fairness, trustworthiness, caring, justice, civic virtue, kindness, empathy, self-respect, self-discipline, and courage (Pearson & Nicholson, 2000).
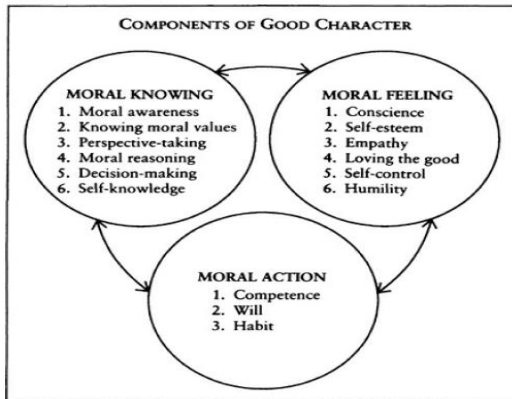
Figure. 1: Component of good character (Lickona, 2009).

Family and Values Education

Character education begins at home. Children develop much of their identities and their beliefs about right and wrong before ever formally entering school. Young children's beliefs about what is right and wrong traditionally have been strongly influenced by their families (Brannon, 2008) that one of the main or sole transmitters of values (Rokeach, 1975). Although school has a central role in developing students' character, the most profound impact on students' development comes from family, notably from their parents whether in social, moral, behavioural, or academic development (Berkowitz & Bier, 2005). It can be said that family is the primary moral educator of the child. Parents are their children's first moral teachers and the parents are also the most enduring influence (Lickona, 2009). Nursi (1995) states this situation as: "Yes, man's first master and the most influential teacher is his mother. In connection with this, I shall explain the following to you, which I have always felt strongly in my own self: I am eighty years old and have received lessons from eighty thousand scholars. Yet I swear that the truest and most unshakeable lessons I have received are those inculcated in me by my late mother, which have always remained fresh for me. They have been planted in my nature as though they were seeds planted in my physical being. I observe that other instruction has been constructed on those seeds. That is to say, the lessons instilled in my nature and spirit by my mother when I was one year old I now see at the age of eighty to be fundamental seeds amid great truths. "

It is clear that how parents raise a child is the predominant influence on the child's character formation. Some of the operative variables are parental affection, consistency of parenting, response to children's cues and signals, modelling, expression of values, respect for the child, and open discussion with the child. All aspects of children's character are impacted by these and other child-rearing factors (Berkowitz, 2002) and in well-functioning character education (Berkowitz & Bier, 2005). "The first step in raising a right child," says Dr. Kohlberg, "is to treat a child morally. " Treating kids with respect means treating them like persons. Treating kids like persons means trying to be fair with them. Being fair means relating to kids at their level and making some allowances for the immaturity of their developmental stage (as cited Lickona, 1983). When children don't have a close relationship with their parents and identification with family values, they are more vulnerable to peer pressure (Lickona, 2009).

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Personality is not simply individualistic. The personality that is constructed is always situated and in dialogue with others, social norms, and cultural metaphors. The child establishes personal borders through a process of interpersonal negotiation (Nucci, 2001). The efforts of school have important point in gaining important, core, ethical values in character education (Abourjilie, 2002). Values education begins at home, continues at school that the second institution in children's life. A climate of acceptance and warmth toward students is an essential element of moral education in every grades. Especially in the early grades of childhood, positive affect be overtly manifest within school content (Nucci, 2001). Children learn values throughout curriculum, texts, and from teachers.

School has an influence later than parenting because (1) parents are much more emotionally salient in the first years of life, and (2) many children do not experience full or even part-time schooling until they are three, four or five years of age, many aspects of character are already developing. Schools can influence a child's self-concept, social skills, values, moral reasoning maturity, prosocial inclinations and behaviour, knowledge about morality, values, and so on (Berkowitz, 2002). Working together, two formative social institutions (school and family) have real power to raise up moral human beings and elevate the moral life of the nation (Lickona, 2009).

Teachers are core component of school and they play substantial role in values education. Before all, teachers need a clear understanding that the character education is the deliberate effort to teach virtues that represent objective moral standards that transcend time, culture, and individual choice. In order to develop virtuous character in their students, teachers must help young people to know what the virtues are, to appreciate their importance and to want to possess them, and to practice them in their day-to-day conduct (Lickona, 1997).

Cooperation of Family and School

Family and school are two major, effective, and formative institutions in values education. If character education is only enforced in classroom but not at home, students confuse about what is wrong or good. When character education continues at home, values become more meaningful in students' life. For consistent and meaningful values education family and school should be cooperated. As Passy (2005) says the classroom provides a context in which all children given a chance to learn the values that the teachers believe should be learned at home.

The first step is for the school to be very clear about how it sees the complementary responsibilities of home and school regarding character development. Those responsibilities can be expressed in two simple statements: (1) The family is the first and most important influence on a child's character. (2) The school's job is to *reinforce* the positive character values (work ethic, respect, responsibility, honesty, etc.) being taught at home (Lickona, 2004).

Parents must be a partner with school because a child's parents also act as his or her teacher. Also, it is similarly true that teachers act in loco parentis while students are under their care (Berkowitz & Bier, 2005). As children enter school, teachers join in the process of shaping children's minds, attitudes, and behaviours by forming a partnership with parents (Brannon, 2008). Without parents' support and cooperation, educators' efforts and influence will be limited. Even if the schools conduct during school hours, the likelihood of lasting impact on the character of a child is less when school values are not reinforced at home (Lickona, 1988). Character education is most effective when schools and parents work in partnership (Berkowitz, 2002). The-long term success of values education depends on forces outside the school – on the extent to which families and communities join schools in a common effort to meet the needs of children and foster their healthy development (Lickona, 2009). In other words, schools and parents need to work together to continue developing students' character throughout their educational career (Brannon, 2008).

If educators view children simply as students, they are likely to see the family separated from the school. That is, the family is expected to do its job and leave the education of children to the school. If educators view students as children, they are likely to see both the family and the community as partners with the schools in the children's education and development (Epstein, 2010). The character development must be the highest educational priority for schools and this priority should be underlie else the schools do. They can challenge especially the family, to their part in teaching the young the virtues they need to make a good life and to build a good society (Lickona, 1997). Healthy character education means empowering all stakeholder groups, including students, support staff, and parents. Character education is a perfect complement to academic fervour. Parental involvement in schools is a win-win-win proposition for students, parents, and school. Society also wins (Berkowitz & Bier, 2005).

There was a growing sense that schools, families, the whole human community – all those historically responsible for passing on a morale heritage to the young- must come together in common cause to elevate the character of children (Lickona, 1997). An ideal comprehensive character education program would be a collaborative effort of administrators, teachers, counsellors, and parents (Pearson & Nicholson, 2000). It is known that, children learn what they live. So, it is important that adults demonstrate positive character traits at home, school, and in the community (Abourjilie, 2002). School and individual teachers within schools are a major influence, alongside the family on developing values of children (Halstead & Taylor, 1996).

Cooperative values education need joint responsibility of stakeholders and strategies that involve family and school to values education. Berkowitz & Bier (2007) -see family commitment to character education as effective strategy- in their research examined 33 character education programs across USA and found out scientific effectiveness. Family/community participation was one of the pedagogical strategy from successful programs. There are some strategies for cooperative values education:

Role Modelling: Children need to see role models of good character in a variety of situations within the family and community and to receive consistent messages about the value of good character. (Brannon, 2008). LeGette assume modelling good character in the home for effective values education, modelling and teaching children good manners, keeping children busy in positive activities and not reducing character education to words alone (cited as Abourjilie, 2002). One of the surest ways to help our children turn their moral reasoning into positive moral behaviour is to teach by example. Teaching respect to kids by respecting them is certainly a way of teaching by example. When we respect our children, we're letting our actions say what we think is the right way to treat other people (Lickona, 1983). The behaviours and practices of adults in the student's life should align with the moral mission of the school. To promote respect in students, adults must treat young people respectfully, and to foster responsibility, they must give students responsibility (Berkowitz & Bier, 2005). Good character needs to be taught from a "do as I do" not a "do as I say" perspective. In addition to serving as role models, administrators, teachers, and counsellors each have specific roles to play. An administrator's role is to focus primarily on the school community and environment. Teachers focus their efforts on how classmates relate to one another. School counsellors serve as a consultant to other school personnel as they focus on helping children develop character traits that will enhance their understanding of self and their relationships with others (Pearson & Nicholson, 2000). In teacher and students or students-student relationships, children beware of each other's values, attitudes and behaviours in much the same way as within the family (Passy, 2005).

Involving parents to values education: Teacher should create a written code of behaviours for the classroom and the school and asking parents to read and sign the code. They should consider parents as representative present while developing such codes and notify parents of student misbehaviour, via notes, phone calls, and personal visits. They can develop a list of suggested readings and resources in character education and sharing it with parents. And finally teachers should send monthly newsletter on teacher character education efforts (Abourjilie, 2002).

Similarly, Brannon (2008) propose to teacher identify five most successful ways they found to include parents in their character education programs. (1) Include a component of what teacher teach about character education as homework including a family discussion or activity. With these activities, students should be asked to share what they are learning each week with their families to help build the partnership between home and school. (2) Sharing what the teachers are doing in class with parents through teachers' newsletter or Web site. This provides parents to see and follow character education activities clearly. (3) Parent's knowing about class rules, consequences and ways they can help. (4) Inviting parents to serve as volunteers, so they continuously exposed to terminology and expectations for behaviour in classroom or school. (5) Planning events related to character education. In these events, parents and children can attend together to practice and discuss what they learned.

"The Scotia-Glenville Experience" can be given an example for parallel curriculums in home and classroom. "The Scotia-Glenville Experience" states that the families are the first teachers for moral education. The character development curriculum was written by a team of parents, teachers and administrators. At each grade level, parents receive a "family guide" with all the classroom, lessons for their child's grade level. For every classroom lesson, there is suggestion for how to follow through on the lesson at home. An example from this project, the first lesson deals with family responsibilities. The teacher asks "What job can you do that will help your family?" Children respond their ideas. Then the teacher gives each child a personal learning activity worksheet, which is a part of every lesson and which the children takes home at the end

of day. The teacher says "At the top of your worksheet, draw a picture of something you can do each day to help your family. " Under the pictures there are the days of week with spaces children can check to show that they carried out their responsibility for a given day. Finally, at the end of classroom of the classroom lesson, the teacher reads the "Family Note" printed at the bottom of the parallel learning activities. The same responsibility, or a new one, may be chosen each day. (Lickona, 1988).

In another work, Lickona (2004) recommend teachers some techniques for cooperative involving parents to character education: Affirm the Family as the Primary Character Educator, Expect Parents to Participate, Provide Incentives for Parent Participation, Provide Programs on Parenting—and Work to Increase the Turnout, Get the Program to the Parents, Assign "Family Homework", Form Parent Peer Support Groups, Involve Parents in Planning the Character Education Program, Establish an Ongoing Forum for Parents, Form a Parents' Character Education Committee, Make a Moral Compact with Parents, Renew the Compact, Extend the Compact to Discipline, Extend the Compact to Sports and Other Co-curricular Activities, Extend the Compact to Combating the Effects of the Media, Be Responsive to Parental Complaints, Increase the Flow of All Positive Communication between School and Home, Let Parents Know What Work Is Expected and Send Home Regular Reports.

Conclusion

Importance of family, school and cooperation of these two major institutions in values education were discussed in this paper. Values education is an essential part of education and its presence as old as general education. Children firstly acquire values, good traits at home, that is character education begins at home and the parents are their first teachers. As "Children see, children do!" role modelling and living values play important role in values education at home. Character education begins at home and continues at school. Children learn values throughout educational activities at school with leadership of teachers. Teacher is also a respectable figure in child's character development. Teachers should endeavour to teach moral values and must help young people to know what is right and what is wrong. Schools have real power for values education.

Family must be a partner of school because without parents' support, educators' efforts are bounded. Character education is more effective when school and family work in partnership. Cooperative character education requires combined responsibility of stakeholders in character education. This partnership is also an approach for family-school cooperation. Role modelling, involving parents to values education, parallel curriculums are some techniques for collaboration.

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Progres of the Public Procurement System in Albania and in the European Union

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Abstract

A proper estimation of the value of the public contracts is of major importance of the contracting authority. First, value of contracts govers the regime of rules under which the proceedings will be conducted. Second the decision of the contracting authority concerning the application of specific procurement procedure depends whether the value of contract is below or above specific threshold. For multi year contracts or contracts with renewal option, the contracting Authority must provide clauses for the revision of prices in accordance with published official inflation. In case of goods the contracts through renting or leasing of these, the estimated value of the public contract shall be based on the monthly rent or fee multiplied by the number of months the contract will last. The contracting Authority is responsible for comparing the above mentioned elements with a cost analyses of the goods, services or works. European Union rules provided in Article 9 of the directive 2004/18/EC of the European Parliament and of the council of 31 March 2004 on the coordination of procedures for the award of public works, supply and services and in contain also more detailed rules concerning methods of estimation of contract value which should be applied in specific case. The priciple of the transparency of public procurement requires that all potential contractors have the same chances to compete for contracts being offeres by public administration. *(Keywords; public contracts, procurement, goods, proceedings contracting Authority, etc.)*

1. Introduction

Public procurement is a process performed by the Contracting Authorities (CA), which select the Economic Operators (EO) through a public competition, to enter into public contracts for the provision of goods, services or works (construction), against payment from public funds[1.] There lies a public purpose and a public task behind the public procurement, which the contracting authorities provide for by means of the procurement. The construction of a school is necessary for the education of pupils. The background to procurement can be cultural policy, commercial policy etc. The construction of a power station can be necessary for the maintaining of power on the electric grid. More detailed considerations of its construction, size, technology, location etc., can also involve issues such as the pollution of the environment, the competitiveness of the national economy, safety, national security and so on[2]. This is a process conducted by the state administration to serve directly or indirectly the citizens, who are taxpayers at the same time. In other words, through this process a state authority "delegates" to a private entrepreneurship the right to perform activities mainly of a technical character (non policy-making), on behalf and on account of the state authority, such as for example, the service of cleaning the city, construction of rural or urban roads, etc. [3] Such "delegation" is based on a bilateral contract, for the awarding of which the state authority should follow the rules of public procurement.

1. 1 Role of public procurement

If we visualized the public procurement process, we would imagine a chain composed by the need for a good, service or work (directly for the Contracting Authority and/or indirectly for the citizens), a source of financing (public funds, i. e. income created by different types of payments from citizens), the administrator of such need and its implementer (Contracting Authority) and the direct or indirect beneficiary of the product (citizens). The "public" or "government" procurement refers to the situation, in which it is the government (whether central or local), or some public body that purchases items from the market. Those purchases are made with a view to fulfilling the tasks of government in providing public services. Procurement is, therefore, also an "acquisition for public consumption", a statement, which neatly discloses the public interest in procurement[4]. Such characteristic of public procurement is reflected in its two essential elements; the "public

need" and the "public fund". The "public" character makes the procurement process highly sensitive and naturally raises the need and the necessity for the special regulation of this process. Also, the need for special rules on the award of public contracts is based on the recognition that states, in contrast to commercial undertakings, are not disciplined by market forces when carrying out procurements. Selection of a certain economic operator, without considering optimization of price and quality, at the end of a procurement procedure, could result in costs for the budget of the state authority performing the procurement. However, in no case it bears the same risks and financial costs as a private undertaking would bear at the same conditions. A private undertaking can risk even bankruptcy in such situations, while a state authority never has this cost.

1 Article 3/1 of Law no. 9643, dated 20. 11. 2006 "On Public Procurement", as amended (here and after refered as PPL).

2 S. T. Poulsen, P. S. Jakobsen and S. E. Kalsmose-Hjelmborg, "EU Public Procurement Law; The Public Sector Directive, The Utilities Directive, 2nd Edition", DJØF Publishing, Copenhagen 2012, pg. 26.

3 S. T. Poulsen, P. S. Jakobsen and S. E. Kalsmose-Hjelmborg, "EU Public Procurement Law; The Public Sector Directive, The Utilities Directive, 2nd Edition", DJØF Publishing, Copenhagen 2012, pg. 27.

4 P. Trepte "Regulating Procurement- understanding the ends and means of public procurement regulation", Oxford University Press Inc., New York, 2004 (reprinted in 2006), pg. 27.

Often, indeed in the majority of the cases (frequently as a result of internal budgetary, administrative or audit regulations), the different stages of the procurement cycles are carried out by different people[5]. All these three stages should be included under the "umbrella" of the procurement process, because there is a close connection and a strong impact of these stages to one another. This means that in practice the three stages need to be closely integrated and regarded as separate phases of a single cohesive "cycle". It also needs to be understood that there is a significant connection between the regulatory measures that apply at the second stage and the first and third phases of the process – and that in certain cases the regulatory provisions that we consider will have a direct impact on the first and second stages[6].

Besides the three stages of the public procurement process, as prescribed above, another division might be introduced as well, in the reference to these stages; stages before and after the conclusion of the contracts. Such concept does consider the steps in the procurement cycle up to and including the publication of the contract as "before conclusion", and steps that are taken after the contract is "concluded". 6 This implies that the two initial stages described above, which prepare and direct the procurement process, stand before the

1. 2. The economic aspects of the public procurement system

Procurement regulation has been developed largely by societies, which rely on concepts based on welfare economics in the market economy and is currently being adopted in societies, which are embracing a market economy. The development of procurement regulations within a market economy implies that its purpose is in some way an instrument of the pursuit of economic welfare. In a market economy, economic welfare is achieved, in part by pursuing the objective of economic or "allocative" efficiency. This, in turns, gives rise to further considerations. First, regulation can be seen as an attempt to correct market and institutional failures in order to achieve the goal of economic efficiency. Secondly, this goal may be seen as insufficient in itself to achieve economic welfare because it is based on the assumption that optimal economic welfare will result from the perfect functioning of the free market and the achievement of allocative efficiency. But economic "welfare" may, however, be seen as something more than pure allocative efficiency. Thirdly, economic welfare may be formulated with the intention of achieving specific economic, social and political objectives, which will have an impact on the formulation of those instruments of policy employed to achieve economic efficiency. On the other hand, the public procurement process aims the management of public funds. Looking for the "best value for money" in public (and private) procurement, while keeping under control the process management costs, requires several important decisions. The issue whether centralization or decentralization is more appropriate, usually rises up when a certain organization or structure has reached a certain granditude and /or geographical expansion.

Synergies (product of economy of scale, by avoiding duplication of efforts/work, through reduction of legal challenges); The more standardized the product/service, the bigger the advantage of contracting authorities to aggregate the request,

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as economic operators have the possibilities to make use of the economy of scale, by operating this way with a lower cost per unit.

5. The same regulation is applied also in the Albanian system; the three stages should be implemented from different people, to avoid the potential situations of conflict of interests. See for example articles 57-58 of the Decision of Council of Ministers No. 914, date 29. 12. 2014 "On approval of the public procurement rules".

6. See S. Arrowsmith "Public Procurement: Basic Concepts and the Coverage of Procurement Rules", Public Procurement Regulation-an Introduction, pg. 1, Available on-line at http://www.nottingham.ac. k/pprg/documentsarchive/asialinkmaterials/publicprocurementregulationIntroduction. pdf. Retrieved on, 20. 12. 2014.

1. 3 Components of public procurement, scope of application and exclusions

To create the conditions for a procurement procedure, there should exist at the same time the following four elements:

1 The Contracting Authority (CA);

2 The Public Fund (state budget) available;

3 The need of the Contracting Authority for a public work, good or service;

4 The economic operators.

1. 3. 1. Contracting authority

In the perspective of a public procurement process, a contracting authority is the one which run the process, aiming at awarding a public contract for supplies, services, or public works. The modern state employs a wide variety of institutional forms to carry out its functions; and this may make it difficult and uncertain to establish an appropriate boundary for rules that apply to "public bodies" but not to the "private" ones, including defining the general scope of administrative/public bodies for states that adopt a general distinction between the administrative/public law and private law.

Nevertheless, once a body falls within the definition of a 'contracting authority', all of its purchases of goods, works and services will be subject to the procedural requirements, even if these purchases are made for the purposes of tasks that are not, or even mostly not, in the general interest[7].

Once covered by the procurement regulations (the procurement Directive, or a national procurement law, such as the Albanian case), the authority is covered for all purchases within the definition of the given regulation.

Anyway, especially in the case of a body governed by public law, the status of a contracting authority can change over time as a result of a change of its functions or a change in its legal status. The financing of the contracting authority may also change over time. These all have an effect on the inclusion of the body within the definition of the procurement rules (a Directive, or a national law, in case of Albania), and therefore it is not possible to say, once and for all, whether a body is covered or not covered by these rules [8].

The applicable rules on public procurement, generally, provide for the definition of the "contracting authority". So, for example, the Albanian public procurement law, provides in article 3, point 14 that the term 'Contracting authorities' (in the public sector) means all those entities subject to the PPL for the execution of their public contracts. Namely, the following:

a. Constitutional institutions, other central institutions, independent central institutions and local governing units,

b. Any bodies:

(i) Established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(ii) Having legal personality; and

(iii) Financed, for the most part, by the State, regional or local authorities, or other public bodies; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other public bodies;

7 See Case C-44/96 Mannesmann Anlagenbau Austria AG and Others v Strohal Rotationsdruck GmbH ('Mannesmann') (1998) ECR I-73, paras 30-35.

8 See Case C-470/99 Universale –Bau AG, Bietergemeinschaft: 1) Hinteregger & Söhne Bauges mbH Salzburg, 2) ÖSTŰ-STETTIN Hoch-und Tiefbau GmbH v Entsorgungsbetriebe Simmering GbmH ('Univesale – Bau') [2002] ECR I-11617.

1. 3. 1. 1 Central and joint purchasing

Public purchasers have recognized that they can benefit from economies of scale by buying their requirements in bulk. Even where the procurement needs of a single procuring contracting authority are relatively modest in respect of a given product or service, the combined needs of a number of such government purchasers may be significant. Government departments operating in similar sectors or in neighboring locations have often found it beneficial to group together jointly to purchase specific items. This is most likely to be the case of products used daily, where the various purchasers do not have any requirements that are specific to the contracting authority or differential technical requirements61. A central purchasing body is a 'Contracting authority', which 'acquires supplies and/or services intended for contracting authorities', or 'awards public contracts or concludes framework agreements for works, supplies or services intended for contracting authorities'[9].

2) Legal personality

The existence of a legal personality is generally the clearest distinction between bodies that form part of the state, regional or local authorities and those that are considered to be bodies governed by public law[10]. Most government ministries, departments and divisions do not have a separate legal personality. If a separate body is created as a company or enterprise, then it will have a legal personality that is separate from the state and it is likely to be seen as a body governed by public law if the other two conditions are also met. It does not matter whether the body in question is subject to public or private law, the onlyissue is whether it has a legal personality[11].

3) Dependency on the state

This condition is used primarily to determine the degree of dependency of the body on the state. This dependency may, alternatively, befinancial, - managerial, or - Supervisory. This condition is satisfied where only one of these three criteria is met.

4. Economic Operators

To make a public procurement procedure happen, two main stakeholders (parties) should be acting; a public buyer named as the contracting authority, on one side and a private provider, named as the economic operator, on the other side. The Albanian public procurement law does provide for a definition of the "economic operator' concept, which is as follows: 'Contractor', 'supplier' and 'service provider' means any natural or legal person or public entity or group of such persons and/or bodies, which offers on the market, respectively, the execution of works and/or a work, products or services. An 'economic operator' shall cover equally the concepts of contractor, supplier and service provider, without any kind of distinction.

5. 'Procurement' contracts

The procurement legislation (neither the Public Sector Directive 2004/18, nor the PPL) does not give any particular definition of a 'procurement' contract, but only certain contracts, in concrete three types of contracts fall within the scope of this

legislation referring to them as 'public works' contracts, 'public supply' contracts and 'public services' contracts. On the other hand, the new Public Sector Directive 2014/24 in its article 1(2) does provide for a new definition:

9 See Art 1/10 of the Directive 2004/18/EC.

10Ibid, para 2. 60.

11See case C-283/00 Commission v Spain [2003] ECR I-11697 in which EJC held that it was necessary to establish only whether or not the body concerned fulfilled the three conditions for establishing the existence of a body governed by public law and that a body's status as a body governed by private law did not constitute a criterion capable of excluding its being classified as a contracting authority for the purposes of the Directives. 'Procurement within the meaning of this Directive is the acquisition by means of a public contract of works, supplies or services by one or more contracting authorities from economic operators chosen by those contracting authorities, whether or not the works, supplies or services are intended for a public purpose'. The definition of procurement brings an additional requirement – 'acquisition'– to the definition of public contract as provided by the Directive[12].

5. 1Public works contracts

The procurement rules do give a definition of 'public works contracts', according to which works contracts are public contracts having as their object either the execution, or both the design and execution of works or a work, or the realization, by whatever means, of a work corresponding to the requirements specified by the contracting authority. A "work" means the outcome of building or civil engineering works taken as a whole, which is sufficient of itself to fulfill an economic or technical functionIt is clearly stated by the given definition, the 'design and build' contracts also fall within this definition, as the possibility of including design works into a works contract is also foreseen. This could include for example, contracts covering the designation of a project as well as its execution.

5. 1. 1 Mixed contracts

The public procurement legislation (both Public Sector Directive and PPL) contains provisions on how to categorize a contract containing elements of works and/or supplies and/or services. The distinctions are relevant in the case of mixed supplies and services contracts. It is an issue also in the case of works contracts that contain elements of supplies or services, given the much higher thresholds that apply to works contracts. The way in which mixed contracts are categorized depends on the subjects and types of contracts, which are mixed. On the other hand, the new Public Sector Directive 2014/24/EU, does provide in a specific article for a definition of "mixed procurement", according to which 'contracts, which have as their subject two or more types of procurement (works, services or supplies) shall be awarded in accordance with the provisions applicable to the type of procurement that characterizes the main subject of the contract in question'.

5. 1. 1. a Supplies/services

Essentially, contracts containing elements of both products and services will be treated as one or the other type of contract depending on the value represented by each element. According to PPL, 'a public contract having as its object both products and services shall be considered to be a 'public service contract' if the value of the services in question exceeds that of the products covered by the contract. Based on this definition, it is understood that where the value is equal, it will be considered as a supplies contract.

5. 1. 1. b Works/services

In the case of works and services, the procurement rules do not provide for a value test, as above, but include a test based on the principal object of the contract, as opposed to considerations that are merely incidental to that object. As such, a public contract having as its object services and including works that are only incidental to the principal object of the contract shall be considered to be a "public service contract".

5. 1. 1c Works/supplies

12 R. Caranta "Mapping the margins of EU public contracts law: covered, mixed, excluded and special contracts", François Lichère, Roberto Caranta and Steen Treumer (eds.) "Modernizing Public Procurement. The New Directive"; 1. Edition, Djøf Publishing, Copenhagen 2014, pg 69.

As it is clearly stated, the Albanian procurement rules, as in the case of mixed contracts with services and supplies, analyzed here above, even in the case of mixed contracts with works and supplies, will use the 'value test' to name the contract. On the other hand, under the Public Sector Directive, 'a public contract having as its object the supply of products and which also covers, as an incidental matter, siting and installation operations shall be considered to be a 'public supply contract'. For example, in the case of the purchase of a crane to be installed on a dockside, the object of the contract is the *supply* of the crane and not the works required to site it, even if those works are considerable. According to the Directive, this 'principal object' test, which mirrors the way in which works and services contracts are to be distinguished, would appear to apply even if the value of siting or installation services is greater than the value of the supplies itself, since it is a test based on the object of the contract and not the 'value-based test' applied to distinguish between supplies and services[13].

1. 2. 5. 1. b Contracts requiring secrecy measures

The Directives do not apply to public contracts (i) that are declared secret, or (ii) the execution of which must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member State concerned, or (iii) when the protection of the essential interests of that state's security so requires. However, these exemptions would not be automatic but would need, if challenged, to be properly justified. In a case involving the prohibition against the unlicensed importation of narcotic drugs, an argument was put forward to the effect that the provisions of the Directives could be excluded on the basis of the above discussed exemption. The Court stated that a tenderer's ability to implement proper security measures could be taken into account as a criterion for the award of a contract.

6 New law on public procurement and its approximation process

Considering the engagement related to public procurement in SAA, Albania drafted in 2006 a project of law approximating Directive 2004/18/EC "On coordination of public procurement procedures for works, goods and services". The new law on public procurement, oriented this time by the respective EU legislation, changed totally the public procurement system in Albania.

Law no. 9643/2006 "On public procurement" was approved by the Albanian Parliament on 20 November 2006 and entered in force on 01 January 2007, thus abrogating the previous law no. 7971/1995, and all secondary legislation. The new law was followed by DCM no. 1, dated 10 January 2007 "Rules of public procurement".

Guidelines and Tender Standard Documents were prepared, based on these two pieces of legislation. This new legal framework brought about essential changes in the sector. First of all, it is worth mentioning that the new law provided for a more detailed and clearer process of public procurement, starting with the issuing of the procurement order and closing the cycle with the signing of the contract, including also several provisions related to the contract execution[14].

The new law lays out very clearly the principle of equal treatment, the principle of nondiscrimination, the principle of transparency, the value for money principle and the principle of legal protection of economic operators' interests. Exclusion of direct procurement from the list of procedures, through which a public contract could be awarded, made one of the significant changes in the new law. In addition, the new law introduced the concept of the "abnormally low bid". All these issues provided for the first time in the new law reflected the provisions of the respective Directive 2004/18/EC.

13 P. Trepte "Public Procurement in the EU- a practitioner's Guide, Second Edition", published by Oxford University Press Inc., New York, 2007, pg. 238, para 4. 112.

14 Law 7971/1995 "On public procurement", was composed by 48 articles, meanwhile the new law 9643/2006 "On public procurement", was composed by 78 articles.

Providing a partial approximation with the respective EU Directive, during the period 2007-2014 the legal framework passed through several changes and improvements, aiming to further approximation.

After observing application of the new legal framework on public procurement, on September 2007, the Parliament of Albania approved law no. 9800/2007. The law consisted in changing the conditions for using the procurement procedure of negotiation without prior publication of contract notice, thus approximating in full article 33 of the Albanian public procurement law with article 31 of Directive 2004/18/EC.

On December 2007, the Parliament of Albania approved some amendments to Law no. 9643/2006 "On public procurement", as amended. This Law No. 9855 of 26 December 2007, introduced new regulations on the procurement of electrical energy and of hydrocarbons. It introduced as well ex *novo,* the concept of "Framework agreement", thus creating the general framework for entering into special contracts for goods to be procured along a given timeframe.

Despite amendments introduced up to 2008, there were still some important issues which were not aligned with the *acquis*. Among these the most important were related to the review system; the specific regulations for procurement in the utility sector; and a detailed and clear provision for framework agreements. That is why another amendment of Law 9463/2006 was necessary. Such an amendment was done by approval of Law no. 10170 of 22 October 2009. This law established for the first time a special instance for reviewing appeals in public procurement, entitled Public Procurement Commission, approximating the legislation to the respective EU Directive. The newly established institution took from the Public Procurement Agency the competence of reviewing appeals. For the first time, a special chapter on procurement in the utility sectors was also introduced, approximating the legislation with Directive 2004/17/EC "On coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors" as well. A special article on framework agreement has been introduced. All the above listed amendments were another step forward to approximation with the respective EU Directives.

7 Electronic procurement

On October 2007, by Decision no. 659, Council of Ministers approved rules on public procurement by electronic means. This decision provides for the first time in the history of public procurement in Albania, the functional and legal requirements for implementing public procurement procedures by electronic means.

In the framework of measures towards increasing transparency and fighting corruption in the public procurement system in Albania, according to the Decision of the Council of Ministers No. 45, dated 21. 01. 2009, all public procurement procedures are performed through an e-procurement system.

The system offers a secure, efficient and transparent preparation and administration of all tender-related documents, removing unnecessary paper work249 and providing secure data flow throughout the entire process15. All the tender documents, from the contract notice to the winner notice and further more to the notice of the signed contract, are available in the electronic public procurement system.

15This position has been stated also at the Albania 2009 Progress Report of the European Commission, point 4. 1. 6 "Public Procurement" according to which "…Legislation was approved in January 2009 introducing the obligation for contracting authorities to use the electronic procurement. Contracting authorities have also to publish all procurement notices and tender dossiers on the website of the Public Procurement Agency (PPA). This has improved access to information and reduced procedural costs. The PPA provided advice and support to overcome the initial technical problems encountered. However, there are still some exceptions to the use of electronic procedures. Efforts need to continue to extend them to all types of public procurement. Electronic procedures aim at reducing the scope for corruption although further efforts are still required in all phases of the procurement process…".

Moreover, all transactions, starting from the download of documents till the bidding by electronic means, may be done at anytime and anywhere the economic operators are.

The electronic public procurement system reduces the application time, facilitates and standardizes the process of

Introduction with the tender conditions. Likewise, it guarantees the secrecy of offers and, at the opening time of the procedures, allows the simultaneous publication of the offers.

Moreover, the electronic system does generate reports enabling ulterior inspections, ex post monitor of procedures and reduction of the possibility of corruptive deviations. It is constructed in such a way as to maintain at all times a copy of all data and all actions performed on it. The automatic recording of transactions is done by a separate server called "Black box", which is located at a completely different place from the main server and to which, moreover, none of the EPS administrators can enter.

8. Public procurement Directives

To assess the context, in which the public procurement system of the European Union has been developed, it is important to have a historical overview of the public procurement Directives. This will enable us to study the purpose/purposes of the procurement system in the EU and understand the extent such objectives have evolved since their beginnings.

8. 1 First procurement Directives

General programs were implemented through a number of Directives approved consequently. They were of two types; the so called Directives of Liberalization and the Directives of Coordination. Directives of Liberalization aimed the abolition of restrictive and discrimination measures. Directives of Coordination aimed at the approximation of Member States procurement legislation with the purpose of coordinating procedures of awarding public contracts in these states.

8. 1. 1 The first Directives of Coordination

The first two directives of coordination were respectively: Directive 71/305 on public work contracts and Directive 77/62[16] on goods' contracts. Both directives provided more or less for the same regulations and practically there was no strong argument why works and services had to be treated separately in two different Directives, up to 2004 when both of them and Directive 92/50[17] in relation to services' contracts were consolidated in a single text. Directive 71/305 was adopted following to the General Programs with the aim of coordinating the internal procedures (legislation) of the Member States for selecting winners and awarding the public work contracts. Hence, this Directive reaffirms once again the main objectives of the General Programs such as the prohibition of setting as qualification criteria the technical specification of a discriminatory effect or the setting of the objective criteria for the participation of bidders. The Directive also gives special importance to the implementation of an effective competition in public contracts' sector. The general Treaty rules on free movement entail an obligation not to discriminate in public procurement, which is an important starting point for opening up public procurement. However, this alone has long been considered insufficient to remove barriers to trade that exist in public markets: it is widely considered that positive obligations, including transparency requirements, are needed in order to achieve this[18].

16 OJ 1977 L 13/1.

17 OJ 1992 L 209/1.

18 See S. Arrowsmith "Law of Public and Utilities Procurement", Volume 1, Third Edition, Sweet & Maxwell, London 2014, para. 3-29

Directive 77/62 was adopted with the purpose of coordination of procedures for selecting the winners and awarding the goods' contracts. This directive, in addition to the requirement for creating equal conditions for competitiveness, highlights the transparency of the procurement process, aiming at a facilitated control of implementation of the above mentioned principles. The purpose of both directives was the increase of transparency of the procurement process (by publishing of tenders in all Member States of the Community), from which derived public contracts, assuring and monitoring the principle of effective competitiveness, which in its side brings equal opportunities and equal access in these contracts (by setting objective criteria for participation and prohibition of setting technical discriminatory specifications).

These Directives also regulated two other important aspects. First, as coordination measures, they do not require establishing a common regulatory regime in the Member States. Directive 71/305 states that coordination should take place considering as much as possible the existing procedures and practices in each member state. Article 2 of both Directives clearly provides that contracting authorities, in selecting contractors should apply their internal procedures, adopted by the Directives. These directives, differently from the later Directives, did not impose the usage of defined procedures; they provided only for defined requirements, which had to be fulfilled (mainly in relation to notice/publication rules) in case of a given kind of procedure. The second important characteristic of these Directives was that they were applicable only to procurement procedures and contracts above a certain financial value. It was the case of such values considered to have impact on competitiveness and could affect the trade among Member States.

8. 1. 1 a Some of the Directive's provisions are strictly related to the fact of the state subject to them is an EU Member State and some of them are optional for Member States themselves.

As discussed and analyzed in several situations above, some of Directive's provisions are applicable only to Member States, which is quite loyal considering the fact that Directives aim to regulate public procurement within EU. If we recall the example of the case of application of the Common Procurement Vocabulary (CPV), in Albania, this coding system might not be directly implemented and applicable in Albania, as of the date of Albania's accession to the EU, since CPV is adopted as such by means of an EU regulation.

Another example of this situation comprises implementation of the Prior Information Notice (PIN). The Albanian PPL does not foresee such an instrument. Seen in the context of the obligation and commitments undertaken with the SAA, it will not be the case of 'non-approximation' as this is optional even for Member States. On the other hand, if it will be the case that Albanian law will provide for such mechanism anyway (even though it is not obligatory), in practice it will not be possible to implement it, because it is required that the notice itself, or the fact of publication of this notice on the buyer profile, should be published in any case, by the Publications Office of the EU. As such, it seems that this mechanism is meant only for states which are directly subject to the Directive, and there is no meaning to require a non-Member State to introduce such a mechanism in its national procurement law, because the required objective will not be achieved.

8. 1. 1 b National context and internal factors are very important factors regarding the approximation process. Such legislative interventions, to implement the relevant Directives should go along with economic and social changes, as public procurement is not only a legal process, but it is also an economic and social process.

Another aspect which should be considered along the integration process is the entire environment where this process takes place.

The precondition for Albania in this sector is to fully approximate its legislation in a relatively short period of time, meaning that in such short period of time the Albanian public procurement system should move from a very infantile phase of some years ago toward a much consolidated phase the EU Member States are in nowadays. It is true that Albania has only to follow models which already exist in the EU, but it is also obvious that only the fully approximation of the legislation does not mean the accomplishment of the process. The final objective is to make the legislation applicable. Making the public procurement legislation applicable and realizing a fully functional procurement system in line with EU standards, does not mean only harmonization with the respective EU Directives, but it is necessary to harmonize this legislation with other legal framework in Albania. Otherwise it will not be workable.

As discussed above, internal factors are very important as well. Such legislative interventions should go along with economic and social changes, as public procurement is not only a legal process, but it is also an economic and social process. At the end of the day, PPL is a national law, and a national law will be "shaped" also by the concrete context and environment where it is applied.

8. 1. 1 c The New Public Sector Directive aims to provide for more simplified and flexible public procurement regime. The Albanian procurement law, while considering the implementation of new directive, should consider also the internal environment especially, for that type of provision suggesting more flexibility.

One of the main objectives of the revision of the EU public procurement regime including the new Public Procurement Directive 2014/24 has been the simplification and so-called flexibilization of the regime. Thus, this Directive provides more freedom to public purchasers to negotiate (constraints on using the competitive negotiated procedure have been relaxed, so that this procedure is available for any requirements that go beyond "off - the - shelf" purchasing). The new rules also encourage and allow preliminary market consultation between buyers and suppliers, which should facilitate better specifications, better outcomes and shorter procurement times. In the light of flexibilization of the regime, the Directive provides as well for the possibility of assessing credentials of candidates and bidders through suppliers' self-declarations, and where only the winning bidder should have to submit various certificates and documents to prove their status and also self-cleaning measures, for suppliers who have cleaned up their bad practices.

Apart for the flexible approach, generally speaking, Directive 2014/24/EU provides for mostly mandatory rules that have to be implemented by Member States. Many provisions that were optional under 2004 Directives became mandatory in accordance with the 2014 Directives.

8. 1. 1 d /The new approach proposed by the Directive on award criteria, especially regarding life-cycle costing (LCC), might be very helpful to the Albanian procurement system, but except for the necessary changes in the legal framework, two key actions should be undertaken for this purpose; the approval of a methodology based on international experience and the education of procurement officials and auditing officials in this regard.

The Albanian procurement rules generally comply with the relevant Directive (s) rules on defining the award criteria. They provide as well for two types of award criteria; the lowest price and the most economically advantageous tender (MEAT). Even the context of applying such criteria is the same, despite the fact that Albania is not an EU member. However, there are still some differences, which reflect the environment where PPL is applied. The environment impact is clearly reflected by the fact that, in practice more than 90% of the contracting authorities use the lowest price criterion. MEAT is mandatorily used only in case of consultancy services procedures. This situation is explained by the low level of professionalism and "fear of discretion" in the public procurement system in Albania. To promote the use of MEAT, the PPL, differently from the Directive, has even provided for some conditions when CA are allowed to use the lowest price. Along the same line come also the limitations of the PPL, not providing for the possibility of expressing weightings of the criteria by providing for a range with an appropriate maximum spread, and for the possibility of indicating in the contract notice or contract documents or, in the case of a competitive dialogue, in the descriptive

document, the criteria in descending order of importance, where, in the opinion of the contracting authority, weighting is not possible for demonstrable reasons.

Conclusion

The EU Public Sector Procurement Directive(s) and Albanian Public Procurement Law have different natures and different objectives (for the time being). The Albanian PPL is a national law which aims to regulate the public procurement system in the country. The respective EU Directives are supranational laws, which aim to regulate the public procurement system within the EU, instructing Member States to implement (in whatever way is required) certain Union policies within a fixed timetable. From this different nature of both acts induces the differences in their objectives.

From its origins, one of the main objectives of the EU has been to create a common market that eliminates barriers to trade in goods and services between EU Member States. Creating a common procurement market means removing all barriers to trade arising from the procurement context. Practically the aim of the Procurement Directives is to create an internal market where there is a free movement of goods and services and effective competition for public contracts. This aim is clearly expressed at the preamble of both procurement Directives. This aim of the procurement directives to create an internal market has also been stated by the Court of Justice in several cases. On the other hand, the PPL calls for the principle of competition in those same situations as Directive does. However referring to the objective and scope of the PPL, it is obvious that the function of this principle is to support the efficiency of the procurement system and this is understandable considering the fact that PPL is a national law.

Following the final conclusions of this thesis, aiming at an effective approximation process, I will recommend as follows:

A clear understanding of expression "full approximation" of both parties *19*

Both parties; the EU and Albania, should 'agree' on what should be understood by the expression *"full approximation"*, in light of the integration process and to what extend the Directive's provisions should be implemented as such, in the Albanian procurement legislation. This clarification should be conducted, to avoid misinterpretations during the integration process and to avoid different expectations of both sides;

A 'transitional' approach should be followed by the EU in the integration process.

The approach followed by the EU (through the European Commission) with non EU Member Countries, during the integration process, should not be rigid. The EU should be aware that countries like Albania, which aim to join EU, are mostly countries in transition, meaning that they are in a different state of development (economic, social and politic) compared to the countries which are already in the EU (even though there are considerable differences among them as well). In this context, it will be more realistic to have some 'transitional rules" for countries which aim to join EU, then requiring them to

19 The same wording is used also by National Plan for European Integration, when providing that "In general, the obligations arising from the SAA, in the field of public procurement, are met. The regulatory framework in this area is generally compatible, but not *fully approximated* with the acquis. Law no. 9643, dated 20. 11. 2006, "On public procurement", as amended, is partially harmonized with the relevant directives…" See further Chapter 5 "Public Procurement", in the National Plan for European Integration 2015-2012, pg. 158-159. Available at http://www. integrimi. gov. al/al/dokumenta/dokumente-strategjike/plani-kombetar-per-integrimin-evropian&page=1, retrieved December 20, 2014.

Education of procurement officials and procurement auditors to release the Albanian procurement system from the "fear from discretion"

Trainings also play an important role in capacity building of the administration in public procurement. Given the fact the public procurement process is a very dynamic process, the training of employees being responsible for carrying out of public procurement procedures should be done on a regular and continuous basis. The procurement process is well regulated and prescribed by the PPL, including the supporting documentation, which the contracting authorities are bound to follow, but the process is not designed to foster professionalism and performance oriented attitudes and practices, education of the administration (those who carry out procurement procedures and those who audit them) for being open minded is more than necessary, in order to make the system in practice as more effective as possible. Otherwise the emphases on control, sanctions and the risk of complaints will still lead to the unwillingness to introduce quality factors and to achieve the best efficiency and value for money of the procurement process.

A gradual implementation of Directive's provisions into the Albanian procurement legislation

In any case, it is recommended that the implementation of Directive provisions at issue should be done gradually, activating at the same time the appropriate mechanisms of avoiding abusive and corruptive behavior from both sides; contracting authorities and economic operators. In this gradual approach the principle of equivalence [20] and the principle of effectiveness have to be taken into account.

A coherent approximation of PPL with other national legal developments and other economic and social developments

The approximation of Albanian procurement legislation with the respective EU Directives should also be conducted in coherence with the other legislation in force in the country and the needed economic and social changes.

Opening up of PPL towards flexibility, to increase the efficiency of the procurement process

Despite all, the Albanian procurement law should be opened toward more flexibility, to increase the effectiveness of using public money. In any case this flexibility should be increased gradually, and should be accompanied by an improved integrity level of officials in charge of procurement processes.

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20The principle of equivalence means that procedural rules are not less favorable than those governing similar domestic actions. See G. Gruber "Community law and national law", Public Procurement in the European Union, NWV Neuer Wissenschaftlicher Verlag, Vien, Graz 2006, pg. 41

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Revaluation of the Local Product, a Good Opportunity for the Rural Development in Albania

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Abstract

Even though agriculture is one of the most important sectors in the Albanian economy, which has employed 40% of the labor force, after the fall of communism has been faced with the phenomenon of abandonment, with a poor development and is nowadays in search of developing alternatives. New developing alternatives that use the competing advantages of the sector of agriculture in Albania can be discovered by analysing the characteristics of this sector and confronting them with new developments of the sector in Europe. For this purpose within this study is made a questionnaire with the farmers to notice their key concerns in their work and to understand their readiness to be part of innovative schemes that will revalue the local product and will approach them to the consumer.

Keywords : local product, farmers, innovative schemes

Introduction

In the last two decades in Albania has occurred a huge economical transformation. Since 2000, it has had an economic growth by 7%, whereas agricultural sector has marked in the same period of time growth by 3-3,5%. This digit is enough to understand that this important sector of the Albanian economy hasn't followed the same steps as the national economy. Agriculture, is one of the most important sectors in income growth, improvement of the trade balance, but most of all in the recovery of the population in these particular areas. This sector is experiencing a long and slow transition to pass from the level of fulfilling the needs towards a commercial sector. After the crisis in the beginning of the '90, agriculture passed a transformation process from collective farms to the free market economy. But, as the other parts of economy faced drastic structural changes, the barriers of the agricultural sector made the development continuously hard. The slowdown of the sector is shown by its contribution in GDP from 35% in 1995 goes down to 20% in 2012. All this panorama, raises a concern about the way and the guiding of development of this sector in the new conditions of:

The need of growth of the agricultural and livestock production and growth of reproductive ability,

Actual problems of agriculture in conditions of the process of integration Albania in EU and its integration in the European market etc.

Continuous growth of demand for standards as conditions for EU integration,

Economical crisis that has put at risk European economy.

In these conditions, the need of new approach of the sector focusing on the market and the agricultural marketing, would help to adapt the politics and the intervention in the sector towards a bigger efficiency. The identification and the promotion of the advantages would make a competitive agricultural product in the market. A serious approach to agricultural marketing, as a process in the value chain, in the transition of the product from the farm to the consumer would help the farmer to come out of its actual situation.

Literature Review

Local Food Systems:

A local food system is one in which foods are produced, processed and retailed within a defined geographical area. Examples of local food systems are: farmers markets, farm gate sales, vegetable box delivery schemes, community supported agriculture and public procurement schemes which source food from within a defined geographical radius. The foods which are exchanged within local food systems are usually those which are traceable to a particular place of origin, and have distinctive qualities or characteristics. They are often unprocessed or lightly processed foods. There is as yet no legally agreed definition of local food, nor of the geographical scale of the 'local'. The local is always experienced and understood in relation to larger geographical scales, such as the regional, national or global. The question of where the local area ends and another scale begins is subjective, depending on context (density of populations, accessibility and rural or urban character for example) and purpose.

The complex nature of contemporary food systems, even for seemingly simple food commodities, also makes it difficult to define 'local' food. For example, unless otherwise specified, locally bred chickens may well have been raised on feed sourced from thousands of miles away. For processed products consisting of a variety of ingredients, the situation is still more complex. Products may be grown or reared in one location, moved to another for processing and packaging, and then returned to the original location for sale. So they may be considered 'local' foods in the sense that they have been produced and consumed locally, but might have generated several hundred food miles during the stages in

between. Dishonest traders can take advantage of this to tap into consumer interest in local foods (Local Government Regulation 2011).

Short Food Supply Chains:

The definition of short food supply chains developed by Marsden *et al.* (2000) is referenced by many subsequent researchers. They argue that SFSCs have capacity to 'resocialize' or 're-spatialize' food, thus allowing consumers to make value-judgements about foods. The foods involved are defined by the locality or even specific farm where they are produced. Interestingly, Marsden *et al.* (2000: 426) make clear that "it is not the number of times a product is handled or the distance over which it is ultimately transported which is necessarily critical, but the fact that the product reaches the consumer embedded with information. " What they mean by 'embedded' with information is for example printed on packaging or communicated in person at the point of sale.

This information "enables the consumer to confidently make connections and associations with the place/space of production, *and potentially the values of the people involved and the production methods employed*" (2000: 425, their emphasis). The differentiation of products in this way, in theory, allows products to command a premium price, if the information provided to consumers is considered valuable.

An important principle of SFSCs is that the "more embedded a product becomes, the scarcer it becomes in the market"(2000: 425). Marsden *et al.* (2000), and later Renting *et al.* (2003), identify three main types of SFSC, all of which engender some form of 'connection' between the food consumer and producer.

Face-to-face: consumer purchases a product direct from the producer/processor on a face-to-face basis. Authenticity and trust are mediated through personal interaction

Spatial proximity: products are produced and retailed in specific region of production, and consumers are made aware of the 'local' nature of the product at the point of sale. This category overlaps with the 'face-to-face' category and includes the same retail spaces as noted above. In addition, this category could include specialist retailers (e. g. delicatessens, bakeries, butchers, grocers) which sell 'local' produce and also elements of the hospitality industry which sell local foods (e. g. restaurants, pubs, hotels and other accommodation). This category could also include public sector food provision, such as hospitals, schools, universities, care homes, prisons and so on which either sell or provide locally sourced foods.

Spatially extended: information about the place and processes of production is communicated to consumers who are outside of the region of production itself, and who may have no personal experience of that region. All types of retail space

are potentially appropriate for this type of SFSC. The product information is communicated through product packaging and promotion, branding, and the use

of certification and legislation to protect named products with distinct geographical origin. This legally forced system sidesteps the whole problem of defining 'the local' itself, by insisting instead that the crucial point of definition is whether a food product's characteristics are attributable wholly or in part to the features of a distinct – and usually relatively small - geographical area.

Important economic factors of producers' interaction with marketing and food supply chain Broderick *et al.* highlight are:

• Labour family labour, volunteer labour, apprentice labour,

casual labour, professional labour and fees

• Marketing margin

• Negotiation costs

• Transaction costs

Maxey *et al*. (2011) have examined the economics of growing food on small-scale sites with 10 acres (4 ha) or less. They use eight current UK case studies: four fruit and vegetable growers, a mushroom grower, a ducklings hatchery, a mail order seed company, and a mixed holding selling cider, honey,eggs, and lamb. The threshold of 4 ha is below the level at which farms are typically considered viable in the UK; e. g. 5 ha (12 acres) are required for a farm to qualify for permitted development rights. The authors conclude that economically viable and sustainable land based enterprises can be created on holdings of 4 ha or less. In addition small livelihoods can be created on marginal sites, as illustrated by some of the case studies. These livelihoods often follow a slow development trajectory, allowing growers to avoid commercial loans and time to develop "in harmony with the ecosystem" as the authors put it.

To judge the ecological or economic success of these smallholdings it is recommended to take a long term view. The mental attitude and approach are seen as the most significant factor in creating viable smallholdings. This approach includes commitment, willingness to work long hours, patience, long-term perspective and creative, solution focused thinking. All eight case studies achieve high yields per unit area by intensive and/or diverse cropping and then add value through processing and direct marketing.

Enterprise diversity is a common feature of the successful case studies. The most profitable small-scale land based enterprises are labour intensive and horticulture is seen as better suited to small scale than livestock. Where smallholders can purchase land at agricultural land prices, the system offers affordable opportunities to enter farming. These case study success stories reported from various countries contrast somewhat with findings when a large survey is conducted.

Methodology

The main objective of this paper is to understand the farmers attitudes towards the direct sale and their willing to participate to local supply chain. In this study is used the quantitative methods approach through the use of surveys to collect data. The survey was conducted between October 2015 and November 2015 with 150 Albanian farmers from different districts.

Results

The survey was orientated to three main issues :

difficulties that farmers face to sell their production

general interest to local products.

reasons that may lead to local products
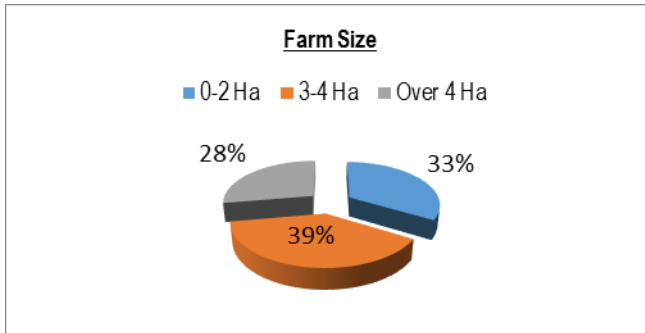
Fig. 1

The farmers willing to participate to direct sales.

The farmes are asked if extension servise, advise them about marketing and how they can sell their production. The following results show that major part respondents are not advised for the alternatives of facing the market.
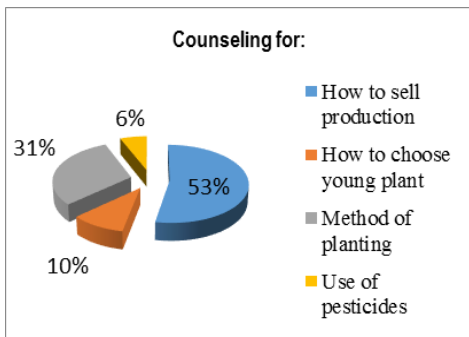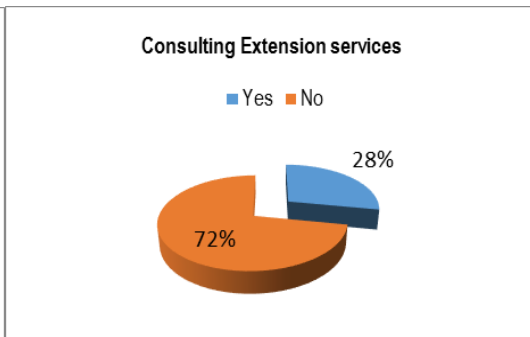
Fig. 2   Fig. 3

Regarding the general interest of local products, there is ambiguity in the term "local" among participants who perceive it as such in general domestic production, it also due to the fact that Albania is a small country and physical distances are relatively remote. What can be said without hesitation is a revival of interest in local products. Reasons vary among farmers but all perceive that local production have many advantages comparing to import products. They perceive a tough competition from imported products.
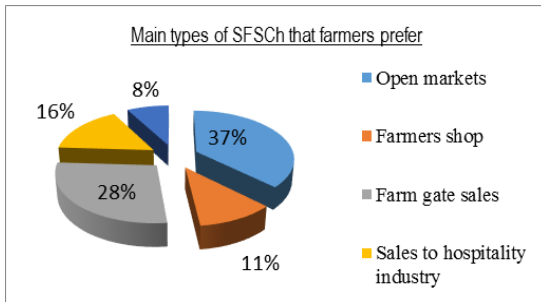
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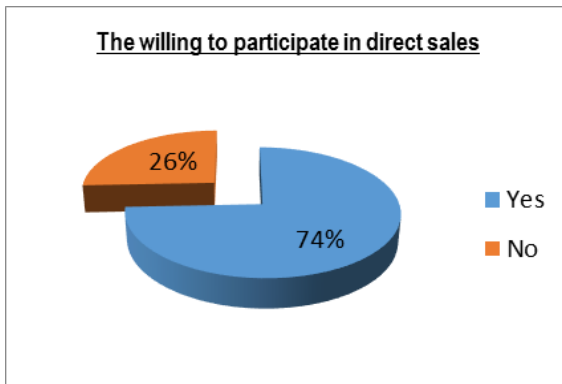
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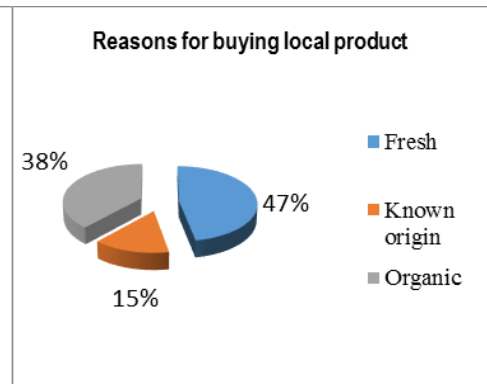
Fig 7

As it's seen the most preferred direct sales are open market, farm gate sales and hospitality industry (fig. 5). Farmers argue these responses as below:

Advantages of "open market" :

Direct contact with costumer

Direct contact builds up trust between farmers and costumers

Interaction in the process of purchase and sale.

Advantages of "farm gate sales":
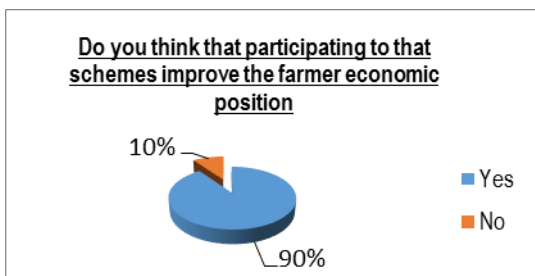
Reduction of transportation cost

Reduction of time waste for farmers

Trust of direct contact

Advantages of "sales to hospitality industry":

Oportunity to sell all production Reasonable prices

Builds trust

The major part of farmers think that if they would participate to these forms of direct sales, they could improve their economic position and would be more competitive (fig. 6).

Conclusion

The Albanian agriculture based on the small family farm, is a crossing to find its way of development as one of the most important sectors of economy. This new tendency that has been appeared to the albanian consumer is one of the possibilities for the small farms for which is almost impossible to be efficient in the intensive agriculture. They find it impossible to be part of the modern food supply chains. But these farms can be focused on the added valued product, reffering to the traditional methods of the production and the food supply short chains.

Our findings undoubtedly require further analysis and contextualization in a wider scenario. However, results show a strong willing of farmers to be part of direct sales, although *local* has become the new mantra (duPuis and Goodman, 2005), practical and socio-cultural dimensions still direct shoppers' choices, raising interesting questions on the role of alternative food networks.

Limitations of the current work are related to the explored sample is limited in terms of number respondents, which are not statistically representative of the albanian population. Another quantitative analyse would have given the final results more general significance.

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Grandparents of Autistic Children - The Best Support System

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Abstract

There is an increase of cases with autism spectrum disorder each year. The truth is that tens of thousands parents face a tremendous phase when they understand what autism is. Autism and autistic children are the focus of many studies in the last decades, but the focus is mainly on the children or the parents of these children. What happens with grandparents of autistic children? They suffer twice. They suffer for the grandchild and for their own son or daughter. In addition, maybe they blame themselves for that inherited "bad" gene that caused the disorder. To go further they maybe feel useless because of their age, their conditions or even their missing information. One of the biggest challenges in providing services to people with an autism spectrum disorder is that they need help 24 hours per day. Not only the grandparents, but even all the other members of the family can help a lot. This study is focused on grandparents`s point of view. What is autism and what does it mean for them to have an autistic grandchild? During the interviews the participants raised some important issues. To have grandchildren with autism is not easy, but at least grandparents are willing to help anyway. The important is that an autistic child feels the presence of everyone.

Keyword: autism, parents, child, grandparent

I. Introduction

Autism is a neurodevelopmental disorder characterized by impaired social interaction, communication, and restricted and repetitive behavior. There are a lot of studies on etiology of autism, but the real cause of autism is still unknown. One of the recent studies confirms that autism risks increase with mom`s age. Mothers over 40 compared to mothers aged 20-30, have 50% risk to have autistic children (Kurti, V. 2010). Another big issue is the relation of autism with MMR vaccination. It is believed that mercury, a harmful substance, is present in vaccines that children have to take when they are about 12 months. Another source of this problem seems to be a chromosome. What science has discovered is the presence of fragile X chromosome in autistic children, that is present even in mental retarded people (Powers, D. M. 2000:27). Another source of autism disorder is believed to be the environment pollution (Kurti, V. 2013). Taking in consideration all we said above, it seems that the debate around autism is still a kind of natue-nurture problem.

The spectrum of disorder is wide. It includes: Asperger Syndrome, Classic Autism, Pervasive Developmental Disorder and Rett`s syndrome. This means that the severity of the disability is different for different individuals. Studies on brain structure show that there is not one damaged area, but there are some of them. Based on the severity of the disorder and for practical reasons, autistic children belong to cathegories such as: Severe Autism; Mild Autism; Moderate Autism or Low- functioning Autism and High- functioning Autism.

Living in a family with a child with autism disorder is tiresome. It is time consuming and a restless job. It is not only physicaly difficult to be handled, but it gives psychological stress especially when the family is given the diagnosis of their child or grandchild (Powers, D. M. 2000:45). The tremendous truth is a shock not only for the parents of the child, but even for siblings, grandparents and all the relatives.

II. Grandparents as part of ecological context

Social ecological context was pioneered by Bronfenbrenner in 1979, who suggests that the ecological system comprises a number of subsystems: the microsystem, mesosystem, exosystem and macrosystem. Every person lives in a microsystem (family, friends, teachers, etc) that is inside a mesosystem (interactions between all the factors) which is inside exosystem (social environment that influence on the child). These three systems form a macrosystem. (law, society, values, etc) (Woolfolk, 2010, 66).

The microsystem is the nearest environment where a child can experience different emotion in interaction with his parents, grandparents, other children or teachers. This relation is two directional. What happen to the child has impact on the parents and what happens to the parents is felt even by the child. Mesosystem has to do with interaction of all the actors of microsystem. Ekzosystem includes interaction between two or more environments such as friends and neighbours, madical care, extended family, peers outside the school, other parents, support groups, and local community. Even psychologists or experts of the field are an important part of this system. The child is not directly connected with this system but it has an impact upon the child, for example the mass media can describe disabled people as people in need or undesirable. Based on child`s disorder neighbours can be humanist and friendly or stigmatizing. The impact that economic and political factors have on the child has to do with macrosystem. Macrosystem is the society expressed in values, laws, conventions, traditions and have impact upon families. The bioecologic system of a child can be expressed as: the child is influenced by microsystem of his mother, father, brothers, friends, teacher, by mesosystem of interaction between these people and by eksosystem of governmental policies. (Woolfolk, 2010, 67).

As part of a microsystem, grandparents are the immediate context where the child spend a lot of time. As a part of the family they hear, feel and try to do their best. But, autism is too difficult to be understood by many people, because there is not just one autism, there are a lot of forms of autism. Grandparents of today are more active and have a lot of forms to be informed compared to other generations, but they still have their own ideas, culture and prejudices. Maybe in different countries they are better informed, guided and organized, for example, in USA today there are a lot of facilities for grandparents of autistic children. One of them is grandparents` network where they can share opinions and help each other, not only for their autistic grandchildren, but mainly to help their own children (parents of the autistic child). On the other hand there are countries where grandparents have never seen a computer or even don't know what it is. But what still remains the same is the unconditioned love and sacrifice that grandparents want to do just to help their family.

(Attar-Schwartz et al., 2009, 74) admits the influence of grandparents on the well-being of their grandchildren in different family types:

 "Public institutions …need to recognize grandparents as a potentially important role source for support in adolescents` lives in general, but in particular, for those increasing numbers of adolescents going through a family transition. "

Even though there are not a lot of studies concerning the influence of grandparents in their autistic grandchildren and his family, their role is indispensable. Eventhough the truth about autism is so sad, grandparents should be told about it. The best think to do is to have an open and warmheart talking about their grandchildren. Nothing can change what a grandparent feels about his grandchildren. Whatever happens grandparents are"programmed" to love the grandchildren the same, or even more (Powers, D. M. 2000:53). Baranowsky 1990 found that it doesn't mater the distance between a grandparent and a family with a child with a disorder. What matters is that they find the way to stay in touch. Even when the grandparents were in poor health conditions they gave the best of themselves, because for them "the getting is in the giving". Globalism has brought a lot of changes even in the nucle of the family. The enormous rate of divorces, the different addictions the individuals have, or the economic crisis have made grandparents the first choice for grandchildren normal life and wellbeing. In cases of children with disabilities the involvement of grandparents is indispensable. Eventhough they suffer twice, they love twice and they give all they have to give.

Method

The sample for the current study includes grandmothers, of autistic children diagnosed with Autism Spectrum Disorder (Asperger`s Disorder, Autistic Disorder, Rett`s syndrome, Childhood Disintegrative Disorder, Pervasive Developmental

Disorder, not otherwise specified) based on DSM-IV-TR (Diagnostic and Statistical Manual of Mental Disabilities). Parents are members of MEDPAK (Protect the Rights of Parents of Persons with Disabilities), a non-governmental organisation.

There were a focus group conducted with grandmothers of autistic children. Five of grandmothers lived in the same house with their grandchildren, four of them lived far away. The moderator gave an overview of the topic, made them sure that everyone point of view would be appreciated. They were made aware they were free to withdraw from the study at any time for any reason. After the moderator created a warm and friendly environment, confidentiality was ensured to all participants.

During the analysis process it was used the textual analysis, which includes a wide variety of things that can be analysed. The process of qualitative analysis aims to bring meaning to a situation rather than the search for truth focused on by quantitative research. In order to minimize the potential bias introduced in analysing and interpreting interviews data, Krueger & Casey (2000) point out that the analysis should be systematic, sequential, verifiable, and continuous.

The first step was indexing and charting as a form to manage the data. It was used a computer-based approach for cutting, pasting, sorting, arranging and rearranging data through comparing and contrasting the relevant information. It was numbered each line of each transcript and two hard copies of each transcript were made; one to cut up and one that stays intact for later reference. This arrangement helped the moderator to be alert to changes that maybe occurring from one person to another. At the end it was written on each page one of the questions to be analyzed. The author cut out relevant quotes and taped them to the appropriate place on the large sheet of paper. The quality of quotes varied. The unused quotes were left aside for later consideration. At the end of this process an overview was prepared integrating paragraph that described responses to that question. When this was finished, the author went to the next question, and so on.

For interpretation of coded data Krueger (1994) provides seven established criteria: words; context; internal consistency; frequency and extensiveness of comments; specificity of comments; intensity of comments; big ideas. First of all the moderator thought about the actual words used by the participants and the meanings of those words. The author needed to determine the degree of similarity between the responses. Later the analyst examined the context by finding the stimulus that triggered participants responses and interpreted the comment in light of the environment. Sometimes there was a shift in opinion and in order to discover the internal consistency, the researcher traced the flow of the conversation. The frequency relates to consideration of how often a comment is made. There were topics of special interest to participants. The conversation was not video- taped so the intensity was difficult to be spotted. Intensity is communicated by the voice tone, speed or emphases on different words. Based on specificity, responses that were specific and based on the first person experiences were given greater attention. Another thing to be considered by the author was 'big ideas'. Krueger (1994) suggests taking a break for sometime at this stage in order to refocus on the big picture.

When grandmothers were asked about the way they help, they gave the following information.

" I live in the same house with my son and his family, when my grandson was a little boy, I followed him veryvhere, but now I can`t do it anymore. I just can`t. I do some chores and that is all. " Grandmother one

"When my daughter cries I try to calm her. I pray every day, God knows what happened to our son and he will help him to recover" grandmother two

"... I take care for the other grandchild, the brother of Tom. My doughter in law is so busy taking care of Tom. "

Grandmother seven

Grandmothers are not clear about their grandchildren disorder.

"It doesn`t matter what it is. He is not fine, that`s all" Grandmother eight

"Sometimes my nice gives me information about it, but is complicated. I love my nephew so much. I would die to make him better. " Grandmother three

"None gave me explanations at the begining, but now I know something and I try to give my best. I do it for my son. I do it for my family. " Grandmother five

" I have never interfered. I don`t ask them too. Its better. I don't want them to feel bad" another grandmother

About the etiology of autism they gave different opinions. It seems that they have informal information. No specialist has given them a proper explanation.

"Is difficult. They don't know what happened, but a doctor said me its vaccination. If only we hadn't done it. "

Grandmother five

"In my family there are no people like this, I wonder what happened. Maybe during the delivery something happened. I don't know. " Grandmother four

"My daughter-in-law did a lot of ultrasound when she was pregnant, but she smokes too. " Another grandmother

" When he was 4 month old, he fall and hurt himself. Maybe something happened. Who knows. "

III. Conclusion

This study aimed to understand the grandparents`s point of view concerning their attitude on autism. Having an autistic child is a burden not a parent or grandparent can hold, especially when the diagnosis is low functioning autism. Eventhough the science is focusing on autistic children, about the factors that cause autism, or their school integration, or the parents, another issue remains the support given by the immediate environment to which the child has contact, that is grandparents. Grandparents may see the reality in a different way. It is our duty to understand, support and try to help them in anyway. At least, we should explain them how to help their grandchildren. Eventhough they have a lot of issues to ask, they have a lot of love to give. Parents of autistic children around the world seem to be suspicious about society and services, but they trust their parents endlessly. If grandparents are informed properly, they will be more effective in everything.

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Maritime English - Teaching Competencies in Facilitating Difficulties with Students

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Abstract

Recognizing ship operating which differ in their organizing way helps in prevention of human injuries ;loss of life and avoidance of damage to the environment,in particular to the maritime environment and its property. The main aim is developing English for Maritime and having the right communication in different, specific and also in dangerous situation at sea. This paper consist on recognizing deeply the IMO standard on sea level including the IMO convention; SOLAS convention, MARPOL as well as STCW certificate and code too. So, advancing knowledge, understanding properly the right message at the sea including proficiency in having adequate knowledge of English language in order to enable officers & new students to communicate with other ships & coast stations to perform the officers duties. A great importance is based on cooperation of standard Marine Communication Phrases and use of International English both in written and oral form.. Not only that,but also multilingual communication crew, including abilities to use the IMO standard with Marine Communication Phrases! Difficulties and progresses are evident, but the necessity and the particular availability of Modern and Post Modern time let upon us this task open!

Keywords: Maritime Industry, Adequate Knowledge, International Convention, Security, Language Communication.

I. INTRODUCTION

At a time when effective communication on board between ship and shore is essential and especially in university classes it comes as a necessity to overall difficulties. Global standards governing communicative competence have been strengthened by IMO through its legal instruments and different conventions. It is now recognized that globalization of maritime services, including the supply of seafarers, has led to the adoption of Maritime English as a career tool and useful knowledge for the students of Naval and Nautical sciences, permitting not only mobility and flexibility but also competitiveness to face different situations.

In such circumstances national and international authorities, universities,training institutions need to develop effective strategies which meet these new demands of trade market. As a result we as Teaching Competencies and in terms of profession the delivery of Maritime English courses is important overall.

Consequently the main is aim to upgrade the full understanding, to introduce Maritime English with contemporary methodologies and useful practices. The understanding of the principles of communicative languages as promoted by IMO model course of 3. 17, are also integrating these into my teaching process. I do consider that the selective materials of IMO's Standard Marine Communication Phrases (SMCP) give to the teachers a new horizon in order to create new methods during teaching Course materials in University aula.

1. 1 Expected outcome of students learning

It is expected that at the end of the semester:

Students should become fully aware of why is required the contemporary Maritime English ?

1) To fulfil at least the basic demands of IMO's legal instruments, its advisory Model Course 3. 17 and IMO's Standard Marine Communication Phrases (SMCP)

Students should have an understanding of the current knowledge of the available resources.

2) In order to teach and assess Maritime English competencies

Students should be in a position to develop and integrate the competencies discussed.

3) In order to adapt into the work situation, and share them with colleagues

Be prepared to embark upon a sustained process of self-directed skills development.

II. NEW TECHNOLOGIES FOR SPECIFIC ACQUISITION OF MARITIME ENGLISH. THE LEVEL OF KNOWLEDGE IN THESE SUBJECTS.

2. 1) The situation of students at the beginning of the academic year.

As every beginning of each academic year, students and teachers has a lot to overcome in order to achieve the laying of track for a whole year and then bringing the train (the students) in the right destination.

Students of the University "Ismail Qemali" are showing a satisfactory level, which is reflective of a adequate teaching value of English language.

Students mentioned above as each academic year are ing the shortcomings of their foreign language as a result of negligence, deconcentration, but at the same time I should not exclude the diversity of a language that they carry from cities and different treatises in the English language that they are given by English teachers.

Here I emphasize that specific English is not taken into account during teaching in schools.

What I am trying to face and to lessen Firstly there was to highlight the linguistic defects, to repair and insurance lexical - grammatical concepts and functions of communication and hearing, which are very important during the proceedings on the ship and on the high seas.

This informs exactly students how to appropriate terminology that is used at sea in English and also to the respect all conventions and international agreements that naval officers are obliged to respect the negotiations on the high seas and in necessary steering as well as dangerous ones.

2. 2) Students state at the end of the semester.

At the end of semester students show an improvement period of the previous situation. All this was based on new practices enabling authentic development of fluency, appropriate to their age, interests and level of their experience I mean linguistic one.

Students have become aware of the key concepts underlying the teaching methods used in particular for the importance of communicating.

Naturally the Question arises about what was worth it?

This awareness has encouraged students to ask questions to perform a event, a description (or essay), to classify the concepts obtained and gaps created both now and before.

So, consciously it has enabled the practice of foreign language areas and conceptual development which means the development of thinking in the foreign language, in particular in English specifically in Maritime English even as a little bit is called a bilateral achievement both for the student and for the teacher.

23) The consistently status of students and controls exercised.

During the controls made in continuity it has been noticed that in addition to negligence displayed at specific individuals, students while taking on new responsibilities,unknown for the cooperation and interaction in the classroom related to communication in the foreign language, they can adjust the individual English speech to personal benefits in learning process by utilizing specific English terminology for marine engineering. Knowledge, skills and attitudes concerning foreign language and learning process will continue to be recovered and expanded through repetition not only discreet but also through systematic practice of nautical terminology communication between studentsthemselves; between students and teacher; between students and dialogue with powerpoint Listening comprehension like real improvised sessions on the acquisition of adeguat terminology of marine. (MARITIME ENGLISH)

III. METHODOLOGY

The methodology used is that of experimental and practical one. To make it function properly mass media and audiovisual technology, including here the television,computers are integrated in the most complete possible for the completion and in learning not only what is necessarily useful but also having fun in foreign language.

Descriptive categories, essays, assignments and course materials are also performed by students in connection with the individual independence, but they have been inseparable and matched to cyclic forms and in successive stages with the academic curriculum.

IV. PROBLEMS FACING WITH THE STUDENTS ALONG THE APPROPRIATION OF MARITIME -ENGLISH!

1) Problems of vocabulary and communication with maritime - English!	2) Problems of reading and interpretation of specific English (maritime)!	3) Problems in the English language of grammatical concepts!
a) Students **distinguish and understand** the key issues of an unknown content in the long texts using complex sentences with some repetition. b) Students **search** and **provide** information and opinions for certain conversations they show the ability to adapt the language in unpredictable situations in the sea. c) They **adapt** themselves to the language of the scope and context, discuss the reasons and	a) Students reveal strands of independent reading, use context to interpret the meaning and express a personal response to reading. They select by themselves and extract information from text; Check up the accuracy and ask this question: *The* **direction river tug** *how is pronounced?* b) Students demonstrate increased confidence in reading aloud and in using and supporting reference	a) Students express the right meaning in response to orders, questions or short and simple statements directed in the classroom. They themselves are reacting to "Open / close" "Look... " "repeats" b) Students express the meaning of auxiliary forms related to indicative situations that teacher write on the blackboard to clarify the meaning. **E. g.** Ana : I know you …

consequences if not done right the ship maneuvers and on the high seas.

Students **discuss** facts, ideas, and experiences having owned a great vocabulary, structures and confessions in diverse tenses.

They **self - delineate** its production of a real event taken from films or dramas.

They **react** to presenting facts and opinions from others.

They debate e. g. "It is changing the course of the ship by order of marine guard 371. Will there be changes in new marine space?

d)

Students are involved freely in specialized conversations to their interest, they display certainty in contemporary knowledge, in place where the language is taught.

They **discuss** about the place where ships cross sea bounder

and change course guided by weather conditions and providing PRE-PERSONAL RECOMMENDATIONS

material **(fig 1/2/3/4)**. They begin to extend their independent reading.

They can disclose information from a brochure to refer the other, respond to such a request.

c)

Students express a full understanding of texts involving known or partially known vocabulary reflecting events in past, present and future. They can write a simple story based on the following model given for reading comprehension.

d)

Students express terms of the various texts involving composed sentences and unfamiliar vocabulary, they consult unknown reference materials;

such as the structure of the ship or different ships that perform functions such as **icebreakers, aircraft carrier,** ship deliberately **offshore oil extraction,** etc., (in the absence of Albanian dictionary)

-They give themselves **e. g.**

-Ana- Which ships have the most **powerful engines**?

-Ben- **Icebreakers** have powerful engines and very strong hulls.

or they can be **grab dredgers**, which operate like cranes

Ben: You could be James, Bella's cousin.

c) Students write factual descriptions and creative compositions about their experiences using the appropriate structures.

They write about known topics related to complex verb time

- in present

-in past

-in future

And in sentence Structures, phrasal verbs, suffixes, kind of modal auxiliary verbs.

Must/might/should/could

- They give themselves **e. g**

Ana: Ben-You should go to the dentist!! You could have an infected tooth, that's painful!

Specialised vessels

(fig 1)

One very useful type of vessel is the tug. They are divided in three basic types. A river tug is designed to work on inland waterways. Tugs must be designed to satisfy three important requirements: be stable in all conditions, be manoeuvrable and powerful enough to move ships of far greater size.

Ocean-going salvage tug (fig 2)   river tug/pusher(fig 3)

Icebreaker

Icebreaker is very important to shipping. Northern ports and channels freeze up in winter. Ships must use these ports all the year round, therefore it is necessary to keep them open. Icebreakers have powerful engines and very strong hulls.

Lightship

An unusual type of ship is the lightship. Lightships look like ordinary ships, but they do not have engines, because they are towed into position and then anchored there. They not only have a light, but also a foghorn, a radio beacon and meteorological equipment as well. Most lightships have a crew of approximately twelve.

Dredgers

Dredgers are necessary to remove the sand and mud from the beds of channels and harbours. It is a rather noisy and smaller type of vessel. Dredgers are of three main types: they can be either bucket dredgers, which have a series of buckets which go down to the sea bed and scoop up the sand and mud; they can be suction dredgers, which suck up the sand and mud like a very large vacuum cleaner; or they can be grab dredgers, which operate like cranes.

bucket dredger grab dredger suction dredger(fig 4)

suction dredger(fig 4)

Pilot Launch

Pilot launches are motor boats for transporting pilots to and from ships.. They must be seaworthy as pilots go out in all weather. Fender system developed especially for this class ensures that minimal damage is suffered during the "controlled collisions" which characterizes pilot boarding operations.

Rescue lifeboat

A rescue lifeboat is a boat designed and used with to attend a vessel in distress, or its survivors, to rescue crewmen and passengers. With its specialized features for searching for, rescuing and saving the lives of people in peril at sea or in estuaries, it can be hand-pulled, sail-powered or powered by an engine. Lifeboats may be rigid, inflatable or rigid-inflatable combination hulled vessels.

Let me specify the fact that the realization of the ideas from one class to another vary, I can say that even along the way to the class room teacher ideas change, even in parallel classes. In this case is worth cited "IF THE CHILD IS NOT LEARNING THE WAY YOU ARE TEACHING, THEN YOU MUST TEACH IN THE WAY THE CHILD LEARNS. " **Ritta DUNN**

DE FACTO TEACHING CLASS

SUBJECT: English Language, Specific for Marine Sciences

CODE: ENG 131-132

CLASS: **C-101 TECHNICAL ENGLISH**

TOPIC: Specialized vessels. Conditional sentences I-st and II-nd

General goals:

The student along the lesson should know all the verbs in different tenses, mostly in the past tense.

The student must possess a considerable glossary for Maritime English referring to some information points that they have taken part before.

The student must understand the conditional sentence of type I and II

TECHNICAL - CLASS AID.

Students tools	Teachers tools
a- Student books and work books.	b- laptop with projector

PROCEDURE OF THE TEACHING PROCESS

Invdidual Strategies in fuction of the teaching process.

1) Once entered in the class proceed with the traditional greetings of the English class.

2) Some questions about previous rehearsal. Question (Flash) to let them know and to adjust them with the atmosphere of the English language. This enables them to speak freely English.

3) Students were distributed two sheets to check up the English tenses and Maritime competences. (Illustration below)

Present simple	Past simple	Modals	Conditionals	Questions?
Sentence illustrations of ship with different disposition.	Si ndryshon ne Te shkuaren E. g. The ship was launched two days ago.	Modals can should/could/might E. g. You might lower the lifeboat.	If.. I were	Free

Flash card (1)

COMPETENCE	KNOWLEDGE;UNDERSTANDING;PROFICIENCY
Use the IMO Standard Marine Communication Phrases and use English in written and oral form.	Adeqaute knowledge of the English language to enable the officer... to communicate with other ships and coast stations and and to perform the officer's duties also with multilingual crew,including the ability to use.... the IMO standard marine communication phrases. 1)Basic communicative characteristics of the SMCP. -vessels vs ships -alter vs change (e. g. alter course) -master vs captain 2)Preferring Latinism/Internationalism -assistance vs help

	-require vs need(I requirre assistance vs I need help) -transmit vs need -proceed vs sail,go 3)Avoid contarcted forms -cannot,do not,have not,I am,I will,it is,etc vs can't, don't, haven't, I'm,I won't,it's 4)providing fully worded answer to decisive Yes/No). Are dangerous goods on fires? -Yes, dangerous goods are on fire. - No,dangerous goods are not on fire.

Flash card (2)

These Flash cards are given to students for 10 minutes. They can talk and fill in flash cards.

They begin to refer each other work, then they do questions to clarify those uncertainties. The teacher explain the appropriate item to be developed in the classroom about conditional sentence and terms taken on Maritime English.

 4)Teacher explains on the blackboard conditional sentence of the first type. (Written with colored chalk) and allows students who according to examples given on the blackboard to adapt examples with information from flash cards in terms of Maritime English!

FIRST CONDITIONAL

It is practically used. It is expressed when we think something is possible to happen or not.

(we use first conditional when we think that s. m. th is probable or unlikely or happen)

If he is the captain, I'll ask him some help.

SECOND CONDITIONAL

We use the conditional sentence of the second type, when think laterally that something is impossible or bad to happen. (We use second conditional when we think that something is improbable or unlikely to happen)

If you sent an SOS, we would be safe very soon!

SELF-ASSESSMENT:

(Control of knowledge) In order to monitor the class and to practice conditional sentence sets the laptop part listening session for 2 minutes (a situation in ship). It has part of conditional sentence with modal verb.

In my personal belief and my experience as a human and then as a teacher, I know to express with complete certainty that if to someone (in our case stundet) is not given the right space to show who they are, what are their capabilities and talents, we can ever know how far the human being can go.

Consequently I assign the students a task to express thoughts, opinions and ideas by showing it within a poster or folder project.

For instance

Topic areas: International Marine World, Tourism

Theme: Ships emergencies.

Act Communication and the Task :

Describe the activity of a ship rescue and environment

Functions: - Students prove themselves in the knowledge received

 - Apply conditional grammar point

- Communicate in English Studies and undertakes responsibilities of communication under the International Regulation Sea IMO.

Presenting in group

CONCLUSIONS

As far as Maritime Education and learning takes a considerable time with students. It has been observed that teaching Maritime English courses in University auditorium is really effective because it fulfil the demands of contemporary communication specifically in the sea; But it is also observed that there is a lack of professional development courses available for teachers to develop or upgrade the skills necessary to provide a high standard of training. The teaching incorporates individual professional interests and needs of the students. Knowledge are assessed with the modules of selected maritime English in order to best equip the **a)** students **b)** other participants with effective language acquisition.

Accordingly, to both sides of students and teachers really need more professional engagements in Teaching and administering Maritime English courses

• Teaching General English may move into teaching Maritime English;

• Teaching specialist maritime subjects through English, for example, for students, for former seafarers where English is the means of instruction and global communication has its own difficulties. That's a time challenge that is upon our academic task in near future!

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Relationship of Emotional Inteligence and Emotional and Behavior Problems Scales of Children 10-12 Years Old – Parents Report

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Abstract

The present study aimed at investigating the correlation of emotional intelligence total score and three broad band of emotional and behavior problems at 10-12 years old children. It was hypothesized that there will be negative relationship between scales. The sample included 236 children (123 or 52. 1% boys and 113 or 47. 9% girls), with a mean age of 11 years (SD. 835) (range: 10-12 years). 236 parents participated in the study, 92 of them or 39. 0 % were mothers, while only 144 of them or 61. 0 % were fathers. In the chi-square test, there were important differences reported in the distribution of the percentages of parent's gender and their employment rates. The TEIQue-Child Form questionnaire, contains 75 items responded to on a 5-point scale and measures five distinct facets. Also the CBCL 6-18 years, was used emotional and behavior problems. Descriptive statistics, chi-square test, Pearson correlation, and T-test, were used to explore and analyse the correlations of interest variables in the study on total EI and EB broad band scales. Correlation analysis mostly indicated low and negative but non-significant relationship between EI and EB scales, for all children and by gender. We did not found gender significant differences on EI total scores and EB broad band scale scores.

Keywords: relationship, children, differences, gender, emotional intelligence, emotional and problem behavior, parent.

Introduction

The ability to recognize and moderate one's own and others' emotions, while simultaneously processing the information in order to make an informed decision about the present situation, can be defined as emotional intelligence (Mayer & Solovey, 1993; Salovey & Mayer, 1990). Mayer et al. (1999) defined emotional intelligence using a theoretical model focusing on emotional skills that can be developed through learning and experience. Mayer et al. (1999) posited that emotional intelligence is comprised of three central abilities: 1) perceiving (i. e. the entering of affective information into one's perception), 2) understanding (i. e. the act of processing affective information), and 3) managing emotions (i. e. regulation and expression of emotions.)

Research has shown emotional intelligence to be related to mental, social, and physical health. It has also been associated with stress (Mikolajczak et al., 2008), and life satisfaction (Ciarrochi, Chan, & Caputi, 2000).

Regarding the emotional and behavior problems, research generally suggests two key entry points in the development of behavioral problems – early childhood and early adolescence with potentially different risk factors associated with each of them (Lahey, Waldman, McBurnett, 1999). Several international longitudinal studies have provided a picture of the changing forms of behavioral problems from early childhood through to adolescence. Adolescence is a key stage of life development when children require an understanding of the life challenges they face and need to develop basic skills to cope with difficult emotions. It is a time of increased risk of poor mental health with anxiety, depression, psychosis, eating disorders, and substance misuse becoming more prevalent as well as an increasing risk of deliberate self-harm and suicidal behavior (Department of Health & Children, 2006). Some young people begin to exhibit problem behaviors during early adolescence. In such cases, entry into conduct problems generally occurs through associations with peers. Externalizing behavior problems can intensify during this period when peer influences can lead to rule breaking behavior

such as delinquent and antisocial behaviors, substance use, and in some cases, gang involvement and drug dealing (Hann & Borek, 2001). Research suggests, that, in isolation, risk factors may make relatively little contribution to the development of behavioral problems, whereas such factors in combination may be powerful determinants of negative outcomes (Klein & Forehand, 2000; Kolvin et al., 1990). Problems result from interactions between characteristics of the child and situations within the family, peer group, school and community. Therefore, it can be expected that families with multiple risk factors experience more problems and thus also a greater need for support. Cummins and McMaster's study (2006) found that children who screened positive for mental health difficulties were more socially disadvantaged, had more behavioral difficulties and adaptive behavior problems, more physical health problems, more family problems, more life stress and poorer coping skills.

Several studies have shown that emotional abilities are of particular relevance to psychological health and wellbeing. In addition, it has been found that emotional problems are related to the tendency to get involved in deviant behavior and self-destructive.

Our study aimed to: (1) to test the relationships of emotional intelligence total score and emotional and problems behavior broad band scales, and (2) to test the differences in such variables regarding the gender of children. It was hypothesized that there will be differences between girls and boys and there will be negative relationship between scales.

METHODOLOGY

The study sample

The sample included 236 children (123 or 52. 1% boys and 113 or 47. 9% girls), with a mean age of 11 years (SD. 835) (range: 10-12 years). 86 of them (36. 4%) were in the fourth grade; 72 of them (30. 5%) were in the fifth grade and 78 or 33. 1 % from the total number of children were in the sixth grade. In the chi-square test, no important differences were reported in the distribution of the percentages of gender and grade representation in this study.

From 236 parents participated in the study, 92 of them or 39. 0 % were mothers, while only 144 of them or 61. 0 % were fathers. In the chi-square test, there were important differences reported in the distribution of the percentages of parent's gender. The parents voluntarily completed the questionnaire.

Table 1

Descriptive data for children by gender, grade, and by gender for parents.

	Valid Nr.	Percentile	Chi-square test
Male	123	52. 1	
Female	113	47. 9	χ2 (1) =. 424, p =. 515
Grade 4	86	36. 4	
Grade 5	72	30. 5	χ2 (2) = 1. 254, p =. 534
Grade 6	78	33. 1	
Fathers	144	61. 0	
Mothers	92	39. 0	χ2 (1) = 11. 458, p =. 001

Table 2

Mean and Standard Deviation for Parents Age and Level of Education and Childrens Age.

	Mean	SD
Children Age	10. 97	. 835
Parents age	40. 36	5. 89
Fathers education level	12. 76	2. 50
Mothers education level	11. 61	2. 81

Instruments and data collection

The TEIQue-Child Form questionnaire, contains 75 items responded to on a 5-point scale (1 = *strongly disagree*; 2 = *disagree*; 3 = *neither; 4= Agree; 5=strongly agree*), and measures nine distinct facets (Mavroveli, Petrides, Shove, & Whitehead, 2008). For our study we used the total score of EI. The Child Form that has been specifically developed for children aged between 8 and 12 years. The TEIQue scales have been shown to have a consistency of. 760. The CBCL the 2001 edition (Achenbach & Rescorla, 2001) contains 118 items items rated 0-1-2 (0 = *not true* (*as far as you know*); 1 = *somewhat or sometimes true*; or 2 = *very true or often true*) plus 1 open-ended problem items, that describe the behaviour of children and adolescents between the ages of 6 and 18 years. It is self-administered, and it takes about 30 minutes to complete. By summing the scores three broad band scales are measured (the Internalizing scale is made up of: Withdrawn, Somatic Complaints and Anxious/Depressed scales; the Externalizing scale is made up of Aggressive Behaviour and Delinquent Behaviour scales, and Total problems score. A higher score represents a higher severity. The CBCL scales have been shown to have a consistency of. 946

The procedure of data analysis

The statistical package SPSS for Windows, version 19 was used to analyse the quantitative data collected. During the analysis a specific code was used for the identification of information for each child and parent. Descriptive statistics, chi-square test, Pearson correlation, and T-test, were used to explore and analyse the differences, correlations of interest variables in the study on total EI and EB broad band scales.

RESULTS

To characterize the sample population, the outcome variable was stratified by demographic variable. Table 3 shows the difference in number, mean scores and standard deviations by gender and for all children.

Table 3

Number, Mean scores and standard deviations for EI and EB scales by gender.

	Total children			
	Gender	N	MA	SD
Internalizing	F	113	7. 47	6. 85
	M	123	5. 82	6. 73
	F+M	236	6. 61	6. 82
Externalizing	F	113	3. 73	4. 06
	M	123	3. 52	4. 17
	F+M	236	3. 62	4. 11
Total Problems	F	113	17. 43	16. 71
	M	123	15. 17	16. 58
	F+M	236	16. 25	16. 64
	F	113	263. 54	19. 85

Total EI	M	123	264. 72	21. 48
	F+M	236	264. 16	20. 68

Table 4

The inter correlation between EI and EB scales

		Total EI	Total problem	Externalizing	Internalizing
Total EI	Pearson Correlation				
	Sig. (2-tailed)				
Total problem	Pearson Correlation	. 036			
	Sig. (2-tailed)	. 584			
Externalizing	Pearson Correlation	-. 027	. 900**		
	Sig. (2-tailed)	. 680	. 000		
Internalizing	Pearson Correlation	. 075	. 942**	. 796**	
	Sig. (2-tailed)	. 249	. 000	. 000	
	N	236	236	236	236

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

Table 5

The inter Correlation Between EI and EB Scales by Gender

gender			Total EI	Total Problems	Externalizing
Male Female	Total Problems	Pearson Correlation	-. 057		
		Sig. (2-tailed)	. 528		
	Externalizing	Pearson Correlation	-. 145	. 889**	
		Sig. (2-tailed)	. 110	. 000	
	INTER	Pearson Correlation	. 000	. 950**	. 798**
		Sig. (2-tailed)	. 999	. 000	. 000
	Total Problems	Pearson Correlation	. 150		
		Sig. (2-tailed)	. 114		
	Externalizing	Pearson Correlation	. 117	. 915**	
		Sig. (2-tailed)	. 216	. 000	
	Internalizing	Pearson Correlation	. 171	. 936**	. 801**
		Sig. (2-tailed)	. 070	. 000	. 000

The Pearson correlations analysis did not revealed significant relationships between in EI and EB scales. The results obtained indicated low and negative relationships, but without the statistical significance.

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The t-test analysis did not revealed differences in EI and EB broad band scales regarding the gender

DISCUSSION

The main aim of this study was to test the relationships of emotional intelligence total score and emotional and problems behavior broad band scales, and to test the differences in such variables regarding the gender of children. It was hypothesized that there will be differences between girls and boys and there will be negative relationship between scales.

Our results did not show statistical differences between boys and girls of the total EI scores and Total problem, internalizing and externalizing at children 10-12 years old. From the results obtained from the correlations analyses, there was no statistical significance. It is clear that the low values are the result of weak associations between the constructs themselves.

It was expected that the variables of emotional intelligence and behavior problems have a strong effect on each other in a way that the higher emotional intelligence will expect lower problem behaviors. There are a lot of studies revealed that EI is negatively related to several indices of psychopathology (Malterer, Glass, & Newman, 2008) such as personality disorders (Petrides, Pérez-González, et al., 2007) and anxiety disorders (Summerfeldt, et al., 2011) as well as self-harm (Mikolajczak, Petrides, & Hurry, 2009) and externalizing behaviors in adolescents (Downey, Johnston, Hansen, Birney, & Stough, 2010).

 Considering the present study results, there is not statistical relationship between our interest variables, which is inconsistent with the findings of Taghavi et al. (1999); Cicchetti & Toth (1998); Schmidt & Andrykowski (2004); Brackett, Mayer, & Warner, (2004). Since emotional intelligence has been proposed as a construct that predicts adolescent' adjustment and behavior, there is a need for further studies involving cultural variables in order to explore more in depth the issue.

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Students' Points of View About Learning English as a Foreign Language Through Communication and Interaction in 9-Year Elementary Schools (Albanian Context)

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Abstract

Communicative Language Teaching (CLT) is an interactive method which helps learning English language through communication, in a theoretical point of view CLT is a more effective method compared with traditional methods such as Grammar Translation Method and Audio lingual Method, and it is a preferred method to be used nowadays in foreign language learning. This is a descriptive study which aims to analyze and discover the 9-year elementary schools students' opinions and points of view about learning a foreign language based on the principles of contemporary interactive student-centered methods and traditional ones. It is introduced a theoretical analyses about methods of language teaching in general, characteristics description and principles of CLT, accuracy and fluency in CLT, teacher and student role, communicative competence, CLT application, significance, impact, comparison of CLT with traditional methods. The data are collected from students of 9-year elementary schools on sixth, seventh, eighth and ninth grades through a survey questionnaire. Questions on the questionnaire are focused on finding students' opinions and points of view about language learning in a certain context in practice, according to their needs and preferences on learning a language based on CLT premises about communication, accuracy, fluency, learning grammar and vocabulary, teacher roles etc. and principles of other traditional methods. Results are converted into percentages which show students preferences about the way they are used to, need and want to learn a foreign language and with which principles of the foreign language teaching methods they agree or not. Findings are described and analyzed according to their relation with theoretical issues. From the analyses it results that using CLT may prove to be a very successful method in both learning and teaching because students welcome the principles used in this method despite their "attachment" to the principles of previous teaching methods that they are used to.

Keywords: English Language Teaching Methodology, Communicative Language Teaching Method, Grammar Translation Method, Audio-lingual Method, Principles of Foreign Language Teaching Methods, Students' Points of View

1. Introduction

Methodology of foreign language teaching (FLT) includes different methods with their relevant principles used in teaching a foreign language. Methodology also includes different techniques, lesson plans, materials etc. for teaching language skills. It is important for a teacher to be always provided with contemporary trends of foreign language teaching and learning. Except relevant information that a teacher should have, students' opinions about certain principles and methods are also very important, to teach students in the way they want to learn and in the way that they would be motivated to, and would feel more confident. The aim of this study is to analyze and discover the 9-year elementary schools students' opinions and points of view about learning a foreign language based on the principles of contemporary interactive student-centered methods and traditional ones in Albanian schools. To describe their preferences about learning a language and about the way they want to be taught because Communicative Language Teaching (CLT) is an interactive method which helps learning English language through communication and in a theoretical point of view CLT is a more effective method

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compared with traditional methods such as Grammar Translation Method and Audio lingual Method, and it is a preferred method to be used nowadays in foreign language teaching and learning.

2. Literature Review

2.1. Foreign Language Teaching Methods

There is a wide range of various methods used in foreign language teaching these methods are divided into:

-structural methods: Grammar Translation Method, Audio-lingual Method

-functional methods: Situational Approach, Oral Language Teaching

-interactive methods: Direct Method, Series Method, Communicative Language Teaching, Suggestopedia, Natural Approach, Total physical Response, Community Language Learning etc.

2.2. Communicative Language Teaching Method

CLT is an interactive student-centered method. Its origin dates from 1960 in Britain. Linguists at that time were focused on the need to communicate in the foreign language learning rather than on structural language. According to Wilkins (1972) a student should be able to express the core of the language through communicative competence rather than describe language through tradition concepts of grammar and vocabulary. He was more for the functional rather than structural use of language. Richards, Jack and Theodore Rodgers (1986) analyze the principles of CLT and state that the principal aim of CLT method is that the student to be able to communicate in the foreign language regarding that communication motivates students to learn and to be more involved in learning. CLT involves different activities that enhance communication such as: oral communication, games, role-plays etc. In CLT the teachers role is very important since he is a facilitator in classroom who creates communicative situations he is also observer and counselor while students are more active in the classroom, communicate and interact with each other and are at the center since the role of the teacher is not dominant and authoritative. CLT also makes use of a variety of materials which affect interaction and communication in the classroom. Richards (2006) states some really useful principles about communication which enhance and facilitate language learning: -interaction and meaningful communication are very important in language learning since they enhance learning and acquisition. -Tasks and exercises give students opportunities to negotiate meaning to use language and expand language resources including meaningful interaction. -Communication helps students to use and develop different language skills. -Language learning is easier if activities that involve inductive rules and analysis and reflection of language are used.

2.3. Accuracy and Fluency

As Harmer (1983) states there is a distinction between accuracy and fluency. Communicative activities are designed to improve language fluency. The immediate and constant correction of all errors is not necessarily an effective way of helping learners to improve their English. During communicative activities the teacher should not interrupt students to point out a grammatical or lexical or pronunciation error since this interrupts communication. Students have to make their attempts to get their meanings across; processing language for communication is the best way of processing language for acquisition. Teacher intervention in such circumstances can raise stress levels and stop acquisition process. Students will learn through communicating. When teachers intervene remove the need to negotiate meaning and deny students a learning opportunity. Intensive correction can be just as unpleasant during accuracy work too. The teacher should not react to absolutely every mistake that a student makes this will de-motivate students but should judge the right moment to correct.

3. Methodology and Data Collection

This is a descriptive study. The data are collected from students of 9-year elementary schools on sixth, seventh, eighth and ninth grades through a survey questionnaire. Questions on the questionnaire are focused on finding students' opinions

and points of view about language learning in a certain context in practice, according to their needs and preferences on learning a language based on CLT premises about communication, accuracy, fluency, learning grammar and vocabulary, teacher roles etc. and principles of other traditional methods. Results are converted into percentages which show students preferences about the way they are used to, need and want to learn a foreign language and with which principles of the foreign language teaching methods they agree or not. This is a quantitative study and for this reason a questionnaire is used for data collection. The questionnaire is designed with two major closed-ended questions which include statements with Yes or No alternatives to choose. It is designed to understand with which statements the students agree most, because statements are formulated based on the principles and characteristics of both contemporary student-centered methods such as CLT and of traditional methods such as ALM and GTM. Since theoretical views claim that CLT method principles are more effective, easier to use and more liked by the students, this questionnaire is designed to understand and discover students' opinions and points of view in learning a language, their needs and preferences. To describe and analyze if students prefer most to learn based on contemporary methods principles or on traditional methods principles. The questionnaire is a reliable method for data collection since the students are not asked to provide their names releasing them from the fear of a non real response, the participation was vulnerable and not at all influenced or obliged by the teacher or by the researcher. In this way students' opinions expressed through the questions are free of constrains and they represent the real thoughts and preferences of them. This method is chosen because it is simple for both students and researcher. The clear and exact questions in the questionnaire make students chose their answer without hesitation while the researcher through the questions designed in a specific way could collect all the necessary data for analyses in a large amount of participants in a short time.

3.1. Participants

5 classes on the 6th grade-113 questionnaires-Age 11-12 years old

4 classes on the 7th grade-71 questionnaires-Age 12-13 years old

7 classes on the 8th grade-129 questionnaires-Age 13-14 years old

1 class on the 9th grade-11 questionnaires-Age 14-15 years old

Total number of participants and questionnaires is 113+71+129+11=324

4. Results and Findings

The first question was designed to ask about general information such as students' age and gender. The second question was designed with statements where students had to choose Yes or No as answers. This question was designed to understand **students' points of view** about learning a language. The results are given in percentages in Table 1 for the answers of the total number of participants which are also shown in Chart 1. The fourth question was designed with statements where students had to choose Yes or No as answers. This question was designed to understand **students' preferences and needs** about learning a language. The results of the question 4 are given in percentages in Table 2 for the answers of the total number of participants which are also shown in Chart 2. The eleven statements on Table 1 are the statements included on the questionnaire for Question 2 for which the student had to choose Yes or No alternatives based on their opinions if they agreed or not with them as well as the fifteen statements on the Table 2 are the statements included on the Question 3 of the questionnaire. All the statements used in the entire questionnaire are based on the principles of interactive method CLT and traditional methods ALM and GTM. Students have chosen one of the answers showing their agreement or disagreement or their preferences for the relevant principles.

Table 1. Students' points of view about language learning for the total number of participants

Statements of the Questionnaire for Question 2	Yes	No
Fluency in speaking is more important in learning a foreign language	88%	22%
Accuracy in using a language is more important in learning a foreign language	84%	16%
Foreign language learning should be student-centered	78%	22%

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Foreign language learning should be teacher-centered	51%	49%
The teacher should focus on speaking skills, communication should be primary	78%	22%
Teacher should be dominant \	51%	49%
Communicative competence is as important as grammar competence	87%	13%
Communication is one of the best ways of foreign language acquisition	88%	22%
Tasks and games are important about foreign language learning in communication	64%	36%
Correcting every mistake in communication activities brings de-motivation	65%	35%
Do you fill uncomfortable if you are unable to use English during communicative activities in classroom	76%	24%

Chart 1. Students' points of view about language learning for the total number of participants in percentages
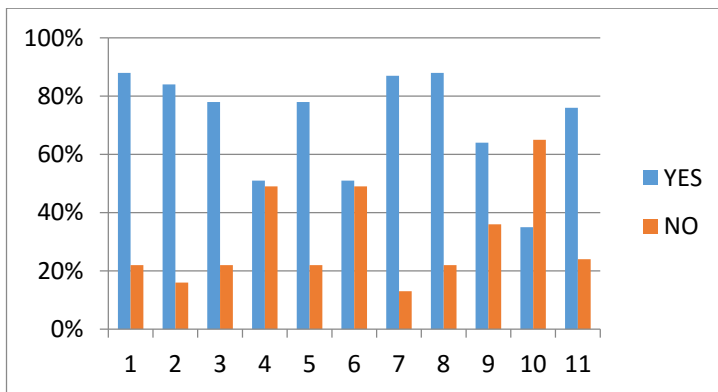
This question was designed with statements which would help to understand students opinions about their own language learning, how they see on their point of view that language learning should better be. A high percentage of the students 88% agreed that only fluency is more important in learning a language and 84% of them agreed that accuracy is more important. This means that students are interested on both fluency and accuracy in learning a language but especially they are interested in fluency. Regarding communicative competence and communication as one of the best ways for language acquisition the percentages of the students which agreed with these aspects were high and varied from 87-88% and 78% stated that the teacher should focus on speaking skills with communication primary and reading, writing, grammar, vocabulary secondary, this percentages make clear the students aims and perceptions which means that students need to communicate more during the lesson and they relate language learning with communication, this represents also their desire to communicate more and to be more motivated to learn. They also want to take responsibility for their own learning and want to manage their classroom activities that is why most of the them (78%) agreed that language learning should be student-centered and 51% of them agreed with teacher-centered learning that is because even though they like contemporary principles they are attached on old ones that is why 51% of them stated that the teacher should be dominant in the classroom. 65% of them answered that correcting every mistake in communication activities by the teacher brings de-motivation for them and that they felt uncomfortable if they were unable to use English during communicative activities (76%). In this case we understand that students' communicative competence is really important for them and they want to be fluent in speaking in order to be more motivated to speak but also to learn. We all know that if learning is not boring and frustrating it motivates students more to be involved in the classroom activities for this reason 64% of the students answered that tasks, games, role-plays are important about accuracy and fluency. As Harmer (1983) states that there is a distinction between non-communicative activities and communicative activities, according to him non-communicative activities are characterized by: non-communicative desire, no communicative purpose, form not content, one language item only, teacher intervention, materials control. While communicative activities by: a desire to communicate, a communicative purpose, content not form, variety of language, no teacher intervention, no materials control. It seems that students prefer

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communicative activities and their relevant characteristics. The more students communicate the more they will be motivated to learn and learning would be more effective.

Table 2. Students' preferences and needs about language learning for the total number of participants

Statements of the Questionnaire for Question 3		
Do you like or prefer learning: Statement	Yes	No
with authentic materials taken from the real context?	86%	14%
with materials taken from a specific context unknown without interest for you?	17%	83%
by imitating and memorizing a given model?	54%	26%
using real communication?	93%	7%
vocabulary by learning the new given words?	81%	19%
words that you take from a context?	84%	16%
through communicating, playing games and freely expressing your opinions and ideas?	92%	8%
through interaction, working in groups, cooperating with partners and freely communicating?	94%	6%
through activities commanded by the teacher?	60%	40%
when your teacher is a counselor or facilitator?	87%	13%
when your teacher is a leader?	46%	34%
through active participation?	72%	28%
when you are passive in the classroom and follow teacher's authority?	31%	69%
when errors are instantly and constantly corrected?	48%	52%
when errors are not instantly and constantly corrected for not interrupting or affecting communicative fluency because it would be unpleasant?	50%	50%

Chart 2. Students' preferences and needs about language learning for the total number of participants in percentages
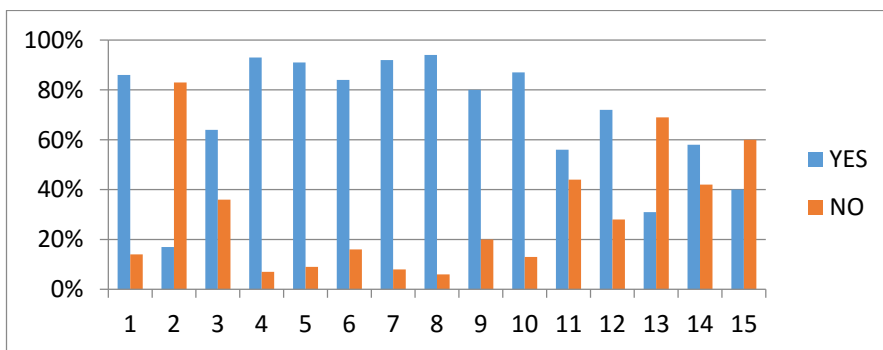
Students are obliged to learn with a certain material and methods and techniques but with this question and statements we understand their preferences how they need and like to learn a language and how they would be more motivated to learn. Most of the students (86%) stated that they liked or preferred learning with authentic materials, 17 % of them stated that they liked learning with materials taken from a specific context because they want to learn more with materials that are based on their interest and materials that make them curious and interested. 93% of the students preferred learning using real communication and only 64% of them by imitating and memorizing a given model and neglecting context, this makes clear students' preferences on interactive methods principles that are focused on real situations communication and interaction rather than on traditional ones which include just a specific context and students are obliged to imitate the model and memorize the examples. 92-94% of the students like learning through communicating, playing games and freely expressing their opinions and ideas and through interaction, working in groups, cooperating with partners and freely communicating rather than through activities commanded by the teacher (60%) but still the percentage is not low it shows that students have been used to be under the wardship of the teacher. This is also seen even in learning new words 84%

of the students stated that they prefer learning vocabulary by learning words that they take from a context but also 81% preferred learning vocabulary by learning the new given words which means that students have been used to this way and have the tendency to be dependent on traditional principles and ways of learning vocabulary. About error correction it seems that students agree that both ways of correcting errors should be used since almost half of them like learning when errors are instantly and constantly corrected and the others when errors are not instantly and constantly corrected for not interrupting or affecting communicative fluency. They also prefer when the teacher is a counselor or facilitator (87%) because this would enhance their motivation in learning and not a leader in the classroom (46%). They also prefer task based learning, games for not being frustrating and active participation (72%) rather than being passive in the classroom and following teacher's authority (31%), in this way students preference is taking their own responsibility on learning and managing their learning activities, this shows that they like being active and interaction with each other rather than just following teachers activities.

From all the above results and interpretation it can be concluded that some of the main principles of CLT are important in both language learning and teaching. According to students' points of view, preferences and needs about learning a language it would be better for them if CLT method would be widely used. Because they prefer learning with authentic materials, learning vocabulary by learning words that they take from a context, learning through communicating, playing games and freely expressing their opinions and ideas and through interaction, working in groups, cooperating with partners and freely communicating. They also prefer when the teacher is a counselor or facilitator, they prefer a task based learning and errors should be constantly corrected only when it is needed in other cases errors should not be instantly and constantly corrected for not interrupting or affecting communicative fluency. Students prefer a student-centered learning and for them communicative competence and efficacy is really important in learning a language, they also prefer communicative activities which create communicative desire, interaction and motivation. Most of them do not like any more traditional methods and their principles such as focusing on accuracy, grammatical rules, frustrating tasks, memorization, imitating models, focusing in specific context, not being able to communicate freely, having a teacher acting as a leader and a teacher-centered learning, lack of classroom cooperation and not being able to use language in communication outside the classroom setting. Richards (2006) states a difference between a traditional method such as GTM that is focused on the deductive way of explaining grammar where rules are presented to the students they have to memorize them and then use in examples and given exercises while using CLT grammar is taught inductively and the students have the possibility to formulate the rule based on the exercises and also they can learn this rules by interaction use in work groups and communication they can acquire better this rules since they do not have just to memorize by heart but they learn the rules in a more natural and effective way. That is why students' tendency was to chose and like more CLT principles rather than traditional methods principles. And based on David Nunan's (1991) listed principles of CLT such as: learning communication through interaction, using authentic materials in learning context, giving students opportunities to manage their own learning, using students own experiences and opinions as a contribution in classroom and linking classroom language learning with language used on activities outside the classroom it seems that this method is very interested in the needs and desires of the learners and on the real use of language not only outside but also inside the classroom and since students develop their communicative competence in an authentic context CLT may be considered as a very useful form of teaching which enhances students learning.

5. **Conclusions**

The main aim of this study was to examine Albanian student's points of view and opinions on CLT theoretical premises. From the results of students it is clear that they welcomed the desire to accept CLT usage and principles but the problem is to put CLT into practice its implementation and innovative change which will depart them from traditional principles they are used to and this needs the relevant time to be familiar with. Even though from the analyses of students opinions and preferences it results that using CLT with its effectiveness may prove to be a very successful method in both learning and teaching despite their "attachment" to the principles of previous teaching methods such as GTM and ALM where students have been teacher-dependent in language learning. Also, there are some other factors that indicate the current situation foreign language learning in Albanian 9-year elementary schools, it is the Albanian context and culture and there are even institutional constrains such as class sizes, limited time or students' level and also teachers training for CLT. Although the findings in this study are limited to the setting, the number and context of participants and somehow prevent generalizations across the country and in a different context with other participants, other findings and problems may be discovered, it contributes as a scientific evidence to the debates over CLT in the Albanian context and it shows the need for other extended researches to be done.

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The Investment and Net Interest Margin: Case Study Commercial Banks in Kosovo

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Abstract

In Kosovo, but in all developing countries, the foreign investment is the locomotive of the country that considered as the most important economic sectors. In general it can be concluded that most of the investment originates from developed countries and that these investments return to these places. Origin of investments in Kosovo mainly comes from countries such as Austria, Germany, Slovenia, Great Britain, Switzerland, Turkey, the Netherlands, Albania, Serbia, USA, France, Macedonia, Croatia, Cyprus, Norway, Italy, Greece etc. The banking sector in Kosovo has been very attractive to the foreign investors. A total of nine commercial banks, seven are foreign owned. Foreign investments are primarily generated as investments in shares of foreign shareholders from different countries of the world. Investments in securities have increased by the banking sector in 2014. With the change of the interest rate it has also changed net interest margin of the banking sector. Interest on loans and deposits has continued to decline. Especially interest rates on deposits in 2014 have fallen to 1. 1%. This linked to the investment bank in securities of our government as the initiator in this area but cannot be denied to the investment of foreign governments. With the decrease of credit interest rate will be the development of sustainable economic growth and boost investment.

Keywords: Commercial banks; Investments; Net interest margin

Introduction

The foreign investments are the main segments of the economic activity of a country. The most attractive sectors for FDI in developing countries and countries in transition are the mining, minerals, metals, food production and the traditional sectors of industry, chemical industry, services and public infrastructure (especially energy and telecommunications).

The banking sector in Kosovo also has been very attractive to foreign investors. A total of nine commercial banks, seven are foreign owned. And three major banks in Kosovo that consistently generate high profits are from foreign-owned banks. Foreign investments are mainly generated as investments in shares of foreign shareholders from different countries of the world. In general it can be concluded that most of the investments originate from developed countries and that these investments return to these places. Origin of investments in Kosovo mainly comes from in Kosovo mainly come from countries such as: Austria, Germany, Slovenia, Great Britain, Switzerland, Turkey, the Netherlands, Albania, Serbia, USA, France, Macedonia, Croatia, Cyprus, Norway, Italy, Greece etc. In the financial account of the balance of payments under liabilities, the main category continues to be the category of FDI, whereas the main category are assets are the other investments (mainly deposits and commercial loans) outside Kosovo's economy. Analysis of investment in shares in commercial banks in Kosovo shows that foreign-owned banks continue to dominate with higher amounts in the financing of capital stock although their amounts were constant continuously while analysis of net interest margin that is calculated with ex-post method, as the difference in interest rates on loans and deposits that banks specify in the contract from the outset. This indicates that banks play an important role in the economic development of a country but without leaving aside their own benefits. If we would decrease the interest rate on loans will have to further develop sustainable economic growth, increased foreign investment, increase funding capital stock, increasing investment in securities but also risk greater for banks and they undertake, due to reduction of their net margin.

Literature review

Broadly understand collaborating with investment of funds, real estate, securities (stocks, bonds, etc.), studies and scientific research, education of personnel, etc., and the goal of all these investments is to maximize profit. So we recognize investment in real assets and financial assets. The purpose of investing is to ensure the existence of unsafe surroundings, increasing the level of efficiency and well-being now and in the future, etc. Investment needs arising from the hinterland through the competition and this dictates the need to improve the technology, the ability of personnel, increasing the range of products, market occupation in the country and abroad, etc. Investments can be defined as commitment of funds, or other material goods be expressed financially, for the realization of development goals and the investments represent an act of conscious withdrawal from the consumption of current in the name of hope for the greatest effects serial in the future (risk and profit are inseparable and are proportional to the rational investor but minimizes risk and requires adequate return). (Kadareja, 2012) During the investment should be considered serial effects that are expected from investment in the future and the uncertainty and risk that accompany the investment. Regarding investments Massa says "investment represents parts of a good safe from consumption of which waived, with the hope that we have the facility of investing" while SHARPE says "investment is sacrificing value to the current value to the future with great potential, "he Also it makes the difference between saving and investment. While savings represents waiver of consumption, investment made for output could be achieved in the future. Keeping money disengaged or spending it on consumption, is a waiver of return on investment. The desire of investors is much greater profit, but faced with the risk of investment. Foreign direct investments are one of the main economic activities Tucked country, especially in developing countries such as Kosovo. According to OECD (2007), FDI reflect the intention of securing a lasting interest in either direct or indirect economy. They work out of the territory of the country of the investor. That an investment be considered FDI subsidiary parent should invest at least 10% of the usually shares from its foreign subsidiaries. (Zoto, 2012) Investments in shares are owned by the assets of a joint stock company and have virtually no predetermined maturity date. Shares are divided into: common shares and preferred shares. (Asllanaj, 2010) The advantages are that investors in stocks, dividends benefit, the size of which is variable according to economic conditions and the progress of the corporation; Open the possibility for capital gains, i. e. They can bring extra benefits; In case of bankruptcy or liquidation of the corporation have limited liability to the creditors until the settlement of the value of investing in shares. Maximum loss is the value that shareholders invested in stocks; Lower cost of service for their possession; Maintaining high security (currently in book-entry form). Currently not verified ownership of shares in the form of materialized (with certificate), but in the form of computer records. Investor will be issued a receipt (document) that proves ownership to ownership. Book-entry system protects investors from losses, forgery, theft, etc. securities. The rate for buy and sell them, etc. Bernanke was determined by the cost of mediation as the difference between the costs paid by the borrower's gross and net returns obtained by savers. (Bernanke, 1983)

Although there is no single definition of the interest margin in the empirical literature, one that prevails is the net interest margin (ratio of net interest income to earning assets). Often times, this indicator is calculated in relation to total assets and the changes are not very significant if earning assets comprise a significant part of total assets. There are two ways of measuring the net interest margin, and ex-post ex-ante. Under the first approach, the net interest margin is calculated as the difference between interest rates on loans and deposits that banks specify in the contract from the outset. These are the rates that the public sees and that are readily comparable among them. Under the second, the indicator is calculated as the difference between the interest income and expense that the bank has realized during the period, according to data from financial statements (once attained). The difference between the two margins is related to the loans. Another treatment determinants margin is the theoretical interests. For the first time such a treatment is performed by Ho and Saunders (1981) and was named model of intermediation.

Methodology

Theoretical paper for the primary data are scientific works published in international journals and conferences and secondary data are other publications, books and articles by local and foreign authors. For the practical part of the paper records are investiture central bank reports, the financial statements of commercial banks, from data Monetary Fund International and the World Bank for Kosovo, the ministry of research reports, agencies and institutions operating in the country. Research methods are used, the method of statistical analysis, and comparative. The data presented cover the period 2011-2014.

The foreign direct investment in Kosovo

FDI are the main segments of the economic activity of a country. Kosovo but also in the developing countries, considered as the locomotive of the country that focus on important economic sectors.

In general it can be concluded that 92% of investments originating from developed countries and 72% of them return to these places. (Riinvest, 2002). The most attractive sectors for FDI in developing countries and countries in transition are the mining, minerals, metals, food production and the traditional sectors of industry, chemical industry, services and public infrastructure (especially energy and telecommunications). Sector Banking and Insurance were among the most attractive sectors for foreign investment in postwar Kosovo. These sectors have absorbed € 30. 6 million, of which 19. 3 (63%) is the share of foreign capital which consists of 13 million € of the banking sector and € 6. 3 million of insurance. (Riinvest, 2002). The origin of investment mainly comes from countries as indicated in table below.

Table 1. Investment by countries

(In million of Euros: State on 31 December 2014)

Code	Countries	Total Inward Direct Investment			Total Outward Direct Investment		
			Equity capital	Other capital transactions		Equity capital	Other capital transactions
	European Union	987.0	755.0	232.0	74.3	62.4	11.9
AT	Austria	149.9	133.4	16.4	3.6	3.3	0.3
BE	Belgium	12.8	9.5	3.3	2.7	2.7	0.0
BG	Bulgaria	31.6	3.8	27.8	0.6	0.6	0.0
CY	Cyprus	6.7	2.0	4.7	3.7	3.7	0.0
FR	France	14.4	15.2	-0.8	3.1	3.1	0.0
DE	Germany	253.5	249.2	4.3	21.2	21.2	0.0
GR	Greece	9.5	8.8	0.7	1.9	1.9	0.0
IT	Italy	16.9	16.9	0.1	3.3	3.3	0.0
NL	Netherlands	184.1	145.8	38.4	15.1	3.5	11.6
RO	Romania	3.8	3.7	0.1	0.3	0.3	0.0
SI	Slovenia	216.7	87.5	129.2	7.5	7.5	0.0
SE	Sweden	17.3	17.0	0.3	1.2	1.2	0.0
GB	United Kingdom	38.7	35.2	3.5	6.4	6.4	0.0
	Other EU Countries	31.2	27.2	4.0	3.8	3.8	0.0
	Other European Countries	644.3	442.6	201.6	85.5	84.7	0.7
AL	Albania	98.5	60.3	38.2	39.8	39.2	0.6
HR	Croatia	11.8	9.6	2.3	3.3	3.3	0.0
MK	Macedonia, FYR	24.5	14.5	10.0	10.5	10.4	0.0
NO	Norway	16.1	14.9	1.2	0.6	0.6	0.0
RS	Serbia, Republic of	14.3	10.6	3.6	6.4	6.4	0.0
CH	Switzerland	178.6	158.1	20.4	10.3	10.2	0.1
TR	Turkey	291.6	166.8	124.8	3.8	3.8	0.0
	Other Europian Countries	9.0	7.8	1.2	10.8	10.8	0.0
	Other countries	128.5	104.9	23.5	14.8	14.8	0.0
US	United States	69.0	51.5	17.5	7.9	7.9	0.0
AE	United Arab Emirates	37.4	32.8	4.6	1.5	1.5	0.0
	Other Countries	22.1	20.6	1.5	5.4	5.4	0.0
ZZ	Not Specified	1,199.3	936.5	262.8	0.0	0.0	0.0
	Grand Total	2,959.1	2,239.2	720.0	174.6	161.9	12.6

In the financial account of the balance of payments under liabilities, the main category continues to be the category of FDI, whereas the main category are assets and other investments (mainly deposits and commercial loans) outside Kosovo's economy. FDI balance was characterized by deterioration in 2014, mainly determined by the decline of FDI in the country, which was reduced to 151. 3 million euros from 280. 2 million euros as they were in 2013. (CBK, 2015)

Table 2. Financial account

(In million of Euros)

Description	Balance	Investments abroad	Investments in reporting economy	Direct investments			Portfolio investments			Other investments			Financial derivatives	Reserve assets
					Abroad	In reporting economy		Abroad	In reporting economy		Abroad	In reporting economy		
2004	-57.6	47.4	105.0	-42.9	...	42.9	32.1	32.1	...	68.0	128.0	62.0	.	-112.7
2005	-53.6	126.5	180.3	-107.6	...	107.6	17.5	17.5	...	68.7	141.3	72.6	.	-32.4
2006	35.7	367.5	331.6	-289.2	5.6	294.8	65.4	65.4	...	181.6	218.7	37.0	.	77.9
2007	5.8	508.5	502.7	-431.0	9.7	440.7	34.5	34.5	...	108.0	170.0	61.9	.	294.3
2008	-288.4	231.2	519.6	-341.5	28.4	369.9	109.9	109.9	...	-75.1	74.7	149.7	.	18.2
2009	-109.0	230.6	339.7	-276.9	10.5	287.4	124.4	124.8	0.5	138.3	90.1	51.8	.	-94.8
2010	-275.6	405.6	681.4	-331.1	37.4	368.5	48.6	48.6	...	-46.7	266.2	312.9	.	53.4
2011	-377.5	83.7	461.2	-378.9	5.5	384.4	57.8	57.8	...	4.8	81.7	76.8	.	-61.2
2012	-141.0	316.6	457.6	-213.3	15.8	229.1	185.7	185.7	...	-374.9	-146.3	228.5	.	261.4
2013	-132.2	217.2	349.4	-250.2	30.0	280.2	139.3	139.3	...	14.4	83.5	69.1	.	-35.7
2014	-145.1	90.4	235.4	-123.9	27.3	151.3	13.3	13.3	...	22.6	106.8	84.2	.	-57.0

FDI in Kosovo are mostly concentrated in sectors of the economy such as real estate to 142. 1 million euros from 151. 2 million euros in total FDI carried out in Kosovo in 2014, financial services with 41. 9 million euro, energy by 13. 4 million euro, trading 8. 4 million. (CBK, 2015) The value of investments in real estate has steadily increased (4. 5 percent increase in 2014) and the financial sector who noted that in previous years has decreased in 2014 increased significantly. The important component within the balance of payments is the category of Foreign Direct Investments (FDI). In 2014, the balance of FDIs was euro 123. 9 million, which represents a significant decline compared to the value of euro 250. 2 million in the previous year. This decline in FDIs can be attributed mainly to the sale of shares of some of the foreign companies operating in Kosovo to the Kosovo residents and distribution of the super dividend of some of the foreign companies operating in Kosovo.

Chart   No.   1.   Structue   of   FDI   by   components,   in   millions   of   euro
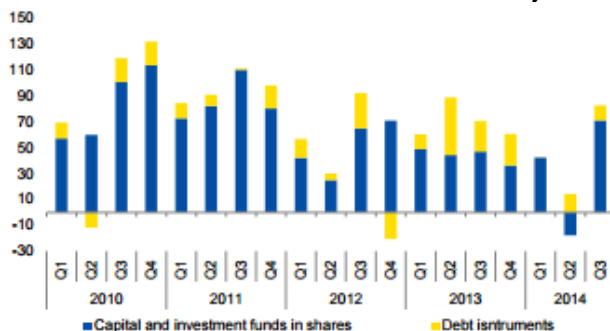
Source: CBK (2015)

In general for banking sector in Kosovo

Reform of the banking system in Kosovo after the war began in 1999, led by the Banking and Payments Authority of Kosovo (BPK), as the forerunner of the Central Bank of Kosovo (CBK). The banking system plays a very important role in the financial system in Kosovo, whose assets account for about 90 percent of the assets of the entire financial system. Banks have become key actors in channeling funds from lenders to borrowers, source of funding for businesses, individuals and economic development in general. Therefore, it is very important that their intermediary role to ensure a higher welfare for society, possibly much lower cost.

The structure of the banking sector in Kosovo in 2014 was similar to previous periods. According to the ownership structure of the banking sector continued to be dominated by foreign-owned banks, whose assets make up 90. 4 percent of total assets of the banking sector, while the remainder is managed by the local banks. (CBK, 2015) The table number 3, which indicated that commercial banks operating in Kosovo and their filial. Besides Bank for Business (No. 4 in the table) and the Economic Bank (no. 5 in the table) which are locally owned, all other banks are foreign owned.

Tabel No. 3. Commercial banks and their branches

No.	Name of bank	Branches
1.	Procredit Bank	55
2.	Raiffeisen Bank Kosovo J. S. C	52
3.	NLB Prishtina	50
4.	Business Bank	41
5.	Economy Bank	40
6.	TEB	26
7.	National Commercial Bank	24
8.	Komercijalna Banka – Mitrovica	9
9.	Turkiye is bankasi – Pristina	1
	Total	298

CBK (2015)

Investments in shares in foreign-owned banks in Kosovo (2011-2014)

Investments in shares are owned by the assets of a joint stock company and have virtually no predetermined maturity date. Shares are divided into: common shares and preferred shares. Advantages of investments in shares are ambitious. The following analysis shows investment in shares for the five foreign-owned banks in the four quarters of the years 2011-2014, issued by the balance sheets of commercial banks in Kosovo.

Chart no. 2. Investments in shares 2011 Chart no. 3. Investments in shares 2012
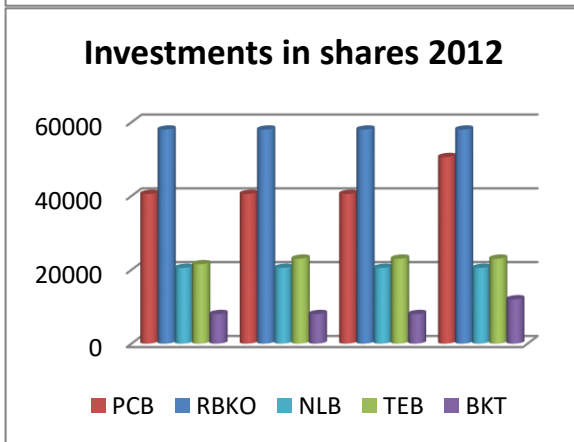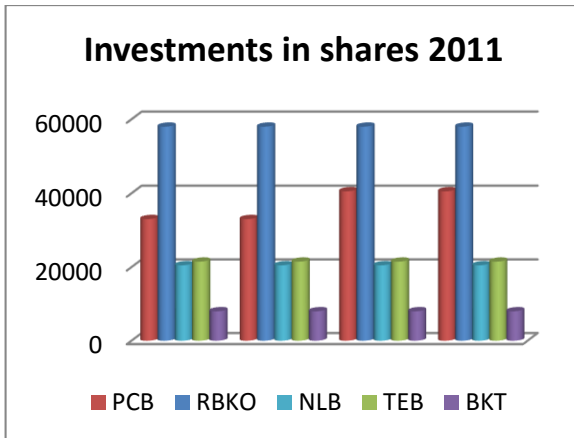
Chart no. 4. Investments in shares 2013 Chart no. 5. Investments in shares 2014
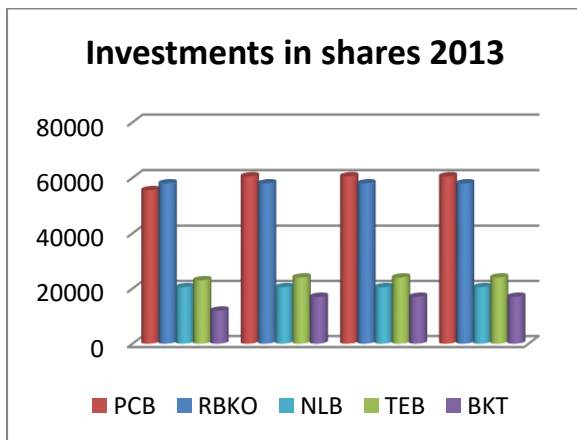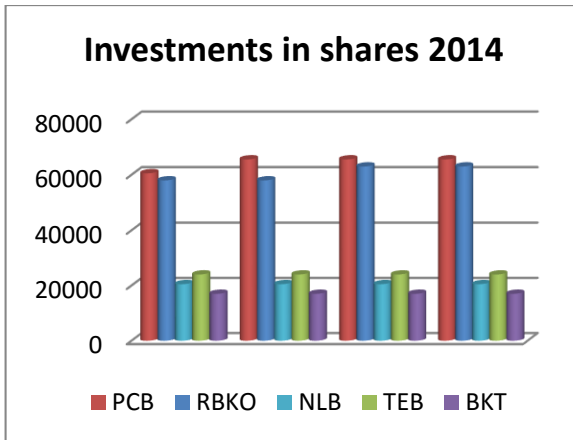
From the charts we see that two foreign banks and the largest in the country (Raiffeisen Bank and ProCredit Bank) have the largest investment shares. In 2011 and 2012 leads Raiffeisen bank and in 2013 and 2014, Procredit Bank reaches and exceeds 2550 Raiffeisen for more shares. Then the investment is participation in Turkish bank TEB shares following the NLB Prishtina, while smaller participation in National Bank has shares trading.

Net interest margin on commercial banks in Kosovo

Net interest margin is called NIM (Net Interest margin) represents the cost of mediation between interest income and interest expenses. Interest income includes amounts arising from credits that banks grant a customer and get paid every month in the form of installments, while interest expenses include amounts arising from savings as a result of the deposit to the bank by private, where the amounts exceed the amounts deposited represent interest expense that the bank must give them to customers. There are two ways of measuring the net interest margin, and ex-post exante. Under the first approach, the net interest margin is calculated as the difference between interest rates on loans and deposits that banks specify in the contract from the outset. Under the second, the indicator is calculated as the difference between the interest income and expense that the bank has realized during the period, according to data from financial statements (once attained). In the analysis it was evaluated with the net interest margin exante method for commercial banks in Kosovo in four-year period 2011-2014.

Chart no. 6. Net margin interest rate in percentage

	2011	2012	2013	2014
NIM	10.3	9.1	8.4	9.5
IR of deposits	3.5	3.6	3.4	1.1
IR of loans	13.8	12.7	11.8	10.6

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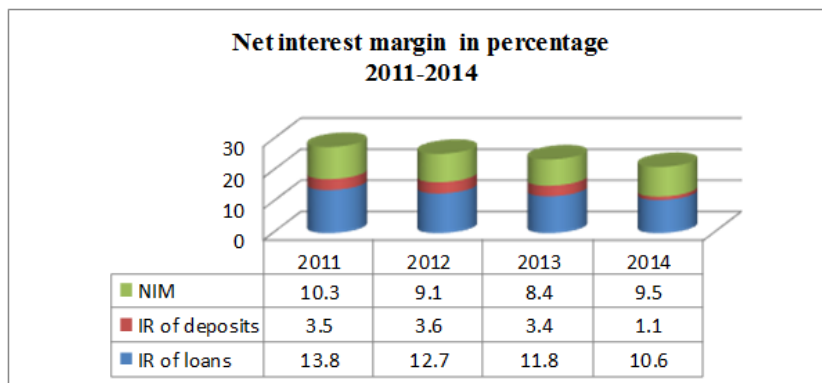
From the picture we see that effective interest rates of loans issued by the Central Bank data to Kosovo since 2011-2014 have continued to decline, from 13. 8% in 2011 to 10. 6% in 2014. In comparison with rates deposits of which also declined notably in 2014 with 1. 1% in the interest rates in 2012 and 3. 6% in the interest rates.

The difference between the interest rate on loans and deposits gives us the net interest margins of commercial banks in Kosovo.

From the chart we can see that the net interest margin was lower in 2013 by 8. 4%, while in 2014 rose to 9. 5%, which was due to the decline in deposits at 1. 1%. This shows that the banks have created liquidity to adequate and that there is more need for deposits.

If you give a look at the graph of investment in shares of commercial banks in Kosovo, then we can say that investing in shares have remained constant from year to year, they more have helped banks to start immediately to after opening their branches, we these last four years we noticed that most banks were generates more from retained earnings and net profit for the year is shown by margins net of interest and less deposits. Because the rate of interest for deposits has fallen in 2014. Fall of the deposit interest rate to be compared with the graph of investment in securities from commercial banks where it is noted that banks have had an increase of 8. 3% in 2014.

Results & Discussions

The investments whatever are like as firm or country, whether made directly or indirectly for the purpose of profit growth or sustainable development. From analysis to see FDI in Kosovo in the past year they have decreased, not as generous thing for our country. Investments in shares of commercial banks in Kosovo have remained constant and dominated by foreign-owned banks. Investments in securities of commercial banks in Kosovo have increased in 2014.

The analysis of net margin, effective interest rates on loans have continued to decline, from 13. 8% in 2011 to 10. 6% in 2014. In comparison with the deposit interest rates, which also declined notably in 2014 with 1. 1% in the interest rates in 2012 and 3. 6% in the interest rates? Net interest margin was lower in 2013 by 8. 4%, while in 2014 rose to 9. 5%, which was due to the decline in deposits at 1. 1%. This shows that the banks have created liquidity to adequate and that there is more need for deposits. Fall of the deposit interest rate to be compared with the graph of investment in securities from commercial banks where it is noted that banks have had an increase of 8. 3% in 2014.

More or less expected results have known that we are a developing country and battling every day.

Evidently interest rate interconnection with net margin, as higher is the interest rate the higher will be the net margin, and it is clear that the interest of commercial banks is to maximize profits.

Conclusions

With this paper, we came to the conclusion that what investments will have an impact on whether the sustainable development of a country. Kosovo but also in the developing countries, FDI is considered as the locomotive of the country after that focus on important economic sectors. In general it can be concluded that most of the investments originate from developed countries and that these investments return to these places. The origin of investment by state in Kosovo mainly come from countries such as: Austria, Germany, Slovenia, Great Britain, Switzerland, Turkey, the Netherlands, Albania, Serbia, USA, France, Macedonia, Croatia, Cyprus, Norway, Italy, Greece etc. The banking sector in Kosovo has been very attractive to foreign investors, immediately to the war. A total of nine commercial banks, seven are foreign owned. And three major banks in Kosovo that are constantly generating high profits are from foreign-owned banks. Foreign investments are mainly generated as investments in shares of foreign shareholders from different countries of the world. Investments in shares have been constant from year to year, but dominated by foreign-owned banks. Banks which have much larger shares of investments in Kosovo are Procredit and Raiffeisen bank. The Turkish bank TEB, NLB and BKT then comes. Net interest margin which indicates the difference in interest rates on loans and deposits continued to grow, this variable shows how interlinked and direct effect of interest rates, changing their changing the margin. Interest on loans and deposits has continued to decline. Especially interest rates on deposits in 2014 have fallen to 1. 1%, it can also be related to banks' investment in securities of our government as the initiator in this area but cannot be denied the investment of foreign

governments. Most of the investments and development activities by the banks is accomplished by retained earnings or net interest margins, especially from interest income on loans. With the decline of interest rates on deposits of banks have received have sufficient liquidity and their focus is on securities, rather than in public deposits. Loans interest rates continue to remain high for our country, there is no risk but also the desire for higher profits. The market is saturated with credit and has no direction to hold. So if you have a decrease in the interest rate on loans we will have on sustainable economic development, increase in foreign investments, growth capital financing in shares, and increasing investment in securities.

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The Appraisal of Commitment in Organizational Environments- Differentiating Organizational Commitment from Employee Satisfaction

PhD Cand. Radu Florea

Abstract

In order to acquire (and maintain) a high degree of commitment of a company's staff certain conditions must be met both general – that are valid for most organizations focused on profit - and specific - depending on the particularities of each company. Commitment is very relevant in calibrating the business strategy of companies in order to develop employees but also as a central objective for change management. At a general level, building commitment is conditioned on communication with employees on effective leadership, a high degree of satisfaction and a low degree of resistance to change. Change management theorists suggest that any kind of change - both planned and critical incident related- will have negative implications on organizational commitment. Becker considers communication as one of the main factors that affect commitment, important in the growth and continuation. Communication also has implications for organizational culture calibration, transmission of messages via multiple channels and is affected by several factors including commitment (Keyton, 2010). The main difference between commitment and satisfaction is strongly related to the emotional and affective study dimensions of Meyer and Allen's model on commitment (Keyton, 2010); although satisfaction can generate certain reactions from employees, it has a wide range of meanings from which results can be reported. Commitment may have different affective values because of the implications that it generates and because of their complexity. Accuracy is the most important feature as it helps in measuring commitment and maintaining a high degree of objectivity in data interpretation. Measuring attitudes in social sciences is a subject often problematic because the instruments used do not meet the criteria of validity - do not measure what needs to be measured. Therefore, the measurements may be inaccurate without the use of an appropriate methodology for identifying the exact coefficients of the survey indicators.

Introduction

Commitment is a concept consisting of several distinct dimensions; understanding why people feel this kind of closeness to the organization in which they work depends on a variety of factors. Companies may recognize and reward employees individually or as teams. A recognition which is given individually, directly from the management will be -even if involuntarily in some cases- valued higher by employees. Increasing the level of commitment of the management team and employees depends on a number of factors that must be implemented in a fair way in order to avoid conflicts. There is a wide range of strategies to enhance commitment; their application lies in the degree of adaptability for each distinct organization. Reporting a growth strategy of commitment that gives results in a company can just as easily not change anything in another one. Thus, due to its diversity commitment can be studied, understood and valued by reference to changes in organizations and by observing the valences that it may have.

Without a certain degree of commitment, adherence to organizational culture, understanding and accepting the values that are promoted by the organization, employees cannot perform in an optimal manner; for employees, a sense of belonging to the organization is as important as the technical skills necessary for occupying their positions. To have a high degree of commitment to the company is not necessarily desirable if the company is going through a major process of organizational change. If employees show a high degree of attachment to the old procedures in the company, the transition to a new operating model - different at all operational levels- may be met with major resistance at all levels of the company. In the case of an impending major change in the company, a high level of satisfaction is sought as being desirable from employees, because job satisfaction does not have significant implications at emotional level for company personnel. Even though the difference between employee satisfaction and commitment is defined as being significant for them to be studied as different aspect of an organization's culture, most companies do not have a clear view on the degree in which the first can generate pragmatic benefits, while the other can generate long term loyalty and consolidate an organization's position as a top employer on the market.

Theoretical perspectives on commitment and satisfaction within organizational environments

Organizational commitment can be understood as a state of emotional and social attachment that an employee may feel towards the company in which he works. In order for a person to feel a sense of commitment towards the organization, his values must be in alignment with the ones that the company promotes. The concept of organizational commitment dates back to the early '50s when theorists like Becker, Carper, Blumer and Hartman discussed the possibility of improving a company's performance by enhancing the levels of commitment which employees feel towards the companies in which they work (Singh, 2008). Before the

Introduction of commitment as a factor of development in organizational environments it was used in encompassing behavioral features, mainly in social science research. According to Hartman (1953), in order for an employee to have a positive perception of the company in which he works firstly there is a need to relate positively with company management. From a cultural perspective Hartman refers to the fact that in order for an organization to obtain commitment from its employees there needs to be a clear understanding of the company's mission, vision and values. In this case, considering the fact that a company's culture is promoted firstly by the management team, employees need to relate positively at an interpersonal level with the company management for them to have a high level of commitment to the company.

In 1953 Blumer introduced the term "communion" (Singh, 2008) to define the sense of belonging that employees may have towards the company. The term "communion" as seen by Blumer is defined by a high degree of cohesion at team levels showing a common organizational objective to which all members of the company can relate to (Singh, 2008). Commitment as a general paradigm in the study of organizations was founded by Becker and Carper (1956) – the first theorists who have developed empirical research - noting that motivation and employee satisfaction were not studied by a clear methodology and thus could not be accurately diagnosed. Employees with a high degree of commitment to their work were believed to have an increased interest not only to their work but also to their professional development. According to Becker's empirical studies commitment to an organization is believed to be in direct correlation to the degree in which each employee is interested in his own professional career path, and the way in which he can also benefit from the organization – from a point of view that mainly concerns learning and development of his own professional capacities. Becker (1960) perceived commitment as a characteristic attributed exclusively to professional interest that employees manifest. According to classical theories, the role of the organization in obtaining commitment refers largely to the ability to create stimulating working conditions for their employees (Singh, 2008). These perspectives were the foundation of the modern concept of organizational commitment, considered today as one of the most important elements necessary for obtaining organizational efficiency.

Secondary dimensions of commitment and work engagement identified later in the development of the concept as a study discipline concerned loyalty of employees to their organization, employee motivation and satisfaction. They began to be studied in order to establish a clear pattern of understanding of the ways of acquiring and maintaining organizational commitment at all levels of a company (Klein, 2009). In the early 1970s H. S. Becker introduced the concept of "loyalty" in the study of organizational commitment, as a factor of reference for developing and maintaining employee commitment (Klein, 2009). Becker defined employee loyalty based on past interactions that the two entities (employee and employer) had, interactions that can set a positive framework of interactions. More broadly, the loyalty concept to which Becker's theory refers to is a predetermined pattern to predict future interrelationships, based on past actions. Employees will have an increased tendency to be loyal - and to have a high degree of commitment to the employer – if the or rewarded their contribution to achieving the main company objectives. If employees will be convinced that the company offers a job that is in accordance to the way in which they perceive their own professional status, they will be loyal to the company and will do everything possible to contribute to achieving positive results for the organization.

The main theoretical model for the definition of employee satisfaction was introduced in the paradigms of social science by Herzberg (1979). Herzberg's theory states that there is a clear need of differentiation between factors that can generate employee satisfaction in hygiene factors and motivation factors. Segmenting the concept of employee satisfaction in two focus points was maintained during in the development of organizational theories due to its actuality that remained constant throughout the years. The Herzberg model was first introduced in 1959 and aimed at evaluating the theoretical concepts of satisfaction and dissatisfaction of employees by measuring them through specific indicators. (Stello, 2009). Herzberg's theory was based on studies on several organizations activating in the industrial production sector. The study conducted by Herzberg is based on a hypothesis which states that the factors that generate employee satisfaction and those that

generate dissatisfaction will be – in most cases- different (Stello, 2009). In other words, the absence of factors that generate employee satisfaction do not to create conditions of dissatisfaction; if hygiene conditions are met, the elements that generate motivation for company personnel will create a context suitable for obtaining employee satisfaction but if hygiene conditions are not met, company employees are in a dissatisfaction state in which motivation cannot be developed.

Based on the critical incidents theory, Herzberg's study was conducted on 203 employees working in industrial production companies. The majority of the sample was made up of accountants and engineers. Respondents were questioned on issues that they considered important regarding the company culture, the working conditions, the relationship they have with their direct supervisors, also being asked to give concrete example of situations that can validate their viewpoint on the matters. Based on the deployed interviews Herzberg found that some employees have a very high degree of commitment but also that others feel very frustrated regarding their job, even though they work in the same company on similar positions and had similar financial rewards. In this initial phase of differentiation it can be stated that although all employees had a high degree of satisfaction, some of them didn't have feel committed to the company. Even if commitment is related to motivation it needs to be studied from a different perspective than job satisfaction, due to the fact that it does not depend on hygiene factors –which are presumed to be existent at a sufficient level if employees have remained for a long period of time in the organization- but only on internal motivation and dedication to their work and to the company.

A more detailed perspective on the differentiation between commitment and satisfaction is offered by Rehman (2013) who states that employee satisfaction towards their job and the company can be defined as a general opinion – positive or negative- to the nature of their work in the given organizational context. Luthans (2005) considers job satisfaction as a pragmatic view on the way in which a specific job at a specific company can or cannot create benefits for its employees; Luthans considers that job satisfaction – as opposed to employee commitment towards the company- does not have any emotional implications for employees. Loyalty towards the company can only be achieved if employees identify themselves with the company's vision, mission and values, aspects which are related to organizational commitment.

Meyer & Allen's model on commitment

Meyer and Allen discuss employee commitment to companies from three distinct components (Meyer & Allen, 1991):

• Affective commitment (emotional)

• Commitment based on continuity- based on the time an employee has worked within the company

• Normative commitment: the sense of obligation to remain in the company

Affective commitment refers to the organizational climate, and the way in which it can influence the emotional perception of the organization's members. The affective dimension of commitment can be found in aspects such as communication, relationships in general or the perception of pressure coming from the management team. *"Affective commitment refers to the employee's emotional attachment and involvement in the organization; employees with a strong emotional commitment continue to remain in the organization because they want to, not because they need to. "* (Meyer &Allen, 1991). Commitment based on continuity refers to the employee's awareness of the costs they would have if they were to leave the organization. An employee whose primary connection with the organization is continuity will still remain in the company because he needs his current job. Normative commitment reflects a sense of obligation of the employee for the company; the employee feels that he should remain in the organization because of loyalty and fear of change (Meyer & Allen, 1991).

The three concepts through which commitment was defined were not considered distinctive dimensions but interconnected parts that can be present in an organization in different degrees. Some employees can feel that they have a strong emotional bond with the organization but also a high responsibility towards it due to the fact that they have worked in the company for a very long time. Segmenting the concept of commitment in these three areas can help in diagnosing commitment levels with a higher precision.

Measurement differences between job satisfaction and organizational commitment

The most common used instrument for assessing organizational commitment according to the model defined by Meyer and Allen (1991) is the Organizational Commitment Questionnaire developed by Porter and Smith in 1970. The questionnaire assesses the aforementioned three dimensions through indicators that are positively correlated with job satisfaction. The main difference between instruments that evaluate employee satisfaction and the OCQ is that the first deals with employee perception, and the second mainly assess emotional aspects that can lead to commitment. Although most of the instruments that assess job satisfaction correlate positively with instruments that assess commitment to the organization, the two concepts do not share common indicators in the assessment methodology.

Job satisfaction mainly relates with employee perceptions regarding their own position/job, financial compensations, relationship with supervisors, career paths, organizational climate (Manzoor, 2011); as previously states, organizational commitment assess three distinct dimensions that have emotional implications for employees. Although from a methodological point of view both concepts may be assessed similarly a relevant difference for commitment instruments (like the OCQ) is that they need to be validated according to scientific criteria in order for it to be considered reliable; job satisfaction questions may be easily tailored according to punctual elements that are relevant for each company.

The main difference of measuring employee satisfaction and commitment relies on the framing of commitment in psychometric paradigms, whereas job satisfaction is mainly one's perception of the job and the company. Although scaling and formulation of the questions from each type of instruments are similar, the need for validation of instruments that assess commitment in comparisons with instruments that assess satisfaction that don't have such a requirement is the main difference in measurement of the two aspects.

The role of commitment in organizational change

One of the directions in contemporary research of organizational commitment is the evolutionary description of the level of commitment in an organization that is currently undergoing a change process (Pittinsky & Shih, 2005). By measuring commitment in different stages of change a forecast can be defined regarding the success of implementing change and the degree in which resistance from employees can be surpassed. The research conducted by Shih and Pittinsky was deployed in an organization undergoing a process of growth in three different stages - 36 months away from each moment of application of the test battery- using scales introduced by Meyer and Allen discussed previously in this paper. By the successive application of the research instruments it was seen that as the organization grew employee commitment had decreased. The explanation given by Pittinsky and Shih was that employees have developed "a retrospective commitment" (Pittinsky & Shih, 2005). By defining retrospective commitment as a descriptive sub-scale of commitment appraisal in organizations undergoing a change process - in this case based on structured development- was generated through a detailed analysis of the three dimensions developed by Meyer and Allen, with particular reference to the affective dimension; because employees were so emotionally committed to the organization as a static entity, the development process was perceived as problematic by them, and thus it was met with a high degree of resistance. In other words, employees who feel a high degree of identification with the values of the organization and working methods in a particular moment will develop a strong degree of commitment to the organization based on the vision, mission, and values it may have at a specific moment.

The fact that the organization is developing and improving its working patterns will not be positively perceived by employees who remain committed to an organizational culture different from the current one. Being involved at an emotional level due to issues that are no longer present in the same form lowers organization commitment and affects the organization as a whole. In this regard, commitment can be retrospectively defined as *"employee adherence to a static point where the organization is at a given time"* (Pittinsky & Shih, 2005).

Conclusions

The measurement of attitudes in social sciences –and especially in organizational environments - is a sensitive matter due to the fact that the instruments that are used often do not meet the required validity – they do not measure what they imply they are measuring. Therefore, although measurements may be considerate accurate, in the absence of using a precise methodology for validating commitment instruments and for tailoring job satisfaction instruments on the company needs,

organizational commitment cannot be diagnosed with high precision. Perspectives on measuring organizational commitment may include other dimensions such as employee perception on top management, on the external customers, on supervisors, team cooperation and working with other departments (Meyer and Allen, 2004). Therefore, differentiating commitment and satisfaction can be viewed as mandatory in a complex process of organizational culture diagnosis.

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Human Right Education as Part of Education for Democracy: the Case of Albania

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Abstract

With the overthrow of the dictatorial communist regime, in Albania were created opportunities for discussing theoretical - practical human rights. The most typical periods when the man clearly raises and cut the question, "How to live in a dignity?", are periods of great social turmoil. Given this premise, the study embraces some of the most important issues of discussion and the concrete reality of the implementation of human rights in the Albanian reality. Human rights are rights that protect individuals and allow them to live with dignity protected from arbitrary of the state, or any other authority. Human life is an irreversible and therefore human rights constitute a "sacred" space, an unalienable individual sphere. This is why human rights rise to the level of fundamental valuation criteria of democracy and the legitimacy of a government. Given the historical circumstances of the development of democracy in Albania, discussion and attempts to put them in life, should be one of the essential features of education of new generations and youth activity itself. Attracting youth in daily discussion and efforts for the realization of human rights, is an imperative of our democratic life. The study is oriented towards younger generations, especially for the young student as the most emancipated youth, to become a participant in the activity of building a democratic state of law.

Introduction

The starting point of the evolution of an international human rights protection system coincides with the beginnings of frameworks for a permanent cooperation of States. The League of Nations and the International Labor Organization(ILO), both created after the First World War, paved, though modesty, the way for a process to determine human rights and their monitoring. However, only with the foundation of the United Nations in 1945 one may mark the point from where the legal development of human rights and their protection on the universal plane gained a forceful dynamism. Immediately after World War II, in a world filled with millions of deaths and refugees, as a result of racism and the violence of the Nazi-fascist axis, the UN Charter is dedicated "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of small and large nations" (Preamble). Art. 1 of the Charter is defined as one of the principles of the Organization to promote and encourage "respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

The protection and respect of human rights is the only way for an emancipated society that aims to build a pluralistic democracy. For this purpose, the Parliament of Albania, Council of Ministers and other state institutions with the continued support of the Council of Europe, European Union and other international institutions, have prepared and adopted an entire corpus of normative acts, aiming at the guarantee and protection of human rights.

The basic principles of the protection of human rights and fundamental freedoms are addressed in the Constitution of the Republic of Albania, adopted in 1998. In its Preamble is written: "The Albanian people … determined to build a rule of law, democratic and social state, to guarantee human rights, fundamental freedoms, with the spirit of religious tolerance and coexistence, committed to the protection of human dignity and personality, the prosperity of the entire nation, with the deep conviction that justice, peace, harmony and cooperation between nations are the superior values of mankind".

In this 25 years Albania have done progress in the field of the education of the Human Rights, especially in the five las years. With the

Introduction of scholar texts from the primary school where children learn this precious values of the civilized and democratic world. But there is too much to do in this direction, because are needed more professional staff to teach his values. There are also problems in rural areas, if in big cities we can see that children and yang people are more and more aware about their rights and other rights, becoming also more open minded and more aware about democratic values, normally not in a great proportion, it is needed more time for the society to become really reactive for these questions. In the other hand, in the rural areas, even if the scholar texts are the same, the lake of professional staff and the lake of proper attention to these lessons have created a gap between the rural areas and big cities in the consciousness of yang people about human rights and democratic values.

Based on observations done from the office of the High Commissioner of United Nation Human Rights, European Commission Against Racism and Intolerance, Council of Europe National Minorities monitoring, the US Embassy in Tirana reports, we will see some of the major problems in this field in the Albanian society and why the Human Rights education is the crucial and the best way of resolving these problems and to strengthen the democratic values.

Domestic violence

In Albania and more in particular in rural areas the domestic violence is very common, this happens for many reasons. In the absence of a national authority to monitor and enforce equality in family, as well as in terms of economic difficulties due to the return of private property system of self-employment are also restored habits of the past patriarchal family and in relationships. Early termination of education has increased ignorance in couple's relationships, but also ignorance in recognition of women's rights and protection that the law provides for them. Unemployment, economic dependence of women on men, but also the low level of education are factors that have led to increased domestic violence, not only against woman, but also to children. Albanian society pays less attention to educating men and boys with the values and principles of gender equality, as well with a sense of equality in the family.

Wife works closed in home and have to care about the children, being totally economically dependent on men, without any personality development perspective, while the man holds the responsibility of providing financial income with work outside the home.

Despite legislation, in the private business economy, the women's economic rights are limited. Jobs are low-wage, there are troubles keeping a job for a long time, infractions of the right to break in case of illness or to care for a child, infractions of the right to paid holydays, there are sexual harassment and exploitation of the difficult economic situation to seek from woman sexual favors, etc. Even the movements for the rights of women are very weak, if not inexistent. They appear only temporarily, with some political orientation, for a sensitizing activity.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals. Despite formal law and government support for LGBT rights, it continues to appear homophobic attitudes in the Albanian society.

Albanian society comes from a long period of isolation and in the past it was cultivated with socialist morality against sexual orientation and gender identity. Gender identity is based completely on two opposite sexes, female and male. Deviant sexual orientation was only accepted due to physical disorders from birth, and these people were considered unhealthy.

With the transition to democracy, Albanian society found itself unprepared to accept and understand a variety of sexual behaviors or gender identities. To this is added the fact that Albanians were returned with rashly to the religions stopped during the socialism. Religious institutions and religious morality have always been against the diversity of gender identities and sexual diversity. So, despite the major influences from contemporary European culture, that came through all the changes in the education system, these social aspects have created the same barriers that previously created the socialist system in matters of sexuality.

Albania is considered one of the most homophobic countries in Europe and according to different surveys in Albania more than 53 % of peoples are against homosexual people. However, the fact that nearly half of the population is indifferent to

sexual identity or sexual behavior of others, demonstrates a considerable level of openness of social awareness, considering such issues as matters that regards to individual free choice and accepting them such as.

Minorities

Roma in Albania were the big losers of the economic and political changes of 1989-1990. Being undereducated and unskilled, their position in the society changed drastically, while being fully employed during communism, their participation in the mainstream economy diminished to a quasi-total unemployment after 1990. As a result of that, the new generations of Romani children are unable to go to school due to the inability of their families to afford their children's education, with only a small number of individual exceptions. The economic situation of the Roma in Albania is very poor and the rate of unemployment is several times higher than that of the non Roma. The housing conditions are very bad. The poverty of the Roma vis-à-vis the majority of other minorities in Albania is higher.

Romani and Balkan-Egyptians faced discrimination in access to housing, employment, health care, and education. Some schools resisted accepting Romani and Balkan-Egyptian students, particularly if they appeared to be poor. Local NGO-s reported that many schools that accepted Romani students marginalized them in the classroom, sometimes by physically setting them apart from other students.

Generally, teachers complain about the lack of care from Roma parents to their children. Roma pupils sit in the last rows in the classrooms, as students refuse to sit with them, either because of personal hygiene conditions, either because of their lack of discipline in the classroom. The Roma community has been the victim of child trafficking, sexual abuse of minors, marriages of underage girls and women trafficking. The Special Rapporteur on the sale of children highlighted the fact that Roma and Egyptian communities are discriminated against in all spheres of life and the accumulation of disadvantages results in multiple forms of exclusion and marginalization.

Children rights problems

Despite the Albanian government efforts, there is needed to much work to do in this important field of the human rights. In general, poor families that don't send children to school but send them in work. In practice many children left school earlier than the law allows, in order to work with their families, particularly in rural areas. Parents must purchase supplies, books, uniforms, and space heaters for some classrooms, which were prohibitively expensive for many families, particularly Romani and other minorities. Many families also cited these costs as a reason for not sending girls to school. Although the government has a program to provide free textbooks for low income families, many families and NGOs reported that they were unable to acquire the free textbooks.

Another problem is the child abuse, including sexual abuse, occurred, although victims rarely reported it. The minimum age for marriage is 18. Underage marriages occurred mostly in rural areas. According to UNICEF statistics, 10 percent of women were married or in union before they were 18 years of age. Some NGOs have reported that child marriages occurred in rural communities as part of human trafficking schemes, when parents consent for their underage girls to marry older foreign men, who subsequently trafficked them to other countries.

State of Law

One of the biggest problems for societies that have been part of the dictatorial system and now are in democratic systems but with economic problems is the creation of the State of Law. This is a real challenge for these countries and their society. Albania as a country that have had a dictatorial regime even after 25 years continue to have big problems with the State of Law. Reports from US Department of State, UN and EU institutions talk for problems in the judiciary system, for high corruption in all the public administration level. All these years in transition have created the so called "the culture of impunity", no matter what you do, if you can corrupt the judge you can be free.

The lake of the political will to change this system appeared even these years with the justice reform, that regardless the international pressure the political party haven't found a common language yet, and no one now when it will happen.

In the Albanian society there are too many problems in the field of employments rights to. The working conditions are not respected; they are respected only in big companies that have the headquarters in capital city or in the other Albanian big cities. This situation is created because, even if the right to be organized in order to defend your rights exists, the Albanian society continue to have a lack in the gathering of employs to demand the respect of laws from employers. There are a low level of syndicates and their field of action is very limited do to the absence of experience in the society in this direction.

Another problem of the Albanian society in rural areas is the legacy of the *Kanun* (customary law) also called the law of blood. As mentioned before the lack of education in rural areas, and the lack of the education of human rights in that areas were education is possible have created a gap that is filled from this customary law, that from the constructional law are interdicted. During the dictatorial system the *Kanun* was interdicted by the force and the fear, immediately after the change of system, the state was weak and the customary law immediately returned in rural areas. The other countries our past experience have demonstrated that without the adequate education of the population this laws will continue to exist.

The constitution provides for freedom of speech and press, and the government generally respected these rights in practice. However, there were reports that the government and businesses influenced and pressured the media. The independent media are active and largely unrestrained, although there are cases of direct and indirect political and economic pressure on the media, including threats against journalists. But sometimes political pressure and lack of funding constrained the independent media, and journalists to practice self-censorship. In its annual Media Sustainability Index, the nongovernmental organization IREX have noted that the independence of the media in the country have decreased, and more media outlets had fallen under the direct influence of political parties.

Business owners also freely used media outlets to gain favor and promote their interests with both major parties. Many media owners courted government leaders to gain favors or avoid taxes. There have been incidents of violence against members of the broadcast media, and journalists were subjected to pressure from political and business actors. Journalists continued to complain that publishers and editors censored their work directly and indirectly in response to political and commercial pressures. Many journalists complained that a lack of employment contracts frequently hindered their ability to report objectively and encouraged them to practice self-censorship.

Another big problem the last years is the increase in verbal threat, in speeches and public discussions against the media and journalists from politicians. Free expression or "criticism" is reduced to what the political parties participating in the game allow, in other words there are critical issues to which the parties themselves agree to allow criticizing. Such a situation can be described as "freedom of expression with the mouth closed".

The way the press and media works today, the way how they strategies are built, assistance in this area or monitoring, have created the feeling that freedom of expression is a franchise of journalists, publishers and the media, and not a right of everyone, which should exercise all freely and everyone should have access to the debate in the press as well as visual media.

Conclusions

Albania is one of the European countries that inherited a complicated history because of the implication of the interests among the great powers and, on the other hand, a small country that was isolated under proletarian dictatorship during the Cold War. The destruction of private property to create joint property during socialism, left the individuals very poor.

When the socialist system was overthrown and private relationship came in first plan, individuals drawn from the property were unable to build an independent economy. The division of community property was carried out by corruption. The abusive resolving of the issue of property and the delay of many issue through endless trials juridical process, has greatly disadvantaged the free initiative, breathing of the economy and restrain investments the Albanians investment and from foreigners, due to insecurity. An extraordinary number of people, especially the ones that had higher education, was forced to emigrate abroad to ensure the subsistence minimum, which could not provide in Albania.

These massive population shifts have created a big gap and was followed by other domestic shift that brought significant structural changes of the population of cities and changes in the urbanization processes especially in political life.

Albanian society that have emerged from the dictatorship of the proletariat, has hardly conceive individual freedom as a value of personal freedom, despite general national freedom. Socialism educated freedom as a collective value. Individual freedom was seen subdued and in view of the general freedom, and it did not make sense without total freedom, ore out of total freedom. Individual freedom has value only to the extent that serves national freedom. Building a democratic society cannot be performed without his soul - free man- free individual. The protection of freedoms and human rights is at the fundament of the constitutional order, but building democracy requires education of these values of individual freedom and human rights. Educational system should turn entirely on individual freedoms and rights. And here, philosophers and jurists have and should play their very important role.

"A nation" - Tocqueville wrote referring to the American example – "who has never heard to be treated before it the state issues, believes the first tribune that appear to him". This opinion, in the form of a maxim, has great value for citizens to be careful in what they choose, because at the time of democracy as Tocqueville says "charlatans of every kind can benefit, while often true friends of the people fail" (Tocqueville, A., 1981: 268. 286)

In any case, the starting point in a democratic society is the individual and respect of his fundamental rights. Society, political organization and power are only tools that aimed at the full realization of human rights, and respect for his dignity.

In the Federalist Papers, Publiusi, sees the problem of popular representative government in three plans. "Firstly, it is possible that people lose control of his government and that governors choose to trick with the regime. Secondly, there is the possibility that the majority of the people, through representatives flattering, bring into force the oppressive government. Thirdly, there is the possibility that the majority, through their representatives, to govern in the wrong way, ore, to take the wrong way".

In a republic without separation of powers, where all powers are concentrating in only one body, there didn't exist "protective barrier" against authoritarianism and corruption. Separation of the power into three independent spheres that act only in accordance with the constitution is the only way for a country to be a democratic state. This is the lesson that comes from the theory. Practical solution is a problem that belongs to a nation's legislators to concretely embodied and political class to implement it. In Albania, this issue has remained in the sphere of political rhetoric.

Freedom of speech associated with freedom of the press, not only expresses the real spaces of democracy, but also serves to the society to preserve the democracy. Freedom of speech and of the press allow the criticism of the political class and the request for explanation, exerting pressure on the political class to avoid violating promises and programs for what they have received the votes - at least so it is, or should be theoretically. The freedom of the press is that force that puts in front of the public opinion the ideas of politicians, in order to be subordinated to their judgment. But if society is not sufficiently educated to the freedoms and human rights, it is impossible for here to judge the policies.

But there is also the danger that the media from a very useful element of democracy to be reversed, in erase of the free speech and the criticism of the political class, when it is subject to political pressures, this is why is always needed a society that is very good educated with values of democracy, always vigilant for his rights and freedoms, to be able to react with the minor infringement of these rights. To be able to caught the cheating that is done to the public and the mediocrity, is needed a public capable to doubt and ask questions about ideas and policy discussions.

Equality love drives people to seek goods that he cannot possess, because to them is born the hope that they can reach these goods, but the competition is at a such level that every person has little chance to realize their ambitions. Moreover, the way to satisfy these desires is not an equitable way. In search of a solution to satisfy his desire, man abandons freedom. It is exactly the abandon of this freedom from men, observed Tocqueville, which could lead to the emergence of a despot, as it is known of past epochs. This situation of abandonment of freedom Rousseau has expressed it in these words: "Freedom is a very juicy food, but needs a strong digestion; are needed very healthy stomachs to handle it... Holy and proud freedom! If these desolated people could recognize you, if they would know how your laws are much stronger than it is the wild violence of tyrants, their poor spirits, slaves of passions that must be crushed, will fear here hundred times more than slavery; they will leave here with horror, as a burden ready to throw".

Minimizing these risks that come from inside the individual can be achieved by cultivating a culture of work, and this is done through education, but an education that enables the individual and makes him be free in his life, because man can be free only when he is knowledgeable.

Tocqueville also praised democracy because it inspired people non-obedience, this instinctive tendency for political independence. Education in democracy and human rights constitutes the imperative of time new generations and, in the other hand, youth participation in political life is a necessity to limit the politics of surfing towards authoritarianism. As a direct product of society, democracy depends very much on the cultural level of the society.

A society filled with individuals who buy degrees, affects too much in issuing not capable leaders in knowledge, but more skilled in "ignorance". Rather a healthy educated society develops a healthy democracy, where freedom and equality go near each other. Properly Sorokin, from 1920, wrote by having in consideration the establishment of Bolshevik regime in Russia: "There is no need to prove the simple truth that many people forget, that the perfection of social organization, the prosperity and creativity in various fields of society, its historical performance and fortunes depend, first of all from the nature of its the members. For the evilly ones we can write an ideal constitution, however it will remain on paper. While a society, composed of innocent angels, may have a very bad constitution or not at all, and yet the social relations among its members can be wonderful. A society composed of villain or stupid, in all the reforms that can undertake will make fraud and will remain spiritually desolate as far as its members shall possess such qualities" (Pitirim Sorokin).

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Job Discrimination and Ethics in the Workplace

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Abstract

Every society wants to have an ethical community. Although, that every citizen wants to be treated as equal, studies show that discrimination and gender inequality in employment relationships are present in every society, at any time. Discrimination is*: treating a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their skin color, sex, sexuality, etc*[1]. Job discrimination is when institutional decisions, policies, or procedures are at least partially based on illegitimate forms of discrimination that benefit or harm certain groups of people. Developed societies have a lower rate of job discrimination than developing societies have. Although, it is unclear why in these societies with economic civilization and culture development, job discrimination still exists, when the right of employment is sanctioned and guaranteed by Labor Code and by specific laws. The most common forms of job discriminations are discriminations based on gender, race, ethnic origin, religion, age. New forms are based on disability, sexual orientation, genetics and lifestyle. Not all discrimination is intentional or conscious. Sometimes people favor some groups of people over others as a matter of personal preference, or unconsciously accept stereotypes. Whatever, job discrimination is intentional or it is conscious, it is always immoral. Job discriminations violates utilitarian, rights and justice principles of ethics. Our study is focused to see how much job discriminations is widespread in Albanian society. We will analyze forms of discriminations to have a clear view which are the most common job discriminations types in Albania. Also, we will figure out if employees who have been discriminated in the workplace, have reported this unethical behavior to their supervisor or at the relevant state bodies. At the end, we will see if there has been any punishment to those who use discrimination to the employees.

Keywords: job discrimination, ethics, discriminations forms.

1. Intruduction

The term *discriminate*appeared in the early 17th century in the English language. It is from the Latindiscriminat-'distinguished between. So, discrimination in its root meaning is not at all wrong. It simply refers to the act of distinguishingone object from another. Today, this term (discrimination)refers to "wrongfuldiscrimination," or distinguishing among people on the basis of prejudice instead of individual merit. Job discrimination is when institutional decisions,

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[1] Cambridge Dictionaries online 2016

policies, or procedures are at least partially based on illegitimate forms of discrimination that benefit or harm certain groups of people. Discrimination in employment involves three basic elements[1]:

It must be a decision not based on individual merit.

The decision must derive from racial or sexual prejudice.

The decision must have a harmful impact on the interest of employees

Discriminatory acts themselves can be categorized according to the extent to which they are

intentional and institutionalized. An act may be part of the isolated behavior of a single

individual who:

Intentionally discriminates based on personal prejudice.

An act may be part of the routine, institutionalized behavior of a group.

The act must intentionally discriminate out of personal prejudice

Discrimination, in an organization, exists when a disproportionate number of a certain group'smembers hold less desirable positions despite their preferences and abilities. Usually, there are madethree types of comparisons to provide if an organization is discriminatory:

comparisons of average benefitsgiven to various groups,

comparisons of the proportion of a group found in the lowest levels of the organizations,

comparisons of the proportion of a group found in the most advantageouspositions in the organization.

Job discrimination is when institutional decisions, policies, or procedures are at least partially based on illegitimate forms of discrimination that benefit or harm certain groups of people.

 Developed societies have a lower rate of job discrimination than developing societies have. Although, it is unclear why in these societies with economic civilization and culture development, job discrimination still exists, when the right of employment is sanctioned and guaranteed by Labor Code and by specific laws. The most common forms of job discriminations are discriminations based on gender, race, ethnic origin, religion, age. New forms are based on disability, sexual orientation, genetics and lifestyle.

Not all discrimination is intentional or conscious. Sometimes people favor some groups of people over others as a matter of personal preference, or unconsciously accept stereotypes. Whatever, job discrimination is intentional or it is conscious, it is always immoral. Job discriminations violates utilitarian, rights and justice principles of ethics. Job discriminations violets utilitarian principle because it causes an inefficient use of human resources. Also, discrimination violatesbasichumanrights and it leads tounequaldistributionof rightsandobligationsamongst themembersof the society.

2. Forms of discriminations

Sex Discrimination- is when "people are treated differently because of their sex".

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[1]"Job Discriminations: it's nature"; Business Ethics MGT610 pg.114

Women have been for decades discriminated by society. They had lower salaries and they hold lowerjob positions than men. During the 20th century women gained rights and got equal status among men and there was a huge progress for women.

Different studies prove why women's paycheck is smaller. Most of the time women chose their

careers based on what they like. On the other hand, men chose future jobs based on high salary and status in society.

 b) **Age Discrimination**- occurs when employees are treated less favorably because of their age. Older workers are always discriminated in the workplace, because it is believed that for older workers is harder to learn new things and they get sick more frequently. So, their employment is more expensive than younger workers.

 c) **Racial Discrimination-** occurs when people are treated differently because of their race or color**.** Race discriminationcan bedirectorindirect**.** It may also take the form of harassment or victimization**.**

 d) **Disability discrimination-** is when a person with a disability is treated less favorably than a person without the disability in the same or similar circumstances. It is also disability discrimination when there is a rule or policy that is the same for everyone but has an unfair effect on people with a particular disability.

e)**Sexual orientation discrimination-** refers to harassment or differential treatment based on someone's perceived or actual gay, lesbian, bi-sexual, or heterosexual orientation. Many workplaces, and even a number of states, have policies and laws against sexual orientation discrimination.

 f) **Lifestyle discrimination-**Many employers attempt to control employees' private lives by firing people who smoke or drink in their own homes or engage in risky hobbies like motorcycle riding. The employer justified its decision on the ground thatthe consequences of the off-duty behavior in some way spill over to the workplace, affecting the employer's legitimate interests[1].

3. General framework of employment laws in Albanian Republic

 Constitution of the Republic of Albania sanctions the rights and fundamental freedoms as a guarantee and a fundamental element of democracy. The right to nondiscrimination in employment and the exercise and enjoyment of this right finds place in the Constitution, under which "No one can be discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious and philosophical, economic, educational, social, or ancestry[2]. The definition of gender discrimination is not provided in the Constitution, but in the Convention on "Elimination of All Forms of Discrimination against Women" as a UN Convention which was ratified by the Republic of Albania in 1993. [3]

The Labor Code of the Republic of Albania, approved by Law 7961, dated 12. 07. 1995, is based on fundamental constitutional principles. It respects international conventions ratified and internationally recognized rights. This code prohibits discrimination based on sex that affects an individual's right to be equal in employment and training, in the recruitment procedures and working conditions, in the performance of duties, in payment, in social assistance and termination of contract work, as well as in participation in trade unions.

Law no. 9970, dated 24. 07. 2008 "On Gender Equality in Albania", aims to provide effective protection from sex discrimination and any form of behavior that encourages discrimination because of sex, as well as to determine the necessary measures to guarantee equal opportunities between women and men, to eliminate discrimination based on sex, in any form that it appears.

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[1]Stephen D. Sugarman "Lifestyle Discrimination in Employment",Berkeley Journal of Employment & Labor Law Volume 24,Issue 2,Article 9

[2] Article 18, point 2 of the Constitution of the Republic of Albania

[3]IlirRusi "The Albanian legal framework on non-discrimination and gender equality in employment relationships", Academicus - International Scientific Journal,

Also, in Albania employees are organized in unions in order to protect their rights in workplace. These unions are protected by law. Labor law has been improved by the suggestions these unions have given time after time.

4. Job discriminations in developed society

Every society wants to have an ethical community. Although, that every citizen wants to be treated as equal, studies show that discrimination and gender inequality in employment relationships are present in every society, at any time. Developed societies have a lower rate of job discrimination than developing societies have. Although, it is unclear why in these societies with economic civilization and culture development, job discrimination still exists, when the right of employment is sanctioned and guaranteed by Labor Code and by specific laws.

Though the gap between men and women's wages is smaller for lower-wage earners, there is still a significant gender wage gap at all levels of the wage distribution, particularly at the middle and the top (see fig. 4. 1). To close this gender wage gap, women need to see wage growth faster than their male counterparts. Although women have seen modest wage gains in the last several decades, the main reason the gender wage gap has slowly narrowed is that the vast majority of men's wages have stagnated or declined. The best way to close the gender wage gap is for both men and women to see real wage increases, with women at a faster rate than men. [1]

 According to anOctober 2014 report by the World Economic Forum examining gender equality across the world, the United States ranks 65th in its survey of 142 countries, and earns a wage equality score of only 66 percent -- meaning women earn only two-thirds of what men earn for similar work. The report, which drew from nine years of data, found that there has been "only a small improvement in equality for women in the workplace" since they began surveying the issue, and predicted that women won't see full gender equality in the workplace until at least the year 2095[2]

Some data about earnings of women and men by race in USA for 2014 are given in the report of 2015 by U. S. Bureau of Labor Statistics (see fig. 4. 2). Asian women and men earned more than their White, Black, and Hispanic or Latino counterparts in 2014. Among women, Whites ($734) earned 87 percent as much as Asian women ($841), Blacks ($611) earned 73 percent, and Hispanics ($548) earned 65 percent. In comparison, White men ($897) earned 83 percent as much as Asian men ($1,080); Black men ($680) earned 63 percent as much; and Hispanic men ($616), 57 percent.

STATISTICS

Earnings differences between women and men were the most pronounced for Asians and for Whites. Asian women earned 78 percent as much as Asian men in 2014,and White women earned 82 percent as much as their male counterparts. In comparison, Black and Hispanic women had median earnings that were 90 and 89 percent, respectively, of those of their male counterparts.

Women's earnings since 1979 have increased considerably across the major race and Hispanic ethnicity categories. Earnings growth has been greatest for White women. Between 1979 and 2014, inflation-adjusted earnings (also called constant-dollar earnings) rose by 31 percent for White women, compared with an increase of 19 percent for Black women and 15 percent for Hispanic women. In contrast, inflation-adjusted earnings for White and Black men have been essentially flat, while Hispanic men's earnings declined by 8 percent since 1979. [3]

5. Case study. Job discrimination in Albania

The main aim of our study was to see how much job discrimination is wide spread in Albania business environment. Another goal was to realize which were the most frequent discriminations policies/practices used by businesses in workplace. We gathered data from 60(sixty) businesses in total from 882respondents, because 2% of respondents refused to collaborate.

[1]**Alyssa Davis**"Women Still Earn Less than Men Across the Board"; Economy Political Institute; April,2015
[2] World Economic Forum, October 2014
[3]BLS Reports │ November 2015 • www.bls.gov

54% of businesses were production businesses and 46% were service businesses. 74% of respondents were employees and 18% were managers and 8% were CEO. Some of the most interesting datas of our study are shown below.

As we see from fig. 5. 1, 56% of respondents have been discriminated during their years of work. This show that the major part of albanian businesses are discriminatory.

The most frequent types of discriminations were sex discrimination(28%) and age discrimination (15%), (see fig. 5. 2.). There were no sexual orientation discriminations, we belive that this is not because albanian society is not discriminatory in this point. But the real reason is that albanian people do not show free their sexual orientation because they are affraid from the society prejudices. Lyfestyle discrimination was based only on use of drugs and alcohol.

Although, a major part of respondents (56%), have been discriminated in the workplace, in different ways, only 24% of them have reported this unethical and prohibiden behaviour(see fig. 5. 3). This is due to the fact, that albanian people to not really bealive in justice and they have fear to lose their job if they go against their employer.

The best part of respondents who have been discriminated have reported this fact to the staff (15%),

(see fig. 5. 4.) because they do not belive that the owner or the manager will act in a differently way. This is why only 2% reported to the business owner and 3% to their manager.

We think that the major reason why employees do not report their discrimination to the right bodies, is because they do not have relevant facts or colleagues who prove that they have been discriminated(see fig. 5. 5). Sometimes their not discriminated colleagues have fear to lose their job if they support these employees in their issue.

5. Conclusions

Discriminationand gender inequality in employment relationships are present in every society, at any time. Job discrimination is when institutional decisions, policies, or procedures are at least partially based on illegitimate forms of discrimination that benefit or harm certain groups of people. Developed societies have a lower rate of job discrimination than developing societies have. The most common forms of job discriminations are discriminations based on gender, race, ethnic origin, religion, age. New forms are based on disability, sexual orientation, genetics and lifestyle.

Not all discrimination is intentional or conscious. Sometimes people favor some groups of people over others as a matter of personal preference, or unconsciously accept stereotypes. Whatever, job discrimination is intentional or it is conscious, it is always immoral. Job discriminations violates utilitarian, rights and justice principles of ethics.

World Economic Forum examinedin 2014 gender equality across the world, found that there has been "only a small improvement in equality for women in the workplace.

Constitution of the Republic of Albania sanctions the rights and fundamental freedoms as a guarantee and a fundamental element of democracy. The right to nondiscrimination in employment and the exercise and enjoyment of this right finds place in the Constitution. The Labor Code of the Republic of Albaniaprohibits discrimination based on sex that affects an individual's right to be equal in employment and training, in the recruitment procedures and working conditions, in the performance of duties, in payment, in social assistance and termination of contract work, as well as in participation in trade unions.

Also, in Albania employees are organized in unions in order to protect their rights in workplace.

Although, there are good laws against discriminations in workplace, Albania society have to deal more with job discrimination, because as we saw from our study it is essentiallya discriminatory society. Most common forms of discriminations were sex and age discriminations. There were low rate of employees who reported their discriminations, because Albanian people do not really believe in justice and they have fear to lose their job if they go against their employer.

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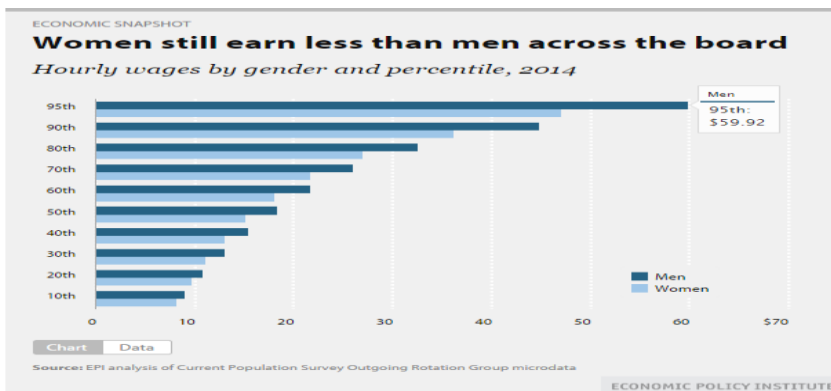
Fig4. 1: Hourly wages by gender and percentile, 2014
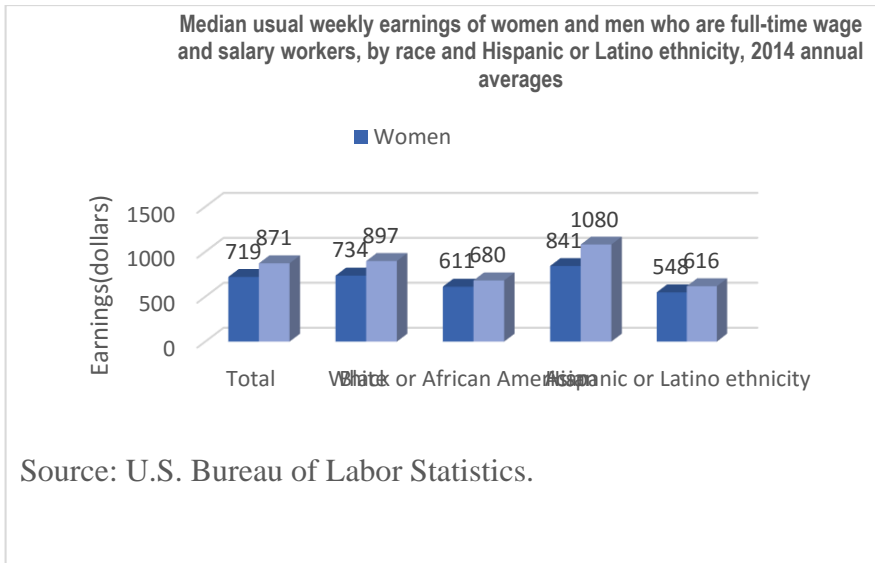
Median usual weekly earnings of women and men who are full-time wage and salary workers, by race and Hispanic or Latino ethnicity, 2014 annual averages

■ Women

Source: U.S. Bureau of Labor Statistics.

Fig. 4. 2: Weekly earnings of women and men who are full-time wage and salary workers, by race and Hispanic or Latino ethnicity.

Have you ever felt discriminated by your employer?
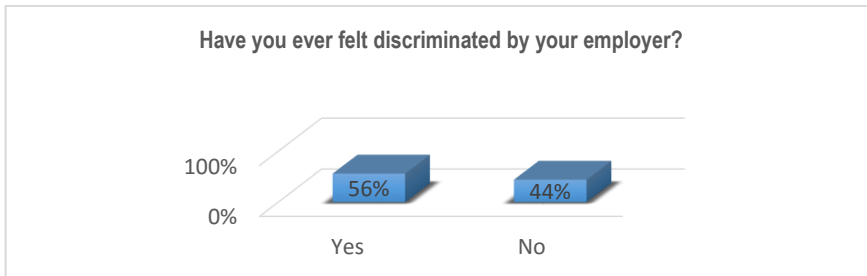
Fig. 5. 1. Employer dicriminations to employees.

Reasons why respondents have been discriminated
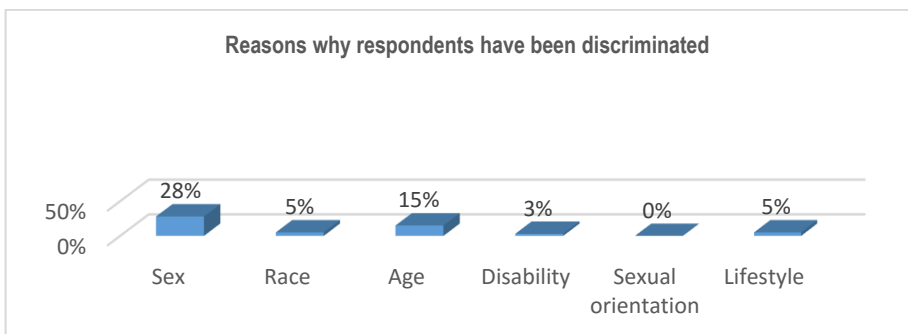
Fig. 5. 2. Types of job discriminations in albanian businesses.

Have you reported discrimination to someone?
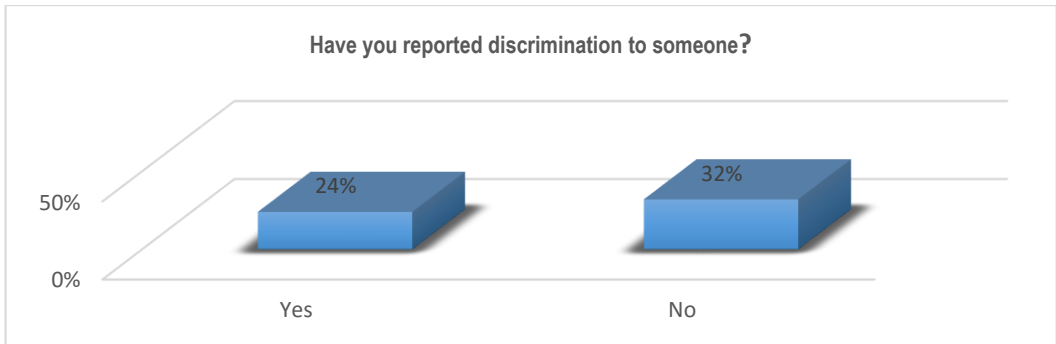
Fig. 5. 3. How job discrimination is reported

To whom you have reported about your discrimination?
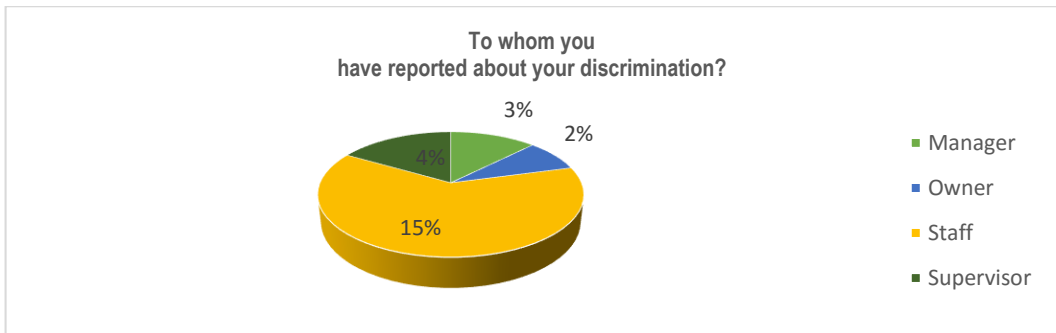
Fig. 5. 4. Employees reported their discirimination to owner, manager, staff, ect.

Do you have colleagues or facts that prove that you have been discriminated in the workplace?
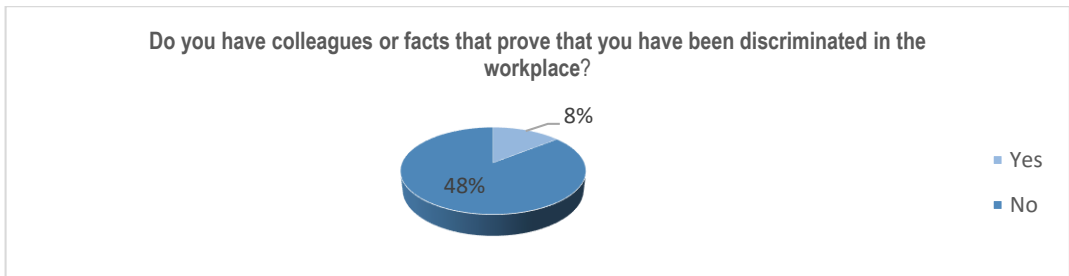
Fig. 5. 5: Facts or collegaues that prove that employees have been discriminated

The Role of Printed Media Regarding the Position of Woman in Albania

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Abstract

This paper analyzes the content of independent printed media regarding the woman position in Albania. Performing out its functions, media often reflects the stereotypes of the society; one of these stereotypes is the reflection of gender, especially woman. Even if media plays an important role in the process of socialization, it also has the obligation to transmit and make public a proper and good image of individuals. The most important function of media is that, while reflecting the society, it should not create or transmit stereotypes and should not play a role on their reinforcement. Related the gender stereotype and media role on this issue I have chosen the case study called Ajshe Vata. This case study is important because it represents the story of the murder of a young girl in Albania called Ajshe Vata. The importance of this case lays in the importance that media showed to this death. Therefore, the research question of this study is; what is the role of independent printed media in Albania in the cases when woman is the victim? Do the stereotypes created by society get reinforced by the printed media? Methodology used in this study will be discourse analyses in the printed media which at the same time will be the main theory of this paper. I will choose the independent newspapers during the period October 2012, when the case takes place.

Keywords; *discourse analyses, gender and media, media discourse, gender discourse, stereotypes*

Introduction

Media should play not only the informational function but at the same time also the creative function for the audience for the perspectives it presents. It distributes messages that reach in a short time at a large number of people. Its role in the chose theme to be treated is very significant, because it can influence in changing of perceptions of people according to gender differences, man and wife. To understand the role of media not from the theory but from practice is selected the case of Ajshe Vata. This case study serves to analyze the work done from the printed press by having in focus the characteristics of this case, which represents many problems of the woman in the Albanian society, and the way, which is chosen to make them publicly. The study of this case by analyzing the representation of events serves to answer the research question raised above in relation to stereotypes created from the society, which are enforced from media.

Discourse analyses

In the paper we are referring the importance that analyze of the text has by firstly saying that the discourse analyzes has different version by referring to two main division where one includes the detailed analyzes of text and the other not. The approach that is used refers to the attitude of Fairclough who emphasizes that "my approach to discourse analysis is based upon the assumption that language is an irreducible part of social life, dialectically interconnected with other elements of social life, so that social analysis and research always has to take account of language. "(Fairclough 2003:2). This study relies on the discourse analyzes by taking into consideration that this analyzes is not only related to linguistic characteristics of the text, but by referring the relationship language-social practice as elements that interact through structuring at each other. "The term discourse (in what is widely called 'discourse analysis')signals the particular view of language in use… as an element of social life which is closely interconnected with other elements" (Fairclough 2003:3)

Discourse analyzing can operate with different analytical tools but in this article to study the role of woman in Albania in printed media through the selected study case are used: lexical, sentence structures in the title of the article by referring to the verbs and noun phrases in function of participants and circumstances. According to Mills (1995:143-144)"the study of transitivity is concerned with how actions are represented; what kind of actions appear in a text, who does them and to whom they are done". Transitivity is used for the text as one of the most important tools of representation by focusing on participants, the process in itself and circumstances.

Media discourse and social construction of news.

The language used in the content of the printed press is not neutral and is not simply telling the facts. This happens because the journalists in the process of their job firstly do a selection of events, happenings through the process of selection by referring some criteria which help in its determination that will be public or not. The second important element is the transformation that is done to the selected event by adopting with the characteristics of the medium and the used ways by referring to different kinds of mediums to make news: "News is a representation of the world in language; because language is a semiotic code, it imposes a structure of values, social and economic in origin, on whatever is represented; and so inevitably news, like every discourse, constructively patterns that of which it speaks. News is a representation in this sense of construction; it is not a value free reflection of 'facts'" (Fowler 1991:4) The representation of world in the texts of news, in a democratic society is related to the freedom of press to bring different point of views because of economical, political, social factors, which are not released, from the prejudices. "Journalism has social effects; through its power to create the issues of agendas and public discourse, it can enforce the beliefs; it can create people's opinion not only in the world but also in their country and the role in the world; or if it doesn't shape your opinion in a particular issue it can slightly influence those you have thoughts on. " (Richardson 2007: 13) Mental categorization is a process that is present in all people and through that people can classify everything based on their understandable experiences or not, which direct us toward stereotypes. Our relationship in the role of public with printed, visual media etc influences even more this process, by considering the values of the news, which can enforce our stereotypes.

Discourse discrimination, gender and power

As was said above the categorization serves as a platform to build the discrimination, which is related to unequal opportunities for individuals that are involved and are part of certain groups. Different factors, where the most important are cultural, social factors make possible for us to categorize not in relation to individual characteristics of the person but also the referential like gender, religion faith, race etc. Media discourse serves to maintain and enforce the discrimination based on groups of reference, by referring to language in use in relation to existing ideology. Ideologies are representations of aspects of the world which can be shown to contribute to establishing, maintaining and changing social relations of power, domination and explanation (Fairclough 2003:9). The presentation of women in printed media is related to the categorization of this group by referring mainly to attribute such as irrational, powerless, depended on other people, which are realized according to the statement that "linguistic usage is sexist, responding to the ideological paradigms in discourse which assign women special, deviant status in certain respects" (Fowler 1991:97). This representation enforces the existing ideology in relation to stereotyping of the woman in the Albanian society as I presented during the study.

Analyzes

Types of violation and psychology

The inequality between females and males is presented into different forms changing it into one of the actual problems not only in undeveloped countries but also in those developed ones. This case study gives some important elements in relation to created stereotypes from the society and enforced by media. Firstly, Ajshe Vata is an eighteen years old girl who raised in a controlled family till that point that it was impossible for her to go out of the house without another person and have a social life in related to the characteristics of her age, by being in this way a victim of psychological violation. The violation in family despite the form it appears is too difficult to make known, because a large number of cases are not reported. Secondly, as it appears from the development of the event she was a victim of sexual violation in a young age (14 years old) which changed into "a relationship" between her and the abuser until the moment she becomes a victim of murder from the same person because of an unwanted pregnancy.

A victim of different forms of violations, Ajshe Vata creates a psychological profile which is totally described in the moment when she is part of the extreme decision in relation to her life "You mustn't just kill me, but should cut my head, disappear and even burn me in this way my family would not recognize me and know that I was pregnant" (Musaj, L. 2012:7)

By being part of a community where the members recognize existing stereotypes built from the society, she knows what is the best and the worst inside this context. The lexical used by Ajshe Vata enforces this approach, because the used vocabulary to describe relies mainly on naming such as: girl, religious, model, sociable, pupil of Medresse etc which are accompanied with the verbs: cooked, washed, helped, substituted the figure of mother for sisters and brothers. With the pre-scale of the information, we have attitudes such as: "I recognized her, but never crossed my mind that she was such a girl… I cannot believe because she was a good and beautiful girl". (2012: 3)

The presentation of the news as a social problem

An evident element in printed media in Albania is the lack of treatment of themes like physical, psychological, sexual, violation, pedophile abusing in the social context as part of the chronicles. It is needed a particular event to move some mechanisms in relation to the inclusion of particular authorities like psychologists, representatives of civil society etc who can express meaningful messages in relation to the definition of perceptions, reactions, incorrect behaviors, where very often the victim blames herself, is blamed or prejudiced from others. In this context the role of media is not be honored because the victim rarely is kept from the mediatisation and then when it should be ensured the anonym. In chosen problem and its treatment in the independent printed press is improved because they do analyze and ask the experts of the field. Sources from different fields write by giving important information in relation to determine what is wrong and right. Significant messages are given from psychologists who analyze such problems by considering the importance of the family and stereotyped gender roles inside it. Despite the family an important factor of the family is media, which selects to transmit or publish information not on the frame of that what is important for the public but relying on sensation and the spectacular side of the event.

Titles

"Media chooses the event to report according to value or importance of the news, which should fulfill some certain criteria; therefore, the news is not simply what has happened but that which is presented as valuable and important to be "news" (Fowler 1991:13). Since the first moment when the vents happens they decide on the title, headline which talk about the nature of crime by describing in details the way how is the crime committed and peculiarities such as:"Revealed the confession of the father of the murder girl without head. The head of victim is cut continuously with a knife" (2012: 1)

The doubts on the responsible people are focused on the crime inside the family where the attention is concentrated on the father of the victim and secondly on the crime committed from passion. The heading "AND from 40 men. The killing of the student, in crime another female" (2012:1). This title expresses different information from other newspapers in relation to the amount of people that can be involved in the crime. By referring to the titles used, we have build the profile of the victim where is continuously emphasized the pregnancy in the representation of this event as a cause for the murder and for the attitude of the family. After such information is public, there are titles like this: "Father of Ajshja: My daughter dishonored me, I don't mourn since I heard that she was pregnant" (2012:1) or "The daughter dishonored me, there is no mourning in my house" (Çela, 2012:10)

The continuing of investigations from the competent institutions reveals the identification of the person, whose declarations are public in relation to the reason of murder, which leads to the negation of the victim to abort. Despite these developments are presented news that emphasize the private life of the victim and family come pre-scaling from the first point that the girl was good, religious etc toward " She had sexual interaction during the month of Ramadan, July-August" (2012:7). In a time when Aishe Vata is presented as an ex student of Medrese, religious the publication of such information is meaningful to understand the message that the title represents to portrait the victim. Aishe Vata is not blamed for the actions that have emerged the process in its development, but through the titles is continuously and dominantly emphasized, the shame that comes from such situation, where the victim turns into the main social actor, the consequences of the action which influence on the "honor" of the family.

Lexical and transitivity

To make a discourse analyze one of the most important tool is the lexical used in the building of the text. Language is rich in different words which can be used during the text to explain a purpose, action, attribute, naming etc which permit to choose one of them. The way how we decide to name others during the text might have significant meanings, in relation to characteristics that everyone has, as part of social categories because we have to do with selection. The journalist during his work can decide to emphasize the possession in a certain category by not using another category. Reisigl and Wodak have illustrates that choosing to describe an individual (or a group) as one thing or as another can serve many different psychological, social or political purposes…(2001:47). Referential strategies are a good way to understand the process of representation in relation to social actors involved in the event. By referring to the discourse of the analyzes of the text through these analytic tools we see that Ajshe Vata is mainly named with words: girl, religious, model, sociable, lovable, student of Medrese, victim. Meanwhile the author of the crime is named with the words: maniac, monster, 80 years old, killer, elderly. Through the analyzes of text by referring to lexical and referential strategies over participants (Part of transitivity) during the development of the work results that Ajshe Vata is addressed positive social values and the author of the crime is associated non human negative values. The process in itself is the second element that is studied when we use transitivity. The verbs are grouped into different categories so we have different types of processes over which can be build a sentences such as verbal, mental, relative process and the materials. The used verbs during the building of the text are mainly focused on the words: discovered, killed, cut, was, shamed, dishonored. By referring to the forms of the verbs that are included in the material process it can be noticed that in the case when we have to do with the building construct in active form (the subject before the object) also in the construct in the passive form (the object before the subject or the elimination of the subject) the information remains the same. Differently from other cases where the usage of passive form can be used with a purpose in this study the elimination of the subject, does not give facilities to the author of the event. The circumstances in which is connected the process are the third element of transitivity. The usage of adverbs and phrasal verbs in the studied newspapers does not change in relation to the role of the author Shaban Norja because all discourses are made from the same point of view for his responsibility and murder. Whereas in relation to Ajshe Vata the discourse is built by giving information over the circumstances of the process in the role of the victim (in tools and the way how the crime was committed) and on her private life focusing on the interaction good girl-pregnant! The representation of that what the journalists decide to turn into news, by studying the discourse through chosen tools relies on information which force the created stereotype in the society that a good girl, single cannot be pregnant. The constant focus on her pregnancy, the consequences of this action over the family, and their reactions where the main word is shame, dominate and are more important that the referential strategies and the lexical, which is not negative in the text, used for Vata.

The categorization that is done to Ajshe Vata through other elements mentioned is related with the origin of her family from a village of Kukes (a small town in the north of Albania) and with her residence Xhafzotaj (a village in Durres). This categorization helps in the enforcement of the created stereotypes from the Albanian society through citizen-villager and in the concrete case village girl, by referring to the strategy of Van Dijk, we and they.

The sensation.

Professional practices of production of discourse are related to the respecting of principles and ethical codes. All ethical codes despite their differences have similarities the production of a product, the ethic news. The journalists during the representation of the event are oriented toward the usage of title where the focus is the sensation. The usage of this element is not something casual but well studied, because it is known the importance of titles in printed media, where very often the reader just reads the title of the article. This event by being related with the values of the news when one of them is the continuity remained on first pages of newspapers for a week, by sensationalizing the violence and brutality. The organizational necessity for news, the wish for sensation in relation to the attraction of public interest, produces and reproduces information which is interesting for the public. One of the ethical principles is that "they should show maturity toward people who cannot be aware for the consequences that have the declarations they give". (2006:3)**.** The analyze results that the declarations from the author Shaban Norja don't only touch the private life of the victim but also that of her sisters. In the newspaper Panorama is published: "Another important element discovered is that the 80 years old has declared that has sexual interaction with older daughters of Vatafamily"(Deliaj&Musaj**,**2012:2) The sisters of the victim now are participants by being involved just for a spectacular report of the event. In an interview the father of Aishe Vates, declares that "… the public opinion is manipulated" (Ilnica 2012:6) He says some facts that are not real in relation to the things the author had bought to the victim (by referring the declarations of the author which enforce the stereotype of loving

for interest, money), with the declarations toward other girls of the family, which suffer the destroying of their families. Interesting is the fact that all these violations that Vata reports are public in the same newspaper where is given the interview. Such messages influence that the Albanian reality remains unchangeable as e result of the role of media. The representation of this event does not change anything from the created stereotypes by referring to these main categories of readers: the category which enforces the gender existing stereotypes man-woman. Part of the public are people who can be in similar situations of violation who are in the middle of choosing to speak and the risk of becoming public by referring to previous examples and exposed from media or the silence with the hope that everything remains unknown and unheard. The perception in this case is not the reporting of such cases because of shame that can include other familiars, but the silence.

Conclusions

The study of this case study through the representation of the event shows two messages. Firstly, media through the involvement of psychologists realizes the treatment of the event as a social problem by ensuring the positive message.

Secondly, the study of discourse produced by journalist relies on information, which enforces the created stereotypes in the society. This realizes through the usage of two methods. The direct method refers to the way of creating the titles and including of individuals that are not actor of this event orienting toward the production of a sensational discourse.

The indirect method is related to continuously focus on private life and pregnancy of the victim. The consequences of this action on familiars and their reactions where the main thing is shame, dominate and are stronger than referential strategies and not negative lexical used in the text for the victim.

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Musaj, Leonidha "You mustn't just kill me, but should cut my head, disappear and even burn me in this way my family would not recognize me and know that I was pregnant" *Panorama* 17. 10. 2012, f. 7

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Prophetic Medicine (Al-Tibb Al-Nabawī): is Historicity or Fiction?

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Abstract

At the present time, it is obvious that the attention to alternative, protective and complementary applications of medicine has increased and in this sense there is a special curiosity to the case, Prophetic Medicine "al-Tibb al-Nabawī". The content of this literature known under the headline of Prophetic Medicine "al-Tibb al-Nabawī" that we come across from the 13th century, have not examined scientifically yet and it gains popularity as a reflection of love to Prophet Muhammad and Sunnah perception. Additionally, nowadays we increasingly witness to some treatment modalities and some herbal drugs associated to the Prophetic Medicine "al-Tibb al-Nabawī" and all these practices are given a different meaning (sacred). This situation did not only create information convergence which obstacle retaining historical facts in the correct way but also, more importantly gained a new dimension that threat human health through misinformation and false application. Multidimensional researches such as history of science, history of civilization researches, laboratory studies, and collaborative work and effort of committees that contains different approaches from different countries, are needed to evaluate the information that we come across under the name of Prophetic Medicine "al-Tibb al-Nabawī". In this paper, we are going to try to argue what the concept of Prophetic Medicine "al-Tibb al-Nabawī" states, how the literature related to this area in the historical time streaming, and the content of it.

Keywords: Al-Tibb al-Nabawī, Prophetic Medicine, Islamic Medicine, Alternative Medicine, Complementary Medicine.

1. Introduction

Today's human being thinks of knowledge as it is rising in an evolutionary line because of the whirlpool formed by "Information Age". However, the reality that comes to light after the effect of this vortex has passed, a part of today's knowledge date back to tens of millennium and even sometimes used same.

Although "Ars longa, vita brevis: Art is long, and life is short", the contribution of each scientist to our information mine is very clear and significant. It is the representation of this contribution that the drug ingredients used for ophthalmia or trachoma (inflammation of the eye) 2700s BC took part in the Egypt Papyruses, are similar to today's medicine ingredient. Once again, it represents the reality that taking part of the circumcision operations practiced 1400s BC in a gadrooned in Egypt Karnak Temple, and the using of the results of Hippocrates in the 5th century BC and of Galen in the 2nd century in both east and west world throughout the centuries.

Again, here it is necessary to remember that the information and the societies getting information do not always progress in an evolutionary line. For instance, Egyptian Science was in an important level in the period of 3000s BC while there were some eras that it fell behind in the period of 2000s BC and 5th centuries AD. Although Ancient Greek and Roman Science took considerable steps in the BC centuries, they went back after the period of 4th century. This shows us that information process is with ups and downs (Guthrie, pp. 1-84; Reeves, pp. 1-61; Magner, pp. 1-50; Kelly, pp. 1-50).

2. Arabic and Islamic Medicine

When we explore on the pre-Islamic Arab culture with this perspective, taking into consideration the civilization basins and knowledge treasury before itself, it is possible to say that it is underdeveloped in comparison with other civilizations. Although site-specific vegetation and mineral resources privilege partially to Arabs, it is understood that the information they had did not pass further from folkloric medicine. In the Arabic society, soothsayers and individuals who repeat various words to treat were at the forefront. Some people perceived illnesses as a result of bad destiny. Travelling healers were coming to Mecca and its periphery in the days of Arabic fairs. In the region, there were some individuals who developed themselves by taking medicine education in the regions of Iran, Iraq and Anatolia. However, their numbers were limited with a few (Ibn Abū Usaybia, pp. 161-170; Jawād Ali, VIII, 381-386; Browne, pp. 9-11, Öztürk: 2013, pp. 63-73).

In this historical urban which we draw its frame, Prophet Muhammad, living among them as a person of the same culture, charged with the prophecy post. The question of whether all Prophet Muhammad's statements were information that Allah (the God of Muslims) tendered or the statements of him were his humanitarian experience, was a mystery for both believers and unbelievers also within that day.

3. Prophetic Medicine

In this respect, it can be said that two fundamental perceptions occurred for believers from the earliest years of Islam. According to one of these, whatever Prophet Muhammad said and did, it is the information given approval by revelation. However for others, just statements submitted by Prophet Muhammad about religion are consequence of revelation. His human attitudes and information are his own inherent characteristics and information of the era. For instance, as basic examples, Prophet Muhammad's cupping, using black hellebore, recommendations cassia (senna) rather than euphorbia pithyusa (shubrum) as aperients can be evaluated in two perspectives (Abd al-Razzāq, 5687, 5696, 5698, 5699; Ahmed Issa, pp. 42, 54, 80).

According to people with first perspective, they are the information given approval by revelation. However for the second perspective, they are representations of Arabic culture and Prophet Muhammad's individual experiments and knowledge. It is possible to say that these main approaches still continue today. However, it would be to the point to state that these are generic approaches and to admit that we are in a huge need of comprehensive studies which will provide us to understand how the events came true in the history.

As we mentioned before, the experiments which is related to medicine that history of humanity has obtained date tens of thousands of years. It is known that medical applications have taken roots for long centuries and they have crossed into other cultures and geographies. They are not subjects today which have studied deeply yet what medically information has Prophet Muhammad's era, worth of this information in comparison with other geographies in the era, the level of it in comparison with previous periods and geographies. It is possible to say that lots of treatment methods applied in Prophet Muhammad's era had ancient origins.

It stands up a very challenging point that the words of the prophet Mohammad about the healing depend on the cupping, cauterization and drinking hydromel (honey diluted in water) were a reflection of the Hippocratic medicine on the hadiths tradition. In addition, it is very interesting that the Prophet Muhammad's preferring not to use cauterization, also just like Hippocrates's choice (Abd al-Razzāq, 5680-5683; al-Bukhārī, Tib, 3, 13; Coxe, pp. 46-68).

In lots of statements existing in the hadith books, it is possible to run across with the universal fund of knowledge which includes sometimes Hippocratic and sometimes Galenic information. Today, it is a much more required issue to make special studies to determine which one of these belongs to Arabic culture and Prophet Muhammad's private experiments or prophetic revelation.

4. The Conquest of Islam and New Progresses

It will enable to see the subject as a whole to skim through swiftly to the experiences after Prophet Muhammad. The Islamic conquest process which is started with the era of Abū Bakir (A. D. 632-634), the first caliphate of Islam, transport the Islamic society to the geographies which had ancient cultures and traditions and opened a new information field to the Islamic

society. However, it had to wait for two centuries because of the fact that the pre-Islamic Arabic society did not have scientific tradition, and in addition to this the political conflicts occurred in Umayyad's and Abbasid's eras (Öztürk: 2012, pp. 620-624).

The flourishing and recovery of the ancient civilizations in the Arabic geography was shaped at the end of this process. The procured medical texts belonging to India, Iran and above all Greece, have translated intensely in the 9th century. At the beginning, some of translations were problematic. Occasionally, one translator corrected many times his own translations when he was transferring medical information to Arabic. However, everybody Muslims and non-Muslims that forms Islamic Society, succeeded to remove the information hungriness hand in hand with. The texts were transferred to the world of science. Discussions were made about it and 10th century left its mark on history as "Islamic Renaissance" with these translations and compilations (Browne, pp. 1-33; Guthrie, pp. 87-88; Öztürk: 2012, pp. 670-677).

5. First Books of Prophetical Medicine

Correspondingly to these developments, classifications in the Islamic resources started to take shape. The medicine field which has the greatest impact to life were started to be considered important although it were not of interest. It is understood today by some researchers that some works showed as the first "Prophetical Medicine" book which is written by Ali al-Rizā (d. A. D. 818) and Abd al-Malik ibn Habīb (d. A. D. 853) were fictional when the validity of both contents and names of works are taken into consideration (Ali al-Rizā, pp. 7-10, 18, 20, 149, 157-159; Ibn Habīb, pp. 55-74).

Although there was not a private title in the works of the first writers of traditions, a new classification was started to be observed after 850's AD in the hadith books. This was *Kitāb al-Tibb* (The Book of Medicine). Narratives that took part in different sections were started to be gathered under the title of medicine. However, a rise is observed in the rumors related with medicine in the process of time (Elgood, pp. 40-41; Perho, p. 54).

6. New Developments

Depending on the developments in the medical field in the ninth century, the narrators started to form new titling and classification. Hence, two very important works were committed to paper at the beginning of the 11th century in the context of information and chapters belong to Greek medicine which had started reflecting to the public. One of them was *Kitāb al-Tibb* of Ibn al-Sunnī and the other one was the book carrying the same name of Abū Nuaim (Ibn al-Sunnī, Abū Nuaim al-Isfahānī).

Chapters of the book which belongs to Ibn al-Sunnī was in a level of sufficiency to give us an idea: Knowledge and Merit of Medicine Art, Identification of the Body and Health Precaution, Kinds of Disease and Treatment Methodologies, Plants Obtained Drug and their Benefits, Protection of the Patient and Precaution of Convalescence Period, Knowledge of Food and Drink Influence, Protection of Health (Abū Nuaim, I, 171-172).

The writers such as Abū al-Qāsim Muhammad ibn Habīb al-Nīsābūrī (d. A. D. 1015) and al-Mustaghfirī (d. A. D. 1040) who were writing in the same period, wrote book named *Kitāb al-Tibb* one each and were in an endeavor to compilation of some hadiths which did not take part with the main lines in the Reliable Hadith sources related with medicine (Al-Nīsābūrī, Al-Mustaghfirī). However, these studies were mentioned with the headline "al-Tibb al-Nabawī" in the subsequent centuries (Brockelmann: 1943-1949, I, 165, 362, Brockelmann: 1937-1942, I, 274, 616-617; Ihsanoglu, pp. 34-38). Narratives we confront in these kinds of studies were never as strong as the rumors in the Reliable Hadith sources.

It will be to the point to mention these narratives which took part in the al-Mustaghfirī's work as an example: "Three bites with salt which is taken before the meal, protects human from seventy two kinds of illnesses such as insanity, leprosy, skin diseases etc…" "Ten things generate forgetfulness such as eating cheese, eating things chewed by a mouse, eating sour apple…" (Al-Mustaghfirī, pp. 22-23, 25)

The developments occurred since 13th century, tendered us a new concept. This concept was "Prophetic Medicine: al-Tibb al-Nabawī". This headline was a popular headline at that and the books carrying this headline were books written wishing to present a wealthy information by attaching all whatever related with medicine to Prophet Muhammad. The existed

statements made for the information related to Prophet Muhammad's time in these books, were compromise of information in respect of Greek Medicine.

As a small example, we can give information about utruj (Chinese grepfruit, pomelo, citron) presented by Ibn Qayyim al-Jawziyye (d. AD. 1350). Ibn Qayyim explains properties of the fruit and which part of it is beneficial for which illness after he mentions that Prophet Muhammad likened a believer who reads Qurān to a citron, although there is no information about medicine. Ibn Qayyim uses the recordings related with utruj of the doctors starting with Greek until his own era (Ibn Qay'em el-Jozeyah, pp. 360-362). I don't think so it is easy to link those kinds of information with prophetical medicine. Ibn Qayyim, possibly think that Prophet Muhammad mentioned to utruj with revelation information possibly because of above-cited benefits (also see Perho, pp. 107-108).

7. Conclusion

At the present time, we have to review again what is presented under the cover of "Prophetical Medicine". Additionally, "Prophetical Medicine" culture is also tried to be inserted to the scope of information which is released to the market under the name of "traditional", "alternative" and "complementary" medicine. Today, it has much more importance arguing this new meaning attribution and to question what it states.

Likewise, nowadays we front in an increasing level with some treatment methods and herbal drugs under the name of "traditional", "alternative" and "complementary" medicine. Some of these are recommended by associating with Prophetical Medicine. It is open that a different (sacred) meaning is attributed to the presented information within this scope. However, the case whether the human health is under threat or not while creating a market for offering health to people is lost sight of.

The thing which is needed to be questioned today is that: The information presented to us is whether an expression of prophetical information or it is the ancient Greek and Indian medicine. It is very ironic that the some people lose their health with a manipulated back concept of al-Tibb al-Nabawī although the Prophet Muhammad said "You have to know the value of your welfare, before you lose it. "

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The Legal Position of National Minorities and the Formation of State in Years'20

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Abstract

Albania came out of World War I in an economic – political difficult situation. State institutions lack of consolidation and the difficult living conditions in which was the population, adding even more the future uncertainty of this small state. Furthermore, Albania is not yet recognized by other states and the League of Nations as an independent state with full and equal rights. This small state during the years 20 ' occupied an area of 27,539. 10 km2 and had a population of 803 959 inhabitants. As belonged to the territorial organization and administrative division, it was divided in 9 prefectures, 31 sub-prefectures and 80 provinces. Its population belonged to three different religious faiths: Muslim, Catholic and Orthodox. The number of residents who claimed to belong to the religion of Islam was about 529,694, and those who belonged to the Orthodox religion were 168 215 and those who belonged to the Catholic religion were 96,050[1]. But related to the ethnic composition of the population, the Albanian state is presented as homogeneous where national minorities occupied a small percentage, no more than 10%. The small presence of minority in Albanian territory probably was also one of the reasons that explain the reason for the lack of labor conflicts with ethnic character. Minorities that were identified as non-Albanian minorities were divided into ethno-cultural and national minorities. In the first group were included Rom and Vlachs, while on the second group were included: Montenegrin minorities, Macedonian and Greek national minorities.

Introduction

Vlach or Arumanian ethno – cultural minority, had an early presence in the Albanian territory. Members of this minority speak as their first language that of the country in which they were located even if among their members of the group Vlach language was used constantly. They were concentrated notably in southeastern and middle of Albania.

Rom minority was distributed in different parts of the territory, mainly concentrated in central Albania and south. Nomadic, way of life emigrated from one region to another was one of the reasons not only for the registration but also their integration.

National minorities were concentrated mainly in the border areas of Albania or such, in the north, east and south.

Macedonian national minority was concentrated mainly in the area of Prespa. This area extended in the southeastern corner of Albania, bordering with neighboring countries, Greece and Macedonia. During the years 20' Macedonian national minority had not the minority status of the Albanian legislation.

The Montenegrin national minority was concentrated in the north of Albania, mainly in the north of Shkodra, in the municipality Gruemeri-Vrake. According to the data in Vrake were 1855 inhabitants concentrated in 150 houses, which belonged to the Montenegrin minority. [2]

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[1] Teki Selenica, ALBANIA IN 1923, TIRANA Printing House "Tirana", 1923, p.7.
[2] Ministry of Foreign Affairs, on schools slavishte of Shkodra in the village of Vrake MFA, archive 1922 files 164, p. 13.

Greek national minority was concentrated in the southern part of Albania, notably in the prefectures of Gjirokastra, Korca and Vlora. According to official data, the number of people Greek – speakerreached in 16,000 residents. [1]The considerable concentration of the Greek minority in the border area would lead to an international collision between Albania and Greece.

Greek-Albanian debate in the Conference of Ambassadors on the Greek minority in Albania

The issue of minorities in Albania will be treated for the first time in the Conference of Ambassadors held at Versailles after the First World War. During the conference Greece sought to annex the Albania southern territories by exploiting the presence of the Greek minority. The Greek delegation headed by Prime Minister Eleftheros Venizelos, in his presentation submitted the requirements and the claims. With his intervention he operated with all the sorts of theories, not only strategic but also historical and linguistic. These theses were accompanied by statistical data which is presented as authentic. So according to Greek party claims in these territories there were about 150,000 Greek. For the determination of this population the Greek party took as basis the religious affiliation, which was that of the Orthodox religion. In the territory of southern Albania there were about 290,000 inhabitants, of these 117,000 inhabitants belonged to the Orthodox religion and the rest belonged to the Islamic religion[2]. It was clear that this kind of reasoning was incorrect since only this element can not suffice to define the national identity of a nation. So, for the definition of a national minority it was necessary that its members, display ethnic characteristics, cultural, religious and linguistic separate from the rest of the population. Taking as a basis these data in the definition of national minorities, then in the Albanian territories lived a Greek population many times smaller than was claimed by the Greek delegation. Also, another element that the Greek delegation was using to achieve his goals was the presence of many Greek schools in the territory of Albania. This aspect is explained by the fact that during the five centuries occupation by the Ottoman Empire, the Albanian intellectuals had been unable to open the schools in the Albanian language. This kind of policy pursued by the Turkish authorities had forced many families to send their children to Greek schools that were opened in the Albanian territory.

During his intervention at the Conference of Ambassadors, the Albanian delegation rejected the topic submitted by The Greek party counterparts in determining the nationality of a nation based only on religion. The Albanian party highlight the fact that the population of these areas regardless the religious affiliation, had the same habits and spiritual feelings like all the other part of Albania. Spoken language, despite the presence of The Greek schools was the same as the language of all Albanians in the south as well as in the north. [3] Regarding the attendance of The Greek schools and the lack of them in the Albanian language, the Albanian delegation, rejected the claim that they were proof of Greece-isation of these regions. This was explained by the prohibitive measures that had taken the Ottoman Empire, in Albanian schools during the occupation years. Greek-Albanian debate in Greece about the claims on the territories of southern Albania will last for some time. Claims of Greece will be thrown down by the Conference of Ambassadors and Albania will be able to form its independent state. Albanian delegation by his part is committed to guarantee all the rights, which civilized countries gave to minorities who were in their territory. Moreover, these guarantees would be strengthened by the admission of Albania to the League of Nations.

The system of minorities'protection in the League of Nations

League of Nations created by the big winning powers on April 28, 1919 and entered into force in January of the next year. US President Woodrow Wilson, who was the initiator of this international organization, reached to introduce in the founding treaty a paragraph on the basis of which the new states as a condition for recognitionof theirindependence had to devote themselves to guarantee equality of treatment against national or racial minorities. US President himself will impose later this paragraph even to the states that could join in the future the League of Nations. These obligations were seen with dissatisfaction from Small countries, from the moment that was asked to sign treaties for the protection of minorities. They protested against what they called a limitation of Independence, which was born as a result of the different treatment that was done to the larger countries. Objections raised by the so-called "small Countries" on the protection of minority rights, was passed forcing Member States to maintain a standard approach to any kind of prohibition against racial discrimination,

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[1]Ministry of Foreign Affairs, Statement hat made the representative of Albania on October 2, 1921, MFA 1921 File 91, p.241.
[2]Beqir Meta, Minorities and National Construction in Albania(1912-1924), Albanological Studies Center, Institute of History, Tirana, 2013, p.242.
[3]EnverBytyci, Albanians, Serbs and Greeks, Printing house "Koha", Tirana, 2005. p.80,

linguistic or religious. [1] Were also adopted some measures that intended the preservation of national identity and values of particular groups, assimilation against any danger that may come as a result of boundary changes.

The difficulty of adopting these measures was that some of these countries were connected between them with special treaties, other non-binding promises, others still at large by any agreement. Pretty much almost all European countries were involved in its territories minority groups. Special significance had League Resolution of 21 September 1922, in which it was claimed that, besides recognition of the minorities right to be protected from any form of oppression, was emphasized even the duty of the members of these groups to collaborate as loyal subjects of the state where they resided. The resolution also would guarantee the new territorial change set by the Peace Conference of 1919, which provided an extension of the territory of Serbia, Romania and Greece and determination borders of Poland and Czechoslovakia. These agreements have created a large number of groups that for the cultural traditions, linguistic and religious, were in a minority position, which should be protected by the signing of the treaties of minorities, between great allied powers and losers countries of the war. In general terms, the new regime provided that the protection of minority rights by these treaties must be concentrated on: equality before the law with respect to civil and political rights, freedom of religion, and the right of minorities'members to use their language, the right to have their religious and educational institutions. It was also including the right to develop teaching in the mother tongue of minorities in areas where minorities constitute a considerable number. [2] International protection of minorities pointed out the principle of non-discrimination, which essentially guarantees to the minority members to equally enjoy civil and political rights by members of the majority population. On the principle of non-discrimination is also expressed the Permanent Court of International Justice. It argued that the aim of this principle was the eventual prevention of unequal treatment and no guarantee of a regime for which derived a privileged treatment. Observing the Court's position was understood that the provisions on the rights of persons who belonged to minority groups had a negative character, because they were confined to the prohibition of all forms of discrimination. Also, the international protection of minorities, provided that members of minorities should enjoy equal rights in the establishment, control and management of institutions to their religious and cultural sites, schools and other educational institutions, with the right to use their own language and practicing religion freely. It was the duty of the member states of the League of Nations, which, through their intervention to make possible the realization of these rights. Such an interpretation was noted in the case when, in those parts of the territory, where minorities constitute a majority of the population, the state should ensure the development of teaching in minority languages and a fair division of public funds in order to achieve those rights. Provisions of treaties concluded, at that time, had as its object the minority members and non minorities. The views seemed clear from the attitude of the Allied Powers, which were seeking to guarantee a minority political autonomy, thus avoiding at any cost the establishment of a state within a state.

The international system created by the League of Nations went further, as provided the existence of a "minority regime" even when, without specific treaties, were implemented the rights of minorities. In other words, it was this international body, which for the first time was trying to ensure minoritiesa real status, internationally recognized. League exercised the function of guaranteeing through a practice of reviewing the petitions. These petitions can be presented on behalf of minorities when these claimed that they were violating their rights. Complaints were addressed to the General Secretary of the League of Nations, and in case they were considered acceptable, the Council of the League raised an ad hoc Committee on Minorities, which aimed a peaceful resolution of the issue. [3] In those cases where the efforts for a peaceful resolution of the issue between the League and the state against which allegedly had violated the rights provided in treaty failed, to the Council was recognized the right to refer the matter for consideration before the Permanent Court of International Justice. A case in point has been the review by the Court on the issue of minority schools in Albania. It was about the decision taken by the Albanian government belonging to the nationalization of private schools, including those of the Greek language, the Greek minority in the south of the country.

Court intended to give a solution to these issues, trying on the one hand, to ensure minorities certain rights, in order to preserve the personality and on the other to achieve these rights, minorities should not be opposing the state which was part. In the framework of the League of Nations tried to create a system of guarantees. It is important to underline that treaties concluded during this period constituted a step towards the protection of minorities and recognition of human rights.

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[1]Catello Avenia, Tutela internazionale delle minoranze, p.12,http://www.altalex.com/documents/news/2012/07/12/tutela-internazionale-delle-minoranze
[2]MimozaAgalliu, International Protection of Minorities, p.11, Printing house "Marin Barleti", 2013.
[3]MimozaAgalliu, International Protection of Minorities, p.12, Printing House "Marin Barleti", 2013.

Their fundamental importance lay in the fact that the public international law had not only its object relations between countries, but also maintaining the guarantee of rights, even though in a limited way.

For the first time the international community was aware for individuals, who lived without a normal law protection, and that they seek additional guarantees for the enjoyment and exercise of their fundamental rights by an international organization, because their defense systems by national internal systems may not be enough.

This system, which in a first glance seemed quite coherent and liberal, failed for more political reasons than legal. This is because the various treaties asked commitments mainly to defeated states in the First World War and tried to exempt from these commitments to the League of Nations.

It was necessary the universalization of approved rules. Obligations in the field of minorities were not included in the League Status, but were charged only the countries associated with these obligations in the peace treaties.

Despite these achievements, the international law does not provide an effective protection against minorities. Firstly was not offered a collective legal protection, but only one individual protection of those people that enjoyed the minority status.

Another negative aspect was the fact that the international protection system formed for minorities provided only negative type measures, namely general prohibitions or obligations. Such measures could have been the adoption of the principle of non-discrimination and affirmative obligation of States to implement the principle of equality.

We should also remember that the League of Nations was an initiative of US President Wilson, but unfortunately the United States of America did not become a member of this international organization. The main purpose of the League of Nations was to maintain international peace and security, but also a member states were obliged to resolve conflicts through an arbitrary or addressing the Council or Assembly, disputes that may arise between them. [1] Also, to avoid conflict, was foreseen the commitment to not use force at least until the third month from the moment of publication of the report issued by the body. For these reasons the problems of minorities were in the second plan.

After the end of World War I and the creation of a truly international regime thanks to the League of Nations, there was not a binding legal definition and universally accepted about the concept of minority. Permanent Court of International Justice of the League of Nations, in an advisory decision on July 31, 1930, regarding the issue raised by the Bulgarian-Greek community, to give a definition.

It was defined as: a collective of people who lived in a state or locality, who had a race, a religion, a language and its traditions, united by the identification of her race, religion, language and tradition in a sense of solidarity, in order to preserve their traditions, their forms of worship, to guarantee the education and upbringing of their children, according to the sentiments and traditions of theirrace and that are mutually supported. [2]

In other words, that a group of persons must be considered and benefited from minority status should have possessed some national, ethnic and linguistic features. Also the terms like ethnic, linguistic and religious should be treated as a sub-category of national minority, which includes in itself the nation element of the foregoing characteristics. Preservation of these features require a form of collective residence, which create an identity and somehow showed a sense of solidarity among the members of the group against the stock leading to linguistic, religious or culturalassimilation. The right of identity in itself presupposed, on one hand the action of the members of minority group finalized for recognition of their rights and the preservation of identity, on the other the stock prohibition of the States that lead to genocide and ethnic cleansing.

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[1]Catello Avenia, Tutela internazionale delle minoranze, p.11, http://www.altalex.com/documents/news/2012/07/12/tutela-internazionale-delle-minoranze.

[2]Fulvio Suran, Fabrizio Somma, Ricerche sociali, Centro di Ricerche Storiche di Rovigo, p. 12,http://www.crsrv.org/pdf/ricerche_sociali/Ricerche_sociali_17.pdf

Albania and its commitment taken by the League of Nations

Albania was accepted as a member state of the League of Nations on December 17, 1920, being recognized by the international community as sovereign and independent state. League of Nations for its part, requested to the new memberto take commitments in respect of the rights of national minorities and to report to the League for their position. An important step in this direction was the Declaration on the Protection of Minorities in Albania, signed by Fan Noli, as representatives of the Albanian government, in the session of the Council of the League of Nations on October 21, 1921. This statement consisting of 7 articles will be named as a fundamental law in Albania. Consequently, any law, regulation or official letter would not be contrary to this document, otherwise they will lose force. Also, Article 2 provided that Albanian citizens will be guaranteed full protection of their life and freedom, regardless of nationality, language, race and religion. All citizens shall have the right to freely practice their religion and faith, with the condition that it was not conflicted with public tranquility and traditions. This article was important because of the country emphasized secularism stating that every Albanian citizen was given the right to change religion. As belonging to civil and political rights they are regulated by Article 4. So, all Albanian nationals were equal before the law and shall enjoy all civil and political rights without distinction of race, language or religion.

 For political rights in Albania will apply a system of choice, taking into account the rights of the minorities, of race, religion and language. Civil rights had to do with the fact that Albanian nationals of any language will not be put any constriction in the free use of their language as private relations, trade, and the issues that would have to do with religion and media. [1] After emphasized the full equality of the persons belonging to minorities with other Albanian nationals, they were engaged to periodically informed the League of Nations and vowing that he would be kept in mind its recommendations, stating that "As belonging to public education, the Government will give in the cities of the regions where they lived a significant part and citizens with a language other than the official language, adequate facilities to ensure that teaching in primary schools must be given to the childrensof these Albanian citizens in their mother tongue[2].

Art, 5 recognizes to the Albanian citizens the right which belonged to minorities, to direct and controll, with their incomes, or to create in the future, charities, religious, social and medical, while guaranteeing the right to freely use their own language and to practice their religion freely.

Albanian government is commited to, within six months by stipulation of this statement, to represent the Council of the League of Nations a detailed report about the state of religious communities, churches, monasteries, schools and companies that belonged to minority. Also, the Albanian Government will take into consideration all orders that the League of Nations would give on this issue.

The statement gave a special importance to the development of teaching in the mother tongue of minorities. So art, 6 provided that in the cities or regions where they lived in a considerable number of Albanian nationals, who do not speak the official language, the Albanian state would create special facilitiesto ensure that children of these citizens, in the primary schools must be given tuition in the language of their own mother tongue. This declaration did not prohibit the Albanian government to put in these schools the teaching of the Albanian language as mandatory. According to art, 7 this statement for the protection of minorities, had international character and will be put under the control of the League of Nations. Accordingly the statement can not be changed without the consent of the majority of the Council of Nations. [3]

To the Council was recognized the right to give suggestions to the improvement and achievement of the objectives set by the Declaration. The system of minorities'protection provides that if a state between Albania and other members of the League of Nations, will arise doubts on the implementation of the these articles, this will undoubtedly be called as a dispute of an international character by the League of Nations Statute.

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[1]Archive of the MFA, protection of minorities in Albania, Declaration that has made the representative of Albania on October 2, 1921, p 250.

[2] Luan Omari, *The issue of national minorities*, Printing House"Guttenberg", Tirana, 2014, p.50.

[3]Archive of the MFA, protection of minorities in Albania, Declaration that has made the representative of Albania on 2 October 1921, file, 99, p.251.

The statute provides that, any dispute which had the basic rights of the minorities, would be sent at the request of the other party, for review before the Permanent International Court. Albania's commitment to the League of Nations for the protection of minorities was a sign of its willingness to the improvement of the internal legislation, regarding the equality o the Albanian citizens regardless of race, language or religion.

Improvement of the internal legislation

During years 20 'Albania was engaged in the difficult way to the consolidation of the state and its administrative bodies. Despite the difficulties encountered during this important process, the Albanian state showed a special devotion towards equality of Albanian nationals. Important was art, 110, Chapter III dedicated the rights of citizens, drawn up by the Enlarged Statute of Lushnja. This article provided that all, with no citizenship change were equal before the law and enjoy equal number of civil rights, except exceptions provided by law. [1]

Albanian state had a special importance for the political representation of all citizens that belonged to different religions. In the territories of Albania in the years' were present three religions: Islamic religion to which belonged 70% of the population, the Orthodox religion to which belonged 20% of the population and 10% of the Catholic population. [2]

From the data it is clear that the majority of the population belonged to the Islamic religion. Albanian government during political elections tried to guarantees proportional representation of all religious faiths in the Albanian parliament. This was an important step that the government was taking in the modernization of the Albanian society, which must accept religious diversity and focus on the formation of a secular and modern country.

Under the supervision of the League of NationsAlbanian government gave a special importance to the education in the mother tongue of children who belonged to minority. As mentioned above, in southern Albania was concentrated a Greek-speaking Orthodox population, whose number reached to 16,000 residents. In this area counted 36 Greek minority schools, 2614 students, 49 teachers, 190 churches and 13 monasteries. [3]All Greek minority schools were financed by the Albanian state. Local administrations and judicial authorities had no right to intervene and prevent minorities to speak and write their language. Also, in northern Albania, the city of Shkodra had two schools in which the teaching was done in Slavic languages per 1800 inhabitants with Montenegrin nationality. Albanian population during the years 20 ' was estimated at approximately a little more than 800,000 inhabitants and the Ministry of Education operated 500 schools for Albanian-speaking population. By comparing the number of Greek and Slavic schools with the Albanian ones, in proportion to the population in Albania, had more Greek and Slavic schools than Albanian. There was no other state that had full teaching rights of the minorities. As belonging to schools funding from the Albanian state, there was an exception from the Catholic community in Shkoder, whose elementary schools were not funded by the Catholic Archdiocese of Shkodra. Despite the fact that Albania was a country with a weak economy and an administration not well consolidated, its government seriously committed to fulfill the commitments that had taken membership in the League of Nations. Minorities present in the territory of Albania created possibilities in order for them to freely express their national identity and culture.

Conclusions

The end of the First World War left serious consequences not only for the Albanian state economy but also for the population that is within the territory. Despite these difficulties the government was located in building a legal state to ensure equality of sub-countries, without distinction of race, language or religion, before the law. Indicators for the good will of the Albanian government in this direction were the concern that it took before the League of Nations, at the moment when Albania was admitted as a member state of this international organization. Albania to the ethnic composition was a homogeneous state, where minorities constitute a small part of the population, not more than 10%. Despite the presence of a small minority, Albanian state approves a series of acts and laws that will allow these subjects to freely express their cultural identity. Such were the laws which guaranteed civil and political rights of minorities. So article 110 provided that all invariably citizenship was equal before the law and enjoy the equal civil rights. Special importance had the school fund from the Albanian state, where to the childrens who belonged to minority groups were created necessary conditions to learn the mother tongue.

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[1]AleksLuarasi, Legal acts about the history of the state and of law in Albania, Printing House "Luarasi", Tirana, 1999, P.79
[2] MFA Archive, year 1922, file 102, p.129.
[3] MFA Archive, year 1922, file 102, p.131.

Teaching in the mother tongue was a very important aspect after giving the minority the opportunity to present in the Albanian lands the legacy on future generations, own culture, traditions and customs. Also, the announcement of Albania as a secular state guarantees for three religious communities, Islamic, Orthodox and Catholics to exercise their religion freely in harmony with each other. All the policies undertaken by the Albanian government during the years 20 'make possible that the present minority in the country must live in harmony the rest of the population and express freely their cultural identity.

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Does Enhancing of the Competitiveness Influence on Foreign Direct Investments in Western Balkan Countries?

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Abstract

Foreign direct investments present a valuable source of national competitiveness as they have attributes of capital flows provide knowledge and technology transfer from one country to target country. In this paper are used variables defined by World Economic Forum which construct Global Competitiveness Index for assessing competitiveness of the country. The purpose of the research is to examine does the national competitiveness increase enhance the level of FDI flows in transition Western Balkan economies that are not yet full members of European Union. The findings claim that larger increase in FDI per capita stocks in majority analyzed countries would have if making infrastructure more competitiveness, accelerate their technological readiness and improve innovation while certain countries should work on health and primary education and higher education and training. According to the results, there is no correlation between FDI flows and macroeconomic environment, institutions, development of financial markets, good market efficiency, labor market efficiency and business sophistication. Applying benchmark method, it is established the most competitive WB country as benchmark value for other transition countries in its neighborhood for enhancing their competitiveness, specially in the regional market. Also, it is obtained what if analysis to detect potential rise of FDI per capita stocks as a consequence of potential changes in some competitiveness variables. It is also calculated the potential increase in FDI/capita due to similar changes in different competitiveness variables.

Keywords: Competitiveness, Foreign Direct Investment, Transition Economies, What If Scenario.

1. Introduction

Significance and scientific researches on the topic foreign direct investment (FDI) have risen during the last twenty years. Knowledge in FDI involves various disciplines such as international economics, international business and management in order to completely comprehensive the phenomena of FDI. FDI represent a crucial factor of national competitiveness because its attributes ensure technological and knowledge transfer to target countries. Positive influence of FDI on economic growth supports the idea to engage significant efforts to attract FDI. Competitiveness is correlated to high living standards, quality standards, reduction of costs, efficiency, productivity, innovations, and so on. Therefore, government policy needs to be directed to attracting FDI inflows. On the other hand, literature indicates that competitiveness presents a significant factor of FDI. The studies regarding relation between competitiveness and FDI are insufficient in the literature mainly because of absence of unique accepted definition of competitiveness of economy (Criste et al., 2008).

The interest of this paper is to find out how rise of competitiveness can attract more FDI inflows. In order to determine potential rise of FDI, it will be used Global Competitiveness Index (GCI) defined by World Economic Forum (WEF) to measure economic competitiveness. This measure of competitiveness is considered to be one which includes wide range of different aspects of competitiveness and it is pretty accepted from foreign investors. Use of this index provides policy makers possibility to identify certain aspects of competitiveness with greater chance for improvement. Also, the potential FDI inflows can be objectively predicted.

The paper is constructed from several parts. In the first part some theoretical background and previous empirical studies regarding relation between competitiveness and FDI are presented. Research methodology for assessment of the potential

rise of FDI due to rise of certain aspects of competitiveness are shown in the second part. Also, in this part are presented obtained results which are discussed. In the end, there are provided some conclusion of the research.

2. LITERATURE REVIEW

Various studies are more focused on the location factors of competitiveness due to increasing FDI inflows in early '90s (Dunning, 2000). The significance of the location determinants of the competitiveness in domestic country is strongly emphasized with Dunning's eclectic paradigm or OLI paradigm. According to him, international production depends on three types of advantages: ownership, location and internalization advantages. Location factors are mainly defined by local environment and shape by the public policy, other two types of advantages are depending on the multinational companies that are interested into movement their investments into target country. This focus on location characteristic of competitiveness is in great deal the consequence of globalization influence and transition process specially in Western Balkan countries. These characteristic of competitiveness are continuously by the influence of the changes (Popovici & Călin, 2014).

Also, many theoretical and empirical studies give plenty attention to transition of FDI flows, from inherited to created resources. According to Dunning (2008) the ability of the country to attract potential investors lies in its competence to establish a set of difficulty to imitate, distinctive, created assets. This country's competence is determined by its possibility to adapt FDI flows according to its cultural, educational and social system, government policy and market's structure (Wilhelms, 1998). Qualitative variables of the location regarding to quality of life such as violence, corruption, pollution and other unacceptable behaviours have important role too (Dunning, 2003).

Dunnig and Zhang (2008) claim that capabilities, resources and markets which compose the physical environment of the country and human environment composed from institutions are the most important attributes of the competitiveness. These authors include inherited and ceratess resources, educated labour, market knowledge and organizational capacity into category of the physical environment. Human environment is constructed from institutions, law and regulation, cultural and public mechanisms of enforcement.

The policy framework for FDI is constructed from the institutional factors such as entry regulations and operations according to UNCTAD (1998). Market dimension, infrastructure, educated labour force, availability of inherited resources and etc represent economic factors. In the end, business environment related to means for investment to promote and incentives, bureaucracy and low level of corruption.

There is empirical study on the relationship between the international competitiveness of EU15 countries and FDI inflows performed by Anastassopoulos (2007). In this research is used IMD Competitiveness Yearbook to measure competitiveness, designed by IMD World Competitiveness Center. According to him, the competitiveness is constructed from four pillars: economic performance, government efficiency, business efficiency and infrastructure. The obtained results show that there are northern and southern EU countries in regard to factors which influence on attraction of investors. In northern countries, investors pay attention to market characteristics, level of bureaucracy, efficiency and openness of the business sector. On the other hand, in the southern countries, investors focus on the reduction of the investment risk and government efficiency.

Regarding studies on relationship between competitiveness and FDI inflows, Castro and Buckley (2001) provide an analysis of competitiveness and its relation to FDI inflows in Portugal. The main findings of this study are in claim that competitiveness for FDI erodes because of inability of country to compensate higher production costs due to created resources. Study conducted by Narula and Wakelin (1998) emphasizes the technology as engine of the competitiveness. Results indicate that technological capability and availability of human capital influence on FDI inflows. In addition, more innovative countries play important role for investors. Foreign capital will be attracted if investment environment improves through infrastructure development, education and training and provides healthier macroeconomics surrounding (Sass, 2003).

3. RESEARCH METHODOLOGY, RESULTS AND DISCUSSION

In this paper are analyzed Western Balkan countries such as Albania, Macedonia, Serbia and Montenegro. The aim is to test the following hypothesis:

Hypothesis 1: There is relationship between national competitiveness and foreign direct investments in WB countries.

Hypothesis 2: The increase in competitiveness enhances the foreign direct investment inflows in WB countries.

First, it is tested existence of the positive relationship between FDI and competitiveness. In order to measure competitiveness it is used Global Competitiveness Index (GCI) constructed from 12 pillars, designed by World Economic Forum (WEF). The level of FDI is measured by FDI stocks per capita. All these indicators are presented for 2014. Bosnia and Herzegovina as one of the members of WC countries are excluded from sample due to missing value of GCI in examined year. One of the interests of this paper is to determine how increase in certain pillars of competitiveness can contribute to attract FDI. In many studies is shown the positive relationship between FDI pillars of competitiveness. The particular value of this research is in its interest to focus on establishing certain relations on the example of WB countries.

In next *Figure 1* are presented average values of competitiveness and FDI stocks per capita with aim to compare them between EU28 countries and WB countries. As it can be seen, the average value of GCI for EU28 is 4. 73 and it is higher than value of GCI for WB countries, which is 4. 05. The greater gap is recorded in terms of FDI per capita. The average value of FDI stocks per capita in EU28 is cc 11 times higher than in WB countries. During these comparisons it need to bear in mind the number of members in each compared category.
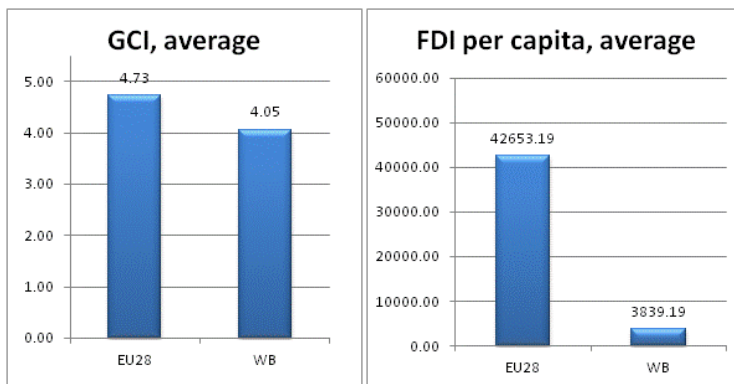
Figure 1: Average values of GCI and FDI per capita stocks in US$, in 2014 (UNCTAD, Eurostat & WEF, 2014)

The main subject of this paper is analysis of WB countries with exception of Bosnia and Herzegovina due to lack of information about observed variables. The main characteristic of these countries is transition economies. So, it is supposed to expect more similarities regarding to FDI attracting and Level of competitiveness.
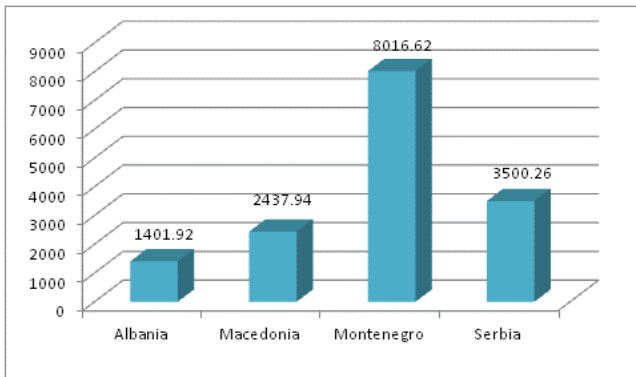
Figure 2: Volume of WB FDI per capita stocks in US$, in 2014 (UNCTAD & Eurostat, 2014)

According to *Figure 2* it can be noticed the difference in FDI per capita in these countries. Montenegro has the highest value of this indicator nearly 5 times more than the last ranked Albania. Conclusion is that Montenegro managed to accumulate faster foreign direct investments. Furthermore, Montenegro provides more public policies and has more positive changes that influence on attracting more and more foreign investors, as result of favorable business surrounding.
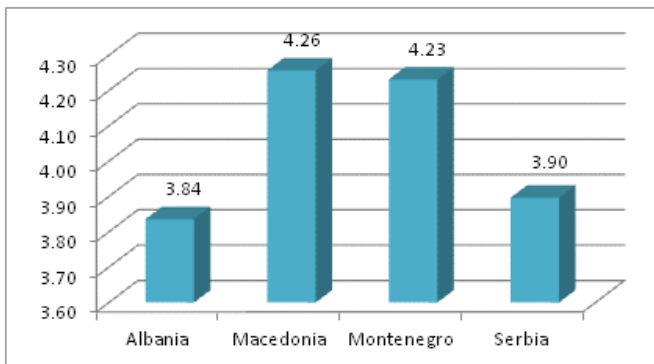
Figure 3: Global Competitiveness Index in WB countries, in 2014 (WEF, 2015)

There is a heterogeneous picture of competitiveness while examining the values of GCI for WB countries in *Figure 3*. Countries like Macedonia and Montenegro managed to increase the level of competitiveness faster than other two. The best ranked is Macedonia and on the last place is Albania. Overall, there are slight differences between the level of competitiveness between Macedonia and Montenegro and also between Albania and Serbia. These findings are not completely consistent with differences among them in terms of FDI per capita stocks. The leading position has Montenegro in both indicators. As to Macedonia, it has low values of competitiveness in following pillars: technological readiness, business sophistication, innovation and infrastructure that are one of the main causes of insufficient attractiveness of the country for foreign investors.

Competitiveness is described using Global competitiveness Index, designed by WEF, which consists from twelve pillars. These pillars of competitiveness are derived into three subindexes of competitiveness: basic requirements, efficiency enhancers and innovation and sophistication factors. Detail structure of GCI is presented in *Table 1*. The weights are attributed to each subindex according to value of GDP per capita that enables classification of each country into certain stage of development. There are three different stages of development: factor-driven, efficiency-driven and innovation-driven in every stage of development. WB countries are in second stage of development called efficiency-driven where first

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two subindexes have equally dominant part in economic development. Detail factors that compose GCI are shown in *Table 1.*

Table 1: Composition of the GCI (WEF, 2015)

Domain	Indicators
Basic requirements	Institutions
	Infrastructure
	Macroeconomic environment
	Health and primary education
Efficiency enhancers	Higher education and training
	Goods market efficiency
	Labour market efficiency
	Financial market development
	Technological readiness
	Market size
Innovation and sophistication factors	Business sophistication
	Innovation

Almost every factor presented in previous table will be used to assess the influence of competitiveness on FDI in WB countries. Only indicator of the market size is excluded from examining because it comprises variables that are difficult to influence on the short and medium term. Chosen indicators have certain level of similarity to other determinants of FDI used in literature. The values of twelve pillars of competitiveness for each WB country are presented in *Table 2.*

Table 2: The values of the 12 competitiveness pillars in the WB countries, in 2014 (WEF, 2015)

Country / Pillar	Albania	Macedonia	Montenegro	Serbia
Institutions	3. 38	4. 26	3. 96	3. 21
Infrastructure	3. 52	3. 73	4. 10	3. 93
Macroeconomic environment	3. 82	4. 93	4. 46	3. 51
Health and primary education	5. 85	5. 64	6. 31	5. 76
Higher education and training	4. 53	4. 32	4. 68	4. 25
Goods market efficiency	4. 15	4. 64	4. 34	3. 78
Labour market efficiency	4. 02	4. 21	4. 24	3. 73
Financial market development	3. 39	4. 49	4. 26	3. 50
Technological readiness	3. 30	3. 99	4. 28	4. 45
Market size	2. 94	2. 91	2. 16	3. 68
Business sophistication	3. 61	3. 78	3. 69	3. 21
Innovation	2. 73	3. 28	3. 37	2. 89

As above mentioned, all 11 competitiveness pillars with exception of the market size are used in further analysis. Therefore, it is examined are these indicators correlated with the FDI stocks per capita, for each WB country. Obtained correlation analysis results are presented in *Table 3.*

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Table 3: Correlation analysis results (Author's own calculations)

Pillar	Pearson correlation coefficient
Institutions	0. 290895661
Infrastructure	0. 905439035
Macroeconomic environment	0. 216032574
Health and primary education	0. 879552461
Higher education and training	0. 584486757
Goods market efficiency	0. 064627342
Labour market efficiency	0. 371393706
Financial market development	0. 429293735
Technological readiness	0. 617319794
Business sophistication	0. 102577047
Innovation	0. 687434682

The values of the Pearson correlation coefficient between 0. 5 and 0. 7 indicate a positive moderate correlation between each competitiveness pillar and FDI. This is the case with higher education and training, technological readiness and innovation. Further, the values of this correlation coefficient greater than 0. 7 indicate existence of the high positive correlation. Based on the obtained results of the correlation analysis, the high correlation is between infrastructure and health and primary education and FDI stocks per capita. According to this, in further analysis are used only indicators that have the strongest relationship with FDI. The first hypothesis regarding the existence of the relationship between FDI and competitiveness is proved.

Obtained results are similar to those presented in literature: it is shown positive relationship between FDI and infrastructure, as well as in Wheeler & Mody (1992), UNCTAD (1998), Cheng & Kwan (2000), Sass (2003), Anastassopoulos (2007), with health and primary education, as in Alsan, Bloom & Canning (2006), Desbordes & Azémar (2009), with higher education and training, as in Egger et al. (2005), Gittens (2006), Zhuang (2008), technological readiness, as in Narula & Wakelin (1998) or UNCTAD (1998), with innovation, as in Baldwin, Braconier & Forslid (1999), Blomstrom & Kokko (1999), Hu & Jefferson (2001), Cheung & Lin (2003).

Considering the competitiveness variables are correlated with FDI per capita, it is assumed that increase in competitiveness will improve FDI per capita in the country. The interest of the paper is to find out what volume of the FDI will be attracted if country increase in separated competitiveness pillars. The next stage of the research is to determine the benchmark level of competitiveness that should be target level for each WB country. In order to determine the benchmark level it is used the highest values of competitiveness pillars for each country. In this case, Montenegro has the best indicator of competitiveness, except for one regarding technological readiness. Benchmark value of each indicator and related country are presented in *Table 4*.

Table 4: The benchmark level of variables (WEF, 2015)

Indicator	Benchmark value	Country
Infrastructure	4. 1	Montenegro
Health and primary education	6. 31	Montenegro
Higher education and training	4. 68	Montenegro
Technological readiness	4. 45	Serbia
Innovation	3. 37	Montenegro

Furthermore, it is calculated for each country and percentage difference of obtained indicator from the target value. The calculation results are shown in *Table 5*.

Table 5: The percentage difference of the competitiveness pillars from the benchmark level (Author's calculations)

Country Pillar	Albania	Macedonia	Montenegro	Serbia
Infrastructure	16. 5%	9. 8%	0. 0%	4. 3%
Health and primary education	7. 9%	11. 9%	0. 0%	9. 6%
Higher education and training	3. 2%	8. 2%	0. 0%	10. 0%
Technological readiness	34. 6%	11. 4%	3. 9%	0. 0%
Innovation	23. 3%	2. 7%	0. 0%	16. 6%

*Values 0 % indicate the benchmark level

Presented percentage differences are used to calculate the potential change of the FDI as a result of positive change in different aspects of the competitiveness. So, in the *Table 6* are shown results obtained by multiplying correlation coefficients with potential increase of the values of the competitiveness pillars. Below are presented the percentage change in FDI per capita if each WB country improves its competitiveness to the benchmark value, respectively to reach at least the competitiveness level of Montenegro in majority of analyzed indicators.

Table 6: The potential percentage change of FDI per capita (Author's calculations)

Country Pillar	Albania	Macedonia	Montenegro	Serbia
Infrastructure	14. 92%	8. 90%	0. 00%	3. 85%
Health and primary education	6. 96%	10. 43%	0. 00%	8. 42%
Higher education and training	1. 88%	4. 80%	0. 00%	5. 86%
Technological readiness	21. 35%	7. 02%	2. 43%	0. 00%
Innovation	16. 00%	1. 84%	0. 00%	11. 41%

*Values 0% regard to target countries.

If improving the quality and availability of the transport, electricity and communication infrastructure the highest change of FDI per capita will be recorded in Albania, nearly 15%. Then follows Macedonia and Serbia, with nearly 9% and 4% change of FDI per capita, respectively. The highest change of FDI will have Macedonia (10. 4%) as a result of potential enhance of the state of public health, quality and quantity of the basic education. Similar results will be in the case of Serbia (cc 8%) and Albania (cc 7%). Regarding to higher education and trainings obtained results show little need to improve in case of Albania because it would lead to increase in FDI per capita just for 1. 88%. On the other hand, the largest benefit from its competitiveness increase would have Serbia because it would provide her increase of FDI per capita by cc 6%. Better technological adaptation by individuals and business and ICT use will have the best influence on the Albania FDI per capita which will increase by 21. 35%. The leader in this competitiveness area in the WB region is Serbia. Improvement of the capacity for and commitment to technological innovation would have the greatest impact in the case of Albania. The Albania FDI would rise by 16%. Similar increase in FDI per capita is possible also in case of Serbia due to improvements in this competitiveness indicator. According to the positive sigh of the change of the FDI per capita stocks as result of the increase of the competitiveness indicators in the benchmark values, the second hypothesis of this paper is confirmed. It is concluded that increase in competitiveness enhances the foreign direct investment inflows in WB countries.

In *Table 7* are provided nominal values of potential increase in FDI per capita which was obtained as a product of the FDI per capita stocks in absolute terms and percentage change of the FDI per capita as consequence of effort of each country to enhance its competitiveness up to benchmark values.

Table 7: Potential increase in FDI per capita stocks, in US$ (Author's calculations)

Country Pillar	Albania	Macedonia	Montenegro	Serbia
Infrastructure	209. 10	217. 08	0. 00	134. 86
Health and primary education	97. 59	254. 32	0. 00	294. 57
Higher education and training	26. 30	117. 13	0. 00	205. 02
Technological readiness	299. 30	171. 16	194. 59	0. 00
Innovation	224. 25	44. 96	0. 00	399. 29

*Values 0 regard to target countries.

The largest rise of the FDI per capita is in case Macedonia and Albania as a result of improvement the quality of infrastructure. It could rise by 217 and 209 US$, respectively. In regard to health and primary education its enhancing would bring Macedonia 254. 32 US$ just due to reach the benchmark value of this competitiveness pillar. Better quality of higher education system and training practice could provide Serbia 205. 02 US$. Technological improvements would have the most important influence on Albania FDI stocks (rise by nearly 300US$). Regarding enhancing innovations used by individuals and business Serbia could get additional nearly 400US$ if it reaches the benchmark value of Montenegro. According the provided results the largest FDI per capita increase due to improvements in determined competitiveness pillars would have Serbia. If Serbia reaches the benchmarked Montenegro in these five competitiveness indicator it could get nearly 1,034 US$. Second WB country with the largest benefits from improving competitiveness is Macedonia with potential nearly 805 US$.

4. CONSLUSION

Foreign direct investments present a significant factor of national competitiveness. They provide capital flows in term of technological and knowledge transfer. Some of the variables that are structure units of the mainly used measure of the competitiveness – Global competitiveness Index defined by World economic Forum have significant relationship with FDI in case of WB countries.

In the first part of the paper it is performed the correlation test between eleven competitiveness indicators that construct GCI, provided by WEF, and FDI stocks per capita. On the sample of four WB countries it is found that FDI stocks per capita are significantly correlated to infrastructure, health and primary education, higher education and training, technological readiness and innovation. These results are similar to results obtained in some other studies in literature, as mention before. According to results, there are no correlation with macroeconomic environment, institutions, financial market development, good market efficiency, labour market efficiency and business sophistication.

After determined correlation certain competitiveness indicators and foreign direct investments it is calculated the potential change of the FDI due to change in competitiveness indicators. It is found that majority of countries have the significant increase of FDI stocks if making infrastructure and health and primary education more competitive, by reaching the benchmark values of the Montenegro. Montenegro as a benchmarked competitiveness country needs to improve its technological readiness that could provide FDI stocks increase by nearly 200 US$. In this way, Montenegro would have leading part in all examined competitiveness indicators in the WB region. Regarding enhancing innovations used by individuals and business Serbia could get additional nearly 400US$ if it reaches the benchmark value of Montenegro. This competitiveness needs to play the most important role in foreign investment policy of Serbia. Second WB country with the largest benefits from improving competitiveness is Macedonia with potential nearly 805 US$. Macedonia has to focus mainly to improve the infrastructure and health and primary education competitiveness pillars because these enhancements would

provide the largest FDI increase. Interesting results are found in the case of technological readiness competitiveness. Serbian has the leading part and second place occupies Albania. Albania has to improve infrastructure and health and primary education because these ensure certain volume of FDI stocks. Regarding technological readiness and innovation Albania is the closest to Montenegro benchmarked values in comparison to Serbia and Macedonia.

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Generating Positive Orientation in Therapy or Consultation: A Perspective Through an Article Review on Positive Psychology

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Abstract

Psychology -considering a positive subjective, to some extend objective, practice of science- has been restrained and defined as a field advocated to pathological diseases, significantly when the queries for life are emerged together with feelings of desperation and pessimism, conjointly fruitfulness and senseless of life; psychological principles that we implement in therapy and consultation today weren`t much appreciated thus far. The preeminence of pathology concluded in a model of individual that is short of positive fundamentals like "hope, wisdom, creativity, future mindedness, courage, spirituality, responsibility, and perseverance" which are furthermore crucial for one`s psychological and physical well-being. Such values were disregarded or characterized as simple variations of credible negative motives. The authors are sketching an infrastructure as well as pointing our gaps in knowledge of positive psychology, and anticipating forthcoming future; expecting communities, societies, and individuals that will thrive through science and the key role of positive psychology.The aim of this study is to excavate principles, inquiries, and definitions of positive psychology to search for means and\or perspectives in generating positive orientation in regard with therapy and consultation, thus reviewing the article: "Positive Psychology, An Introduction" formed by two authors: Martin E. P. Seligman and Mihaly Csikszentmihalyi.

Keywords: *Positive psychology, orientation, therapy, consulting, pathology, positive fundamentals*

Introduction

Psychologists, since foundation of APA in 1940 have exclusively scanted information on pathology in terms of reaching a life worth of living, but since the inquiry was centered on corporal well-being, they brought up some valuable data in understanding how people can survive or endure adverse conditions. 3 decades of research have shown that an optimistic explanatory style (i. e., attributing negative outcomes to factors that are temporary and specific, rather than to factors that are persistent and pervasive) is associated with better mental and physical health, academic achievement, athletic performance, and performance in many career domains (Hershberger, 2005). However, psychologists have very limited cumulative data on how normal people flourish in peaceful, tranquil conditions. "Psychology has, since World War II, become a science largely about healing…"*This almost exclusive attention to pathology neglects the fulfilled individual and thriving community.* " (Seligman at. al, 2000) On the other hand, the aim of positive psychology is depicted as: *"… to begin to catalyze a change in the focus of psychology from preoccupation only with repairing the worst things in life to also building positive qualities. "* (Seligman at. al, 2000) At this point, we are presented with individual and group level of positive psychology. For individual level, it`s about positive traits as in capacity for love and vocation, courage, forgiveness, originality, future mindedness, spirituality, high talent, and wisdom. At the group level it is about civic virtues and the institutions that move them toward better citizenship. The field of psychology at the subjective level is categorized into three: *"in the past, well-being, contentment, and satisfaction, for the future, hope and optimism, in the present, flow and happiness. "* (Seligman at. al, 2000)

Context of Positive Psychology

Positive psychology as a scientific study deals with questions like; what makes life worth living? How can we reach the utmost in human potential? How can we make the happy happier? It is an approach and practice of psychology that gives importance not only to the weakness but also to the strength, not only problems of pathology but also mental and psychological well-beings of individuals as well as communities. A positive psychologist according to Martin Seligman and Mihaly Csikszentmihalyi is the one that seeks *"to find and nurture genius and talent", and "to make normal life more fulfilling"* as the outline of this branch of psychology was first drawn by its founders in 1998.

METHODOLOGY

"*Positive Psychology, An*

Introduction," by Martin E. P. Seligman and Mihaly Csikszentmihalyi was the main source of article review with a perspective of generating positive orientation in therapy or consultation together with secondary sources in reference to articles written on the same issue by psychologists of the same field. More different than other reviews the focus is on orientation of positive psychology in therapy or counseling, moreover the understanding of human potential and using positive emotions to their utmost potential were some other perspectives driven from positive psychology, particularly from the article written for American Psychologist by Martin E. P. Seligman and Mihaly Csikszentmihalyi in January, 2000.

GENERATING POSITIVE ORIENTATION IN THERAPY OR CONSULTATION

The essence of problem solving has continued to show its vitality in vocational and career psychology. For example, to solve the possible unfit and conflicts in the workplace, individuals have to find three possible solutions. They make themselves adjust to the working environment, and vice versa, they make the working environment more agreeable to their personal needs. (Burwell, R. at. al, 2006) This way of holding matters would be quite helpful in breaching the problems of the clients in counseling as suggested in another article; with a positive orientation and focus on helping clients in a minimum amount of time, the solution-focused therapy can offer an alternative useful model for career counseling intervention. (Burwell, R. at. al, 2006)

What we may infer from given principles and practices of positive psychology is that we have quite little knowledge on positive approach and its advantages in reaching achievement in terms of amplified or nurtured talent of the actual human potential. We infer the very essence of the actual potential of human being through comprehension of positive approach as it is given in the following lines of the article; also referred to as *"the science of happiness,"* positive psychology is striving to be rigorous and evidence based in its endeavor to identify interventions that promote mental health and quality of life. (Hershberger, P. J. at. al, 2005) In our schools we may possibly adopt this approach as it is showing parallel values of enriching individuals, and concentrating on their positive values rather than negativities as they may buffer against mutual understanding, dialogue, tolerance, forgiveness, love, and such universal values which are essential in reaching a universal tranquility.

Using Positive Emotions to Their Fullest Potential

The article formed by two authors named: Martin E. P. Seligman and Mihaly Csikszentmihalyi present two personal stories that are also involved in the article which come to be the essence of the article in understanding positive psychology. Another perspective is depicted as so; a common perception has been that positive psychology emphasizes the positive at the expense of the negative (Held, 2004; Lazarus, 2003). Regarding the definition, Seligman`s story takes place in his garden with his five-year old daughter, Nikki while he was weeding. Her input about learning for not whining, and his being grouch makes him realize that raising Nikki was not about correcting whining, because she did it herself. *"I realized that raising Nikki is about taking this marvelous strength she has - I call it "seeing into the soul" – amplifying it, nurturing it, helping her to the storms of life. "* (Seligman at. al, 2000) This profound insight for Seligman is an epiphany as it gives a new course to his life in terms of raising children with positive impulses on their talents, like identifying and nurturing their strongest qualities, and helping them find niches in which they can best live out these strengths.

The story is also a realization of the downsides of the psychology which is likened victimology that the two fundamental missions of psychology *"– making the lives of all people better and nurturing genius – were all but forgotten. "* (Seligman at. al, 2000)

Mihaly Csikszentmihalyi, like Seligman, realized the need for positive psychology in Europe during World War II: in his story of self-realization. The striking, profound viewpoint is his noticing many adults as successful and self-confident became helpless and dispirited once the war removed their social supports. Yet there were a few who kept their integrity and purpose despite the surrounding chaos. Their serenity was a beacon that kept others from losing hope. (Seligman at. al, 2000) The question that draws him into profound research of reading different branches like philosophy, religion, history etc. is *"What sources of strength were these people drawing on?"* (Seligman at. al, 2000) The very same question brings him into understanding the need for positive psychology. In his expectation of a science related with human being there should be understanding what is and what could be as to open a pathway to a highway for clinical and behavioral approaches which should stop clinging on those of 10 shelves of psychology related with mere healing, weakness, or damage, and should also stop limiting itself by only fixing what is broken. Treatment related with human being should consider nurturing what is best, work, education, insight, love, growth, and play. This inquiry shouldn`t be limited to a mere wishful thinking. In many ways this would be a mark of the movement's success. Also, we use the terms positive and negative as shorthand for describing the two poles of the human condition. (Linley, A. P. at. al, 2006)

Actual Human Potential

Psychologists come to form the disease model with a struggle of 50 years, perfectionists, on the other hand, discovered human strengths that act as buffers against mental illness as in courage, future mindedness, optimism, impersonal skill, faith, work ethic, hope, honesty, perseverance, and the capacity for flow and insight, to name several. (Seligman at. al, 2000) In a society, the most important sect should be young people, thus the main task of the prevention in our age is to create a science of human strength with a mission of understanding and valuing how to foster these virtues in young people which can be done through positive psychology and positive comparison methodologies. To reach above mentioned task:

"Psychologists need now to call for massive research on human strengths and virtues. Practitioners need to recognize that much of the best work they already do in consulting room is to amplify strengths rather than repair the weaknesses of their clients. Psychologists, working with families, schools, religious communities, and corporations, need to develop climates that foster these strengths. "

They both realized that psychology needs to make people more positive and prevent people from getting mental illnesses altogether as psychology will be reoriented to back its two neglected missions; making normal people stronger and more productive and making high human potential actual (Seligman at. al, 2000). Some of the subheadings which give more detailed information on positive psychology and its ways of practice, given in the article are also worth to mention as they are forming the pillars of positive approach in psychology.

DISCUSSIONS AND LIMITATIONS

Developmental psychology; cognitive development, developmental therapy etc. have long been conceptualized with counseling by psychologists and practitioners (e. g. Blocher, 1966, 1980; Miller-Tiedeman & Tiedeman, 1985; Mosher and Sprinthall, 1971; Van Hesteren & Zingle, 1977) as counselors and therapists see themselves oriented in development while practicing their professions. Haley's family life cycle (1963); Erikson`s life-span theory (1973); and Kohlberg's moral development (1981); are three significant examples of orientations in development. In this regard, psychologists must search for links between developmental psychology and positive psychology to assist counselors in helping their clients reach best possible treatment. On the other hand, it can be discussed that positive psychology, as a relatively new branch, may not be the key to this issue yet; it is an open ended field that needs further study which can be considered as a limitation of this paper as well.

CONCLUSION

As an approach, generating positive orientation in therapy or consultation we certainly need to train practitioners through a series of assessments and get them ready for the afore-mentioned task of the positive psychology. The ultimate purpose of career counseling is about helping clients become more effective agents in solving problems in their vocational aspects of life. This very same ideology has guided the career development practice and vocational guidance for the past 100 years (Burwell, at. al, 2006). The two authors are eagerly clinging on the idea of reorientation of psychology, as a science, to its two main missions of evaluating normal people and actualizing the high human potential which are great achievements when realized, but how are they to be realized? Who are to realize them? Limiting it to psychologists might lead it to a dead end. On the other hand if we can manage to implement principles of positive psychology in therapy or consultation we may achieve more fruitful, desired results of nurturing what is best, helping the happy to become happier etc. which are also expected results of positive psychology when applied correctly by practitioners, psychologists and consultants.

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International Child Abduction in Civil Matters Pursuant to Kosovo Legislation

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Abstract

Migration and settlement of Kosovo citizens, whether on individual basis or family groups in other countries, amongst others, have also caused the problem of international child abduction. This abduction was done by one of the parents or a temporary guardian. Although cases involving international child abuse have practically occurred, children have not been protected lacking legal provisions. For the first time in Kosovo, this matter was regulated by promulgation of UNMIK Regulation no. 2004/29 on Protection against International Child Abduction dated 05 August 2004. Pursuant to Kosovo legislation the child abduction shall mean removal or retention of a child which constitutes breach of rights of custody attributed to a person or any other body, under the law of the State in which the child was habitually resident immediately before the removal or retention. Hereby it is intended to recon in aspects of international child abduction and their prompt return from Kosovo to the Requesting State, the child return procedures and cases from the court practice. The court authorities having jurisdiction set forth by law, shall implement the child return procedures once the legal conditions are met, and for the purpose of such implementation, they may issue different measures. The Basic Court of Pristina shall have exclusive first instance jurisdiction in Kosovo. The Ministry of Justice being the central authority shall carry out the administrative procedure for a voluntary return of the child to the Requesting State.

Keywords: Child abduction, child return, procedure, law, measures.

Introduction

Children are the most important members in every society, in particular to every family and its future. Migration and settlement of Kosovo citizens as individuals or as family groups in foreign European and world countries due to various reasons, new marriages entered and dissolutions as a result of deterioration of marital relations in the countries out of Kosovo, have resulted in international abductions of children by one parent or temporary guardian. In this paper will be discussed aspects of international child abduction as well as their more rapid return from Kosovo to the requesting state. Therefore, cases of international child abduction have a significant impact on international relations of Kosovo with other states and much more rapid return of those children to such countries is of particular importance. Provision of international legal assistance in Kosovo is regulated by the Law on Contested Procedure.

Basic courts are competent to provide international legal assistance and to decide on the recognition of foreign court decisions. In order to protect the rights of children, some protective measures are foreseen for children in all judicial procedures. All state bodies, in particular the courts, are obliged to engage maximally and to ensure the protection of children's rights, even in cases of their international abduction by the temporary custodian, an obligation that results from provisions of the Convention on the Civil Aspects of International Child Abduction. Although cases of international child abduction have practically occurred earlier, the children have not been protected because of the lack of legal regulations. This issue has been regulated in Kosovo for the first time by UNMIK Regulation No. 2004/29 on Protection against International Child Abduction dated 05 August 2004, whereas in 2010 the Assembly of Kosovo adopted the Law on the Civil Aspects of International Child Abduction. State bodies and courts, during the proceedings on issues dealing with children, are required to protect the best interests of children. Convention and the law, on one hand, are intended to protect children from the harmful actions of unjust removal to another state and, on the other hand, to prevent their unjust removal or retention and their return to the requesting state. Judicial bodies, as competent bodies, apply the procedure for return of

the child and for the purpose of carrying out this procedure, they may issue different measures. After the entry into force of the Law on Courts, the Basic Court in Prishtina has the exclusive competence of first instance, and The Ministry of Justice conducts administrative procedure for the voluntary return of the child to the requesting state.

1. International and National Legal Framework

International Legal Framework

Changes made in the social system in Kosovo have also caused the changes in the legal system in order to harmonize it with international standards in the field of human rights and especially the rights of children. In order to implement international standards in the field of protection of children's rights, in the Constitution of Kosovo is foreseen direct implementation of Convention on the Rights of the Child. This convention is included in the Constitution and applies as part of positive law in Kosovo.

The Convention binds all state bodies and private institutions that in their activity the primary interest should be the children's interest. The convention provides that "[…] States shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status[1]. States shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members. Furthermore, this convention provides that: "[…]In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration[2]. States shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision. Every child has the inherent right to life and to the maximum extent possible, the survival and development of the child shall be ensured. State undertakes to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law. Children have the right to give their opinion or even to be heard. Authorities are obliged to "provide the child capable of forming views of its own, the right to express those views freely in all matters relating to the child, giving views of the child due weight in accordance with the age and maturity of the child. The essential part of this right is that children have the right to be heard and their views should be taken seriously in matters that affect their interests. The Convention provides that children should not be separated from their parents, except in cases stipulated by the law by the authorities on their behalf. The Hague Convention on the Civil Aspects of International Child Abduction regulates the issue of child abduction. The aim of the Convention is to protect children from the harmful effects of international abduction ensuring a prompt and effective return of the child in the country of last residence thereafter. According to Article 3 of this Convention removal or the retention of a child is to be considered wrongful where: it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and at the time of removal or retention those rights were actually exercised, either jointly or alone. The return of the child is aimed at restoring the situation that existed earlier prior to removal and not allow the parent to have any advantage from the child abduction.

1. 2. National Legislation

Cases of international child abduction have significant influence on international relations of Kosovo with other states. Processing and prompt resolution of these cases is influential and is of great importance in relation to included parties and the requesting state. The issue of international child abduction for the first time was regulated in Kosovo by Regulation No. 2004/29 dated 5th August 2004 and the provisions of Article 2 foresee the implementation of the Hague Convention on the Civil Aspects of International Child Abduction, and the competent court to decide on claims for return of the children had been former District Courts of Kosovo on the territory where the child was found. On 28 October 2010, the Assembly of Kosovo for the first time adopted the Law on the Civil Aspects of International Child Abduction. The provisions of Article 3

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[1] See Convention on the Rights of the Child, Article 2 ,parag.1

[2] Ibid, Article 3 parag.1

of this Law provide that when a case is regarded as international child abduction, the law stipulates that: "The removal or the retention of a child is wrongful where: a) it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and b) at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been exercised with an exemption of the removal or retention[1]. The law aims to ensure the prompt return of the abducted child to his country of origin (repatriation of) and to ensure respect for the right of custody or contact with the child who is resident of Kosovo or the Requesting State. In order to be considered as a case of international child abduction, certain criteria must be met as:

The requestor must prove that the child was domiciled in that country (the Requesting State),

The removal or retention of the child was wrongful and in breach of rights of custody provided for in the law of the country of residence and that the requestor actually exercised these rights at the moment or time of removal of the child,

Removal of the child must be outside the resident state border,

The child may not be more than 16 years old.

2. Procedures of Child Return

The Law on the Civil Aspects of International Child Abduction defines the procedure which should take place to ensure the return of the child to the requesting state, where the child is removed or retained wrongfully to another country. Initiation of the procedure that has to do with the civil aspects of international child abduction aims to ensure fast return of the child to the requesting state and to ensure respect for the right of custody and contact with the child. The procedure begins with a request that the custodian or any institution claims that the child is removed or retained in violation of custody rights. The procedure of child return to the country of origin is urgent and fast. Initially, an administrative procedure is conducted by the Ministry of Justice. The Requesting State through its Ministry of Justice sends the request together with supporting documentation to the Ministry of Justice of our country. If this Ministry fails to return the child, the case is forwarded to the Basic Court in Pristina which conducts the proceedings regarding the return of the child to the Requesting State. Central Authority (Ministry of Justice) and the court, taking into account the primary interest that this child may have from the settlement of the issue by agreement, from the beginning and throughout the entire procedure should engage with the parties to the procedure that the return of the child is voluntary or by agreement, by engaging experts in the social field, psychologists and mediators.

2. 1. Types of procedures for the return of the child

Child return procedure has some specifics that distinguish it from other procedures. Law on Civil Aspects of International Child Abduction provides two types of procedures for the return of the child:

Administrative or voluntary return procedure of the child, and

Judicial Procedure

2. 1. 1. Administrative Procedure

The foreign state submits the request for return of the child to the Ministry of Justice which after receiving the request verifies the legal requirements are met, i. e. that it is accompanied by all documents necessary to assess whether the case has to do with international child abduction. Before proceeding of the case to the court, Ministry of Justice addresses a request to the temporary guardian to return voluntarily the child to the requesting state. The Ministry informs by notification the temporary guardian on the request and proposes the voluntary return of the child to the requesting state within seven days or to reach agreement on the return of the child. If the temporary guardian does not comply within seven days from

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[1] See Convention on the Civil Aspects of International Child Abduction, Article 3, parag.1

the receipt of the letter, the Ministry of Justice shall initiate court proceedings and transmit the application to the Basic Court of Pristina.

Kosovo Ministry of Justice has played an important role in particular in the activities of international cooperation on legal issues in cases of international child abduction. Within the Ministry of Justice operates Department for International Legal Cooperation (DILC). All requests for International Legal Assistance originating from foreign countries should be directed primarily to the Ministry of Justice or to the Department for International Legal Cooperation. The Court works closely with the Ministry of Justice, respectively DILC, on all matters dealing with the civil aspects of international child abduction, and complies with the Convention and the Law on the Civil Aspects of International Child Abduction. Procedure of the international legal assistance in civil matters is regulated by the Administrative Instruction issued by the Ministry of Justice. According to the Law on the Civil Aspects of International Child Abduction, the Kosovo Ministry of Justice is the Central Authority in Kosovo, to implement the request for return of the child[1]. The request for return of the child is submitted to the Ministry of Justice, but can also be submitted to the Basic Court in Pristina. Upon receiving a request from the Ministry of a foreign state, it determines whether it meets the requirements set by law. It cooperates with the central authorities of other countries to provide as soon as possible the return of the child to the Requesting State.

In order to be considered a completed application shall contain:

information concerning the identity of the applicant, of the child and of the person alleged to have removed or retained the child wrongfully;

the date of birth of the child;

 - the grounds on which the applicant's claim for return of the child is based; and

 - all available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be.

Besides this information, the request for the return of the child must be attached other required documents such as: an authenticated copy of any relevant decision or agreement, a certificate or an affidavit emanating from a Central Authority, or other competent authority of the State of the child's habitual residence or from a qualified person, concerning the relevant law of that State, and any other document relevant for the case.

Ministry of Justice, as the central authority, shall take several measures that are in the interest of the prompt return of the child such as:

- to discover the whereabouts of a child who has been wrongfully removed from requesting state,

- to prevent harm to the child by taking interim measures,

- to ensure the voluntary child return or to bring an amicable resolution on child return,

- in case of failure of voluntary return, to proceed the request to the court,

- to provide consultants and legal assistance,

- to undertake the necessary measures to ensure the safe return of the child,

- to exchange information with central authorities of the requesting states to eliminate barriers to the implementation of this law.

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[1] See Law on the Civil Aspects of International Child Abduction, Article 4, parag.1

Ministry is not a party to the procedure but it may interfere in the interest of the applicant or child through written documents which the Court should take into account when deciding on the request.

2. 1. 2. Judicial Procedure

According to provisions of Article 8 of the Law on the Civil Aspects of International Child Abduction, former District Court of Pristina had had exclusive jurisdiction in the first instance to hear and determine requests for return of the child. After the entry into force of the Law on Courts, the exclusive competence of first instance has the Basic Court in Pristina[1]. The Court, when considering an application for return of the child, issuing orders and decisions, proceeds in accordance with the provisions of the Law on Non-Contentious Procedure. In accordance with the provisions of this law, a child is considered a person under the age of sixteen (16)[2]. After the court receives the request for return of the child, all other proceedings that have to do with determining of child custody in any other court in the territory of Kosovo shall be suspended to the conclusion of the procedure for return of the child.

Before the initiation of the court proceedings, Ministry of Justice addresses a request to the temporary guardian to voluntarily return the child. As soon as the request is received, the Court verifies that it meets formal requirements set out in Articles 4 and 6 of the law. This verification of formal requirements must be done in a short time as soon as possible in order to ensure prompt return of the child. If application is not complete, the court shall ask the applicant to complete it. The court is bound to decide on an application within a period of 42 days from the date of request received. This timeframe is important since if the requirements are met, the child is promptly returned to the requesting state. Procedure to return the child has precedence over other procedures. In cases where the child has reached the age of maturity, the Court hears the child. According to provisions of Article 6 of the European Convention "On relations with children", children have the right to be informed, consulted and to express their opinions. Regarding the assessment that a child has reached the age of maturity, the law has not defined any age limit. Upon completion of the proceedings, the court may: order the return of the child to the requesting state or reject the request for return of the child in cases where the requirements provided for in Article 12 of the Law have been met. The Court, in the proceedings of the return of the child, proves only the fact that the wrongful removal or retention of the child is: a violation of the provisions of the Convention and the Law relating to custody of the other parent and if it determines that a violation exists, the child should be returned to the Requesting State.

Basic Court in Pristina, in cases of international child abduction has authority:

- to order the return of the child to the requesting State if the child is wrongfully removed or retained in Kosovo,

- to issue a statement that the removal or retention of a child outside the territory of the Republic of Kosovo has been wrongful,

- to issue an order or decision, as appropriate, in order to decide on wrongful removal of the child or to enforce the return order,

- to issue orders to temporary guardian in order to ensure much faster return of the child.

In cases when the Court orders the return of the child, all other orders that have to do with the rights of guardian over the child and which have been issued by any other court in Kosovo have no effect.

Parties have the right to appeal to the Court of Appeals in Pristina against the decision issued in the first instance court.

2. 1. 3. Execution Procedure

Basic Court of Pristina has jurisdiction for implementing the order to return the child to the requesting state. Execution procedure aims through enforcement to realize the request of the party which won the right by court decision. Execution procedure is the last stage of judicial proceedings. Without execution procedure, the parties are deprived of the right

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[1] See Law on Courts of Kosovo, Article 22
[2] See Law on the Civil Aspects of International Child Abduction, Article 2, item 1.1

acquired by the decision of the competent judicial body. If the temporary guardian fails to comply with the court order to return the child, in such case in terms of the provisions of Article 10. 2 of the law, the temporary guardian may be punished by a fine of up to 10,000 euros.

In this procedure also applies the principle of disposition of the parties, since the initiation of the execution procedure depends on the will of the party. In cases where the child's temporary guardian does not return the child voluntarily after the decision of the court, the court undertakes all actions by the enforcement proceedings of that court decision. In such cases, the court closely cooperates and coordinates with the Centre for Social Work where the child is and the Kosovo Police, namely the Department for International Cooperation of the Ministry of Justice.

3. Interim measures

The Court, as per request made by the Ministry of Justice, or ex officio, before the award decision may order interim measures in order to ensure the welfare of the child and to prevent the changes of the whereabouts and to prevent the circumvention of the return of the child[1]. As interim measures may be issued: the measure to prohibit border crossing namely to parents and any third person to prohibit them to change the place of residence of the child, in particular that the child be sent outside the state border without prior permission of the court. Border authorities are required to prevent any removal of the child from the territory of Kosovo, delivery of identity card or passport to the authorities (police or court), measure of contact with the child by the requesting parent. Throughout the proceedings, the court must consider whether there is a need for safeguards to prevent the concealment or removal of the child from the country.

4. Cases from Judicial Practice

Several cases have been taken and analysed in the process of this paper from former District Court of Pristina and now the Basic Court in Pristina. In these cases are presented some personal specifics of the requesting party and temporary guardian (the person who has abducted the child) such as: cases of initiated request by the husband or wife, the return of the child made in judicial or voluntary proceedings, how many of them returned to the requesting state, and age and gender of children.

Table: Initiated request for the return of children from husband or wife, return made in judicial or voluntary proceedings, how many judicial decisions are executed and the children's age and gender.

Requests filed		State						Child gender		Age		Court Decision		
Fathe	Mothe	German	Austri	UK	Albani	Belgiu	Monte	Mal	Fema	M	M	Approv	Reject	Dismiss
1	7	2 r	2 r	1 r	1 r	1 r	1 r	7	5	4	18	6 r	1 r	1 r

*r – request(s)

The study of eight court cases that have been analysed and studied features in these cases treated show that seven of them are initiated by the wife or mother while only one case by the father. This means that the abduction of children is made mostly by their fathers. All cases of the return of the children are made in judicial proceedings and no case by voluntary procedure. Only one request was submitted by the citizens of Kosovo for the return of the child, while the other cases were requests from foreign states. From the requests for return of children filed, only one case has not yet been executed by the court decision, that is, the children have not been returned to the requesting state even though there is a final decision of the court. Age of children involved in these cases had a minimum of four years while the maximum was 18 years old. Regarding gender, five of them were female while seven male. Regarding states, two requests were from Germany, two from Austria, one from Albania, one from Belgium, one from England and one from Montenegro. Of the eight cases reviewed, six requests were approved and ordered the return of the children to the requesting state, a request was dismissed because the children were aged over 16, and in one case, the request for the return of child, was rejected.

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[1] Ibid, Article 15

5. Conclusions

The issue of child abduction has a significant impact on relations with foreign states and rapid return of the children to the country of origin or where they had residence has a special significance. In this paper are presented findings about international child abduction which are regulated by the Hague Convention on the Civil Aspects of International Child Abduction and the Law on the Civil Aspects of International Child Abduction. There are also given explanations regarding the procedure for the return of children, such as administrative and judicial procedures. As the competent authorities for conducting the procedure of fast return of the child to the requesting state under the law are the Ministry of Justice, as the Central Authority, in the administrative procedure and the Basic Court of Pristina in the judicial proceedings. In the final part are treated interim measures which may be issued with the aim to provide the return of the child as well as cases from judicial practice from which there is no case of voluntary or mediated return of the children. From the requests submitted, it is verified that the majority of them are made by mothers meaning that fathers have been the persons who have abducted the children and only one court decision remained unexecuted.

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The Pension System of Bosnia and Herzegovina: Problems and Perspectives

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Abstract

The ageing of population, economic crisis and expectation that state should ensure the social security and adequate living standard to its citizens are imposing a big pressure on modern state budgets and pension systems. In this paper we will state all main problems of Pension System of Bosnia and Herzegovina, with a special accent on the political system interference in reform strategy and process. We will also identify the main guidelines for reform process, and once again emphasize the importance of benevolent political system into its implementation.

Keywords: Pay as You Go Pension System, Pension System Reform, Political System

Introduction

The main role of Pension Systems is to provide stabile and adequate living standards to workers, when they are older and not able to work and earn anymore. The sustainable and stabile pension system is one of very important tasks of each modern state, since they are important part of social security system. It is a general trend nowadays that pension systems are under a big pressure to deliver adequate living standards to elder generations in conditions when population is ageing, and national economies have to overcome the crisis that hit them in the beginning of XXI century.

There is a big debate about the future of pension systems worldwide and new models and solutions that could improve the sustainability and disburden the state budgets. This paper is only a small contribution to that discussion, but one of the sparse papers that deals with the problem of Pension System of Bosnia and Herzegovina (hereinafter BiH).

The main topic of the paper will not be the technical computation of BiH Pension System sustainability, since bare data show that system is not sustainable even now, and we dare to say that any projections will show that BiH Pension System is rushing into a deeper chasm. The main topic here will be the identification of main challenges BiH Pension System it has to overcome, with emphasize on the political system influence and role.

The opinions stated here are author's point of view and conclusions regarding the one of the burning questions of BiH economic policy.

Pension System of Bosnia and Herzegovina

The current Pension System of Bosnia and Herzegovina is, like the state, the successor of Former Yugoslavian Republic Bosnia and Herzegovina Pension System.

The civil war in BiH ended in December of 1995 when Dayton Peace Agreement was signed. As stated in Annex 4 of The Dayton Agreement, the Bosnia and Herzegovina is divided on two separate and highly autonomous entities – Federation of Bosnia and Herzegovina (hereinafter FBiH) and Republic of Srpska (hereinafter RS). Each of these two entities has its own constitution, legislation, government, and institutions. Still BiH is a complete state (not a confederation) with a central government, rotating state Presidency, central bank and constitution.

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This duality exists in Pension system organization too. The Pension system of BiH consists of two separate Pension Funds - Pension Fund of FBiH (Federal Pension and Disability Institute) and Pension Fund of RS (Pension and disability insurance fund of Republic of Srpska).

Each of these funds operates in accordance to Laws of its entity. The both pension schemes are organized as public, pay-as-you-go schemes with mandatory participation for all employees, self-employed and farmers. The principles upon which the both pension schemes are laid down are intergenerational solidarity and mutuality. The insured are covered form risks of old age, disability and death[1], while, in general, one must fulfill two conditions in order to be assigned a pension benefit - age of worker and years of contribution into the Fund.

Pension Fund of Federation of Bosnia and Herzegovina

According to current laws, under which Federal Pension and Disability Institute operates, the insurant have rights on old-age pension benefit when:

she is 65 years old and has at least 20 years of pension insurance service which is consisted of years for which he have been insured and have been contributing into fund as an worker and years of special insurance service (years that he have been in the military during civil war);

she has 40 years of pension insurance service, no matter on his age.

Insurant also has right on early old-age pension benefit if he is 60 years old and has 35 years of pension insurance service (for males) and if she is 55 years old and has 30 years of pension insurance service (for females).

The amount of pension benefit paid is calculated as an accrual percentage from pension benefit basis. Pension benefit basis is calculated as an average from all incomes the employee had earned during his working (contributing) period. The accrual rate is 45% from pension benefit basis for first 20 years of pension insurance service and for each additional year of pension insurance service the accrual rate is enlarged for 1. 75 percentage points, so accrual rate maximum value is 75%.

The amount of pension benefit is permanently reduced for 0. 5% for women and 1% for men, for each year of earlier retirement (each year of retirement before they are 65 year old).

The pension benefits and administration of the Pension Fund are financed from contributions for pension and disability insurance that are paid into Fund each month, revenues from voluntary insurance, revenues from other activities of Pension Fund and from Federation budget transfers[2]. Current contribution rate is 23% from gross wage, where 17% is at the expense of the employee and rest of 6% is employer part.

Pension Fund of Republic of Srpska

The revenues of Pension Fund are coming from wage contributions, voluntary insurance contributions, other Fund's activities and budget transfers. Current contribution rate in RS is 18. 5% on gross wage and contributions are main source of Pension Fund incomes. Budget transfers are covering war veteran pension benefits that are not acquired on the basis of contribution payment and insurance service, as in FBiH case.

There are two conditions that insured must satisfy in order to be eligible for an old age pension benefit. Those conditions are the age of insured and pension (insurance) service.

The insurer is qualified for an old age pension when:

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[1] In case of insured death, the rights on pension benefit transits on dependent family members.

[2] Budget transfers are covering war veteran pension benefits that are not acquired on the basis of contribution payment and insurance service.

she is 65 years old and has 15 years of insurance service

she is 60 years old and has 40 years of pension service (for males)

58 years old and has 35 years of insurance service (for females)[1].

The pension benefit amount depends on the level of wage earned during working period and on length of contribution period. Since 2011 Law on Pension and Disability Insurance the old age pension benefit amount is calculated using point method, where pension benefit amount is obtained when personal insured person's points are multiplied with value of general point valid at that moment.

General point value on the day when 2011 Law passed was 9. 241875 BAM and according to Article 82 and 83 of 2011 Law it should be harmonized each 1st of January. The rate of general point harmonization is equal to one half of sum of yearly rate of average net yearly wage change and rete of consumer prices change in pervious year on territory of RS.

Personal insured person points are obtained by multiplication of personal insured coefficient and duration of his pension service. Personal insured coefficient is obtained from division of sum of yearly personal coefficients with pension service duration period, while yearly personal coefficient is equal to ratio between total yearly incomes of insured person on top of which contributions are paid and yearly average wage for that year in RS (Federative Republic of Bosnia and Herzegovina). Yearly personal coefficient is calculated for each year starting from 1970 until the year of retirement, with exception of 1992 and 1993 when hyperinflation distorted the income figures, and its maximum value is 4.

Pension system of Bosnia and Herzegovina challenges

Like the country itself, the pension system of BiH has many problems to deal with. In this paper we have an opportunity to identify the main challenges which have already been recognized by two main studies of Pension System of BiH – The Pension System Reform Strategy[2] (Government of Republic of Srpska, 2010) and Strategy of Reform of Pension System in FBiH[3] (Government of Federation of Bosnia and Herzegovina, 2013), but also to point out the importance of interference of political system into pension system functioning and reform.

The main problems identified by these two documents are:

The problems of BiH economy

Unsustainability of the System due to low dependency ratio

Demographic problems

Adequate living standard of elder, etc.

The economy of BiH has been ruined during the war conflicts, and it took 15 years for economy of BiH to reach again its pre-war GDP per capita level. After the war conflicts ended the Bosnian economy has experienced and great recovery mainly due to foreign aid and grants it has received. According to Central Bank of BiH in period 1996-2002, more than 6 billion of US $ has been donated to BiH. These funds have mainly been used for financing of infrastructure rebuilding and

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[1] These norms are still not used, because of transition period until 2025 that was designed for passage to these rules together with the creation of Pension and Disability Law from 2011.

[2] The Pension System Reform Strategy (2010) was the first analysis of Pension System of RS. It was done by the Working Group for Pension Reform which was formed by Government of RS with the task to create a Pension System Reform Strategy and new model of RS Pension System.

[3] The Strategy of Reform of Pension System in FBiH (2013) was done by the Working Group for Pension Reform Strategy, formed by the Government of FBiH.

technical assistance. In the following years, the foreign aid has decreased and BiH authorities have supplemented it with loans from international financial institutions.

In 2014 BiH had a GDP per capita of 7 084 BAM (3 622 EUR)[1] which positioned it as one of the poorest European countries. The biggest problems on Bosnian way to economic growth are big unemployment rate and negative trade balance. The unemployment rate was 27,5% of total labor force in 2014[2], while youth unemployment was at extremely high level – around 60% in 2013. The high percentage of employed in public sector, compared to those in private sector imposes a big pressure on budget and public expenses.

BiH is having a negative balance of General Government budget for years and it amounts around 2% of GDP. This budget deficit is financed with borrowing, so current External debt of Bosnia and Herzegovina is 8,128 billion of BAM which presents around 30% of its GDP. The total external indebtedness of BiH is not so high, compared to other countries in its region, but the problem is in the way the money is used – mostly to finance current consumption. Almost 30% of State budget is being spent on public employees' wages, while 38% is transferred through social benefits system[3]. Thus there is no creation of the industrial base that would alow the country's loans repayment when the time comes.

The large consumption is mostly based on imported goods. BiH is having problem with growing negative net trade balance which reached 30% of GDP. The problem to reduction of trade balance deficit represents the unfavorable structure of traded goods. Bosnian export products are usually of low added value, while it imports products with high added value and highly technically sophisticate products.

The high unemployment rate and high number of pensioners at the same time caused the low dependency ratio of both BiH Pension Funds. The number of pensioners and insured together with dependency ratio for August 2015 are given in Table 1.

Table 1 – The Pension Funds dependency ratio

August 2015	Pension Fund of Republic of Srpska	Pension Fund of Federation of Bosnia and Herzegovina
Number of pensioners	250 812	397 032
Number of insured	284 765	451 248
Dependency ratio	1. 14	1. 14

The low dependency ratio is the measure of unsustainability of pension system. Pay-as-you-go systems are designed to perform well in young nations, where economy is growing and there is enough number of employed to sustain the pensions without any pressure for the system. The dependency ratio with whom PAYG system could work and be sustainable is 3, and in BiH we could not achieve that even if we would have full employment.

The situation with low dependency ratio will not improve in future. Nevertheless, according to UN projections it can only worsen. The main reason, beside the difficult economic situation, is unfavorable demographic structure and ageing of population, which is the general trend across almost all European countries. BiH is loosing approximately 5 000[4] of its inhabitants annually due to negative natural increase of its population. The Natural increase rate has dropped from 5. 9‰ in 1996, to -1. 3‰ in 2013[5], while the old-age dependency ratio[6] has increased from approximately 12 in 1996 to 22 in 2015, while projections on UN[7] say that in next 40 years this number will triple, so in future we can expect just higher

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[1] World Bank Database data

[2] The registered unemployment rate is even higher. According to Agency for Statistics of BiH in 2014 it was around 44%.

[3] Central Bank of BiH database

[4] This number is, according to Agency for Statistics of Bosnia nad Herzegovina data, constantly increasing in last 6 years.

[5] Demographic bulletin of Agency for Statistics of Bosnia and Herzegovina

[6] It is measured as number of persons of age 65+ per 100 persons of age 15-64

[7] World Population Prospects: The 2015 Revision, United Nations, Department of Economic and Social Affairs, Population Division (2015)

pressure on Pension System and Budget of BiH. Apart from natural increase rate decrement, the pressure of increasing number of older population on Pension System is caused also by growth of expected life duration. Graph 1 shows us the movement of average age of deceased in last 7 years in BiH.

Graph 1 – The average age of deceased in BiH
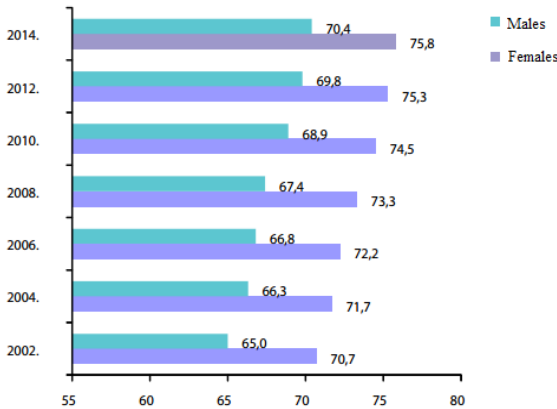
From the Graph 1 it is evident that elder people's life expectation is constantly increasing in BiH in last 7 years. This will inevitably put additional financial pressure on Pension Systems of Bosnia and Herzegovina in future.

Also, here we should mention the nonexistence of proper data upon which the analyst and policy planer could plan the Pension reform strategy. The results of last census of 2013[1] are still not available, due to political issues between entities. Also the lack of educated and trained experts disables the development of new model for BiH Pension System.

Another big problem which BiH has to face is significant emigration of workforce, which continued even in post war years toward developed western countries. According to Zwager and Gressmann (2009) study, the migrants from BiH belong to educated and most economically active cohort of population.

Important role of pension fund is to provide adequate living standard to elder. This function of Pension Fund is expressed via average pension benefit – net wage ratio. In Table 2 we can observe this ratio for BiH Pension Funds.

Table 2 – The ratio of average pension benefit and average salary in *august 2015*

August 2015	Republic of Srpska	Federation of Bosnia and Herzegovina
Average Pension Benefit (BAM)	*342. 39*	*367. 14*
Average net wage (BAM)	*834*	*840*
Pension benefit – net wage ratio	*41%*	*43. 7%*

We can see that pensioners in BiH enjoy approximately 42% of income that working population receive. When we take into consideration that average net wage in BiH is one of the lowest in Europe and that around 60% of pension benefit users receive minimal pension benefit we can conclude that pension benefit amount in BiH does not provide an adequate standard of living in older age. The elder people are the poorest part of population of BiH.

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[1] The census of 2013 is the first census after prewar census of 1991

Although pension benefits are quite low and do not provide an adequate income for the old age, they in total amount do represent a big burden for both Pension Funds in BiH. Both Funds have finished previous year with loss, and were forced to take loans in order to pay out the pensions. Also, the budget transfers for big number of pensioners whose benefits are financed from budget are imposing a big pressure on Budget of RS and FBiH. Approximately 8,58% of budget of RS was transferred to Pension Fund in 2014 to cover for pension benefits.

Observing the data and projections[1] of both Pension Funds, it is quite easy to conclude that they are not sustainable, and that Pension Reform must move into direction of sustainability.

Nevertheless, the main role in organization and reform process of pension system has the political structure of the state. We strongly believe that in case of BiH, the political system is one of the main obstacles for Pension System Reform and improvement of sustainability.

Maybe the best example of inefficiency of Political System of BiH is the fact that Law that improves financial sustainability of Pension Fund has to be imposed by OHR. [2] The pension benefits increment and Pension Fund Reform have always been a pre-electoral promise of politicians. Unfortunately, Pension Fund Reform that would impose stricter conditions for retirement and made Pension Fund sustainable for long term would challenge a big resistance of citizens. Politicians with their short term horizon do not want to risk and lose votes because of unpopular measures.

This political situation actually often led the Pension reform in BiH in opposite direction. The pension fund continued to accumulate deficits, while pension benefits continued to increase because of politicians' interference,

To be precise, there is not one problem, but a great deal of them. Some of those are the unconcern of political structure, government inefficiency, bad Law implementation and in general whole system's bad functionality.

The Federal Pension Fund has not received a positive auditor's opinion since the Office for Budget Revision of FBiH has started to conduct revision in 2000. In every public auditor report there have been significant objections. In first years the objections were about wrong accounting treatments, non-implementation of Laws and Government Decrees, nonexistence of good system of internal control that would oversee the retirement process and its legality, but after the payment coefficient has finally started to be implemented the Political System has started to interfere. The Government has promised pension benefits under favorable conditions to some groups, but has not transferred funds from its budget for these pension payments. Likewise, The Federal Government has approved the unlawful payment coefficient increment. The Federal Government continued to raise pension payment coefficient since the pension growth has always been one of the pre-election promises, so amounts of Government debt have augmented and started to jeopardize the Fund's liquidity.

The fact that Federal Pension Fund had to claim its rights on budget transfer with a court suit in 2009 shows the shortness of horizon that politicians have regarding the sustainability of Pension Fund, the inefficiency of Government and non-implementation of Laws by Government itself.

The situation and the development trajectory of Pension System were similar in RS, too. The Laws of both entities were similar in its initial days, but with small differences in old age pension benefit requirements. The RS Pension Fund also had obeyed the Decision of Office of High Representative regarding harmonization of its pension benefit expenses with current revenues from contributions and budget transfers.

Evidence that should not be neglected comes from audits reports, where it is evident that this OHR Decree and Entity's Laws were not respected. The audit's opinions in period from 2001 until 2012 are or negative or given with reserve.

The unlawful usage of current revenues for foregone period's pension payment which is opposite not only to Pension Fund regulation, but also to Budget of RS Law is just one of these flaws, which is constantly repeated year after year. This

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[1] The projections of both fund's future were done in two separate reform strategies documents, by Working Groups of each Government.
[2] The Office of High Representative in 2000 imposed the Decree which improved the sustainability of Pension System. The Decree on Amendment of the Law on Pension and Disability Insurance in FBiH, The Official Gazette of FBiH 49/00

practice, together with Government decision to increase the pensions and mismatch between expected and real budget transfers led to accumulation of Pension Fund deficits. The deficits were, again unlawfully, covered with short term loans.

The other significant shortcoming, according to audit's opinion, was the non-existence of effective internal control system that would prevent mistakes and misuse of Fund's resources and its official's authorizations.

Another issue that should be taken into consideration is that although auditors have year after year reported about unlawful actions regarding Pension Fund functioning, no one from responsible Government and Fund's officials was sanctioned or even called to give some explanations and responses regarding the situations. This stands for both entities, FBiH and RS.

Overall, the Pension Fund of RS is the subject of a big national debate. The Social and Pension System Reform is the one of the main pre-electoral promises of politicians. With their short horizon, politicians usually promise Pension Reform and higher pensions to current pensioners, economic growth and brighter future for all citizens, while the Bosnian and RS reality is a bit different. The pensions are increased under pressure of current pensioners who form a significant part of voters. On the last general elections 2014, the pensioners consisted 20. 4% of total voters, so politicians did not want to take risk and lose their votes.

When we consider the political willingness for reform it is difficult to determine whether it is benevolent willingness to make a sustainable Pension System that would tend to meet the needs of current pensioners and workers (future pensioners), or the fact that BiH authorities are required by the conditions of credit arrangement with IMF to conduct fiscal system and pension system reform.

The one thing that is easy to determine is that there is not willingness or any conditions for Pension Funds merger. Although existence of two separate Pension Funds in a country as small as BiH is, their merger is out of debate and we will not discuss it further. There are still strong national tensions between tree constitutive nationalities, and those tensions act in the direction of growing independence of entities, and it is sure that even mentioning of Pension Funds merger could just provoke these national tensions between Serbian nation on one side and Muslims and Croatians on another.

Pension System of Bosnia and Herzegovina perspectives

The two main documents of state policy for Pension System Reform are The Proposal of Strategy for Pension System Reform in RS (2000) and The Strategy of Reform of Pension System in FBiH (2013). These documents were adopted by Governments of entities and the main guidelines for current Pension System improvement are stated to be:

Economic growth and development which will improve employment and worker's income

The inclusion of other population groups (except employed and self-employed) in pension system

The reduction of early retirement

Improvement of internal controls and fiscal discipline

The revision of disability pensions and war veterans pensions

The prolongation of insurance period and tightening of requirements for retirement

The above measures are the parametric reforms of current system, and some of them are so far included in the legislation and implemented. The more important reform direction is the reform of system itself. The Governments of BiH entities should consider the gradual transition[1] to fully funded pension funds and support the creation of voluntary pension plans[2]. The problem is that according to Strategies of Pension Reform of RS and FBiH, there are no basic fiscal conditions for

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[1] The gradual transition is the only possibility for BiH pension funds since the transition costs are too high and could not be carried by the state budget at the moment

[2] The Law on Voluntary Pension Funds has been imposed in RS, but so far neither one Voluntary Pension Fund has been established.

even gradual transition to fully funded plans. Again, the role of the political system is crucial in defining the strategy and implementing it.

The author's view is that the role of life insurance (which market share is growing in recent years) should be analyzed and taken into consideration as the supplement of Voluntary Pension Funds. Also, the real estate of elder could have an important role in their social protection and providing the adequate living standards. The further researches are needed in this direction to analyze the workers population attitude toward new models and their influence on elder people standard and economy overall.

One of the most important public policies should be the definition of state pronatal policy. The need for this kind of state policy is not motivated just by pension system sustainability, but the sustainability of state itself. The elements of this policy could and should be incorporated in pension system to, in order to ease the pension contribution burden for families with children. As in the previous case, the further analysis is necessary to define the possible modes of this policy and their future implications.

Conclusion

With this paper, we have tried to give our modest contribution to Pension System of Bosnia and Herzegovina debate. There is not a lot of research done in this field although it is of big importance for the economic policy of Bosnia and Herzegovina and each individual future too. So we hope that this piece of work will at least point out some problems and maybe indicate few new ideas for their overcoming and future research.

In the first part we gave a short description of BiH dual pension system and its legislation. In second part we shortly discussed main problems of BiH pension system, which previously have been identified by Government Strategies of Pension Reform. The biggest problem, under author's opinion is the political system interference in pension policy. The short horizon politicians are using pension policy to reach their own goals and win votes, while the pension system of BiH is sinking into debts. When accomplishing their objectives the politicians re neglecting the laws and audits report which are warning them on unlawful transactions and funding sources.

Still, the reform of pension system is stated to be one of the main objectives of Government, and some formal steps have been made toward its realization. But, as we stated above, when considering the political willingness for reform it is difficult to determine whether it is benevolent willingness to make a sustainable Pension System that would tend to meet the needs of current pensioners and workers (future pensioners), or the fact that BiH authorities are required by the conditions of credit arrangement with IMF to conduct fiscal system and pension system reform.

In the last part of the paper we gave a brief overlook of main reform guidelines already pointed out by Pension Reform Strategy Documents of both Governments. Also, the

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Price Competitiveness of International Tourism Destinations and Tourism Demand, Tourism Receipts Relationship

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Abstract

The competitiveness of an industry is a critical determinant of how well it performs in world markets. The potential for any country's tourism industry to develop will depend substantially on its ability to maintain competitive advantage in its delivery of goods and services to visitors. Competitiveness is a general concept that encompasses price differentials coupled with exchange rate movements, productivity levels of various components of the tourist industry and qualitative factors affecting the attractiveness or otherwise of a destination. Given some evidence on the price sensitivity of the demand for travel, destinations need to monitor their price competitiveness relative to alternate locations. Changing costs are among the most important factors influencing the choice of a destination with prices being an essential component in the overall tourism competitiveness of a destination. The aims of this study are; first, to demonstrate the country's tourism price competitiveness rank; second, examine the relationship between price competitiveness and tourism demand and also with tourism receipts.

Keywords: Competitiveness**,** Tourism Price Competitiveness

1. Introduction

The competitive capacity of an industry is an important indicator of its performance in the world market (Crouch and Ritchie 1999). Development potential of tourism potential of any country mostly depends on its protection ability of competition in product and services presenting to visitors. Competitive capacity is a general concept that involves price differences related to exchange rates actions, efficiency levels of various compounds of tourism industry and other factors affecting attractiveness of destination (Dwyer,Forsyth and Rao,2002, 328). We can classify the factors explained here that identify competitive capacity of tourism as below (Dwyer,Forsyth and Rao,2001, 3).

a.   *Socio-economic and Demographic Factors*; define compounds such as population, income status of country, leisure time, education, profession etc.

b.   *Qualitative Factors*; contain variables such as touristic attractiveness, image, quality of touristic services, marketing and introducing of destination, cultural ties etc.

c.   *Price Factor*; forms with tourism costs charging to tourist, transportation costs to destinations and from destination to accomodation as well as basic touristic costs (accomodation, refreshments, tour services, entertainment etc.). Both two costs affect decision of travel.

Price competitive capacity is an important compound of competitive capacity of general tourism of a country or a destination. There is prevalent communion about that prices are one of the most important criterions regarding if travelling is done or not or done where to (Forsyth, Dwyer,2009). Because of the importance of prices in travelling decisions, price competitive capacity of international destinations is evaluated by four data set (ticket taxes and airport charges, national purchasing

power parity prices, fuel price levels and the hotel price index) prepared by World Economic Forum (WEF) in Travel &Tourism Competitiveness Index (TTCI) study (WEF,2015).

Forming Travel &Tourism Competitiveness Index (TTCI) helps tourism shareholders in both public and private sectors recognizing basic weakness and strong sides of destinations. It shows opportunities regarding to development of tourism and provides information towards forming strategies against possible threats towards travels done in the future (Forsyth,Dwyer,2009). In addition the focus of this study is price competitiveness of a country or a destination.

In TTCI report of WEF (2015) a comparison was done by forming price competitive capacity index about 138 country. The countries were ordered according to their index values. There are many studies done towards sensibility of tourism demand for price (Forsyth,Dwyer,2009). In this scope there must be a correlation between WEF Tourism Price Competitive Index order of different countries and the number of tourists visiting those countries as well as their tourism income . In the study the presence of this relation is evaluated.

2. Tourism Price Competitiveness

Price competitiveness is accepted as one of the important factors that forms competitive superiority of a specific destination (Falzon,2011,1081). The focus of tourism price competitiveness is defining of prices of goods and services purchased by tourist in some common currency (Forsyth, Dwyer,2009). According to Dwyer et al.(2001), for a tourism country or a region as it is compared to its rivals, being successful by showing development and acquiring competition power is related with competitive structure level of price of goods in its tourism sector. Price competitiveness of destination stands on price competitiveness in sub sectors providing goods and service to visitors (Dwyer,Forsyth and Rao,2001).

Various factors affect price competitiveness of destination in various ways (Forsyth, Dwyer,2009). The important ones among these factors are presented below;

Exchange Rates: Exchange rate is the most leading factor that affect tourism competitive power. If the Exchange rate of a country increases when other factors are equal, this affects the competitive power of country in negative way. Exchange rates can be used for definition of compared price levels of country of residence with other countries.

Inflation and General Price Levels: An increase in general price level in a country can reduce the advantage obtained with Exchange rate. An increse in general price levels will cause increase in costs of touristic goods and services

Labour Cost: These costs are basic determiner of long term price competition superiority in tourism. In countries that low wages are paid, the prices of goods and services are also in tendency of being low.

Productivity Level of Tourism Sector: Besides output prices reflect input (especially labour) prices, they are also an indicator of sector productivity level. If tourism industry productivity of a country having high income level is higher when compared to its rivals having low income level, countries having high income level can have more price competitive power.

Increase in Export and Dutch Disease: Structral changes due to changes in Exchange rates can affect competitive power of tourism sector. The most important effect due to structural changes is Dutch Disease which is an overvaluation of currency rate of a country having an important source.

Taxes: Taxes especially indirect taxes increase the price of goods and services purchased by tourists. This situation can also affect competitive power in negative way.

Infrastructure Cost: Toll roads, airport taxes, various denotions etc. are defined with infrastructure costs. These costs increase costs that form touristic product bundle.

Fuel Prices: Fuel is an important income item among touristic goods and services. So it can be said that fuel prices have an important effect on torism price competition.

Environmental Payments: Tourism sector has increasingly been liable to environmental payments. Noise fee taken from airports, Carbon Emission Trade Plan expenses can be given as example for these payments. Since increase in these payments will cause increase in general levels of goods and services, they can affect price competition in negative way.

In decision of choosing destination tourists take prices forming comperative cost of living between origin destaination and alternative destinations into consideration. In determining of price competitive power of a destination two types of prices should be taken into consideration. The first one is comperative price between recipient (destination) and origin country. The second one is comperative price between different rival destinations that form effect of cost of living (Forsyth, Dwyer,2009).

Tourists make some evaluations about rival destinations before choosing any destination. They compare costs of living between choosing destination with other rival destinations. If costs of living of destination is higher that the ones in other destinations, preference of alternative destinations can be possible. That is, more than one destiation alternatives having suitable costs can be obtained when they compare touristic costs with origin country (Song and Witt 2000). As a result of this, opportunity can be provided to make a choice between alternative destinations as well as foreign and domestic tourism.

Tourism demand is sensible to price factors (Crouch 1994; Lim 2006). There are many studies done regarding this subject. For example one of the price factors in price flexibility. The people of developed countries having opportunity of travel experience in their borders are more sensible to price flexibility as international travel attitude than the ones coming from geographically small countries and having limited holiday choices (Little 1980).If the attractiveness of destination have unique property, price flexibility of demand is less (Edwards 1995). Low demand price flexibility can also be expected for diffirentiated destinations. Due to differentaited destination strategy it was observed that tourists have become less sensible to price in time (Crouch 1994). High price flexibility of tourism demand is associated with destinations being equal rivals to eachother (De Mello et al. 2002).

Relative price variable that is used in Tourism demand is the price index rate of consumer between origin country and recipient country and determined by dual Exchange rate. Higher Exchange rate in favour of currency of origin country can cause travelling of more tourist from origin country to destination (Rosensweig 1986). The competition between destinations has positive effect on international tourism demand. That means, price increase in destination will increase tourism demand to alternative destination (Lim 2006).

Because of given importance to price competition, price competition indexes were developed. So it is possible for tourists to compare the prices of goods and services in different countries they purchased for touristic reasons. Tourism price competition indexes and price indicators used in these indexes show important differences. In fact these differences provide important benefits in terms of clearing up different sides of competitive power and making measurements (Dwyer,Forsyth and Rao,2001).

3. Theoretical Frame and Methodology

In this study related datas and knowledge was reached with data collection tool from subsidiary source. These knowledge and datas mostly stands on Tourism Price Competition Index in TTCI report published by WEF in 2015.

In the past it was hard to obtain price datas that would make comparisons towards price competition between countries. However recently it is possible to reach comprehensive data sources that will make price comprehension between countries. Especially the reports that World Bank prepared in scope of International Comparison Program (ICP) is an important source in reaching price datas. In ICP reports the prices regarding goods and services of developed and developing many countries in chosen years were gathered comprehensively. In ICP report, since there are many datas such as purchanising power parity (PPP), product prices in local currency, product prices in USA $ etc. that are used in forming of price competition power indexes, it is an important source in calculation of price competition index. In TTCI (2015) report prepared by WEF, Tourism Price Index was calculated by benefitting from ICP. Here the aim is the measuring of tourism price competition between countries and providing current datas. In this study of WEF four different price indicator was used. One of these indicators comparative purchasing power parity of countries (PPP). PPP is a measure that shows the cost of goods and services in country in terms of USA $. PPP is a good scale to determine general price levels in different countries however it is not specifically towards touristic products. In order to compansate this missing, in WEF

price competition index three price datas towards touristic products (ticket taxes and airport charges, national purchasing power parity prices, fuel price levels and the hotel price index) apart from PPP were taken into evaluation (WEF,2015).

In order to make evaluation of price competition power towards tourism sector in different countries, price datas such as fuel prices, hotel prices etc. should be taken into consideration. As these datas can be used in calculation directly, they can also become more beneficial for tourism by using them with more general indicators suuch as purchasing power parity. So by benefitting from actual and easily obtained price indicator datas, a price index for tourism in different contries can be obtained (Forsyth, Dwyer,2009,13).

In this study by using tourism price competition index datas that WEF calculated by using PPP, ticket taxes and airport charges, fuel price levels and the hotel price datas belong to different countries if there is a relation between international tourism income of countries and their tourist numbers was evaluated. In the evaluation correlation analysis was done by using SPSS programme.

4. Findings

In Table 1 according to WEF (2015) report, general competition index (TTCI) of countries according to tourism price index order, tourist numbers and tourism income datas of countries of 2013 are placed. In Tourism Price Competition Index in terms of Price Competition Capacity as Iran (6,62) places in the first rank, Egypt (6,19) in the second rank, Indonesia (6,11) is in the third rank, Switzerland (2,57), England (2,75) and France (2,57) place in the last ranks.

In terms of foreign tourists in 2013 as France (84726) places in the first rank, the USA (69768) in the second rank, Spain (60661) in the third rank, Guinea, Sierra Leone and Moldova place in the last ranks.

In terms of tourism income in 2013 as the USA (173.130 M.US$) places in the first rank, Spain (62565 M.US$) in the second rank, France (56686M.US$) in the third rank, Guinea, Burindi and Gabon place in the last ranks.

Table 1. General Competition Index, Tourism Price Index, Tourist Number and Tourism Income of Countries

Rank	Countrys	TTCI	Tourism Price İndex(TPCI)	Arrivals (Thousands)	Receipts (İnbound US$ Millions)	Rank	Countrys	TTCI	Tourism Price İndex(TPCI)	Arrivals (Thousands)	Receipts (İnbound US$ Millions)
1	Iran	3,32	6,62	4769	1294	47	Lao PDR	3,33	4,93	2510	596
2	Egypt	3,49	6,19	9174	6047	48	Kazakhstan	3,48	4,92	4926	1344
3	Indonesia	4,04	6,11	8802	9119	49	Zambia	3,22	4,92	915	155
4	Yemen	2,62	5,99	990	940	50	El Salvador	3,41	4,91	1283	621
5	Gambia	3,2	5,9	171	88	51	Madagascar	2,99	4,91	196	321
6	Malaysia	4,41	5,76	25715	21496	52	Romania	3,78	4,89	1715	1590
7	Tunisia	3,54	5,61	6269	2190	53	Sierra Leone	2,77	4,89	81	59
8	India	4,02	5,59	6968	18397	54	Mexico	4,36	4,88	24151	13949
9	Pakistan	2,92	5,59	966	288	55	Lithuania	3,88	4,87	2012	1467
10	algeria	2,93	5,5	2733	217	56	Tanzania	3,35	4,87	1063	1880
11	Saudi Arabia	3,80	5,49	13380	7651	57	Latvia	4,01	4,84	1536	864
12	Swaziland	3,20	5,49	968	30	58	Lebanon	3,35	4,84	1274	5870
13	angola	2,60	5,46	650	1234	59	Cameroon	2,95	4,83	912	349
14	Botswana	3,42	5,44	2145	44,9	60	Puerto Rico	3,91	4,82	3200	3334

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15	Kyrgyz Republic	3,08	5,37	3076	530	61	Uganda	3,11	4,82	1206	1184
16	Guatemala	3,51	5,35	1331	1480	62	Moldova	3,16	4,80	96	226
17	Trinidad and Tobago	3,71	5,34	434	472	63	Azerbaijan	3,48	4,78	2160	2432
18	Bahrain	3,85	5,33	1069	1051	64	Georgia	3,68	4,76	2065	1720
19	Oman	3,79	5,33	1551	1222	65	Malawi	2,90	4,69	770	34
20	Qatar	4,09	5,33	2611	3456	66	Sri Lanka	3,80	4,67	1275	1715
21	Bolivia	3,29	5,32	798	573,2	67	Ethiopia	3,03	4,65	681	619
22	Vietnam	3,60	5,30	7572	7503	68	Jordan	3,59	4,63	3945	4117
23	Nepal	3,27	5,29	798	436	69	Venezuela	3,18	4,63	986	844
24	Philippines	3,63	5,28	4681	4691	70	Estonia	4,22	4,62	2873	1398
25	Guyana	3,26	5,27	177	77	71	Burkina Fa.	2,67	4,61	218	133
26	Lesotho	2,82	5,27	320	46	72	Rwanda	3,32	4,61	864	294
27	Nicaragua	3,37	5,26	1229	417	73	Hungary	4,14	4,6	10675	5272
28	Mongolia	3,31	5,25	418	189	74	Armeni	3,42	4,58	1204	987
29	Namibia	3,69	5,20	1176	409	75	Serbia	3,34	4,56	922	1053
30	Haiti	2,75	5,17	420	568	76	Macedonia	3,50	4,55	400	267
31	Panama	4,28	5,15	1658	3201	77	Brazil	4,37	4,51	5813	6704
32	Honduras	3,41	5,14	863	608	78	Slovak Pub.	3,84	4,51	6235	2556
33	China	4,54	5,1	55686	51664	79	Kenya	3,58	4,50	1433	881
34	Bulgaria	4,05	5,08	6897	4059	80	Suriname	3,28	4,50	249	84
35	Thailand	4,26	5,06	26547	42080	81	Cape Verde	3,46	4,48	503	462
36	Kuwait	3,26	5,04	307	298	82	Montenegro	3,75	4,48	1324	884
37	Taiwan, China	4,35	5,04	8016	12323	83	Colombia	3,73	4,47	2288	3611
38	Burindi	2,7	5,02	142	1,5	84	Czech Republic	4,22	4,47	9004	7050
39	Cambodia	3,24	5	4210	2659	85	Cote dIvoire	3,05	4,46	289	141
40	Gabon	2,92	4,99	187	9	86	Chile	4,04	4,44	3576	2219
41	Russian Fed.	4,08	4,99	28356	11988	87	Bangladesh	2,90	4,43	148	128
42	South Africa	4,08	4,99	9537	9238	88	Costa Rica	4,1	4,4	2428	2664
43	Zimbabwe	3,09	4,96	1833	851	89	Albania	3,22	4,38	2857	1473
44	United Arab Em	4,43	4,95	9990	11564	90	Nigeria	2,79	4,38	600	543
45	Morocco	3,81	4,94	10046	6850	91	Turkey	4,08	4,37	37795	27997
46	Poland	4,08	4,94	15800	10938	92	Mozambique	2,81	4,36	1886	241

Rank	Countrys	TTCI	Tourism Price İndex(TPCI)	Arrivals (Thousands)	Receipts (İnbound US$ Millions)
93	Slovenia	4,17	4,34	2259	2709
94	Ghana	3,01	4,32	931	914

95	Guinea	2,58	4,32	56	1,4
96	Jamaica	3,59	4,29	2008	2074
97	Paraguay	3,11	4,29	610	273
98	Croatia	4,3	4,28	10955	9566
99	United States	5,12	4,27	69768	173130
100	Mali	2,87	4,24	142	210
101	Portugal	4,64	4,23	8301	12284
102	Malta	4,16	4,22	1582	1404
103	Spain	5,31	4,22	60661	62565
104	Uruguay	3,65	4,20	2684	1920
105	Luxembourg	4,38	4,10	944	4843
106	Korea, Rep.	4,37	4,06	12176	14629
107	Dominican R.	3,5	4,02	4690	5065
108	Argentina	3,90	3,97	5935	4627
109	Cyprus	4,25	3,97	2405	2917
110	Greece	4,36	3,93	17920	16139
111	Mauritius	3,90	3,91	993	1321
112	Peru	3,88	3,90	3164	3009
113	Singapore	4,86	3,82	11898	19057
114	New Zealand	4,64	3,77	2629	7472
115	Chad	2,43	3,76	100	25
116	Japan	4,94	3,75	10364	15131
117	belgium	4,51	3,73	7976	14268
118	Finland	4,47	3,71	2797	4049
119	Ireland	4,53	3,69	8260	4476
120	Seychelles	4,00	3,68	230	344
121	Canada	4,92	3,63	16590	17656
122	Myanmar	2,72	3,63	2044	281
123	Germany	5,22	3,62	31545	41211
124	Hong kong	4,68	3,59	25661	38937
125	Iceland	4,54	3,59	807	1077
126	Barbados	4,08	3,58	520	947
127	Netherlands	4,67	3,56	12782	13779
128	Senegal	3,14	3,56	1063	468
129	Austria	4,82	3,49	25291	20559
130	Italy	4,98	3,49	47704	43912
131	Sweden	4,45	3,38	11635	11492
132	Denmark	4,38	3,31	8557	6939
133	Israel	3,66	3,24	2962	5666
134	Norway	4,52	3,23	4734	5675
135	Australia	4,98	3,06	6868	32022

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136	France	5,24	2,95	84726	56686
137	United King.	5,12	2,73	31169	41028
138	Switzerland	4,99	2,57	8967	16881

Source: WEF (2015)

Correlation analysis was done by SPSS software in order to evaluate if there is a statistically significant relation between Tourism Competition Capacity Index (TTCI), Tourist number and Tourism Income (Table 2).

Table 2. The Relation between TTCI with Tourist number and Tourism Income

		arrivals	receipts
TTCI	Pearson Correlation	,619**	,570**
	Sig. (2-tailed)	,000	,000
	N	138	138

**0,01

As it is understood from the value of correlation analysis in Table 2, there is a statistically significant relation in positive way between Tourism Competation Index (TTCI) with Tourist number and Tourism Income. So as Competition capacity increases, tourist number and tourism income increase.

Correlation analysis was done by SPSS software in order to evaluate if there is a statistically significant relation between Tourism Price Competition Index (TPCI), Tourist number and Tourism Income of countries (Table 3).

Table 3. The Relation between TPCI with Tourist number and Tourism Income

		arrivals	receipts
TPCI	Pearson Correlation	-,257**	-,254**
	Sig. (2-tailed)	,002	,003
	N	138	138

**0,01

As it is understood from the value of correlation analysis in Table 3, there is a statistically significant relation in negative way between Tourism Price Competation Index (TPCI) with Tourist number and Tourism Income. So Tourism Price Competation interacts inversely proportional with tourist number and tourism income.

As forming price competition index is formed, chosen destinations should be considerably rival destinations with eachother. Price competition power of a destination gains meaning exactly when compared to alternative destinations that can be chosen by visitor (Forsyth, Dwyer,2009). In this scope to eight destinations in Mediterranean Basin (Turkey, Greece, Italy, France, Spain, Egypt, Tunusia and Morocco) Price Competition with Tourist number and Tourism income analysis was done. Related destinations were chosen by using "competition cluster" logic that was presented by Kozak and Rimmington (Kozak, Rimmington,1999).

In Table 4 TPCI, Tourist number and Tourism Income regarding eight destinations in Mediterranean Basin is presented.

Table 4. TPCI, Tourist Number and Tourism Income Regarding Eight Destinations in Mediterranean Basin

Country	TPCI	Arrivals (Thousands)	Receipts (İnbound US$ Millions)
Egypt	6,19	9174	6047
Greece	3,93	17920	16139
Italy	3,49	47704	43912
Spain	4,22	60661	62565
France	2,95	84726	56686
Tunisia	5,61	6269	2190
Turkey	4,37	37795	27997
Morocco	4,94	10046	6850

Correlation analysis was done by SPSS software in order to evaluate if there is a statistically significant relation between Tourism Competition Index (TTCI), Tourist number and Tourism Income datas regarding eight destinations in Mediterranean Basin given in Table 4 (Table 5).

Table 5. The Relation Between TPCI With Tourist Number And Tourism Income According to Rival Destinations

		arrivals	receipts
TPCI	Pearson Correlation	-,810*	-,767*
	Sig. (2-tailed)	,015	,026
	N	8	8

*0,05

As it is understood from the value of correlation analysis in Table 5, there is a statistically significant relation in negative way between Tourism Price Competation Index (TPCI) with Tourist number and Tourism Income of rival destinations. So Tourism Price Competation interacts inversely proportional with tourist number and tourism income.

5. Result

In this study by using TPCI datas in World Economic Forum TTCI report, the presence of sitatistically significant relation between price competition levels of 8 rival destinations in Mediterranean Basin with tourism incomes and tourist numbers was evaluated.

As Iran (6,62), Egypt (6,19), Indenosia (6,11) place in the first ranks in terms of Tourism Price Competition, TPCI rank of France is 136 and its index value is (2,95). In terms of tourism income, the USA that is in the first rank, itsTPCI rank is 99 and its index value is (4,27) (Table 1). As it is understood from these datas and correlation analysis results tourism price competition capacity forms the part of rather comprehensive study in evaluation of general competitiveness. Although prices play role in choosing of destination, price is not the only criterion. Factors such as currency rate transactions, efficiency level of various shareholders in tourism sector and qualitative factors that affect attractiveness with price differentiations are also important in decision stage. In this scope in the study TPCI values with analysis between Tourist number and tourism income that can be considered as indicators towards touristic demand show that price competition capacity is not effective alone.

This study is important in terms of showing how secondary datas that were obtained from index and dependent indexes to introduce Tourism Price Competition Capacity Index and effective comperative analysis, should be analysed. Future researchers can make evaluations towards different destinations by following and developing methods and evaluations used in this study.

The limitation regarding this study is the validity and reliability of presented findings with this study depends to validity and reliability of TTCI datas since the datas of World Economic Forum was used in the study.

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Corruption, the Challenge for Kosovo Institutions

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Abstract

The subject as per work, corruption, the challenge for Kosovo institutions, is broadly and actual theme that covers the theoretical and practical treatment. The corruption, which has been described as using the public power for certain purposes, is a very complex subject. Stands for the characteristics of many societies and states and for the last couple of years it has been understood as in great form present phenomenon within the countries in transition, within those which are undeveloped as well as with developed ones, and stands for an obstacle for democracy implementation. From a systematically point of view, corruption has caused, and it continues to do so, many concerns in all countries on Earth, and especially in Kosovo. In accordance to Transparency International report, corruption is one of the biggest challenges of contemporary world. The aim of the importance of studying of this problem through this subject is identifying the scope, structure and dynamics of this phenomenon; to analyse overall impact of general factors. In accordance to identification of corruption problems, local and international reports with of high level of this kind of criminal act, among other areas as well as per security issues, corruption has been seen as serious wound for our society. The justification of this work is logical consequence of corruption phenomenon in the Republic of Kosovo. The reason, consequences and the fight against the corruption is always the subject of numerous researches and conversation between researches, politicians and other actors dealing with this problem, not leaving aside the segment of civil society. These problems stand for the subject of study of this work from my point of view with the purpose of sharing the overall concern due to this phenomenon. During this study many different methodologies will be used, as well as the methodology of analyses of cases of corruption, method of comparative analyses, comparative methodology and statistical method of creation and fight against the corruption in Kosovo from 2012 – 2104. For fight and suppression of corruption, the society and institutions in Kosovo, among the prevention measures, would have to implement so far reached measures in criminalistics in accordance to contemporary trends in secure management. The final aim of this work is practical use of its results and statistics in society's efforts to prevent, to limit or to eliminate the corruption phenomenon in Kosovo.

Keywords: corruption, prevention and fight against corruption, working methods, challenges, reasons, prevention, Kosovo, etc.

Introduction

Kosovo is well known as one of the poorest country of European countries. The level of unemployment is considered to be 42%, which stands for the highest in Europe. Therefore, with that high percentage of unemployment and poverty the corruption in public sector blossoms. Today, in the world, all states are, or strive to be, democratic states. This particularity or form of self-government has its negative side, so except new benefits and new possibilities for society, brings different problems in society. One of the problems that democracy brings is corruption that is usually, as a phenomenon, distinct in all states. Corruption as a phenomenon enables the leaders to get rich – the rich that are corrupted, but immediate harms the state and indirectly the middle and lower level of society. Depends on the level of democracy and economic development the presence of corruption varies.

Taking into consideration the bitter experiences in other states the corruption in Kosovo presents a challenge that, apparently, would not be easy to deal with. Through this work I did my best to elaborate what is actually corruption and what consequence can get to a state in development or to an undeveloped state. The fight against the corruption is not easy one and we all have to give our contribution in order to win the fight against it. Therefore, taking as bases the

experiences other countries had successfully fought the corruption; as well we would have to fight on the same manner if we want to build a successful country. We would have to go through this on different ways in order to as much as possible decrease problems and unsatisfactory that this decease causes, for the interest of people as well as for the building a strong, existing country[1].

Spreading of corruption in Kosovo

The timeframe and the process of democracy development can be an indicator of spreading and development of different forms of corruption. The processes of in ex-communist countries, as well as the move from authoritative to democratic rule, it is notable that the possibilities for appearance and spreading of corruption were created to a level of concern. In process of transition Kosovo as well goes through big challenges. Since the proclamation of independence Kosovo went through numerous of big and important processes of state building as well as the establishment of the mechanism for functionality of a juridical state, democratic and credible towards its citizens (*Krasnqi A., 2013:51*).

From local and international institutions and civil society institutions many researches have been made pertaining the spreading of corruption in Kosovo, and in same one part of citizens throughout Kosovo has been covered. An research conducted by UNDP (United Nations Development Program) on perception and citizen's assessment on this phenomenon with subject "Study on Kosovo citizens' perception according to Kosovo Strategy for fight against Corruption". Following results have been obtained: perception for corruption of Kosovo Government and the Office of the President of Kosovo – 42% of interviewed people think that those institutions are "corrupted" and 13% share opinion that they are "very corrupted", (*Krasniqi A., 2013:52*).

In a questionnaire conducted by Kosovo Democracy Institute (KDI), which was at the same time the global barometer of corruption for 2010 as per Transparency International, 73% of interviewed people in Kosovo share opinion that from 2007 the level of corruption has been increased and only 8% share opinion that corruption is decreasing; 61% said that measures against corruption didn't show any result, and only 8% are of opinion that the corruption has been decreased, 16% have given the bribe for performance of any kind of service. In accordance Transparency International's index of corruption perception for 2011 Kosovo marks the 2.9 level (level 1.12 stands for lowest corruption level) and it indicates the lowest in Balkans. In accordance to indicators presented by World Bank for Self-government, from 2003 the control of corruption has shown small improvements, but still this control continues to be weak. This year the increase of this control was 30% (100% shows full control over the corruption), with unclear variations from 2005 (*Krasnqi A., 2013:53*).

Regarding the confiscation and seizure of property, EU Rule of Law Mission in Kosovo (EULEX) has reported as follows: their mission has so far imposed a sentence for 15 cases of corruption where few cases were high profile cases, but any property acquired illegally in any of these cases has not been seized. This happened because of the "limited and weak capacities for seizure of properties acquired illegally due to the legal or institutional aspect" as reported by in May 2011 by Kosovo Institute for Policy Research and Development. And based on the estimations obtained from these institutions it is obvious that one of the primary problems of expansion and spreading of corruption are lack of clarity what kind of activity – illegal activities of Special agencies for anticorruption and determination of their duties and completely preserving their impartiality and independence. In order to eradicate the institutional corruption it is necessary to enhance the role of monitoring of the functional commission of the Kosovo Assembly on the Ministry of Justice and Ministry of Interior.

Consequences and statistics of corruption in Kosovo

Consequences of corruption in society are major, they can be even coated on top of each other, aggravating more and more their effect on the society and system in function. Therefore, we had so many warnings and evaluations by international institutions about danger and consequences this negative phenomenon could bring along, phenomenon that is too harmful. Starting from this, legislations have been drafted, mechanisms established, either international or local, with aim of preventing and combating this phenomenon, harmful and socially destructive. Consequences of corruption affect political, social, economic and psychological power.

Political consequences of corruption are really major. It can directly damage the purpose (goal) of democratization of the society, it is also a serious threat to entire political class. The corruption especially affects countries which are on their way of transition and those who face nonexistent political stability, *(Krasniqi. A., 2013, :60).*

Economic consequences of corruption in such cases could be major. High level of corruption can affect a withdrawal of foreign investments, which every country has a great need for. Experience shows that people from the political milieu avoid investing in countries where the level of corruption and economical crime is high, because right at the beginning they would have to confront corrupted officers (officials), who for their personal gain are able to make it difficult for accommodating the foreign businesses, causing intentional delay of administrative procedures which very often look so complicated, and all for the sake of fulfilling their corrupted goals, *(Halili. R., 2011:201).*

Corruption cost Kosovo 100 million of euros every year, it was estimated by representatives of the civilian society and economic associations in the country. More than 20% of all the amounts of contracts on tenders concluded within one year, based on a research, are abused by officials in Kosovo institutions. Movement "FOL" which deals with evaluating of anti-corruption combat, stated to Radio Free Europe that based on the research, one of the most corrupted sectors in Kosovo is procurement area and privatization process. Level of abuse in the procurement sector is 20%, repeated Kalaja "If I'm talking numbers, every year through the procurement, Kosovo spends between 450 and 600 millions of Euro, which means that around 40% of Kosovo budget goes through the procurement process.2 If we add another 20% that is being abused, then we come to a conclusion that over 100 million of Euro in one year is at risk of abuse from political officials through procurement process".

Second analysis of "FOL" movement refers to court decisions. Here also, some decisions made by courts in Kosovo show that Kosovo loses millions of euros because of the corruption. "We have a case of scandal with passports where the court confirmed that the budget of Kosovo was harmed for more than 1.5 million of Euro, and here we're talking about the court decision. These are the numbers that potentially harm Kosovo budged through corrupted affairs". Corruption in Kosovo, in different international reports was highlighted as one of the biggest challenges the authorities should encounter with. In 2014 Kosovo has shown a slight recovery but not the effective one in the corruption index that was published by Transparency International, comparing to Albania which is on 110th place on the well-known "red zone". Representatives of the economic associations in Kosovo stated on the other side that tax evasion which is very high in Kosovo is tightly related to corruption which is already present in Kosovo institutions. President of the Business Alliance in Kosovo, in his statement for Radio Free Europe estimated that such informality in Kosovo is up to 40% and that the same values 1.5 billion euros.

This negative phenomenon unfortunately grows from year to year". According to an analysis made the by European Bank for Reconstruction and Development, (EBRD) corruption is of the main problems of management in Kosovo. Since the Action Plan for efficiency improvement in prosecutions, in combating the corruption entered into force in November 2013 and all the way to December 2014, prosecution had 1604 suspicious cases with 2709 individuals involved. Out of this number, the prosecution managed to resolve 566 cases with 1301 individuals involved, *(Gnjonca.L., 2004:297).*

Institutional and legal mechanisms in preventing and combating corruption

It has been emphasized that corruption is not a single internal question of a certain countries that have to deal with corruption problem but it's the part of international interest, *(Gnjolca.L., 2004:297).* During the last three years Kosovo has undertaken some important steps towards suppression of the corruption by implementing necessary elements within legal frame work: The law on declaration of assets, prevention of conflict of interests in performing public functions, informers, public procurement and financing of political parties. Existing legal frame work has very strong and sufficient provisions in order to provide us with tangible results in this area. Kosovo has established an Independent Anti-Corruption Agency in 2006. The agency is the main institution for supervising the law on preventing the conflict of interests and the law on declaration of assets of public officials, as well as the Anti-Corruption Strategy and the Action Plan. It also deals with the review of individual complaints on possible corruption cases and it is obliged to inform other similar authorities like: police and prosecution, if it finds reasons for further investigation.

According to evaluations done by Director of Anti-Corruption Agency Hasan Preteni, in his interview for "KPress"- it remains that the most corrupted institutions in Kosovo government, justice, municipalities and public companies. The highest level of corruption is present at the Ministry for Infrastructure, Ministry of Health, Ministry of Education and EKK, because those departments have the highest tenders. He is of the opinion that prosecutors are lacking the braveness but also power and professional braveness of judges to engage in combat against those corrupted cases. Mr Preteni continues with the same

rhetoric, says that there is a lot of talk about the corruption, little is being investigated and none is being prosecuted. According to him, authorities are not accountable to justice and there is no transparency.

(http://www.kosovopress.com/sq/nacionale/korrupsion-ka-spo-gjykohet-fare-sepse-po-mungon-guximi-49009/)

In February 2012, the president of Kosovo established the National Anti-Corruption Council. The council strives to improve coordination and to raise the awareness within the all entities and institutions that are involved in combat against the corruption. *Source: (Decree no.:DKKK-001-2012, on establishment of the Anti-Corruption National Council (published in Official Gazette on 16.02.2012).*

From the point of view of the administrative capacities, during the last three years, prosecution and police have been reorganized in order to improve the combat against the corruption. Within its structure, Kosovo Police has Directorate for Investigation of Economic Crimes and Corruption, which deals with preventing and solving of all economic crime cases (acts) that were aimed initially against the property rights, against the provision of payment services and anti-business, and later on against official duties, particularly in the economic area, but even in the area outside of economy (Veseli, L. 2006:20). The priorities in the work of the unit are: economic crime, financial crime, corruption, financial investigation, money laundering, cyber-crime, intellectual property. This police unit is monitoring and analyzing security situation related to the economic crime and corruption, and recommends drafting of new legal norms related to improvement (expansion) of its work, (Maslesha, R, 2008:266).

In 2010, a Special Prosecutor's Office has established a task force on anti-corruption, comprised of prosecutors (from Kosovo and EULEX) and police officials for the investigation. Source: (Announcement of Feasibility Study Commission for Agreement for Stabilization and Association Agreement between the European Union and Kosovo, Brussels, 10.10.2012, pg. 10.)The purpose of this Task Force is investigation of economic and financial crime. Police also established one Directorate against crime and corruption. Inspection Departments have been established in many authorities and institutions, for the purpose of addressing and monitoring the situation with regard to corruption and /or criminal behavior within the organization. Generally, Kosovo has sufficient elements which are set out in Legal framework, as well as relevant institutions. Within a short period, Kosovo has a need to demonstrate a clear engagement, in order to provide results in combating corruption, and also including in this way the beginning of the investigation, in cooperation with EULEX.

Legal and strategic infrastructure for the treatment of corruption in Kosovo

Policies and initiatives against corruption were in the focus of legal and institutional efforts, which have been carried out in recent years in Kosovo. In this string, one improvement was noticed by the stakeholders while treating challenges of the corruption, especially at the beginning of addressing the corruption cases, as well as improvement of the framework of current legislative structures for treating the corruption.

- The legal framework treating the corruption in Kosovo is:

- Law on Declaration, Origin and Control of the High Official's Property in Public Institutions No. 04/L-050

- Law on Prevention of Conflict of Interest in Discharge of Public Functions, No.04/L-051

- Law on Anti-corruption Agency, No.03/L-159

- Criminal Code of Kosovo

- Anti-corruption Strategy and Action Plan 2013 – 2017.

Media and civil society in prevention of corruption

If the role of government was more active and honest in terms of prevention of corruption, we would not have what to write about the role of media and civil society, about this epidemic. The role of public institutions, especially in the transition

countries, is very mild, not to say that the beginning and the cultivation of corruption begins in these very institutions, (Salihu, I, 2012:106)

It is without a question that the state, through its own mechanisms, has the possibility to prevent spreading of corruption. In Kosovo, the role of media in reporting or showing cases and corruptive practice is increasing more by each day.

This is happening as a result of increasing independent media in the country, increasing level of professional development of journalists and the establishment of a legislative basis which supports press in data collection (information), especially in public institutions. The role of independent media, viewed from the point as an element to prevent crime in general, and especially corruption, is commendable, as irreplaceable. Media kicks on cases of corruption phenomena that are seen, will create a climate of belief and positive optimism in public, it would compel state entities to respond positively to embedding or improving the state of legality in the mentioned administration, it would give real effect of relevance of so-called civil society, (Ragipi, A, 2003:95).

The role of civil society in prevention of corruption is without a doubt very influential. The civil society includes those societies, structures that are separated from legislative, administrative and legal self-government authority, but have mutual interaction in many ways and many areas. In most cases, when strivings to combat corruption have failed, that is happening because this, so important element – civil society, was left out.

Source: (http://www.againstcorruption.eu/uploads/rapoarte_finale_PDF/Kosovo.pdf).

Engagement and mobilizing of civil society is a crucial element for success of every anti-corruption and anti- criminal strategy, (Ragipi,A,2003:105). Regardless of all of these entities, which are appearing and mentioning as preventers, again, situation in transitioning places remains merely an attempt, without serious and concrete impacts. This is happening because, the highest representative authority in society, and in this case that is state, has its flaws and its problems, which created for itself. Subsequently, an attempt to change some things from down to upwards becomes more difficult and complex, because the beam of authorities, breaking furiously and mercilessly the media membrane and the membrane of society, damages to a large extent and prevents those who want to do something good and reviving for their own place, (Veseli, L, 2012:196).

Conclusion

I can conclude that it is better to prevent disease than to carry out professional treatment of the disease. Moreover, if the state institutions, non-governmental organizations and ordinary civil society mean to persistently and with great determination carry out the prevention of corruption, then the treatment of corruption in Kosovo will be easier, having in mind that despite of great efforts, the first phase of prevention was unsuccessful. This happened because a lot of stakeholders and participants were identified in the first phase of presenting and development of corruption. The investigators that were dealing with study of the criminological, criminal and legal profession, the question of combating corruption was described from repressive and preventive angle, because, corruption as a special form of general crime, cannot be separated at all, except due to this kind of measures, which actually present elimination of this devastating phenomena, especially through institutional knowledge and criminal-state punishments.

Practical elements contributing to the reduction of corruption, in some hand a hope is created that the concerned phenomenon will not happen again, because it is historically known that those who have committed criminal acts, sooner or later were discovered, and then prosecuted. I've come to the conclusion that some of these elements that have preventive characteristics are: transparency - which is actually preventive element in order for phenomena to reduce rhythm or disappear in one institution. A part of these are; Publication of precise data for budget of the state, as well as publications related to the budget. Drafting practical conditions and full respect of the rights to public information. Public debate in cases where it is discussed about wealth or declaring it. Based on previous aspirations to combat corruption in Kosovo, I can say that the desired effect has not been achieved, so it is necessary to adopt a special law on anti-corruption, and to raise awareness of the citizens, which should be aimed at defining the conduct which is the subject of the termination of corruption and special areas that are too sensitive to corruption. The enactment of specific measures to combat, detect and investigate corruption. Ratification of international conventions in the area of criminal law. The enactment of the human and professional capacities of the Prosecutor's Office including the necessary level of security and adequate material

compensation. Implementation of the current anticorruption legislation and its harmonization with the new procedures in the process of cooperation, ratification and signing of the international instruments of the criminal issues. Restructuring of the judiciary and revitalizing it with the new professional staff with no background. Enhancing the role of the Anti-corruption Agency and preserving its impartiality. We will have success in fighting corruption only if we are ready to make the proper decisions on concrete cases and how to bring to light all weaknesses of the state institutions.

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Youth Categories and Drugs in Kosovo (2001-2014)

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Abstract

The use of narcotic substances has become a phenomenon of great concern, not only in Kosovo but also in all other countries of the world. Although in Kosovo there are no accurate statistics on how many individuals are regular users of narcotic substances, it is calculated that there are approximately 20. 000 users. To add to this concerning issue, is the fact that the usage of narcotics in elementary and secondary school pupils and students. The objective of this paper is to offer a more realistic presentation of the cases of narcotic users from the new age groups. The goal is to identify the factors that influence the increase of this phenomenon, which is increasing specifically among the youth and is dangerous for public health and the public order and safety. The Kosovo Institutions have approved a National Strategy and action plan for Fighting the Use of Narcotic that is now being implemented. According to the Kosovo Police this strategy has had some positive results. Kosovo Police held more than 150 operations a year in all Kosovo, with a goal of issuing prosecutorial charges against suspected individuals that are active in different individual and group forms, regarding the cultivation and trafficking of drugs. According to the statistics from the Kosovo Police, during the 2012 there was a significant increase of confiscated narcotic substances in comparison with 2011, the percentage of the confiscation of Marihuana has increased around 400%. The use of narcotics among young people is considered as a growing phenomenon. I consider that this is primarily a result of the lack of awareness among the youth regarding the potential dangers for health and social aspects, and lack of specialized institutions for treatment and rehabilitation of the addicted individuals. Lack of appropriate institutional treatment of this phenomenon represents a danger not only for public health but for the safety and public order in general.

Keywords: Narcotic substances, police, institutional, youth.

The use of narcotics in Kosovo

Kosovo had no precise official statistics on drug users, but after the last war in Kosovo in 1998 -1999, in 2001 the authorities began with the recording of the data and it is considered that by 2014 there are approximately 20,000 individuals as drug users. (Available for download at http://www. telegrafi. com/lajme/kosova-me-20-mije-perdorues-droge-2-42830. html.)

The fact that remains is a concern of the use of narcotic substances in primary and secondary schools in Kosovo. For example, just in the course of 2014 there were 190 marijuana users, 11 users of heroin and 22 cocaine users (these addicts said they are regular users of these substances and that they also used other substances.) (Kosovo Police, the Directorate for Investigation drug trafficking, Annual Report 2014.)

Although precise data is non-existent in the central level to cover the whole territory of Kosovo, it is worth noting that, according to the director of Therapeutic-Rehabilitation Center "Labirynth" there are more drug users in schools (http://www. labirinti-ks. org) where young people begin to use drugs between the ages of 12-16 years.

In total there are 12 registered cases that have to do with schools, with a total of 15 arrests and confiscated 217. 67 grams of marijuana.

Reducing the age of drug users as disturbing fact

According to the director of the Center for Rehabilitation "Labyrinth" during 2001, the average age of drug users has been 24 years old. But disturbing fact is that during 2014 it was noted that the age has dropped from 24 year olds in the group between 12-15 years of age. This means that the use of drugs, in addition to the increased phenomenon also began to include younger category of people. According to the Director of the NGO "Labyrinth:" ‒"[T]he average age of initiation into drug use has decreased over the years. The average age in the beginning of the year 2006 was 19. 2, while in 2013 it was 16. 7. There have been cases when a young person who started the abuse of drugs was 12 years old. (For more, read at: (http://www. labirinti-ks. org)
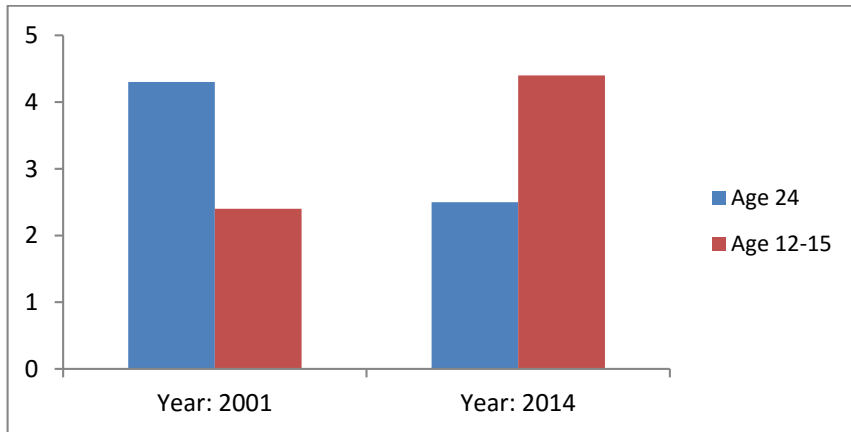
Graph No. 1: age groups of drug users (Source: Statistics taken from: *http://www. labirinti-ks. org/*

Due to the fact that drug use started to become a phenomenon with ages of 16, this is becoming very troublesome and if more stringent measures institutional are not taken, it will actually lead to danger and risk for age group under 16 years.

One should have in mind that adolescence, which is a very turbulent phase because at this stage of the development young people are overwhelmed with new feelings, they are in search for their dreams and face changes, "child entering the teenage time in many families often arises drastic changes" (Cop-Blažič N., 2003: 21). Therefore, without their corresponding guidelines they can get lost in the wrong way, which can also include the use of narcotics.

From this study it was noted that not only men are drug users.
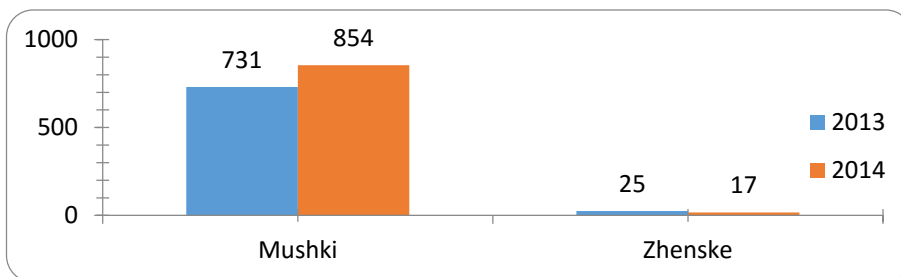
Graph no 2: gender representation of drug users. **Source:** *Kosovo Police, Directorate for Investigation of Drug Trafficking, the Annual Report for 2014 no. ISC-06 / 2-02 / 014/2015*

Although a very small number, according to the Kosovo Police, in the above-indicated graph no. 2, it can be seen that also women are drug users. For example in 2013 of 731 men 25 users are female. Also in 2014, the number of female drug users is very small, where they registered 17 cases.

Drug use in primary and secondary schools

It is evident that among drug users are pupils/students in the primary and secondary schools in Kosovo. Although in respect of this phenomenon there are no comprehensive and accurate data, while the Minister of Education of Kosovo, in 2013 report to the Assembly of Kosovo, on the issue of drug use in schools said that: "20% of high school students use different types of drugs and there was a drop in age of beginning of drug use that affects the age of 12-13 years, particularly the 8th grade of primary school, and that the drug is distributed in most bars around close proximity to primary and secondary schools in Kosovo. (http://www. kuvendikosoves. org /? cid = 1,128,5618.)

The Police stated that 12 registered cases related to schools and their sorroundings. A total of 15 persons were arrested and 217. 67 gr. marijuana was confiscated, while one case was NN (name uknown). For these cases, school authorities have informed the police but that were received various other information by other sources. (Kosovo Police, Annual Report 2014, the Directorate for Investigation of Drug Trafficking).

The causes of such a situation

If you look at the statistics of age groups of drug users, drug use is associated with a weakening of the nucleus of large families in Kosovo. In 2001, when there were fewer drug users and that age group were not young, that was the age when large families were still present, or rather just as first step of wakening and reduction the large families began to show up.

Weakening role of the extended family and the emergence of smaller close family consisting of only parents and children, or children with one parent, influenced the emergence of disobedience of children against their parents. Normally, there is a diffrence between childrearing in an extended family with a traditional core, which in addition to parents lived with grandparents, uncles and others, while it is quite different and harder to come up with child raring only by both parents.

School as one of the most important institutions for the socialization and education of young people, which plays a key factor in the education of students at the same time it has become the nest where students learn the first steps of drug use.

As another reason for drug use in schools we consider to be the lack of psychologists and sociologists. Although this year, for example, the Municipality of Prishtina employed 10 psychologists in schools, which is not enough, because sociologists and phsychologists were missing in most of the schools, who are qualified to monitor and treat behavior of students with the sociological and psychological aspects.

Lack of awareness among children about caring for their health, as mentioned above greatly affects all children, especially children who are drug users "[D]rug users are always in front of one unknown and you do not know exactly how their bodies will react after each used doses. " (Nora M., L. Sokol, 2012: 196.)

It should be noted that in Kosovo there is no center at the state level for rehabilitation and recovery from addiction and drug abuse. In this situation, drug addicts even when they would like to turn for help have no where to turn, especially to the authorities that are supposed to help all addicts. The only authority that has been helping and meeting the demands of this category is the NGO "Labyrinth. "

The use of narcotics in Albania

In the beginning it is very important to note that last time in Albania an inciative emerged in Parliament and civil society to legalize the use of light drugs such as marijuana, which is grown in the south. Until now, such inciative was not met with approval and support by institutions and civil society.

According to the UN report, which refers to a study in 2011 on drugs and crime situation in Albania, it is stated that 'are about 65,000 drug users in Albania: Available at: (http://shqiptarja. com/home/1/raporti- per-drugs-65-me-Përdoruesi-heroine-not-shqiperi-125038. html.)

In Albania, according to the chief of department of toxicology in Tirana - prof. dr. Zihni Sulaj: not only men are drug users, but also girls and women make up 10%. Besides, what is even more alarming according to the toxicology service, that

couples with children have created an addiction to drugs. (Related article available at: http://fax. al/read/news/717214/9918411/rritet-perdorimi-i-droges-nga-femrat-mjeket-perbejne-10-te-perdoruesve.)

Given the fact that Albania and Kosovo are different in terms of population since Albania now has about 1 million more inhabitants and it is considered that there are many more drug users than in Kosovo, speaking in numbers around 45,000 users more than in Kosovo. For example, according to the Institute of Statistics of Albania (INSTAT) - in January 2015, there were 2,893,005 registered residents (http://www. instat. gov. al.) While the population in Kosovo, according to the Statistics Agency of Kosovo, is 1,739,825, without the north of Kosovo. (http://ask. rks-gov. net.)

Another element that distinguishes this country from Kosovo is that we have more drug users among women than men. According to the European Monitoring Centre for Drugs in Albania (EMCD) percentage of women drug users varies from 10-15%, (http://www. emcdda. europa. eu.) In Kosovo, according to research EMCD implemented in Kosovo, it is stated that women in the total number of drug users account for 2. 2%. Available at: (http://www. emcdda. europa. eu/html. cfm/index211587SQ. html#gps).

In Albania there are no exact data, but estimates show that drug users are mainly from the younger categories. Every year, the level of drug use by young people is increasing. Number of drug users indicates a growing trend, but what remains problematic is that these users are of teenage years, so that about 6-7% of young people use drugs. This assertion is supported by the study that was conducted among young people in schools aged 14-18, by the Institute of Public Health in collaboration with other national and international bodies, found that 5. 4% of respondents had experimented with using canabis. Available at: (http://ishp. gov. al)

Legal mechanisms and strategic documents

Kosovo as a new country, has aligned its legislative basis with all the regulations of the European Union as well as with International Conventions of the United Nations.

The Assembly of Kosovo in 2008, adopted the Law on Narcotic Drugs, Psychotropic Substances and Precursors (Official Gazette, Law No. 02 / L-128.) This law states that "[T]he use, possession, production and trafficking of narcotic drugs, is considered a criminal offense under the criminal code. "

Criminal Code of Kosovo, no. 04 / L-82/2012 regarding the drug provided in XXIII chapter for crimes related to narcotics in Articles 273-282, criminal offenses, including the purchase, possession, distribution and sale of unauthorized drugs, illicit production and processing, unauthorized posession, intoxication of others, to facilitate the obtaining of drugs, narcotic plant breeding, organizing, directing or financing of drug trafficking, the conversion or transfer of property acquired by completion of these offenses, the punishment for severe cases and reimbursement of costs for law enforcement agencies.

Any person arrested by the police for possession, use, manufacture and trafficking of drugs is considered as a suspect for a crime or lawbreaker addicts. Such persons are entered in the records database of the Kosovo Police (Kosovo Police Information System KPIS), which records the number of cases and the authors responsible for each type of injury.

The new Criminal Code and new Criminal Procedure Code entered into force in January 2013. The legislator is in a separate chapter predevidio new provisions on how to deal with crimes related to drugs. For possession of less than 3 grams for the first time can be given a fine or imprisonment up to one year. In difficult circumstances (such as crimes involving distribution and trafficking) the punishment may be increased to 12 years. Production of the drug can be punished with a fine and imprisonment of six months to 10 years. In the case of large quantities of drugs, then the penalty can be increased to 15 years. A person involved in the activities of organized crime including drug, can be fined up to 250,000 euros and imprisonment of at least seven years, and in aggravating circumstances, those who organize, the penalty can be increased to 500,000 and at least 10 years in prison.

Law on Public Health no. 02 / L-078

Law on medicinal products and medical devices, no. 2003/26.

The Kosovo government recently adopted several strategic documents for the period of time 2012-2017, in the context of drugs, Combating organized crime and managing the integrated state border/IBM.

The Strategy on HIV/AIDS and mental health are those negative aspects of drug use. The strategy for mental health services in Kosovo for the period 2008-2013, for example, says it will develop mental health services by 2013, its institutions/facilities for treating drug addiction.

Through the new strategic documents, the government with its law enforcement agencies aim to reduce drug use through various forms of prevention and efficiency of the authorized service to detect and combat all forms of organized crime, including drugs.

Memorandum of Understanding between the Kosovo police and the NGO "Labyrinth" is regulated the strengthening of cooperation and coordination of activities related to the prevention and fight against human trafficking and drug abuse. This memorandum provided as ways of efficiently as possible to implement the action plan of the national strategy against drugs as well as the coordination of activities between the Department on Drugs and the NGO "Labyrinth. "

What we see every day in the local media that there are various barriers to the realization of the mentioned projects, which are related to the lack of financial support. Also, we can not find any specific report which will assess and monitor the use of intoxicating substances, which will indicate the level of treatment of drug addicts.

Conclusions and recommendations to improve the situation

As stated above, we believe that awareness among youth categories such as students is not in satisfactory level, in terms of identification and impact of drugs in damaging their health, although some activities by the Kosovo Police, as well as other relevant institutions and organizations, but even these activities for the drugs do not have a permanent character but are confined only to certain dates and periods, and it's not enough.

It is necessary to do more especially in the design of specific programs in the media by showing on confidential way through special TV shows consequences of drug use and socio-psychological consequences that may result by the use of these substances. This element of awareness raising is necessary to be realized in every place where drug use is done by the youth categories and in need of greater addressed in order to preserve their health. Raising awareness for the protection of health for these categories of students is a prerequisite and a contribution to reducing the use of drugs in schools.

In Kosovo, there is no special institution, a centre on the state level for the rehabilitation and recovery of addicts. Drug users have no where to turn to state institutions for treatment or help. Kosovo urgently needs to establish such a center because it will surely contribute directly to preventing and reducing the incidence of this phenomenon.

Legal mechanisms and strategies are rare but it's another question how efficient they are, how much, and how they are implemented in practice. Although Kosovo police, in the context of these strategy, has taken some steps in order to efficiently prevent this phenomenon, which still remains as a problem for all categories of the population and especially for the younger age groups. The Kosovo government needs to constantly, through specific bodies, monitor the implementation of these strategies, which as for now in Kosovo is not satisfactory, which is especially shown in the non-fulfillment of their main goals in the prevention of such phenomena.

In a country that still bears the consequences of transition as is the case with Albania, which is the country of origin for marijuana, its institutions do good that the proposals for narcotic drug legalization do not met with approval, because it still should not be legalized, because legalization would contribute only to increase of the number of users as well as the smuggling would become even more pronounced than before.

I also believe that Kosovo should not initiate such inciative for legalization for the use and sale of drugs, but all efforts should be directed on greater prevention and also, in terms of social rehabilitation, in particular on treatment and healing of the existing number of addicts through the establishment of specialized institutions to be monitored and financed by the government. Now it is almost all of this a burden of an NGO that is not able to even have the possibility for themselves to cope with the whole of this problem.

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Quality of Service to the Regional Road Transport Service

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Abstract

Performance is measured and done, the quality represents a key element to achieve the performance, especially customer service quality. In response to the pressure of globalization, the market increasingly competitive and volatile market dynamics that, many organizations actively seeking ways to add value to their services and improve their quality of service. Organizations usually tend to make their operations efficient priority. This process begins with the assessment of nevojave customers, their requirements and assessing the performance of domestic human resources in organization and performance depends on the outcome of the estimated earlier. Since this process can proceed in different directions. The causes of these results may be the lack of information and support of high-level management, performance standards unclear, inaccuracies assessors, very large number of forms to be completed and the use of software for the opposite purpose.

Keywords: Quality of Service to the Regional Road Transport Service

Introduction

Based on the study of literature are formulated questions about the impact of quality of customer service performance network-system Departments of Road Transport Services in Albania, where the interviews are collect information about the process, methods, system and process quality management, applicable standards.

Literature Review

Matrix balanced scorecard (BSC), which was created by the author Kaplan and Norton. this matrix is a management system that enables organizations to clarify the vision and their strategy and translate them into concrete actions. (Kaplan & Norton, 1992). Also, this model provides feedback on internal business processes and external at the same time about their results. (Kaplan & Norton, 1993). BSC-lo It suggests that organizations should be judged from four perspectives, develop quality measuring instruments to collect data and analyze them according to each of the prospects. These prospects are consumers, finance, process and innovation & learning.

Metodoloy

The methodology has helped us practically easier to make a comparison of variables to test the hypothesis set. Another method used in this paper is descriptive method through which marketing strategies have been described by various authors mentioned in the literature review.

Methods to be used are:

• qualitative method through direct interviews

• quantitative method through structured questionnaire

In the first phase of qualitative methods I use half structured interview as instrument of collection of qualitative data (with representatives of the managements of companies that will be part of that study will not be put aside nor employees).

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In the second phase, quantitative methods will be used questionnaire structured as a technician for collecting data (for the purpose of comparing the empirical data questionnaire will serve therefore to collect data which will then be analyzed with software SPSS and statistical tests will be conducted to confirm or reject the hypotheses mentioned above.).

The methodology used for collecting data in the field is based on conducting interviews with these subjects: consumer, with executives & managers Departments of Road Transport Services in Albania. After analyzing secondary data; Well editorial materials research process has started, which was originally identified from the ground state by measuring the variables, it through the interviews which aimed confirmation of hypotheses

During operation is used quantitative methods of data collection, ie questionnaires were used to collect data. This has helped us do that more easily compare the different variables used to test the hypotheses submitted. Another method used in this paper is descriptive method through which marketing strategies have been described by various authors mentioned in the literature review.

Paving the categories specified questionnaires we managed to get the answer always based on a conceptual scheme of study, as well as the study of the econometric model.

Considering the interpretation of hypotheses, their analysis is built by sharing and relevant hypotheses.

Conclusion

"Quality is fitness for use" (Juran, 1979); "Quality is conformity to requirements" (Crosby, 1979), "It is an agreement provided for uniformity and dependence with low costs by adapting to the market" (Deming, 1982, quoted in 1993), Other scholars as Feigenbaum (1983), essentially defining quality as "a way of managing the organization" Six years later, Oakland gave a more practical sense this term implying the latter "fulfilling consumer demands"

After 90 years, with the creation of the International Standards ISO "is the total quality of the characteristics of an entity that appears on its ability to satisfy the needs expressed or implied", (ISO 8482: 1994: vii)

Japanese standards for the industry, the word "entity" used by ISO substitute the word "goods and services", implying quality, "the production system in order economic goods and services that satisfy the demands of workers".

 Feigenbaum researcher extends the meaning of this concept in an organization and planning is starting for the first time to highlight what would later be called Total Quality Management.

Quality management in the organizational context will be the application of certain practices and certain techniques, which ensure that the final product or output of an organization, a product or service that is of a high standard.

 At an organizational level, the variables that affect the quality of a product or service include those factors that influence the organization in its entirety internally and externally. In analogy with the private sector, the quality has always played a role in public administration, less stated that in the private sector, but its meaning has evolved in recent years

Beltram public sector author distinguishes three stages in the evolution of quality are:

Quality in the sense of respecting the norms and procedures

Quality in the sense of effectiveness

Quality in the sense of consumer satisfaction

In many countries, public administration a significant place of widely sound economic sector which includes employment and production of goods and services. Consequently, we can not remain indifferent to Quality Management in Public Administration.

French public sector has often experience low-quality services, which has led to the generation of low expectations for citizens. The result has been a disappointment and effort without charge but not much real action.

After 90 years the situation took a different direction. Albania appears to be making efforts to modernize the public sector and improving the quality of public services, in an effort to integrate into the EU, which also puts pressure on the expansion of administrative capacity. Albania has taken its first steps towards the implementation of Quality Management.

Quality management has gone through a significant evolution from simply inspection of products to the creation of a completely different vision for the organizations strategy.

Public transport in Albania found major problems faced many as the original of all the problems is the presence of more cars / motor vehicles in traffic compared with public transport; which implies that citizens prefer private transport compared with the public. This situation puts Albania in the ranking of countries with traffic charge.

The main centers are Tirana traffic charge as the capital and center of government and business administration, making that form the focus needs to be there many people from the neighboring countries and beyond.

Movement of people in Tirana is very high, every day; there are about more than 170 thousand trips by private vehicles and public transport round destination / Tirana trip. The number of public transport vehicles is only about 2% of total assets in Tirana.

They were made in the past as well as in Albania in EU countries more research studying why people prefer the use of private cars compared to public transport. And one of the key reasons is that they are not satisfied with the quality of public transport service (Yudiatna 2010, 11). The problem in my opinion is in fact the operators have poor management, then do not have the right strategies in business direction for the organization and provision of quality customer service. There is lack of thinking of outsourcing services for customer perfect. They do not have enough responsibility to provide guarantees excellent customer service, this is also whispers that nowadays people in Tirana and beyond are becoming more critical for public transport services. The service is an important issue for passengers. They want to have the best services of public transport; otherwise they will continue to use private vehicles instead of public transport to do their daily activities. If this continues to happen, public transport in Albania will continue to be gripped in the challenge even greater thus making the Directorate of Road Transport Services in Albania in the future even more not efficient and the services that they are useless to citizens.

According to research undertaken by DShTRrSh if there will be significant changes in the development and construction of roads in Albania, as well as developing practical service quality within the departments of its then will face congestion Total traffic (permanent blocking) in 2019, that unless the government must take serious steps to improve public transport. Building roads in Tirana in particular and in other cities, now growing at a rate of about 0. 01 percent per year, and as such is unable to handle the number of vehicles in the capital. Vehicles grow by an average of 11 percent per year.

There are many ways to solve these problems. The most important step is to put the logic of service quality in management policies, which means using "logic dominated by good service" (SD logic) rather than "Common dominance of goodness" (GD logic), as basic thinking to solve the problem. One of thinking to solve the problem is by using performance measurement of Logical dominant service (S-D logic), as a basis for measuring and evaluating public transport.

These measurements can be performed through a balanced evaluation Matrix (BSC). Measuring performance is very important to help in assessing the suitability and performance of the current service. The basic question is: How do we know if the service is good and necessary reforms? The result of the measurement may be used by some actors who need that data. Measuring performance also provides instructions on how to use limited resources effectively and efficiently in the design and operation of government services and policies that reflect community needs. Derived from government policies should be thinking based S-D logic. The logic of public transport actors (especially for policy makers) should be

changed from G-D S-D logic to logic. GD logic is a sight to do something (transporting someone from a starting point to a destination and providing only the capacity of transport) to process logic SD, which means helping users of public transport to create their process value creation (Enquist et al, 2009). Actors of public transport (especially for policy makers) have to change the logic or thought by thinking of value as something produced and sold to thinking of value as something that is jointly created with customers and other partners (Enquist et al, 2009).

Matrix Balanced Scoreboard (BSC), created by the author Kaplan and Norton. This matrix is a management system that enables organizations to clarify their vision and strategy and translate them into concrete actions (1992).

This model provides feedback on internal business processes and external outcomes simultaneously around them. (1993).

BSC suggests that organizations should be judged from four perspectives, develop quality measuring instruments, collect data and analyze them according to each of the prospects. These prospects are consumers, finance, process and innovation & learning.

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Poetics of Slogans in Yachting ADS

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Abstract

The paper discusses the poetics of yachting slogans – short, simple and memorable advertising statements whose task is to attract the attention of potential consumers and help differentiate the product or the company. The stylistic analysis, including qualitative, descriptive and comparative methods, has been used to identify and examine the poetic elements of slogans in yachting ads: schemes, tropes and additional imagery, with due attention paid to the graphic aspect and the comparative features of slogans in other trades. The paper primarily addresses the students and teachers of English language for Specific Purposes. The results of the analysis are useful for familiarizing with the main principles of figurative language and writing advertising texts, and can provide useful information for literature students, admen, copywriters and all people interested in language of advertising.

Keywords: yachting, advertising, slogans, poetics

Introduction

Life is now, now life begins at 40

Launch into living – so worth it

Capture the dream, a detailed harmony

Feel something special, the sea symphony

Imagine perfection, technologies to trust

Safe. Strong. Fast. Built to last.

These are not verses written by Charles Baudelaire. And this is not William Butler Yeats either. The six-line stanza, rich in rhymes, alliterations, rhythm and other euphonic devices, inviting the reader to indulge in living and to set off in quest of adventure, harmony and perfection, actually consists of eleven juxtaposed slogans that advertise boats and boating equipment in nautical magazines. The lines may sound like poetry, and perhaps some of them are, but the mission of these seemingly harmless short messages is far more pragmatic and complex. They have been designed and released to attract attention of the targeted population, to create desire and drive to action, the ultimate goal being the purchase of the advertised products and services.

The aim of this study is to identify, define and analyse stylistic features used in advertising slogans of famous yachting brands, with due attention drawn to the figures of speech (expressive language used in a non-standard, non-literal or an

unusual way) and to their specific motifs and graphics. In addition to the stylistic and qualitative analysis of the slogans' poetic register, descriptive method has been used to provide some theoretical background on poetic devices, occasionally comparing the tools used in yachting industry to the ones identified in other trades.

The corpus includes the slogans supporting advertisements in four nautical magazines published over a one year period, as well as the slogans gathered during a recent one-off web search. [1] Slogans from other advertising areas, used for illustration and comparison with nautical slogans, have been borrowed from the works cited in the list of references.

The paper primarily addresses the students and teachers of English language for Specific Purposes. The results of the analysis are useful for understanding the main principles of figurative language and writing advertising texts, and can provide useful information for literature students, admen, copywriters and all people interested in language of advertising.

DEFINITION AND MISSION

According to Geoffrey N. Leech, the slogan is a short phrase used by the company in its advertisements to reinforce the identity of the brand. David P. Rein defines an advertising slogan as a "unique phrase identified with a company or brand". [2] Definitions may vary but all of them point out the same essential aspects: advertising slogans are short, simple, witty and memorable statements whose task is to help differentiate the product or the company from its competitors. In other words, they have to attract potential customers, help them identify and remember the brand and/or the company, and make them buy or use the advertised product or service. Selling power is the crucial principle. Hence, slogans are important marketing tools. Along with other advertising elements (body text, specification, image, logo, video, music, jingle…), they help build a recognisable image for the brand they are representing. [3]

COMMON CHARACTERISTICS

A slogan usually consists of a few words which sum up the entire message that a company (or city, country, destination…) wants its audience to remember. In advertising business there are two basic types of slogans: brands slogans and business (or corporate) slogans. Brand advertising communicates the specific characteristics, values, and benefits of a particular brand, affecting the way consumers view the brand compared to others: *Get TIME, ahead of time* (TIME Magazine), *Now life begins at 40* (motor yacht Sunseeker Portofino 40). On the other hand, corporate slogans are designed to generate favourable attitude towards a company as a whole. Well-known users of corporate advertising include L'Oréal (*Because you're worth it.*), Nike *(Just do it)*. Most boatbuilders use corporate slogans supporting a range of their products: Sea Ray (*Launch into living*), Bayliner (*So worth it*), Ferretti (*Intelligenza nautica Italiana*), etc. However, both types of slogans have similar tasks, structure and poetics. Therefore, for the purpose of this paper, brand slogans and business slogans are jointly referred to as "advertising slogans". [4]

In order to perform the above mentioned tasks, advertising slogans have to meet a number of requirements. First of all, a slogan should emphasise a key benefit of a brand, and help differentiate the brand, i. e. make it recognisable on the market. For example, there is a wide range of 40 to 50-foot power boats with similar design, performance and value-for-money, but a customer may opt for Vanga 44 because its slogan "sounds good" (*Your imagination is the limit!*) or Brioni 44 because of the flattering message (*For Emperors and Princesses*) – without realising that they are versions of the same vessel. [5] Marketing tools are here to drive consumers towards a decision, suggesting that the brand they support is special, unique, better or *Different… Like you* (Saltus brokerage & charter). An advertising message is not supposed to be complicated or

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[1] The magazines include More 2010 (Croatia), Nautica (Croatian edition) 2009, Yachting (Croatian edition) 2013, Val navtika 2013 (Slovenia). The web search was performed on January 14, 2016 (search words: "yachting ads").

[2] G. N. Leech (1966/1972), *English in Advertising: A Linguistic Study of Advertising in Great Britain*, London: Longman; D. P. Rein (1982), *The Language of Advertising and Merchandising in English*. New York: Regent, pp. 49-54; William F. Arens (1994), Contemporary advertising, 5th edition, Irwin, USA, pp. 234-275.

[3] Qunsheng Ke and Weiwei Wang, "The Adjective Frequency in Advertising English Slogans" in: *Theory and Practice in Language Studies*, Vol. 3, No. 2, Academy Publication, February 2013, pp. 275-284.); See also: Stephen J. Conley, *Sloganology: The Anatomy Of Slogans*. eBook / www.thesloganshop.com, 2010, pp. 3-6.

[4] More about the typology in: Thomas C. O'Guinn; Chris T. Allen; Richard J. Semenik, *Advertising and integrated brand promotion*, 6th ed., Mason, OH: South-Western, Cengage Learning, 2012, p. 33. Also at: http://www.ediwriter.com (2016-01-23)

[5] In 2010 Slovenian company Vanga Yachts redesigned their Vanga 44 lobster and named it Brioni 44.

awkward. The slogan *Get everything. Power, space and style. Live Itama.* (Itama yachts) is way too descriptive and hard to memorise. In addition, an average boater may find it difficult to understand what "Live Itama" could imply. Likewise, the meaning of the slogan *Way of life!* (Suzuki 4-stroke outboard motors) is rather foggy and cumbersome: perhaps it would be more appropriate in advertising consumer goods like sportswear or beer. While simplicity is crucial the length may vary: there are very short messages: *Think different.* (Apple), *Legendary strength* (Schaefer jib furling systems). On the other hand, David Ogilvy says advertisers "should not be afraid of long slogans". [1] Huckins Yachts' narrative message *IMAGINE OWNING A YACHT THAT INSPIRES YOU TO STARE AT THE SCENERY, NOT THE FUEL GAUGE* is lengthy but clear: these power boats are fuel-saving, cost-efficient, reliable, and able to sail long distances, ensuring the boater new experience and pleasure of exploration. [2]

Most importantly, an advertising slogan should be memorable. It has to find its way into consumer's memory and make the consumer feel a desire or need. Memorability may depend on how often and how long the slogan has been used in advertising[3]. It may also depend on how efficiently the slogan is tied to a jingle (e. g. Calgon) and other audio and video material. For example, the slogan *Washing machines live longer with Calgon* is combined with a catchy jingle that may remain in consumer's memory for years. Yet, the critical factor that makes a slogan memorable is its own "personality", i. e. the language features, the poetics and the message it conveys.

POETICS

"I do not regard advertising as entertainment or an art form, but as a medium of information," says David Ogilvy. "When I write an advertisement, I don't want you to tell me that you find it *creative*. I want you to find it so interesting that you *buy the product*. "[4] Indeed, as it was stated above, selling power is crucial, but it should be borne in mind that the power arises from the (creative) use of language. The language used in advertising slogans is essential to the message they want to convey. As the stanza created at the beginning of this paper shows, these poetic devices may include alliteration, assonance, rhyme, metre, rhythm, metaphor, etc. To accomplish their mission effectively, advertising messages make use of *figures of speech* and other techniques similar to those used in poetry.

Poetic devices or figures of speech can be categorised in various ways. They are often analysed at four levels: phonological, lexical, syntactic and semantic level. They can also be categorised into sound figures, tropes, figures of construction and figures of thought. [5] For the sake of simplicity, this paper divides the figures of speech into *schemes*, *tropes* and *additional imagery*.

Schemes

Schemes are figures of speech that change the ordinary or expected pattern of words, often creating euphonic and mnemonic effects. Mnemonic devices that help advertising slogans to be remembered by their targeted audience include sound techniques such as alliteration, assonance, rhyme, anaphora, epiphora, meter and rhythm. These repetitions of formal patterns are called parallelisms.

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[1] Cited in William F. Arens, op. cit., p. 251.
[2] Other Huckins Yachts' messages include *IN A WORLD OBSESSED WITH STYLE, FEW ARE SO WELL-EQUIPPED TO OUTRUN THE PAPARAZZI* and *CONTRARY TO WHAT YOU'VE BEEN TOLD ALL YOUR LIFE. SHALLOWNESS IS A POSITIVE ATTRIBUTE*, emphasising not just the style, but also the possibilities of these vessels due to their cutting-edge jet propulsion.
[3] The famous De Beers company slogan *A Diamond Is Forever / Diamonds Are Forever*, one of the long-lasting slogans, was created in 1948 by Frances Gerety, a copywriter who worked for N. W. Ayer & Sons, Inc.
[4] David Ogilvy (1985). *Ogilvy on Advertising.* Vancouver: Vintage, p. 7, cited by Jana Lapšanská, in *The language of advertising with the focus on the linguistic means and the analysis of advertising slogans*, Comenius University in Bratislava, 2006.
[5] The latter classification was used by Milivoj Solar, *Teorija književnosti*, Školska knjiga, Zagreb, 1980, pp. 61-75. Jana Lapšanská, op. cit., analyses poetic elements of advertising slogans at four levels: phonology, morphology, syntax and semantics; T. Dubovičienė and P. Skorupa discuss a) Figurative language, b) Sound techniques and c) Other rhetorical devices in advertising slogans (The Analysis of some Stylistic Features of English Advertising Slogans, in: *Man and the Word / Foreign Languages*, Vol. 16, No. 3, pp. 61-75, Lithuanian University of Educational Sciences, 2014). There are over 150 figures of speech and many of them may fall in more than one category, e.g. antithesis, hyperbole, comparison and so on. Parallelisms like rhymes, anaphoras or alliterations are not just sound devices – they always affect the "meaning". Likewise, rhythm may result from using semantic, syntactic, lexical or phonological tools.

Parallelisms

According to J. A. Cuddon, parallelisms are essential unifying elements in nearly all poetry and much prose. They may consist of "sounds, particular syllables and words, phrases, stanzas, metrical patterns, ideas, allusions and shapes". [1] Frequent sound techniques in advertising include **assonance**, the repetition of similar vowel sounds, usually close together, and **alliteration**, repetition of consonants, especially at the beginning of words or stressed syllables (in the following examples the assonance is underlined whereas the alliteration is marked in boldface type). These schemes achieve a particular effect of euphony. Alliteration is easily identified in *Cruising with confidence* (Elan Impression 354), *Technologies to trust* (Alfa Laval boat devices), *Fashioning the future* (CRN J'Ade 58M). Assonance is easily identified in *Your imagination is the limit!* (Vanga 44). Most often these schemes are combined to create a remarkable euphonic effect: *Sea Symphony* (Elan 400), *The sunny side of life* (Monachus power boats); *Queen of the seas since 1968* (Ferretti Yachts); *Motion and Mobility* (ZF Transmissions); *Set sail for success* (Sealease service); *A Riva is a Riva. Always.* (Riva yachts – Ferretti Group). The latter is a good example of a mirror-like sound parallelism, so dear to French symbolist poet Stéphane Mallarmé, through the simple but strikingly efficient alteration of vowels and consonants [a-i-a-i-a-i-a // r-v-r-v]. Ferretti's corporate slogan *Intelligenza nautica Italiana* provides a remarkable euphonic effect through the sound parallelism including the assonance [i-e, i-e, i-a, i-a] and the alliteration [t-l-n, n-t, t-l-n]. Euphony is strong in *Simply life saving* (Lalizas life-saving equipment) [s-i-l-i-l-s-i]. It is striking in *Sometimes solitude is the most exclusive luxury* [s-t-s, s-l-t-s, s-t-s-l, s-l-s] (Ferretti Yachts). In addition to euphonic effects, alliteration and assonance can help the slogans achieve "the strong beating rhythm needed to make it a repeatable sentence […] easily remembered by the audience. "[2]

chematic pattering in yachting slogans also include **anaphoras** and **epiphoras**. Anaphora is the repetition of the same word or set of words at the beginning of successive verses or sentences, emphasising an image or a concept, while epiphora is the repetition of the same word or words at the end of successive phrases, clauses or verses. Due to the format of the slogan, the space for introducing such schemes is limited. Nevertheless, anaphoras are not rare: *One at a time. One of a kind.* (Huckins Yachts), *Great Sails, Great Sail Care!* (North Sails), *Feels like home. Feelin' alive* (Bond Alena 48). Anaphora inevitably includes alliteration, in the latter case: [f-l-l // f-l-l]. Unlike advertisements of consumer goods, which abound with epiphoras, yachting slogans seldom use them. [3] On the other hand, repetition of words may occur at other places: *Explore your world without leaving your home* (Bandido 75); **A small family business for big family fun! (Splendor power catamarans)**. They often create an antithesis (*your world – your home*; *small business – big fun*), a figure of speech that will be dealt with later.

In advertising industry, **rhyme** is frequently used in jingles, slogans and headlines. English is particularly suitable for creating rhymes due to a large number of one-syllable words. While this poetic device is quite common in slogans advertising mass-consumption products (*The best a man can get* – Gillette; *Do you … Yahoo!?* – Yahoo!), it is not very frequent in yachting ads, probably due to the fact that yachting slogans support custom-tailored, sophisticated and expensive products that do not abide "cheap" tools such as rhymes and jingles. Still, rhyme is not entirely avoided:

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[1] Cuddon, J. A. (1999). *The Penguin Dictionary of Literary Terms and Literary Theory*. London: Penguin Books Ltd., p. 742.

[2] Bui Thi and Bich Thuy, "An Investigation into the Style of the English Language Used in Advertising Slogans Issued by Some World-Famous Airlines", in: ULIS, 2010.

[3] Here are some of the slogans supporting consumer goods, which contain epiphoras (marked in boldface type): If anyone **can**, Canon **can** (Canon), Buy **it**. Sell **it**. Love **it** (Ebay), It keeps **going**, and **going**, and **going** (Energizer Batteries), Heavy **industries**. Happy **industries** (Hyundai). Cited in T. Dubovičienė and P. Skorupa, op.cit., pp. 61-75.

*Innovation, performance & **luxury**. Be the part of Sunseeker **family***. (Sunseeker charter); *Safe. Strong. **Fast**. Built to **last***.

(Tailored marine, Queensland).

Rhythm provides a powerful emotional and mnemonic effect that makes an advertisement or a slogan more memorable. In literature, rhythm can be achieved by an extensive use of euphonic tools such as assonance, alliteration and rhyme, as well as by the alteration of stressed and unstressed syllables. The repetition of similar or identical patterns of strong and weak stresses in lines of poetry is called metre. Yachting slogans almost always feature a regular metre (in the following examples the stressed syllables are marked in boldface type), such as an iamb**,** an unstressed syllable followed by a stressed syllable (Be**come** u**nique** – Velvet 115); a trochee**,** a stressed syllable followed by an unstressed one (***Powe**ring **bus**iness **world**wide* – Eaton powerware); a spondee, consisting of two stressed syllables (***Your turn**! –* Lagoon 52); a molossus, having three stressed syllables (***Speed. Style. Thrill**. –* Offshore, super classic 40); an anapaest, with two unstressed syllables followed by a stressed one (*Feels like **home**. Feelin' a**live*** – Bond

Source: http://www.uniesse.com

Alena 48); an amphibrach, having a stressed syllable between two unstressed syllables (*I**ma**gine Per**fec**tion* – Lazzara Yachts). Hanse yachts company's slogan *Breaking rules. Setting trends.* can be pronounced as two dactyls (with a stressed syllable followed by two unstressed syllables) or as two cretics (with an unstressed syllable between two stressed syllables).

In addition to euphonic and mnemonic quality, the rhythmic alternation of strong and weak syllables in yachting slogans has a **synesthetic effect**, suggesting the wave motion, i. e. the sailing feeling.

Ellipsis and syncope

In poetry, an **ellipsis** is the omission of words whose absence does not impede the reader's ability to understand the expression. Elliptical structure is a common phenomenon in advertising slogans. Phrases often lack essential elements such as nouns, verbs, conjunctions… In the tour-de-force slogans *ISAKINDOFMAGIC* and *ISACHOICE*, it is obvious that something is missing but it is not clear whether it is a noun, i. e. the boat Isa 120, or the verb IS and the indefinite article A – in case the capitals ISA are taken as the acronym of the Italian boatbuilder. According to Lapšanská, the reader of the advertisement "turns to the visual layout, which provides him/her many clues to correct interpretation, so the explicit

structure of the sentence is not so important. "[1] In *Shuts down outboard thieves*, it is not necessary to insist on the agent, as the name and image of the agent (Y-COP security system) appear in the photograph. Repetition of these elements would be needless. If the main verb is omitted, as in *Unmistakably uniesse* (Uniesse motoryachts), it is probably of no importance to define neither the tense nor the aspect of the verb. *The sunny side of life* is a cute, unpretentious phrase that sounds like a promise. It would be wrong and counter-productive to avoid the ellipsis and say "Monachus power boats take you to *the sunny side of life* / enable you to experience *the sunny side of life*. "

Syncope is the omission of parts of a word or phrase. In everyday speech and in poetry, syncope refers to a contraction within a word through the loss of a vowel sound, as in the common British pronunciation of *medicine* as /'medsɪn/, but is sometimes extended to the loss of a consonant, as in *boatswain > bosun*. Syncope is sometimes indicated in writing by an apostrophe. While syncope in poetry results from poets' attempts to fit their words and lines of poetry to a specific rhythm and meter, syncopes and contractions in slogans rather try to create intimacy between the seller and the buyer: *Feels like home. Feelin' alive* – Bond Alena 48); SOMEDAY THEY'LL LOOK BACK JUST AS FONDLY. (Vicem Yachts), an advertisement showing two kids at the yacht's bow, staring at the horizon.

Comparison, simile and rhetorical questions

Comparison is a rhetorical device in which advertisers compare or contrast two products, services, or ideas. One of the perceptible tactics is to use **unqualified comparison**, i. e. the use of words as "every", "always" or "none", where the second element of comparison is never stated: *A Riva is a Riva. Always*. (Riva yachts, Ferretti Group). Such slogans suggest that the advertised brand is *perfect*, or *ultimate*, or *premium*. Sometimes, in order to avoid overexploited lexis, slogans make use of a **simile,** "*a figure of speech in which one thing is likened to another […] to clarify and enhance an image. It is an explicit comparison (as opposed to the metaphor, where the comparison is implicit*. [2] It is recognizable by the use of the words 'like', 'than', 'as' or 'as if'. Simile usually underlines positive characteristics of the advertised product or service and strengthens emotional representation of its features: *Feels like home. Feelin' alive.* (Bond Alena 48); *Different… Like you* (Saltus brokerage & charter); *It's nothing like the real world* (Yacht Week, Croatia).

Ordinary solutions such as *more*, *better* or *best* do not seem to be suitable enough for supporting sophisticated yachting brands. A rare exception is *Simply the best* (Dominator motor yachts). The message is very common, boring, and – worst of all – not original. Actually, it is one of the most overused phrases in the history of advertising. [3]

Rhetorical questions that assume one possible answer have been widely used in advertising business. If utilised correctly, they engage the target audience and help persuade them to come to a conclusion on their own, which has a greater effect then simply telling the audience to do something. The questions may be short (*Got milk?* – California Milk Processing Board) or rather long structures containing other rhetorical devices, e. g. hyperbole: (*ISN'T SHE TRULY **MORE** OF EVERYTHING!?* – Steeler Panorama FF53), but there is one thing they have in common – seeking a simple and quick answer, preferably "yes" or "no".

Apposition

Placing of two statements side by side, in which the second defines the first, is the simplest advertising phrase pattern. A brand name and the additional phrase in **apposition** create a metaphorical parallelism between a product and a feature: *Vicem Yachts… Redefining Modern Luxury*. (Vicem yachts); ***GREECE A MASTERPIECE YOU CAN AFFORD***. This juxtaposition may be regarded as a sort of metaphor, or an elliptical comparison (without *like* or *as*). It can be even used as a means of contrast or antithesis.

Tropes Unlike schemes, which change the ordinary or expected pattern of words, **tropes** are figures of speech that change the general meaning of words.

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[1] Lapšanská, op. cit.

[2] Cuddon, op. cit., p. 830.

[3] Brands and companies that used or have used it include American Legend, Amiga, MGM Auto Group, Sunshine Flights, and dozens of others (Timothy R. V. Foster, *The Art and Science of the Advertising Slogan*, ADSlogans Unlimited, 2001).

Slogans supporting boating products and services feature a variety of words or phrases that are used in a way that is different from its usual meaning, in order to create a particular mental image or effect. Figurative language of yachting slogans often includes metaphor, metonymy, personification, hyperbole, antithesis and, less frequently, homonymy, polysemy, pun (word play), neologism and intertextuality.

ISN'T SHE TRULY MORE OF EVERYTHING!?
- STEELER PANORAMA FF53

Source: http://www.steeleryachts.com

Metaphor and metonymy

Dubovičienė and Skorupa point out that **metaphor** "contributes to the aesthetics of the message and emphasizes the main idea, describing one object in terms of another, usually by means of implicit comparison", listing a number of famous slogans: *Open Happiness* (Coca Cola), *It gives you wings* (Red Bull), etc. [1] Correspondingly, metaphor is an efficient tool in yachting ads. In *The perfect mates for your next race*. (Heuer yacht timers), the perfect mates are not companions or deck officers but watches and timers. A marine engine that provides propulsion and generates power can be regarded as *The Heart of the Yacht* (Volvo Penta D1-13), whereas a boat itself can be likened to *Sea Symphony* or *Queen of the seas since 1968*. According to Lapšanská, a single metaphor "may be worth of a hundred words of advertising text. It has an interesting value and stimulates the curiosity of the reader about the product". [2]

Metonymy uses a single characteristic of a person, product, system or phenomenon to identify the entire entity. The association is always logical. For example, the British monarchy is often referred to as the Crown. When a boater says "I like Yamaha", he or she uses metonymy to explain that he or she likes one part, not the whole entity, i. e. Yamaha marine engines, not Yamaha as a company. In *Simplicity with style*, metonymy is used to underline one of the recognisable features (simplicity) of a complex and therefore complicated product such as a cruising power yacht, namely Monachus lobster. There is also a noticeable effect of antithesis (simplicity / complexity).

Antithesis and hyperbole

Antithesis is a figure of speech which expresses two opposite ideas in order to emphasise the meaning and the contrast. It is based on **antonyms**, words of opposite meaning or opposite ideas: **A small family business for big family fun! (Splendor power catamarans);** *Perfect Epoxy for an imperfect world* (WEST System Epoxy); *Where Land Ends, Life Begins* (Sea Ray sports cruisers).

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[1] Dubovičienė and Skorupa, op. cit.

[2] Lapšanská, op. cit.

Hyperbole, a deliberate use of overstatement or exaggeration to achieve emphasis, is also frequent in yachting slogans: *For Emperors and Princesses* (Brioni 44); *No storm can stop us* (Aicon yachts); *Making progress possible* (Caterpillar marine engines); *UNSURPASSED SERVICE* (West Marine Megayacht Supply).

Homonymy, polysemy and puns

Homonyms are words that share the same pronunciation but have different meanings, whether spelled the same or not. [1] These words are sometimes used by copywriters to create **puns** in advertising language: *PERFORAMANCE ANYWEAR* (Musto LPX clothing, *wear* and *where* are homophones). The US Superyacht Association's campaign *Come Sea U. S.* uses homonymy to promote the yachting industry in the United States. This kind of play works only in print and it cannot be recognised when spoken.

In homonymy there is no semantic connection between the two lexemes, only phonological one. On the other hand, a **polyseme** is a lexeme with two or more multiple, related meanings, so that the connection is not only phonological, but also semantic, as in *The power to be independent* (Mastervolt electric equipment) where *power* refers both to ability and electricity. These wordplays or puns have inevitable humorous effects and, as Dubovičienė and Skorupa assert, they can "work miracles" by capturing the attention and impressing people with smartness and novelty. [2]

Neologism, collocation and intertextuality

Source: http://www.yanmar.com

Advertising texts take advantage of using made-up or adapted words and expressions in order to support the creative aspect of advertisement and its attraction. **Neologisms** are created by affixation, compounding, shortening and other ways. For example, affixation – the process of building new words by adding an established prefix or suffix to the existing base – is a very productive process of building new words in English: *Solutioneering Together* (Yanmar); *IF IT SPEEDS, MOVES, SAILS, DOCKS, FLOATS, ROWS, PUTTERS, RACES, SKIMS OR ANCHORS OUT HERE, SUNBRELLA IS ON IT.* (Sunbrella marine canvas).

A **collocation** is a sequence of words that occur more often than would be expected by chance: *Breaking rules. Setting trends* (Hanse); *So worth it* (Bayliner).

Intertextuality, the way one text echoes or refers to another text, a phenomenon sometimes difficult to recognize, e. g. *Evolution of the species* (Azimut 54), referring to Charles Darwin's theory of evolution; *ISAKINDOFMAGIC* (Isa 120), possibly referring to *A Kind of Magic*, the twelfth album by English rock band Queen, released in 1986. In advertising, the intertextuality is best used when there is justifiable supposition that the original text is well-known among the targeted clientele.

Personification and synaesthesia

Other forms of figurative language in yachting slogans include **personification**, attribution of human qualities to inanimate objects (*Yachts with Ambition* – Steeler Yachts), and **synaesthesia**, blending of different sense modalities, e. g. warm colours, heavy silence, *Blue Power* (Victron Energy electric products). Synaesthesia became especially popular in the 19th century through the work of Charles Baudelaire, Arthur Rimbaud and the symbolist movement.

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[1] In everyday contexts homonyms and homophones are used interchangeably. Strictly speaking, the word **homophone** is used to refer to words which sound alike, although they have a different spelling and meaning (e.g. mail / male; wear / ware), while **homonyms** refer to words which have the same spelling and pronunciation but have a different meaning (e.g. May / may). See Wikipedia at: https://en.wikipedia.org/wiki/Homonym).

[2] Dubovičienė and Skorupa, op. cit.

 Additional imagery (lexical and syntactical elements) In addition to figures of speech, the poetics of slogans in yachting advertisements include **specific motifs** evoking the themes of being alive, capturing dreams, absence of limits, seeking adventure, independence, perfection, tranquillity, harmony, style, safety.

These are the values that are considered essential in boating and – as is often suggested – in living: *Launch into living* (Sea Ray), *Dare to dream* (Princess 58); *Own the dream* (Vicem yachts),

Source: http://www.heesenyachts.com

No limits (Mira, Alena & Fashion Yachts), *The value of the tranquillity* (Lexsia yachts), *Technologies to trust* (Alfa Laval),

 Performance at its best (Sunseeker Predator 80). Excessive use of certain motifs (*performance, perfection, emotion, dream*, *style*…) may reduce the strength of the desired effect.

It is not surprising that a copywriter unintentionally creates a slogan that already exists.

For instance, **PASSION, PERFORMANCE, PERFECTION is used by Dutch yacht builder Heesen Yachts, while** *Passion, performance and perfection* is used by Focus, German company that produces bicycles and cycling products. As it has been pointed out, one of the crucial tasks of a slogan is to help differentiate the brand. In this particular case, both slogans failed, not only because they are identical, but also because there are a number of slogans, in all sorts of trades, which use the same word corpus. The saturation of messages may lead to a glut of generic, hollow statements, i. e. **cliché**.

Sometimes **proper nouns** appear to support the message, referring to the producer (*Mares bringing style and elegance to the world of catamarans* – Mares) or one of the recognisable qualities of the brand (*Built for the North Sea* – Viknes motor boats). Azimut's daring slogan *The best boat for British people... has been designed in Italy* (Azimut Magellano 43) features an **unexpected ending**, an effect typical of a lyric poem. The effect is additionally reinforced by the alliteration of [b] in the first part, which suddenly disappears in the second part, releasing pure information (*designed in Italy*), relieved of any poetic tool, challenging British boatbuilding tradition and shocking potential consumers.

Being "poetic", yachting slogans seldom contain **numerals**. When they do, numerals usually evoke a tradition that guarantees the brand's quality: *CREATEUR D'EMOTIONS DEPUIS 1973* (True North S. N. I. P Yachting), *125 years of heartfelt dedication* (Dräger gas detecting equipment), *Celebrating Adventure For 30 Years* (Adriatic Croatia International Club).

Generally speaking, the **choice of verbs** is very careful in advertising. Yachting slogans largely follow the rules, avoiding any associations with buying or spending money. Instead, they make use of common alternatives such as *enjoy* or *discover*, but also introduce specific verbs that are related to the above mentioned values: *dare, capture, launch, join, sail, keep, feel, imagine, dream*…

The most frequent **modal verb** is "can": *No storm can stop us* (Aicon yachts), *An idea can take you anywhere* (Pershing power boats), *Control Solutions You Can Trust* (Dynagen Controller). These examples also contain possessive and personal **pronouns** that tend to shorten the distance between producers and consumers and are therefore used in advertising discourse more often than in other discourses. [1]

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[1] Machynková, B. (2009). *Translation in Advertising. Transfer vs Adaptation*, Tomas Bata University in Zlin.

The hull-side slogan of Beneteau's Oceanis 38 (*YOUR BOAT. YOUR RULES.*) features possessive adjectives to highlight commitment to the customer, suggesting that the boat is built to a buyer's individual preferences.

The most powerful ones are pronouns *you, your, we*, *us* and *our* because they suggest personal relationship: *Our technology, your emotion* (Sacs S680); *NO PASSION WITHOUT RISK… LEAVE THE RISK TO US*. (Pantaenius Yacht Insurance). The **syntax** of the slogans promoting boats and boating equipment and services may include various sentence types.

Often, the advertising messages consist of **elliptical noun phrases**, as in *Support without limits* (BluePoint Yachting) or *The Heart of the Yacht* (Volvo Penta).

Adjectives are combined with nouns: *Unbeatable for Quality and Performance* (Gianneschi pumps and blowers) or used independently, usually in **clusters**, as in *Reliable, Clean, Quiet – and Powerful* (Cummins marine engines).

If verbs are used, the phrase may be **exclamative**: *Your imagination is the limit!* (Vanga 44), *What a yacht* (Bavaria); *Way of life!* (Suzuki outboard engines), but most frequently **imperative**: *ENJOY THE EXPERIENCE* (Dubai D3 Yacht rental), *Join the movement* (Garmin GPSMAP 720s); *Keep Sailing* (Hempel). Along with imperative, the prevailing verb forms include the Present Simple Tense, usually in the third person singular (*feels / is / ends / begins*…), and gerunds: *Meeting regulations, protecting lives, lowering costs* (McMurdo safety equipment). See also the above examples of slogans containing: *feeling, solutioneering*, *fashioning*, *powering*, *breaking*, *setting*, *cruising*… The described vocabulary, syntax, figurative language, rhetorical devices and metrical regularity contribute to the "mood" that pervades the advertising messages in yachting advertising, affecting their **tone** and poetics.

Source: http://www.beneteau.com

 Graphics

The text of a slogan represents only one aspect of the advertising message. Other elements include body text, technical description, photographs, audio and video

Source: www.luerssen-yachts.com

material, etc. The 2008 Huckins Yachts' campaign produced advertisements exploring different aspects of their new brand. The yacht was taken to Bimini and put in various settings (open sea, coastal area, shallow inland waters). Photographs emphasize the key qualities of the yacht (craftsmanship, classic design, style, and possibilities resulting from fuel-saving jet-drive system) and so do the accompanying slogans: contrary to what you've been told all your life. Shallowness is a positive attribute; imagine owning a yacht that inspires you to stare at the scenery, not the fuel gauge.

Although this paper focuses exclusively on the linguistic aspect of the yachting slogans, it would be just and perhaps interesting to highlight that some of the above examined poetic tools become recognisable only when media other than text are included in observation. In the already observed example of the Yamaha's slogan *Shuts down outboard thieves*, an **ellipsis** (omission of the agent) is made possible by juxtaposing the photograph of the agent (Y-COP security system). Advertisements of the prestigious German shipyard Lürssen GmbH feature the slogan *Yachts built on family bonds since 1875*. In addition to referring to tradition, the message unpretentiously implies that Lürssen is a family business. A consumer who is not familiar with Lürssen production may expect that a family-size boat would appear in the advertisement along with such a slogan, but here comes an inter-media **antithesis**: beneath the company's logo and slogan, there is an image of an impressive 91-metre Descout superyacht. Antithesis is noticeable in Huckins Yachts' slogans too: *shallowness – positive attribute; scenery – fuel gauge*.

Advertisement designers pay particular attention to graphics – colour, type and size of the script. **Typography** and text layout can also be considered as poetic tools, especially having in mind radical techniques of Guillaume Apollinaire, a French poet and art critic of Polish descent. It is not possible here to engage in a detailed analysis of graphic features of yachting slogans, but it is only fair to draw attention to the most frequent technique – **capitalisation**. We can distinguish two types. *Initial* capitalization has an emphatic effect because the advertising message looks like a headline, like in Sea Ray's *Where Land Ends, Life Begins*. As a result, the meaning of each word is highlighted. Likewise, as in a number of the above examples, *full* capitalisation is used in advertising slogans for similar reason: in **Heesen Yachts' Passion, Performance, Perfection, words are written in small capital letters whereas the initials are normally capitalised, thus graphically reinforcing a strong alliteration of three P's and creating a beating effect – the rhythm. D**ifferent sizes of capitalisation were used **in** slogans of Huckins Yachts, Pantaenius Yacht Insurance, True North S. N. I. P Yachting, Sunbrella marine canvas etc., to emphasise the most important elements of the message. In an attempt to differentiate their brand, advertising text may be printed in a variety of fonts, sizes and colours.

CONCLUSION

Short advertising messages feature an amazing variety of poetic devices. If they were not referential, i. e. inherently referring to a specific purpose and meaning, advertising slogans, including the ones supporting products, services and events in recreational boating, could be considered as poetic forms determined by their own techniques, tone and content. The stylistic analysis, supported by qualitative, descriptive and comparative methods, has been used to identify and examine the poetic elements of slogans in yachting ads: schemes, tropes and additional imagery.

While rhymes – often associated with mass production – are rather rare, yachting slogans abound in other **parallelisms** such as alliteration, assonance, anaphoras and other devices that create euphony and rhythm. The latter is further reinforced by regular metres. Other **schemes** include ellipsis, simile and apposition, and – to a lesser extent – unqualified comparison and syncope. These tools provide strong euphonic and mnemonic effects that help slogans, and the brands they support, to be recognised and remembered.

Slogans that appear in boating magazines frequently use **tropes**, especially metaphor, metonymy, hyperbole, antithesis and unexpected ending, whereas homonymy, polysemy, pun, neologism, collocation, intertextuality, personification and synaesthesia are used less frequently. The complete absence of onomatopoeia, irony, paradox, oxymoron or tautology can be justified by the very trade, where too much wordplay around sophisticated products might be considered inappropriate.

On the other hand, the absence or low frequency of some figures of speech is potentially a great opportunity: from the business standpoint, it might be sound to use them more frequently, instead of insisting on the overexploited language resources that do not appeal to the targeted consumers any more.

The **specific imagery** in yachting slogans is usually associated with living, style, elegance, emotions, imagination, dreams, independence, exploration, solitude, harmony, perfection, reliability and safety. The analysis of the observed slogan corpus has revealed an excessive exploitation of certain motifs: *living*, *dream*, *style*, *experience*, *passion*, *perfection*… Such slogans become trite, vacuous phrases to an average consumer and fail to carry out their principal task – to differentiate the brand (e. g. **Passion, Performance, Perfection**).

Due attention has been paid to the graphic aspects of some advertisements. The **visual layout** provides clues to correct interpretation, so that the explicit structure of the sentence is not so important. This allows the use of ellipsis, hyperbole, antithesis and other figures of speech, while the initial or full capitalisation of letters graphically reinforces the message.

Yachting slogans rarely use questions, rhetorical questions that assume one possible answer, presuppositions, or comparisons with other brands. Elliptical structures and noun phrases, with or without adjectives, are dominant. When verbs are used, the most frequent forms include Present Simple Tense, imperative and gerund. As is the case in other trades, any association with buying or spending money is carefully avoided – instead, verbs like *get*, *enjoy* or *discover* are used, in addition to the ones specifically related to yachting: *dare, capture, launch, sail, imagine...* Pronouns like *you, we, us, our, your…* are essential in suggesting personal relationship between producers and consumers.

It commonly occurs that a slogan contains a set of various figures of speech: *Feels like home. Feelin' alive* (anaphora, alliteration, anapaest, syncope, simile) *Queen of the seas since 1968* (alliteration, assonance, metaphor), *Sea Symphony* (capitalisation, alliteration, assonance / rhyme, metaphor), *Making progress possible* (alliteration, iambic metre, hyperbole), or powerful sound parallelisms, as in *Sometimes solitude is the most exclusive luxury* [s-t-s, s-l-t-s, s-t-s-l, s-l-s]. This often results in dense messages, loaded with obvious and less obvious nuances and connotations, which may easily be mistaken for the lines of "real" poetry. Whether this suffices to consider them as a poetic form or genre with a distinct "personality" – remains an issue for further research and discussion.

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The Stress in the Working Environment: A General Point of View of the Effects of Stress on the Productivity of Nurses

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Abstract

The main focus of this study is the qualitative analysis of the phenomenon of stress and its influence on the productivity in the working environment. In order to create a clear point of view in the stress-productivity ratio, this study has been channeled in the profession of nurses. For this reason there were selected 8 nurses from the General Hospital in the city of Elbasan, from which 7 are females and 1 is a male. Every member underwent a structured interview, which contains 15 claims. From the analysis of the results it was concluded that the stress has a wide range of spreading and a considerable amount of influence among nurses and their productivity. Furthermore, there were identified some factors and sources of stress such as: the condition of the patients, the lack of working tools and medicaments, people's irresponsibility, the lack of respect toward the hospital's rules, misunderstandings, the work overload and the relationship with the colleagues. Towards the end of the study there are offered some recommendations for the stress management in the working environment, based on the elements which were evidenced from the data analysis.

Keywords: Stress, Productivity, service quality, working environment.

Introduction

Many studies have considered stress as the century's disease, which is constantly 'corroding' society and its individuals. Nobody is immune to stress because people feel it in one way or the other. The word 'stress' has different meanings for different people. Some people define stress as an event or situation which causes the feeling of tension, pressure or negative emotions such as anxiety and anger. Other people see stress as a reaction toward negative and unpleasant situations; this response includes both emotional and physiological changes. The stress affects every aspect of life including the familiar, social and working environment. If we focus on the working environment the stress affects employees not only from the emotional and physiological point of view, but also it influences their productivity and the quality of service. There are many factors which influence a person to be considered as being productive, especially in the working environment. Being productive means to be motivated toward the work done, Hall, L. M (2005). Productivity, theoretically speaking, is a measurement or calculus between the input and the result. The input is the amount of time and work invested whereas the result is the final product. If the results are equivalent with the input the employee is considered to be productive. The stress takes a major deal of importance when it is found in institutions such as hospitals, because the work itself here is of great importance and responsibility.

However, which is the ratio between stress and productivity? Different studies show that the more employees are affected by stress the less productive they are at work.

Even though it is clear that the stress is a real problem for the category of nurses not many enquiries have been made toward this problem. Based on the knowledge and information attained by studies this issue was not realized before in the Albanian context. This study was decided to be conducted due to the importance, weight and extension of this topic. The validity of this research does not limit only among nurses and the hospitals but also for patients, who are the beneficiary of the health service. This study has a qualitative design where there were sampled 8 nurses of the General Hospital in the city of Elbasan. The results showed that the stress has a wide range of spreading in the work of nurses and a considerable amount of influence among nurses and their productivity.

Research Questions

How much is the phenomenon of stress spread among nurses?
Which are some of the main sources of stress?
Does stress indicate on nurses' productivity?

Objectives

- To investigate the ratio of the variables stress-productivity;
- To analyze the extension and sources of stress's dispersion;
- To find out if stress influences nurses' productivity;
- To offer recommendations based of the obtained results;

Purpose of the study

The purpose of this study is to investigate stress and its influence on nurses' productivity. Consequently, in order to fulfill this main aim, it was given a specific importance to the sources of stress and its effects on productivity.

Literature Review

The stress among nurses

The actual usage of the term 'stress' comes from Selye, by defining it as a 'non-specific response of the organism for any demand made to it', even though later he accepted that there is not a definition which can entirely describe a qualitative phenomenon such as stress (Selye, 1976). This difficulty continues with different definitions, where the stress is defined as the effect rather than the actual cause. Baum (1990) and Derogatis (1987) describe stress towards an unpleasant emotional experience, or the feeling of pressure influenced by the personality of a person, by the environment or by any the emotional reaction. It has been wildly accepted now that the stress includes discomfort and pressure, even thought Llazar and Folkman (1984) point out that this is highly variable and subjective. The work of nurses was frequently described by many scholars as a complex profession, as their role does not limit only to giving health services, but the role of nurses has a wide extension on other aspects. Furthermore scholars value the weight and importance of this profession, therefore this category of employees is considered among the most exposed category toward experiencing stress in the working environment.

But which are the consequences of stress?
The stress means a series of biochemical changes which happen and strongly influence every cell in our body. The stress begins within our body, we judge something as stressful though the cerebral cortex which gives the alarm, the messages to the hypothalamus (Baum, A.1990). The stress is accompanied by a series of physiological reactions such as:
1. Increase in the amount of sugar, fats and proteins in our blood;

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2. The saliva dries up, breathing becomes more rapid;
3. The heart beats too fast, the blood pressure increases;
4. The blood vessels in the skin and in the digestive system solidify;
5. The sweating grows;
6. The blood vessels on the surface of the body constrict;
7. The endofin eases pain;
8. The brain's activity grows;

Nevertheless, what is more important is that the stress influences extraordinary on our psyche. The effects of stress in our mind are very high, especially when we are performing a task. Due to stress we might suffer:

1. Difficulty in focusing or bewilderment;
2. Decrease of the ability to remember or oblivion;
3. Inability to organize thoughts or narrowing of thinking;
4. Inability to be realistic;

It is understandable that the psycho-physiological impact that stress has on us automatically will affect on our activity and work. Whenever we are under the effects of pressure of stress we:

1. Haste to perform actions;
2. Can conduce neurotic actions;
3. Can display problems of speech;
4. Display hyperactivity or hasty action (panic);
5. Tend to eat, drink alcohol, coffee, tobacco etc;

Productivity among nurses

Productivity is determines as the final result of the contribution given in a specific organization related to the amount of consumed sources (McNeese-Smith, 1997). It measures the qualitative and quantitative aspects such as the achieving of goals and the achievements at work (Bain, 1982). Productivity is one of the major indicators in the professional development inside any professional group, by including here even the group of nurses. Productivity is a mass of efficiency of the product.

The productivity among nurses is rarely studied as more importance is given to the relation between the performances of the organization or institutions in general and the efficiency of the working groups. What is measured, as a result, is the quality of service attained by patients. (Helmer & Suver 1988, Sorrentino 1992, Kennerly 1996).

If we make reference to the working environment, productivity is seen as an element which directly affects the profit of a company. When employees are productive they can achieve more in a specific period of time. However, when the employees are not productive they tend to extend the deadlines of project fulfillment, which costs a lot of many to their employers due to the time wasted (Lazarus, R. S. & Folkman, S. 1984).

The productivity among nurses is very difficult to measure as it is composed by many elements which influence their work and which causes much complication, these elements are: the knowledge of nurse, the leading systems of the institution, the working conditions, the stress etc.

The elements which compose productivity
The physical capital: Resources made by human such as vehicles, buildings and cars.
The human capital: The labor force that possesses the skills, education and training.

The technology: The technical means to produce goods and services. This is the most important driver of productivity according to some economists. It includes not only great inventions, but thousands of small innovations. Productivity can be increased with the growth of the physical capital, of the human capital or of the technology (Moody, RC 2004).

The impact of stress on productivity

Multiple studies have analyzed the ratio or the relation among stress and productivity. As it was previously mentioned the stress can affect any aspect of an individual's life by including especially the working environment. However, why is there the necessity to study the relation stress-productivity? Whenever we talk about stress we automatically take into consideration even the negative psycho-physiological consequences which stress has among us. Certainly the negative consequences of stress can be projected in the working environment, especially in the diminishing of the employee's productivity, which definitely leads to capital loss (Derogatis, L. R. 1987).

What must be taken under inquiry is the fact that if we return to the studies or literatures which have measured the stress-productivity ratio we can observe a variety of stress sources. However, the results of these studies are all summarized in the conclusion that "if stress in the working environment is high it lowers the productivity of employees". To be more concrete in H. Zemberger's study, which was realized in New Zeeland, it was researched on the negative consequences that stress has on productivity. This study was realized on the employees of a company which produced shoes, and 273 employees of this company were sampled in an intentional way. The results of the study evidenced that there existed a great misbalance among the workload and the deadlines which was given to the employees in order to realize their work. It was established that around 78% or employees that were sampled resulted to be on a higher level of stress above the average, whereas their level of productivity was under the allowed norm. This study is a very good indicator which efficiently signalizes the factors and sources of stress.

Methodology

⌓ *Design of the study*

This study has a qualitative design. This selection was initialized from the main purpose and objectives that this study has; therefore, the qualitative design makes possible their realization. The purpose of this qualitative study is to unravel this occurrence and this phenomenon. Consequently we can offer the main understanding of the topic and its different points of view altogether.

⌓ *Target population/ Sampling*

The target population samples for this study are the nurses of the General Hospital in the city of ELbasan. From this target population there were selected in a purposeful way 8 nurses, from which 1 is a male and 7 are female nurses. The manner of sampling which was selected for this study is not that of probability. The sample of this study is a small but homogeneous group, which means that there was preserved equilibrium among the main criteria that the population has.

⌓ *Instruments of data gathering*

With the purpose of collecting the appropriate data for the study it was applied a half structured interview for all the sampled nurses. This interview was created by the researcher itself by relying on the previous researches and literature review. This structured interview contains 15 questions related with stress and productivity. The necessary time in order to apply this instrument to each sampled member of the group is about 35 minutes.

Data analysis

All the data gathered from the interviews were analyzed in minimal detail in order to give answers to the research questions of this study. The interview is introduced through a question which aims the general description of the work done by nurses. The main purpose of this question is to reach an understanding of the nurse's perception of the work they perform. In general terms the work of a nurse is a beautiful and humane job which offers special satisfactions. Nevertheless, it is simultaneously an exhausting job, filled with stress and anxiety, accompanied by continuous tensions.

However, what is stress for nurses? The answers to this question were diverse. For somebody stress is perceived as anxiety, tiredness and nervousness. For others stress is compared to a 'heavy rock' that we keep with us. It is worth mentioning the fact that there was a common element in the answers given by all the nurses, they answered that the stress was perceived as something normal, a part of their daily routine. When converted in a scale from 1 to 10 the amount of stress at work according to nurses scored an average of 7.

With the aim of investigating around the stress factors the interviewee were asked to enlist some sources which cause stress in the working environment. Based on the frequency of repeated answers given by the interviewee it was discovered that the main sources of stress were: the condition of the patient, the lack of working tools and medicaments, people's irresponsibility (of patient's relatives) the lack of respect toward the hospital's rules, misunderstandings, the work overload and the relationship with the colleagues.

With the intention of creating a clear overview around the topic of stress the nurses were interrogated even on the elements which accompanied stress. According to the data gathered from the interviews during the moment of stress people felt: tiredness, nervousness, anxiety, headache, sweating (especially in the palms of the hands), and uncertainty.

Nurses in a unanimous way responded with a Yes to the following question: 'Do you properly perform your work under stress?' Here are some arguments offered by nurses in support of their answers:

> "*My job is so important that it does not let me think about myself, the patient and his condition is what matters here, and not the stress that I have.*"
> "*I am now accustomed to stress, due to so many years of work, I know very well what I must do and I try my best doing it.*"

Nevertheless, even if they do not present traces of stress in the working environment, none of the interviewee negated having experienced it. If the level of stress surpasses the 'bearable' limit, it will indisputably affect the work of nurses, their productivity, performance and quality of service that they offer. This fact was confirmed by another part of the interviewee, who offered even concrete cases when they were unable to realize their job as they should have, due to the presence of stress. In the following paragraph there are cited two of the most interesting cases.

> "*Approximately four years ago I was a nurse at the reanimation pavilion where my younger brother came with emergency. He had suffered an accident with his motorbike and his condition was very serious and critical. When I was able to see him I froze immediately, I couldn't move my fingers and I was stunned. My brother was reduced to pieces and he was transfigured. It was thanks to God's will that apart from my colleagues there was even the primary doctor, and thankfully now my brother is very well. He suffered a lot…however, thank God he was able to survive and not from my help, because if it had been for me I would not have done anything as I was unable. *"

> "*Probably it was the day when the match between Albania and Armenia was held, but I am not certain. The fans were involved in a physical struggle among each other and around 20-30 patients came into the pavilion simultaneously looking for help. The entire pavilion was involved into chaos, as some people came and other went away. We could not understand any more what was happening, and who to attend first.*"

As it can be clearly observed, whenever the level of stress rose, in one way or the other; the work of nurses and their productivity was put at risk. Whenever they were asked on 'what did they understood with the term 'being productive', the interviewed nurses have given different answers. A part of the nurses thought that productivity was 'having ability to fulfill their work in the right way'. 'Being productive' in general terms means to be: active, hard-working, versatile, valuable and able to do one's job. This is how one of the interviewee responded to the question.

"We nurses do not produce anything, however we offer just one thing, the service…in order for me to be called productive my patients will receive from me a very, but very good service."

The interviewees were asked to enlist some factors which affect their productivity, with the purpose of investigating the relation stress-productivity and simultaneously in order to give an answer to one of the research questions of this study. Among the main elements mentioned we can cite: lack of working tools and medicaments. This is how the interviewees responded:

"How can a builder build a palate, if he does not have any bricks not mortar? This is the same thing for us, if we do not have the needed tools."

Other factors which influence productivity are: stress, anxiety and nervousness. The majority of the interviewees said that high levels of stress affected their productivity as when they were under stress they were not concentrated at all. Nurses said that if they were under pressure of stress it made it very difficult for them to realize their job as they should have and they were not 100% productive.

The interview is concluded with two specific questions: "How do nurses handle with stress at work" and "what would nurses change it they had the possibility, in order to be more productive and less under stress." It was notices that all the answers given followed the same pattern, *'I try to act very normal and not disclose myself ', 'I keep the stress inside me', 'I try not to think about that very much'* etc. Therefore, to put it in other words, the majority of nurses who were interviewed used evasion as a technique for managing stress in the working environment. Regarding the elements they wanted to change to improve their work, and to decrease the level of stress and increase the level of productivity, they are enlisted as sources which cause stress. Concretely, the interviewee expressed the need for satisfying the shortage of medicaments or working tools. However, simultaneously the nurses were conscious that in order to change a part of the stress sources like: patient and relatives' awareness for following the rules of the hospital, the lack of respect/culture on keeping silence, it is needed to work hard to change, because there is the need for mutual collaboration.

In relation with the data given above, we can conclude that stress has a considerable influence on productivity of nurses. The higher the level of stress is the lower the productivity becomes.

Discussion

The discussion on the results of the study aims to evident the realization of the purpose of this study. The reason of the realization of this study was the investigation of the extension and diffusion of the stress in the work of nurses; to evidence the main factors of stress, and finally to analyze the impact of stress on the productivity of nurses.

Starting from the data gathered and their analysis we can give answer to the research questions raised during this study. Firstly, it was evidenced an average level of stress experienced by nurses in their working environment. Even though stress is considered to be a daily 'accompany' of their job, stress still stays within normal and confronting levels.

Among the main factors the interviewee enlisted a series of stress factors as having more importance, such as: lack of working tools and medicaments, the work overload, the condition of the patient, the relationship with the colleagues and the relatives of the patients. If we go back and analyze concretely the study realized by H. Zemberger in New Zeeland, we can see that it was noticed that the work overload was considered the primary source of stress. In this case the findings of this study are found in the same line of the findings of other studies. However, it is worth mentioning that in the case of nurses, the stress has a great influence, as the job itself has different specifics.

The lack of stress management and its mismanagement in the work of nurses can lead to severe consequences. From the data analysis it resulted that stress itself affects on nurses' productivity. Even though the influence of stress on productivity is left in moderate levels, still there is the need to take considerable measures for treating and managing it.

In fact the nurses who were included in this study consider stress as highly productive and argument the fact that independently from being under pressure the experience has helped them control and manage stress better in the working environment. The necessity for stress management in the working environment does not only relate with the low productivity of nurses, but even with their work, with the quality of their job, with the low performance, and above all the mismanagement of stress influences on the psycho-physiological health of nurses.

Recommendations

Based on the results attained in this study we offer some recommendations for the stress management in the work of nurses:

- ৪৩ It is recommended to develop special training that will help this category of workers, in order to manage the stress in their work. During these trainings there can be offered different methods with the specifics of time and workload management.
- ৪৩ Taking into consideration the fact that the main sources of stress in the work of nurses were the relations with the patients, to be more precise with the relatives of the patients, it is recommended to develop specific trainings and seminars where nurses will be able to learn new methods of communication. The main aim is the creation of a collaborative relationship between both parties.
- ৪৩ From the data analysis it was clearly understood that one of the main methods used by nurses to deal with stress is evasion. This technique or method when used continuously loses its efficiency; it ceases to be valid as it can only accumulate stressing situations. Therefore it is recommended that as a way of stress managing in the working environment nurse should use confrontation, they should treat the problem until they reach a resolution.
- ৪৩ Furthermore it is recommended the development of positive thinking, the development of physical activities and a healthy diet and eating habits.
- ৪৩ Finally, it is recommended the publication of this study and its reference to the parties of interests. As it was highlighted in the beginning of this study, the benefits of it are not limited only to nurses, but to all the hospital as an institution and especially for the patients who are beneficiates of the health service.

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Raising Awareness on the Turkish Learners of English about the Arbitrary Nature of Figurative Expressions

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Abstract

In this paper, we have tried to remark the significance of the arbitrary nature of figurative expressions for the Turkish learners of English comparing English metaphors, similes, idioms, proverbs, sayings and collocations with their closest Turkish equivalents. If figurative expressions are interpreted literally or translated word for word, they sound nonsense. From the view point affective communication, inaccuracy or inappropriateness of the informative connotations of our words are irrelevant. Therefore, we may refer to the moon as "a beautiful lady", "a grandfather", "a tray", or "silver ship" or anything as long as the words arise the desired feeling. For that reason, literary works are difficult to translate from one language to another because regarding only the informative connotations will often falsify the affective connotations. Figurative expressions are based on some supplementary complements in the primary meaning and often they are arbitrary and conventional. Therefore, they are usually specific to a particular culture and language. For example, "an owl" is considered to be exceptionally clever in the Western culture but its most important connotation in the Turkish culture is its bringing bad luck. The traits assigned to animals and entities differ from culture to culture. Thus, to comprehend such figurative expressions and translate them properly is impossible without knowing their closest equivalents in the relevant languages. We can see the arbitrary nature of figurative expressions clearly examining some metaphors, similes, idioms, proverbs, sayings and collocations and their equivalents in the target language. We are of the opinion that this activity will enable us to raise awareness on the Turkish learners of English particularly on the prospective teachers of English and so that they will have the chance of becoming component speakers and writers.

Keywords: figurative expressions, connotations, equivalent

Introduction

An event or a quality can be described more comprehensively and strikingly through figurative expressions rather than using literal language as the traits of the animate can be used for the inanimate and vice-versa. That's why a car may "lie down and die",the wind "kisses" our cheeks, the waves are "angry" and "roar, the cliffs are "treacherous", the mountains "look down" on the sea, the machine guns "spit", revolvers "bark, volcanos "vomit fire" and engines "cough". That is to say that words have connotative meanings in addition to their conceptual meanings. In other words, they have affective connotations besides their informative values. For instance, "I have been waiting for ages" is a more effective way of saying than "I have been waiting for a long time. " Likewise, "He has got tons of money "is more effective than saying "He has got a lot of money". By the same token, "I am as hungry as a bear" is more effective than saying "I am very hungry. "

If figurative expressions are interpreted literally or translated word for word, they sound nonsense. From the view point of affective communication, inaccuracy or inappropriateness of the informative connotations of our words are irrelevant. Therefore, we may refer to the moon as a beautiful lady", "a grandfather", " a tray" or " a silver ship" or anything as long as the words arise the desired feeling. For that reason, literary works are difficult to translate from one language to another because regarding only the informative connotations will often falsify the affective connotations.

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A word may have additional meanings assigned to it which are very different in every essential aspect from the primary meaning and where the link is not through essential components, such meanings are called" figurative". The more figurative the language is, the more extended the sense is. We must keep in mind that figurative expressions are those that extend the sense of a word in various directions. The comparison of "It is a fox. " with "He is a fox. " indicates that the former tells us the animal is a fox whereas the latter tells us about a man who is deceptively clever.

Figurative expressions are based on some supplementary complements in the primary meaning and often they are arbitrary and conventional. Therefore, they are usually specific to a particular culture and language. For example, "an owl" is considered to be exceptionally clever in the Western culture but its most important connotation in the Turkish culture is its bringing bad luck. The traits assigned to animals and entities differ from culture to culture. Thus, to comprehend such figurative expressions and to translate them properly is impossible without knowing their closest equivalents in the relevant languages.

We can see the arbitrary nature of figurative expressions examining some metaphors, similes, idioms and proverbs collocations and their equivalents in the target language.

Metaphors and Similes

Metaphors and similes are the main features of figurative language which often appear in the works of outstanding writers. They are the most effective ways of reflecting the writer's ability of seeing the striking resemblances and conflicting differences.

We can classify metaphors into three categories.

Dead Metaphors

Dead metaphors are the ones that have removed from their sources and whose figurative aspects are ignored. For instance, the hands of a watch, the branches of a river, a chain of stores, the eye of the needle and so on. Some dead metaphors are so commonly used for their quick and affective power that they have become a part of the ordinary language.

Stock Metaphors

The metaphors which reflect a speech community's culture are called "stock metaphors". They cover all kinds of social and cultural values of the society. They are difficult to comprehend. For instance, "horse" symbolizes "strength" in English but it is symbolized by "lion" in Turkish. Accordingly, "innocence" is symbolized by "lamb" in English but it is symbolized by "angel" or infant" in Turkish.

Creative Metaphors

It is also called original or live metaphor. This type of metaphor reflects particularly the writer's/ speaker's personal interest and imaginative power. Creative metaphor is the most common and convenient descriptive instrument in a language. It is often dramatic and shocking in affect as they establish points of similarity between one object and another without clearly stating what these resemblances are. For instance, the claws of darkness, the fingers of the fear, the heart of the problem, killing smile, the tears of love etc.

The images of some metaphors in different cultures overlap, thus, we have no problem in understanding them. We can mention most of the dead metaphors in this group. For example, a ray of hope, the circle of death, the leg of the table and so on. The images of some metaphors do not overlap but similar metaphors with different images can replace them. For instance, we use black days instead of rainy days in Turkish, "black eyes" replaces "blue eyes" in Turkish and instead of saying "sleep like a log" we say "sleep like a dead person or like a stone " in Turkish. If there is no equivalent of a metaphor in the target language, the sense behind the image should be interpreted analyzing the metaphor in detail. For example, "He keeps a good cellar. " refers to "He has a rich wine cellar", "My father" has green eyes" refers to "My father is a good gardener. " "To make a mountain out of a mole hill" means "To turn a flea into a camel" in Turkish. We should bear in mind that a lexical word can have several metaphoric interpretations as seen in the above examples.

Similes

Similes are not as difficult as metaphors as they are more precise and more restricted and they limit the resemblance of the object and its image to a single property. In a simile, the words "like" or "as…. as" are used to illustrate the nature of the comparison. The main problem may be cultural.

For instance, we say somebody is "as hungry as a wolf" instead of "as hungry as a bear".

Idioms

Idioms are special expressions composed of words with meanings assigned to the whole unit. In other words, the meaning of the whole idiom is not the sum of the meanings of the words that constitute it. Idioms reflect the way of living of the society that uses them and they change from language to language. Oxford Advanced Learner's Dictionary (2010:744) defines idioms as: "a group words whose meaning is different from the individual words. " For instance, "Let the cat out of the bag" is an idiom meaning to tell a secret by mistake. If we define idioms as phrases or word groups whose meanings cannot be predicted from the individual words that constitute them, then we have to stress that idioms are difficult to comprehend because of their arbitrary nature. For example, "apple polisher" literally means someone who polishes apples whereas its actual meaning is someone who flatters someone else. Another example is "upset the apple cart. " Its literal meaning is to cause the cart to fall on one side but its idiomatic meaning is to spoil someone's plan or arrangement.

Thinking the arbitrary nature of idioms, we can conclude that the best way to convey the meaning of an idiom is to find its equivalent in the target language.

The following are just a few examples to illustrate the arbitrariness of idioms.

Some Idioms	Their Literal Meanings	Idiomatic Meanings
1. To paddle one's own canoe	To row one's own boat	To do your work on your own
2. To bite more than one can chew	To try to eat something biting a too big piece	To attempt to do something beyond your power
3. To pull the wool over one's eyes	To cover one's eyes with wool	To cheat somebody
4. To smell a rat	To smell a rat	To start to suspect
5. To pull one's leg	To drag one's leg	To play a joke on somebody
6. Straight from the horse's mouth	Directly out of a horse's mouth	First-hand information

It is not surprising that non-native speakers of English naturally have problems in understanding some idiomatic expressions and get confused since the true meaning of an idiom generally cannot be determined by studying its components.

Proverbs and Sayings

Obviously there are sayings and proverbs in every language which stem from the actual use of the language in course of years. Proverbs like idioms reflect the world view of the society and the way of living besides giving some clues about the culture and the history of that society. Proverbs express certain judgements made in different conditions by different people. Therefore, it is possible to meet conflicting proverbs in the same language for each proverb stems from certain experiences. Besides there are some proverbs borrowed from other languages as languages are living things. For example, "Don't put all your eggs into the same basket. ", is an English proverb but used in Turkish.

Some proverbs especially culture-bound ones are difficult to comprehend unless you know their recognized equivalents in the target language. Let's examine some English proverbs and their equivalents in Turkish to have a clear idea about the problem.

English Proverbs	Turkish Equivalents
1. Men make houses, women make homes.	1. The female bird makes the nest.
2. One swallow does not a summer make.	2. Spring does not come with one flower.
3. Walls have ears.	3. The floor has ears.
4. Don't judge a book by its cover.	4. Don't be fooled by appearance.
5. Birds of feather flock together.	5. Tell me about your friends, I'll tell you who you are.
6. If you can't stand the heat, get out of the kitchen.	6. Don't open a shop if you don't know how to smile.

Collocations

A collocation is a combination of words which frequently occur together. The meanings of some collocations can be predicted from the meanings of their components. Such collocations do not produce much difficulty for the learners. However, the meanings of many collocations cannot be predicted from their constituents as their meanings are arbitrary. Only the native speakers know their meanings somehow. There is arbitrariness in the use of constituents of many collocations. The words that seem to have the same lexical sense may have different semantic properties due to the company they keep. Language differs in the way they perceive the reality. Thus, to suppose that there exists a "word-for-word" correspondence between any two languages is a misconception. However, that doesn't mean that the view of the world held by different linguistic communities is unbridgeable.

The following examples can illustrate how the same words may have different meanings when it occurs with different collocates.

Collocations	The meanings of them
1. Fresh water	Water without salt
2. Fresh horse	A vigorous horse
3. Freshman	First year student in a collage
4. Fresh air	Cool, clean air
5. Fresh vegetable	Newly collected(picked) vegetable

As we see in the above examples, the same word "fresh" has different meanings when used with different collocates.

Conclusion

As we know the culture of a society is reflected by the language spoken by that society. In other words, there is a close relationship between culture and language and language is the mirror of the culture. To understand the culture of the target community the figurative expressions, such as metaphors, similes, proverbs, sayings, idioms and collocations are of great significance and particularly prospective teachers of English should be aware of the arbitrary nature of figurative expressions to be component speakers and writers besides being good models for their students. Teachers of English can make their lessons more fun and more interesting making use of figurative expressions.

All in all, using figurative expressions is the most effective, interesting and attractive way of expressing one's ideas and emotions. There is no doubt that any writing, particularly, literary ones would be too boring, tasteless and colorless if figurative expressions weren't used.

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The Influence of Blended Learning on EFL Students' Writing Apprehension and Writing Performance: A Qualitative Case Study

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Abstract

This case study attempts to investigate the usefulness of using the blended learning approach on EFL students' writing apprehension and their improvement in writing performance. Twelve male secondary school students enrolled in Class Ten in one of the International Schools in Malaysia participated in the 13-week study. Data collection instruments were pre and post-study semi-structured interview and pre and post-study descriptive writing tasks. The data gained from these instruments were analyzed qualitatively using thematic analysis of students' responses to the interview questions and content analysis for their pre and post writing tasks. Students were encouraged to do the different writing stages in three collaborative groups in face-to-face class setting and online writing learning activities via the class blog and online discussion via Viber groups. Analysis of the qualitative results indicated that there is a remarkable improvement in students' writing apprehension. Results also showed that students experienced improvement in their writing ability and performance as a whole and in the various macro and micro aspects of EFL writing. The study concluded that integrating online discussion and learning activities with in-class learning activities in an EFL writing context enhances students' positive feelings towards writing, decreases their writing apprehension and improves their writing performance.

Keywords: blended learning, writing apprehension, writing performance, EFL writing, macro aspects of writing, micro aspects of writing.

1. Introduction

Writing is considered one of the four important and critical language skills for all students in all academic levels. It is also more important for the second language (SL) and foreign language (FL) students since they have to write in English language other than in their native languages (Ahmad, 2003; Aljumah, 2012; Raoofi, et al., 2014; Hussin, et al., 2015; and Rass, 12015). However, FL/SL students view writing as a complex and complicated skill as it entails various factors such as motivational, social, cognitive and cultural factors before producing it in its final written form (Dujsik, 2008; Jun, 2008; Erkan and Sabah, 2011; Aljumah, 2012; So and Lee, 2013; Raoofi et al, 2014; and Rass, 2015).

To master English writing skill and convey the intended meaning appropriately, SL/FL students need to address all writing components simultaneously. These writing components are purpose, content, organization, grammar, spelling, vocabulary

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use and mechanics of writing (So and Lee, 2013). Due to the complex nature of English writing and its challenging requirements, both skilled and unskilled FL/SL learners usually have a sense of negative feelings and attitudes towards it known as writing apprehension (WA). Accordingly, WA leads to poor writing performance (WP). Supporting this issue, Hussin et al. (2015) and Rass (2015) state that WA negatively affects and hinders students' WP. Similarly, many researchers concluded that it is difficult to motivate language learners when it comes to the English writing class (Ackerman, 2006; Witte, 2007; Aljumah, 2012; and Rass, 2015)

As a consequence of students' WA and their poor WP in English writing, there has been a challenge for researchers and educators in this field to look for comfortable and flexible learning environments. These learning environments are supposed to motivate students to learn English writing effectively and continue in learning it even after class hours to get rid of their WA sources. One way to tackle this problematic issue is to provide students with flexible and comfortable learning opportunities to learn and practice writing and interact with classmates and teacher continuously. These learning opportunities can be performed in their free time and place to get rid of the time constraints and the limited number of writing lessons in a traditional face-to-face classroom(So and Lee, 2013). Such learning environment is known as blended learning (BL). It combines the merits of both face-to-face conventional classes and online learning classes to produce the optimal outcomes of learning English writing. In a BL environment, teachers and FL/SL learners are provided with the merits of pedagogical richness, the active use of teaching and learning strategies, multiple tools for interaction and discussion, and a better access to knowledge (Yoon and Lee, 2010). In the field of English writing, BL is proved beneficial; it enhances students' interaction with each other as well as with their teacher, decreases communication anxiety and encourages students to be motivated and autonomous learners and improved their academic writing abilities (Liu, 2013) and engages students in a learning experience that is both meaningful to them and suit their personal and academic interests (Rybushkina and Krasnova, 2015; and Krasnova and Ananjev, 2015). As such, by blending online and face-to-face collaborative learning activities in learning and teaching English writing, students might be helped to get rid of their negative feelings towards English writing and overcome their WA.

Notwithstanding the promising merits of BL, it is rarely utilized in teaching and learning of FL writing classes. Specifically, little studies have been carried out on the context of FL writing process and instruction in a BL environment to overcome students' WA and improve their WP. Most of the past studies have explored the perception of English language students towards the BL English writing environments. For example, Miyazoe & Anderson, 2010, 2012; Larsen, 2012; So & Lee, 2013; and Ho & Savignon, 2013) implemented quantitative and qualitative research methods to investigate the effectiveness of using the BL approach in improving students' writing skill at different academic levels as it is perceived by the FL/SL students. These studies revealed that FL/SL students believed that BL has a vital impact on improving their writing ability and performance. Using the similar research methods, Liu (2013) described and evaluated the BL environment in the English Writing Course in terms of course design, material development, student involvement, teacher reflection, and student evaluation. The study concluded that BL encouraged students' social interaction and discussion among the students, decreased their communication apprehension and increased their academic writing ability in English language, enhanced their motivation and helped them be autonomous and independent learners. In a more recent study, Tananuraksakul (2014) qualitatively investigated students' experiences in using Facebook groups as BL in a writing class. Results of the study proved that Facebook is useful as a BL environment for the students to learn with, and not to learn from as facilitated and enriched by the teacher. Moreover, other researchers have experimentally studied the effect of BL on SL/FL English writing skill (Adas & Bakir, 2013; Keshta & Harb, 2013; Shafiee et al., 2013; Arslan, 2014; and Abdulmajid, 2014). Their findings showed that the use of BL is powerful in improving students' writing achievement and performance.

It is clear from the above-mentioned studies that most of these studies have explored students' perception of the use of BL on their writing skill. Additionally, other studies quantitatively investigated the effect of BL on students' writing abilities or achievement at various levels of learning English writing and in various institutions. Along with the aforementioned research gap, the aim of the current study is to qualitatively investigate the effect of using the BL approach on students' WA and their WP. Hence, the present study is intended to fill this gap in the area of EFL writing. It addressed the following research questions:

What is the influence of BL on Class Ten FL students' WA?

What is the effect of BL on improving Class Ten FL students' WP?

Significance of the Study

The present study is significant since it investigated the effectiveness of integrating the in-class learning activities and online learning activities on students' WA and WP. Findings of this study are supposed to contribute to knowledge in the field of English writing learning and instruction for learners of English as a SL/FL. It helps in explaining how BL approach affected FL students' WA and their WP. Accordingly, it encourages and assists textbooks designers, English language teachers and other educational bodies to develop an insight regarding its usefulness, students and teachers' roles in the learning situations. It also shed lights on how and when to utilize the face-to-face and online learning activities to overcome FL students' WA and improve their WP.

Literature Review

Blended Learning

The recent student-centered learning approaches of English language are considered a popular leading trend in the field of education in general and in English language learning and teaching in particular. They were considered influential learning approaches due to their focus on the individual differences of learners in their learning and the flexibility of learning, learners' learning styles and habit and learning pace. Accordingly, these learning approaches believe in providing students with self-learning and flexible online learning opportunities together with the conventional in-class ones for the purpose of enhancing students' learning in the English language. The process of integrating online and in-class learning opportunities is known as Blended Learning. It suggests new pedagogical ideas and educational practices and changes the roles to be played by the students as well as their teacher (Krasnova and Ananjev, 2015).

In the field of English language learning and teaching, BL is defined as an approach to language instruction that integrates the most effective features of both face-to-face learning activities and online collaborative learning activities. This integration represents one whole and works together in a continuous association for the purpose of attaining optimal language learning outcomes. As such, BL helps improve the quality of English language teaching and learning and fortify the learning content. For the purpose of attaining the optimal results of BL in language learning and instruction. However, teaching the English language by using BL does not mean simply mixing the online and face-to-face learning activities and materials. It, rather, means the scientific and systematic integration of these learning materials and sources in an organized manner to meet students' needs, individual peculiarities and learning desires and attain the educational goals and learning outcomes (So and Lee, 2013).

Moreover, BL provides an ideal and exciting flexible learning environment for English language learning and teaching that positively affect the process of FL acquisition. In this perspective, Krasnova and Ananjev (2015) mention that BL has many merits as compared with the conventional methods of learning English language. To them, BL provides flexibility of learning, self-learning and interactivity derived from an online component of BL. In addition, BL affords collaborative work and immediate feedback and spontaneity gained from conventional teaching.

Finally, BL provides many motivating and meaningful learning opportunities and engages students in a learning practice that is both meaningful and interesting to them (Rybushkina and Krasnova, 2015). These learning opportunities encourage students' interaction with each other and with their teacher, help students become independent, reduce their anxiety, enhance their participation and engagement and magnify their writing ability (Liu, 2013).

Methods of Data Collection

4. 1 Research Design

The researchers implemented a qualitative case study research design. Specifically, a descriptive single-case holistic research design was adopted. It is descriptive because the study aimed at giving a detailed and comprehensive description to the phenomenon under study in its real setting. It is single-case holistic research design because it studied one case (single-case) and analyzed it as a whole entity and at one unit of analysis (holistic) (Yin, 2010). As for the use of case study, Cohen et al (2007) state that case studies are those studies that aim at portraying 'what is like to be' in a specific situation

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in its real life context. As such, it provides a deep, vivid and detailed information about the case under study such as an event or process in restricted time, place and activity (Creswell, 2014).

4. 2 Instruments

Two instruments were employed to answer the research questions of the current study. The first instrument is the pre and post-study focus group semi-structured interview. These interviews were carried out by one of the three researchers in the school library after distributing the students into three groups; each one consists of four students depending on their desire and familiarity with each other. The second instrument is the pre and post-study descriptive writing tasks. The pre-study writing task was conducted in the first week of the study in which each student was asked to write five paragraphs descriptive essay of not less than 250 words in the title (My favorite vacation spot). In the last week of the study, the same students were asked to write another five paragraphs descriptive essays of the same length about the topic entitled (Twin towers as a global center). The time devoted to write each essay was 50 minutes which is the actual class time in this school.

4. 3 Participants

As for the participants of the current study, they were 12 FL secondary school male students registered in (Grade 10) in one of the International schools in Kuala Lumpur-Malaysia in their second semester of the academic year 2014-2015. It is worthy to note that the study includes only male students because the school system separate classes male from female ones due to the Islamic nature of the school system. Those students were purposively selected out of 18 students which is the total number of students in this grade. The rationale for using purposive sample procedure is to include only those participants who can enrich the study with in-depth information relevant to the issue under study, i. e., students' WA and their WP. As it is explained by Cohen et al. (2007) that purposive sampling is beneficial in obtaining in-depth information from those who are in a position to give it. Purposive sampling aims at getting saturation data rather than generalizing the data collected from it to the whole population or representing the whole population. To select the sample of the current study purposively, several criteria were prepared by the researchers depending on the variables of the study. These criteria were; students' level of WA, writing ability, computer and Internet efficiency and the status of English language in their home countries.

4. 4 Procedures of the study

In the first day of the first week of the study, the researcher asked students to write a descriptive writing task as a pre-study writing task to measure their current writing ability and performance. Then, students were interviewed in their groups as a pre-study focus group interview to elicit information concerning their current WA. Students were interviewed by using the English language as a medium of communication due to two reasons. Firstly, because they preferred to use the English language in responding to the interview questions. Second, the sample of the study as it is mentioned above is not of the same nationality. Therefore, in order to be able to discuss and share understanding among the various groups of interviewees, the English language was the better choice at this moment.

Participants of the study applied the writing process model by Hayes and Flower (1981) and followed its stage; pre-writing, drafting and post writing stages. Throughout the 13 weeks of their second semester of the academic year 2014-2015, participants were distributed into three groups asked to do three writing tasks. In this period of time, the researcher helped students to learn and practice writing a descriptive essay by guiding them to a group of writing activities and online discussion in each stage of the writing process. In the pre-writing stage, for instance, students were asked to do online brainstorming activity via Viber programme installed on their hand phones or desktops to brainstorm ideas, discuss them, filter them and take decision on them. Students then ended this brainstorming discussion by clustering the brainstormed ideas, mapping and outlining them to be drafted in the next writing stage. Following this stage, students grouped in their normal class and discussed the outlined ideas and drafted their essay. Then, this first draft is posted on the class blog. The main purpose of the class blog is to enable the students to receive instructions relevant to the writing skill and its aspects and components, practice writing and language exercises, and to receive notification from the teacher regularly relevant to the writing class. Moreover, the class blog is also used as a space to post the groups' writing drafts to be seen by other students in their group as well as the students of the other groups to study and analyze these drafts and give comments for improvement. Students, then, were asked to perform another online activity called online peer review activity to discuss

via Viber with their group mates the first drafts posted on the class blog. This discussion aimed at providing constructive comments and feedback on the first drafts of the essay using the guidelines of peer review guide adopted from Moloudi (2011). Then, a summary of their peer review discussion was also posted on the class blog, printed out and brought to the next class meeting to be discussed by students. After that, students wrote the second draft of the essay. It is worthy to mention here that the second drafts were collected and studied carefully by one of the three researchers and the teacher of English language for this class to provide the final comments to them to be written in a final form. Finally, the last versions of the essays written by students were published on the class blog and on the class notice board to be seen by all students as a motive to them.

These writing stages and activities were followed in the three writing tasks and in the same order as they are portrayed in Figure (1) below. In the last week, the researcher carried out the post-study descriptive writing task to be able to identify students' probable improvement in their WP and interviewed the students in the three groups to elicit information concerning their WA.
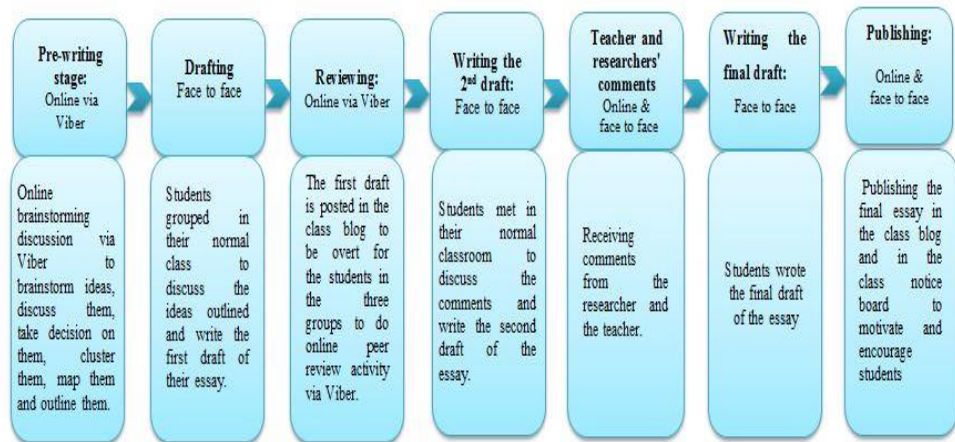
Figure 1. Procedures of the Study

Results and Discussion

The aim of the current paper is two-fold: to investigate the influence of BL on Class Ten FL students' WA in one of the international schools in Kuala Lumpur, and to investigate the effect of BL on improving their WA. To this end, the data collected by the pre-study interview were compared with the data collected by the post-study interview with reference to students' WA. In addition, students' pre and post-study descriptive writing tasks were analyzed and rated according to the Hedgcock and Lefkowitz (1992) rating composition rubric. This rating rubric of writing is the modified and updated version of Jacobs et al., (1981) ESL Composition Profile. This writing rubric was used to determine the difference between the pre and post-writing tasks for each student so as to identify whether there was an improvement in their WP. Students' pre and post-writing tasks were rated by two skillful teachers of English language in the school who have a very long experience in teaching writing in these international schools. It is worth noting here that the data included in the analysis are collected from 11 participants only out of 12 participants (the actual sample of the study) since one of the participants was on medical leave and postponed the academic year. Consequently, he was not available at the time of conducting the post-study interview and the post-study writing task. As a result, the whole data collected from this student was excluded from the final analysis.

5. 1 The influence of BL on FL students' WA

5. 1. 1 Students' WA before participating in the BL environment

Analysis of the pre-study interview data revealed that all students experienced WA but with varied degrees. For example, eight students out of eleven have high WA. Those students are (S2, S3, S4, S7, S8, S9, S10, and S12). Examples of their responses to the pre-study interview were stated below:

S03: Very high, because it needs a good writing style, good ability in language. mmm, good grammar and spelling use

S08: Mostly High. I see writing a difficult activity because I don't know so much information about the topic. If the topic I have never heard about it, I have never read about it, then it will be challenging.

S09: High writing apprehension. I see it challenging because some time I don't know what you want to write about the topic. I feel my mind empty.

The remaining three students seemed to have moderate WA. Thy stated in their interview that:

S01: Not so much, but sometimes I feel well sometimes I feel worried from making bad writing, spelling mistakes.

S05: hmmm, Not really too much. Sometimes I face writing problems such as spelling, grammar and facts about the topic of essay, that hinder my writing ability.

S06: Depending on the information I am providing in it. In a science for example I have to writing something certain like one specific way then I might be challenging for me and my head will be blocked and do not find time as well for thinking. So it is from time to time might be challenging.

5. 1. 2 FL students' challenges in writing before participating in the BL environment

Results also showed that students have encountered many challenges in their writing that caused them to be more apprehensive in writing. These challenges were mainly represented by the micro and macro aspects of writing. For example, S01, S10 and S12 arranged their writing challenges as the following:

S01: Grammar …. first time grammar. I mean to write in wrong grammar, and secondly is spelling that sometimes I need to search in the dictionary or ask someone which take me time and for organization and use proper words…. I feel nervous sometimes.

S10: First of all organizing ideas for writing, then grammar, and then collecting ideas.

S12: The first difficult thing is collecting ideas, then vocabulary then grammar. S05: Grammar, spelling and mm ideas of what to write.

S06 adds to the above-mentioned writing challenges that he afraid from the use of punctuation marks. He stated that: "*hmmm, grammar, punctuation…. *"

Results also indicated that there are other challenges that students faced when they are writing and caused their high WA. For example lacking the practices and techniques of doing writing is the challenge for S05 as he states "*……As for my writing techniques and practices, they are really missed*". S06 seems afraid from the teacher and his comments to him and his writing. He reported that*: "hmmm, I am really get afraid from the teacher and what she said about my writing".*

Moreover, S07 has WA because he finds it difficult due to his lack of motivation to write. He stated that: *"They are difficult for me and because of that, I think that I am not so motivated in writing".* In addition, students like S06, S10 and S09 reflected their WA due to their overthinking in the final product of writing and its content.

They also stated that they felt apprehensive about that because they have direct negative effect on their writing marks. For example, S06 stated that:

'The final product of writing makes me worried also because the content is valued as much and the product is very important because it effect the final result. This why made me anxious in writing".

Finally, results also indicated that time pressure, classmates and their comments and group work were other writing challenges students faced when writing their essays. These writing challenges were mentioned by S10 that increased his WA. He stated that:

"Time pressure, class mates and teachers affect writing apprehension. The final product also affects my writing apprehension".

As regarding his nervous feelings when writing in group form, He also added that:

"Because writing in a group make me nervous …it is hard for me"

5. 1. 3 Students' WA after participating in the BL environment

Analysis of the post-study interview data reported that there is a positive change in students' WA after participating in the BL environment. Nine students out of eleven experienced low WA as they felt comfortable, relaxed and happy when they asked to write essays in English. Those students are (S02, S03, S04, S05, S06, S07, S08, S10, and S12). Some examples of their responses in the interview scripts are mentioned below:

S05: aaaamm, very good…. I am not nervous at all…I like writing essay now ….. aaaahh, when I start writing I'll never stop…. mmm, I feel so because I feel it is easy to write…. This is why I feel comfortable.

S08: Yah, I feel amazed because it is getting easier because before when I am writing an essay I will take too longer. I feel so because I learnt how to write, to write very fast and how to do this and finish in time I took about one hour to write an essay but now only 20 minutes I finished writing it.

S12: I feel comfortable because in this semester we learnt something that we did not learnt before, like how to write the

Introduction, the body, the conclusion. So I understand what to write which I did not learn before.

However, two students only did not experience this positive change in their WA. They seemed to have slight or did not change in term of their WA. Those students are: (S01 and S09). Their responses to the interview questions are mentioned below:

S01: No too much different …mmm, I do not feel too much difference. I still feel nervous towards writing because I do not like time pressure, I do not like it, I get nervous a lot because I am afraid that…… I would like to finish my essay at time. I am worried about the mark given to me.

 S09: mmm, it is more formal and if I have to write in this way, I somehow cannot add all together because when I usually write essay, I put all my ideas in my own lines. Whatever they come out but if I have to write a formal essay in a way formally, then they will be difficult to start because I do not know where to place it.

It is clear from the aforementioned interview scripts that those two students did not improve in their WA because as it is stated by S01 that he still experienced difficulty resulted from the time pressure for writing the essay. In addition, S09 also still have WA due to the formality of this learning approach of learning writing. This student believed that the formality of this learning approach makes it difficult for him to start writing his essay because he has to arrange and organize the ideas logically and to arrange the paragraphs in the essays in a logical order.

Analysis of the results also revealed that there were many reasons that contributed to improving their WA. In this respect, students stated that the BL approach helped them improve their WA because it helped them learn what to write in their essays and how to write properly using good commands of English language. For that reason, S02 stated that:

S02: I feel now it is easier to me to write essay by learning writing using this learning method. So it is much easier now. Before this course, I feel nervous and tense when it is required to write but now I feel that it is like easy, we do not to be like nervous while writing, we feel free. I feel so because if you are sure about what you are writing about, you are sure about the grammar, spelling, so, it is ok, you do not want to feel uncomfortable.

Another reason that contributed to improving students' WA is that BL approach also helped them learn how to outline their essay and plan it. In this perspective, S03 stated that:

"before I do not know how to start in the essay and how to plan it and write it and now I feel much better in all of these aspects because I learn much about them and practice them much".

In addition, BL approach assisted them in learning about the component of the good essay and how to write each one as it is mentioned by S03 and S04. In this respect, S03 mentioned that:

"I feel happy because my writing improved a lot, I feel that I improved in many aspects of writing, for example how to write the

Introduction, how to write the body and how to conclude. I feel nervous but I feel better than before".

BL approach also engaged students in many writing opportunities in which they practiced writing a lot of and get the required mastery and confidence for doing it on their own as it is reported by S04 when he said that:

"Now, because I learnt and practiced it a lot, I feel that is getting easier and easier and there is nothing to worry about. Only when there is a short time for writing. I worry about it".

Other students mentioned that they impressed in this learning environment of writing because it helped them learn how to write their formal essay that is known and accepted internationally. In this perspective, one student (S12) reported that:

"I feel more confident because the way you introduce to us is more formal than what we know before. It is a formal way that is accepted internationally".

Finally, BL approach helped them feel more confident in their writing since they practiced it much and got linguistic, topical knowledge as well as knowledge related to the techniques of writing a good essay. This knowledge and the practice they did in the writing skill helped them be relaxed and more confident in their writing learning. As a result, their WA is improved. In this perspective, one student (S10) thought that:

S10: Now, I feel more confident towards an essay and before this I feel less confident……before, when the teacher give me a writing task to write, I feel less confident ….. this is because I used to commit more mistakes in content and grammar than now, this makes me less confident before.

5. 1. 4 FL students' challenges in writing after participating in the BL environment

As for the change in the writing challenges students encountered in learning writing in this semester as compared with the last semester, the majority of students did not find difficulty in learning and in practising writing. For example, S01, S03, S04, S05, S06, S07, S08, and S12) all admitted that their previous writing challenges and problems have been settled down. Only three students (S02, S09, and S10) claimed that they are still experiencing problems in some aspects of writing. For example S02 reported that this learning environment of writing requires from the students to be creative in writing and he does not be able to be creative in writing as he stated below:

S02: Actually, I am looking to be creative in writing and I find difficult to be creative in writing. I suffer from this problem in this semester because before my writing is normal but now we have to be so creative to write good writing.

Additionally, S09 and S10 also claimed that they found it difficult to them to collect ideas, arrange them and organize the whole paragraphs and components of their essays. In this perspective, S10 declared that:

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S10: Before this semester I have suffer from the grammar and in this semester suffer from collecting and arranging ideas but above all it was funny.

It is clear from the above-mentioned survey of results that the majority of students noticed an improvement in their WA. This improvement in students' WA can be attributed to the various comfortable psychological factors afforded by the BL approach. This learning environment provided students with flexible learning opportunities represented in the online learning activities of writing. In this environment, students were able to practice writing in their free time and place. As such, one of the sources of their WA has been tackled since students have free and open time to write. Stressing this idea, Basal (2015) stated that with the aid of technology, students and their teacher are able to get rid of the class time and space limits. In addition, the limited number of writing lessons and the limited learning sources in the conventional writing class have also been manipulated as learning of writing was extended to the outside of the class walls confines. Moreover, the collaborative group work and students' interaction and discussion in doing the various writing stages also have contributed to decreasing students' WA. In working collaboratively in writing, students felt safe and close to each other since there is a continuous online interaction among them. This online interaction helped them prepare and plan for the writing task in advance by collecting ideas, cluster and outline them to be ready for writing in their traditional writing class. In addition, online interaction also helped students to provided constructive feedback for each other writing drafts so as to produce a well-written and organized essay. All of these factors participated in decreasing students' WA by solving the main sources that lead to students' WA. Supporting the aforementioned ideas, Hussin, et al. (2015) state that all reasons of students' WA might be unshackled within the online learning environments due to the availability of scaffoldings and feedback comments from students and teacher in all stages of the writing process.

5. 2 The effect of BL on FL students' WP

Analysis of students' pre and post-writing tasks showed that all students have improved their overall writing ability and performance as a result of the BL writing course the students undertook in the semester. Moreover, all students also reflected their improvement in the macro aspects of writing (content and organization) and in the micro aspects of writing (grammar, vocabulary and mechanics) as they were represented in the criteria found in the scoring rubric adopted in the study. As shown in Table. 1, all students in group (1) noticed a remarkable improvement in their writing performance. S01 showed an increase in his overall and sub-scores of 22 point from the pre-study writing task to the post-study writing task. Similarly, S02 who got 59 points in the pre-study writing task has improved in the post-writing task and gained 86 points. Moreover, S03 showed 19 points increase from the pre-study to the post-study writing tasks reflecting his improvement in writing. In addition, S04 improved in his writing showing 17 points increase from the pre-study to the post-study writing tasks. Students of this group also revealed an increase in the number of words, adjectives and descriptive expressions in their post-study writing task.

Table 1. Comparison between the pre and post-study writing tasks for students in group (1)

Criteria	Pre-Study	Post-Study	Pre-Study	Post-Study	Pre-Study	Post-Study	Pre-Study	Post-Study
	S01	S01	S02	S02	S03	S03	S04	S04
Content/30	22	27	17	26	18	25	17	25
Organization/20	15	18	12	17	14	16	14	16
Grammar/25	12	20	15	22	16	22	18	21
Vocabulary/20	12	17	12	17	13	16	13	17
Mechanics/5	3	4	3	4	3	4	4	4
Total/100	64	86	59	86	64	83	66	83

Students enrolled in group (2) also showed the same improvement in their writing performance. Table. 2 revealed that S05 who is one of the poor students in writing achieved higher points of improvement than his group mates. S06 was the second among his group mates in term of his writing improvement gaining 21 points increase from the pre-study to the post-study writing tasks. S07 represented an improvement in his WP of about 16 points increase between the pre-study to the post-study writing tasks. Then, S08 was the last one in his group in his writing improvement. As in the first group, students in this group also reflected a type of improvement in terms of the use of descriptive word and expressions.

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Table 2. Comparison between the pre and post-study writing tasks for students in group (2)

Criteria	Pre-Study	Post-Study	Pre-Study	Post-Study	Pre-Study	Post-Study	Pre-Study	Post-Study
	S05	S05	S06	S06	S07	S07	S08	S08
Content/30	16	22	17	24	17	22	16	21
Organization/20	13	19	14	19	16	19	13	18
Grammar/25	12	21	17	21	17	20	17	18
Vocabulary/20	10	18	14	18	14	18	16	19
Mechanics/5	3	4	3	4	3	4	3	4
Total/100	54	84	65	86	67	83	65	80

As for students in group (3), results also revealed an improvement in their writing ability and performance. Table. 3 below indicated that there is varying degrees of improvement in students' WP. For example, S09 who was the poorest one in his group, gained 18 points increase from the pre-study writing task to the post-study writing task. However, he used few descriptive words and expressions in his pre and post-study writing tasks. S12 gained 60 points in the pre-study writing task and 83 in the post-study writing task showing 23 points increase in his WP. S10 showed a slight improvement in his WP gaining 14 points difference between the pre-study writing task to the post-study writing task. S10 and S12 also showed improvement in terms of the number of adjectives and in the total number of words in their post-study writing tasks.

Table 3. Comparison between the pre and post-study writing tasks for students in group (3)

Criteria	Pre-Study	Post-Study	Pre-Study	Post-Study	Pre-Study	Post-Study
	S09	S09	S10	S10	S12	S12
Content/30	14	19	17	22	17	25
Organization/20	12	15	14	17	12	16
Grammar/25	11	18	16	18	15	21
Vocabulary/20	13	15	15	18	13	17
Mechanics/5	3	4	3	4	3	4
Total/100	53	71	65	79	60	83

This positive improvement in students' writing ability and performance can be turned back to the fact that because they were increased in their WA, students felt motivated and interested in learning and practicing EFL writing independently. Moreover, by using the BL writing environment, learners are exposed to various meaningful learning inputs from each other that helped them improve their writing ability and knowledge. These learning inputs are represented by students' discussion and interaction to share ideas related to the topic of the essay and also exchange linguistic knowledge. This idea is emphasized by Kim (2010) when he state that learners are more likely to be exposed to various types of meaningful input from other peers and provide effective language support on the errors which are based on learners' enhanced output. In addition, Cahyono, and Mutiaraningrum (2016) state that the Internet-based teaching of writing stimulates collaborations and thinking skills that enable students to form ideas, exchange thoughts and write together in a meaningful and autonomous way. As such students got benefit from their collaboration by instructing each other, adding to each other's writing and linguistic knowledge. As a result, their WP was increased and improved.

6. Conclusion

This case study claims its originality since it qualitatively investigated the effect of the use of BL on unshackling EFL students' WA and improving their WP. Findings of the study revealed that there is a positive effect of the use of BL on improving students' WA and their WP. The majority of students have positively improved in their WA and all of them have noticed a remarkable improvement in their WP. This result was attributed to the various psychological and pedagogical factors afforded by this learning environment. These factors motivated students to practice EFL writing skill, changed their negative feelings into positive ones, and enriched their topical and linguistic knowledge by encouraging them to socialize and share knowledge collaboratively via online and in-class learning settings. Only two students seemed to have slight or did not change in term of their WA as they stated that they are still feeling apprehensive due to the time pressure for writing the essay and the formality of this learning approach of learning writing.

The success of the BL in learning FL writing can be attributed to two main reasons. The first one is the collaborative learning atmosphere created in the current study. This learning atmosphere helped students feel more confidence as they were encouraged to self-correct their mistakes and correct their classmates' mistakes. As a result, they felt more independent in their learning and practicing of writing and worked collaboratively with little interference from their teacher. Accordingly, students felt less apprehensive they were close to each other and safe in their learning of writing. It also encouraged students to share knowledge and learning experiences that enriched the content of their essays. The second reason is represented by the blend between online and in-class learning activities of EFL writing. This blend provided students with flexible learning opportunities that suit students' differences in working styles, and learning habit. It also took into consideration the students' pace and consequently provided students with self-paced learning. BL also allows students to discuss many aspects of the writing task in advance online and devote the class time for practicing writing only.

Though the study had a limitation due to its small number of participants and its subjective nature of research instruments, it forms a step forward in the field of EFL writing pedagogy. It stimulates EFL learners and their teachers to think about how to integrate online learning activities with face-to-face ones to bring the optimal outcomes in learning EFL writing. Further research needs to be conducted with a large number of participants to provide experimental quantitative evidence for the effectiveness of using BL on improving students' WA and their WP. In addition, similar qualitative and quantitative studies should be conducted to examine the effect of BL on improving other types of essays.

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Aspects of Management and Road Maintenance in Albania

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Abstract

Safety of road network is an essential part of economic and social development of any industrialized country. Decisions to maintain and improve the reliability, functionality and infrastructure structures can only be achieved through integrated planning and management life cycle routes. Always it has been a tendency to revise road maintenance strategies, but there is still a serious and reliable administration not only because of the shortage of funds, but also problems due to the reorganization of the system. Safety and performance of the road system depends on the continuous activity of road maintenance management. For it to be effective, it is necessary to intervene before depreciation has caused irreparable damages, or damages with a high economic cost of repairs. Investment in road infrastructure during 2006-2014 show that the life of these projects presents problems with maintenance and performance management life cycle in a wide range of component elements. Maintenance planning involves various problems that depend on the degree of degradation of the asphalt layers, the degree of deterioration of road structures (roads, tunnels, culverts, and economic planning of resources to repair them. The aim of this study is the first to provide a brief summary of the issues in the field of maintenance and management of the life cycle of investments in road infrastructure, proposing ways to reorganize the sector of management and maintenance of roads in the next and second testing and evaluation of the work and the nature of the standards are different types of road infrastructure projects, through a methodology consisting of a) development, b) collection of data, and c) analysis.

Key word. Road Infrastructure, maintenance, depreciation, efficiency.

Introduction

The starting point for this work, was the state of the roads in our country in which their degradation problems in many cases were not only disturbing to us as road users but also as professionals in this field. What stands out is that although a considerable length of road system is financed during the years 2008-2014, again displaying various problems on the road causing serious problems in road safety by not properly assessing solution for emergency or routine ones they have degraded various sections of their critical situation.

It must be underlined that the Albanian Road Authority which is the managing entity for the construction and maintenance of the road system in our country, there is a register of infrastructure works and the problems of each of them. This means that there is sufficient evidence for a realistic assessment of the state of these works. The lack of such information makes it impossible effectiveness of the current system to a rational program of interventions for maintenance.

This study will appear in standard procedures to be followed in the implementation and management of road maintenance. Through the analysis of the degradation problems in time for two road sections of the national road network, will be an analysis of these problems, causes of degradation and recommendations based on their connection with repairs.

Management and maintenance of roads, includes a set of procedures aimed at ensuring a routine or periodic maintenance over the lifetime of the work taking into account the factor of use of user satisfaction, road safety during usage.

In 1908, Henry Ford introduced the Model T more efficient and later Congress passed the Act Federal- Road in 1916, which consisted in the creation of the program in which funds are available on a continuous basis for state highway agencies to help improve road network.

Currently, the majority of European countries use the road maintenance management systems. According to European statistics report of 2012, 2013, the majority of countries use the net revenue collection "Toll". In May 2011 a plan was drawn for global road safety COST 2011-2020 under Act 354 COST "performance indicators Road System", for the creation of a joint group of indicators to promote and manage the safety of the road network in the whole of Europe.

Recently most of the countries with the proposal of the European Cooperation in science and technology, on 11 May 2011 working for the creation of a common methodology European to define performance indicators and a tool for maintenance which will be used throughout Europe, taking into account the needs of road users and operators. This system uses performance technical indicators characteristics of the road conditions, taking into consideration potential users and procedures that can be applied in different ways depending on the type of measurements and analysis performed by each road authority. System maintenance management Road (SMMR) means the complexity of activities that serve to keep the efficiency layers road structures ensuring high standards of safety and functionality, starting from the stage of planning, design, implementation and throughout the phase their utilization. Index with points from 0 (for the best situation) to 5 (bad for the state) will be used to assess maintenance target areas are considered;

longitudinal profile

transverse profile longitudinal profile

transverse profile

The composition of the layers

Friction (IRI)

Carrying capacity

Noise

Air pollution

Cracks

Surface Defects

SMMR can be applied on two levels [3]:

Level 1-Level Government; dealing with the road maintenance management depending, considering it as isolated from the rest of the road network.

Level 2-nationally; in which is taken into consideration within the functioning of the national road network.

In a Management System of Roads, establishes three main phases [3], which are listed below

phase study; It includes the process of documenting the works of their situation, identify environmental risk factors, identification of network traffic, etc.

stages of processing; from data collected becomes a classification of works and processes in terms of urgency and the need for maintenance.

decision-making stage; based on the definition of maintenance interventions necessary for maintaining function and reinstate the work, keep the budget available in the optimal way.

The large number of variables that characterize the stages 2 and 3 make the process more complex maintenance and management. The solution may pass through more rigorous techniques. Proposed in the literature are many management systems that use different techniques and algorithms to support decisions that help the body concrete managerial decisions as well as decisions and strategic choices.

Most countries of the world have created their own norms and technical regulations regarding the management of maintenance works of art. There is still a Normative or European Standard with regard to this issue. Almost in each European country, there are norms that are active force within their territories.

With the information obtained, our country still does not have a standard or regulation, lacking elements that serve to this problem. Given this, it would be important to establish a normative or regulation so as to anticipated adverse cases related to human security.

Management System comprises:

• Inventory

• Inspection of asphalt layers

• Assessment of conditions

• Forecast conditions

• Analysis of conditions

• Planning works

Road Management Systems

Asset Management is the combination of management, financial, economic, engineering and other practices applied to physical assets with the objective of providing the required level of service in the most cost effective manner. It includes the management of the whole life cycle (design, construction, commissioning, operating, maintaining, repairing, modifying, replacing and decommissioning/disposal) of physical and infrastructure assets.

A management system includes a set of procedures aimed at ensuring an optimal maintenance of roads. The management system will help management entity plans to create some convenient maintenance.

In general the structure of a management system includes some work processes as given in the following scheme [3] [5] [6] (Figure 1).
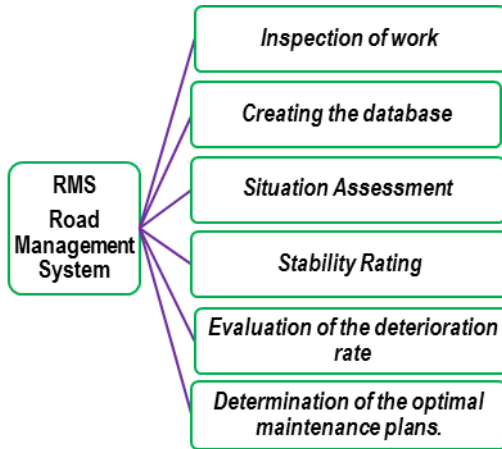
Fig. 1. Organizing Scheme of RMS

Inspection; The initial phase is the maintenance management inspection work. The outcome of inspections depends on the choice of a further offense control through proper experts with the goal of realizing a more specialized inspection. The inspection should be carried out rigorously and interval, regular intervals on all constituent elements of the roads. In each work, each element of the structure held drawings and necessary information on her condition.

For these reasons should prepare a proper programming of inspections and surveys in the field. It is proposed that the inspections are carried out as scheduled in the cases:

Routine inspections: 3-4 times / year

Detailed inspections: 1 times / 2 year

Inspections depth: 1 times / 5year

Creating the database; includes all the information that has to do with the network of roads (the performance of maintenance, the state of degradation, the assessment of the situation, the type of interventions, costs, etc.).

The database should be periodic coherence through visual inspections or inspections by instruments. We are taken into consideration all of them in roads that have width greater than 3. 5 m.

Assessing the situation, based on This data collected during inspections. These data help us to make the classification of the problems and priorities of interventions in them.

The data on the state, will be used later to assess the capacity, bearing ability, stability of the structure and decision-making process that aims at strengthening security along the life of a the assets.

Evaluation of stability; some roads contain a reserve of resistance about several factors. This thing makes them even after some damage and degradation are again safe for use. For these kind of roads is not enough to assess the situation through visual inspections.

In other type of roads, we should show greater care and rigorous. Sustainability Assessment is an essential element of their management. Such assessment is done by methodically analyzing and half- probability. These methodologies are conservative considering the variables involved. However, more often they used probabilistic methods. These methodology is based on Cost benefit Analyses(CBA), calculating the ratio for each project.

This methodology has several limitations, however, because often there are no statistics.

The assessment rate deterioration, degradation of road in general is a natural process that translates to a reduction of the useful life or the timing bringing the total inefficiency of the assets in it. The objective of an entity should management, control of the process of depreciation during the cycle life of the project.

The Agency must do the necessary interventions in the most favorable times in order to have expectancy maintenance work desired. It is difficult to make a prediction of the depreciation, because it is caused by a some factor, which make a difficult process to be modeled. Roads are non market assets, so some of the decision makes want to include monetary value associated with it for CBA application. State preference (SP) studies is one method used for nonmarket goods, by collecting data through surveying where people are asked in construction market hypothetically. SP is a method generally used in cases for relevant valuation context, to measure preferences of nonmarket goods. The traditional depreciation Method in straight line is assumed that asset loses a fixed value every year. This annual loss in value, or constant depreciation rate, is simply calculated as the historical cost less salvage value, divided by the asset service life.

Determination of the optimal maintenance plans; Such procedures permit the distribution of resources available for the purpose maintenance of roads, keeping the level of service in an acceptable manner and with minimal cost. It is important the choice of a maintenance strategy for minimizing costs and maximizing efficiency.

For maintenance strategies provide:

not realizing any type of maintenance to the road, then there is no need for essential interventions;

not realizing any type of maintenance to the road when the situation aggravated to a point significantly;

performing regular maintenance costs in order to reduce or delay the need for maintenance interventions on time.

Strategies for road network maintenance are dependent on policy decisions following the supervisory entity. In literature, proposed some sort of advice to follow in order to achieve optimization. They are divided into two categories:

a. classical mathematical formulations (linear programming, quadratic programming, etc.)

b. computational source software (neural network, genetic algorithms, etc.)

In cases performed optimization, strategic choice often resulting in network level does not match the optimization of each road.

In the literature, some researchers have been limited to the study of some aspects as condition assessment, evaluation of the deterioration rate, determination of optimal management plans, etc.

D. T. Hai (2008) [7] proposed a maintenance management system based on the assumptions that:

Degradation of the road in time comes according to a convex curve;

The degradation curves starts when the road has just been built;

Cost analysis of the life cycle of the work by Frangopoulos (1999) [8] (LCC-Life Cycle Cost), says:

 LCC = initial cost + cost + maintenance management costs

In this analysis it considered that the initial costs are ignored, because they are involved in design expenses and they were incurred before the year zero.

Running costs are constant (fixed), and maintenance costs refer to three possible options, which are shown graphically below (Fig. 2).
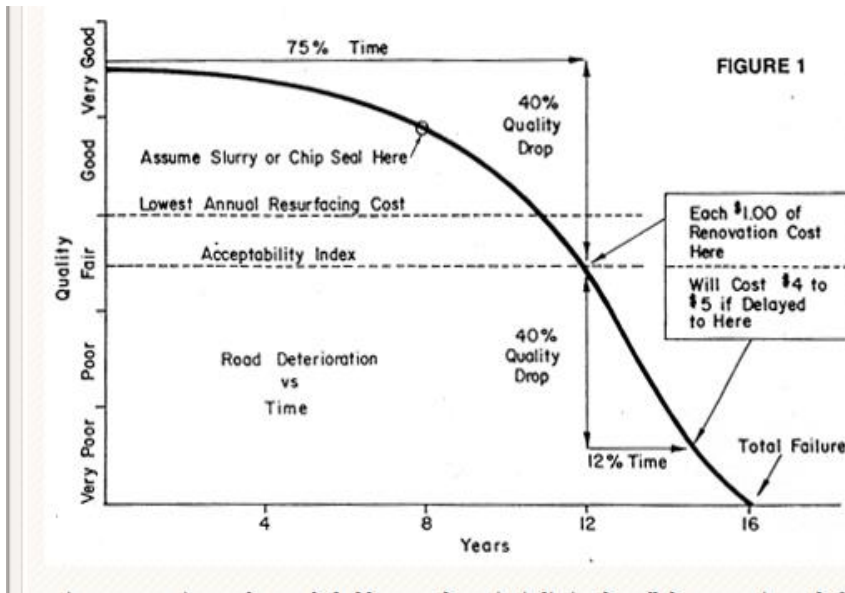
Figure 2. **Graphics for the presentation of the life-cycle costs**

Among other authors who have contributed to the study of the problems in question are A. D. Orcesi (2011); R. Gori (2006); A. Montepara (2008). Each of them has proposed his model based on forecasting the state of degradation through various theories, based on the determination of a parameter (index) which evaluated the situation on the road elements.

With the development of science, to facilitate the work of the road maintenance management, they are put to work specific systems, like EPTISA, HDM-4, which include different modules that allow us to archive, modify data inventoried, maintenance inspections provided and implemented a management plan for each road.

Reasons which lead to the degradation of Roads

While the bring about huge road network Benefits to society, the adverse environment on Impacts of road development such as disturbance and destruction of Ecosystems have become more and more obvious. Such adverse Impacts unfortunately have long been neglected. Great attention should be paid to this problem, and urgent work undertaken Should be on the control of physical degradation along roads. Road construction without adequate provision for drainage is a major cause of gully erosion. Inadequate drainage systems for roads such as small number of culverts, insufficient capacity of road ditches etc are some of the causes of gulling. Although the road caused gully erosion may occur anywhere in the world, the problem is particularly severe in developing countries due to neglect in maintenance and the lack of provision for safe outlets to the excess runoff. One of the components of the road sector development system project is to upgrade and rehabilitate trunk roads and rural roads. The road upgrading will cause some adverse effects on local water resources. The likely sources of impacts will include the need to redirecting watercourses at culverts and bridges; road cuts and other exposed sites that may trigger erosion and landslides (that may threaten the road itself); temporary road diversion that may affect people's property and safety; operation of quarries and burrow pits.

A neglected and newly constructed drainage system without provision of proper and adequate accessories (energy dissipaters, soil and water conservation structures) quickly causes soil erosion and deteriorates components of the road system like ditches and culverts. The ultimate result may even be a loss of a road section or even many sections realty

hampering the traffic flow that negatively contributes to the mobility of the road users in general and the socioeconomic well being of the people in particular.

RATINGS degradation

Overall maintenance costs of intervention are comparable to the cost of building the offense. The need to optimize the costs of intervention has brought about major developments in two main directions [3] [5] [6]:

1. Estimates instrument, which has to do with diagnosis (investigation) on the ground and in laboratory. They data collected and constructive parameters and constituent materials rebelled.

Laboratory tests; are performed in laboratory tests on samples without damaged or injured, which get in site. Generally it means doing the measurement and analyses in detail.

Test on the site; They aim to bring the physical, chemical, mechanical properties of materials through measurements and analysis should taken directly at the object. Mainly carried out in the field that destroyed evidence samples and samples that are not destroyed. Some of the evidence gathered in the field are:

proof printing sample axial

assessment of the depth of carbonization

evaluating evidence of deterioration

ultrasound test

 evaluation of moisture proof

2**. Structural assessments**; It includes accounting techniques performed to obtain and interpret measurements of certain parameters (acceleration, velocity, displacement, etc.). They aim at assessing the current situation and anticipation damages.

Structural identification procedure usually join normal investigative methods (surveys geometric and material testing) that enable the development and calculations by a numerical model.

Road Roughness is a key indicator of paved road condition and maintenance requirements.

 Historical roughness data is a key indicator of the rate at which any specific pavement section is deteriorating

There are presently no comprehensive roughness surveys being carried out

Traffic volumes are a second key indicator of a roads importance and of the economic justification for additional maintenance

There are presently no comprehensive traffic surveys being carried out.

Roughness of paved roads and traffic volumes on all roads should be measured regularly.

Roughness at annual intervals.

3. Repairs needed for interference

Maintenance and repair operations include many tasks besides improving the pavement condition. To ensure a comprehensive maintenance and repair operation, incorporate the following tasks:

Routine inspections.

Material stockpiling.

Maintenance and repair of all related drainage systems.

Maintenance and repair of the actual pavement, including dust and mud control, snow and ice removal.

Miscellaneous tasks, including the maintenance and repair of necessary buildings, structures, and utilities, and the operation of necessary utilities

Funding and Costs of Maintenance

Local Government Unit (LGU) do not spend enough on maintenance.

Money spent of maintenance now saves much more money being spent on rehabilitation later

LGUs use "investment" projects to make good some of their maintenance failings

This results in complete blurring of the real total of expenditures on maintenance.

Further, LGU accounting formats do not allow for the clear identification of all direct maintenance costs/expenditures

It is estimated that total LGU expenditure (Municipalities and Communes) on maintenance and on "Investment" in lieu of maintenance is around ALL 1. 95 billion and that this should rise to ALL 3. 5 billion if a reasonable standard of road maintenance is to be achieved.

These figures do not include the present Regional Roads.

These figures assume only the most basic standards of maintenance (effectively, just maintain access) for the bulk of the Commune gravel roads

These figures do allow for an element of "improvement through maintenance" on the poorer surfaced roads

The current expenditures per kilometre at maintenance are :

Qarks   ALL 130,000 per km. per year

Municipalities   ALL 340,000 per km. per year

Communes   ALL 40,000 per km. per year

These figures illustrate the estimated current maintenance rates based on ESTIMATED road lengths. It is also advisable to consider the absolute estimated expenditures:

6 Qarks: ALL 178 million   (12 Qarks   356 million)

11 Municipalities   ALL 133. 5 million   (75 Municipalities   910 million)

53 Communes   ALL 96. 7 million   (308 Communes   562 million)

These figures are very low. They effectively cover the costs of routine maintenance only, with no allowance for periodic maintenance or for improvements incurred as a result of inadequate maintenance.

These costs do not include substantial management costs, especially for the communes where there is really no element of management at all included within the costs. The commune accounting and record systems do not break out many of the costs associated with maintenance, in general they detail specifically only the costs of materials supply, casual labour and,sometimes, permanent labour. Voluntary labour is, of course, not costed, and the costs of permanent labour are not always clearly assignable.

Routine maintenance alone is not the major element in a fully costed, fully functional maintenance regime. Roads deteriorate and incur higher maintenance costs as time goes by until periodic maintenance is required. The full maintenance costs can only be estimated by considering the complete cycle of events over a prolonged period.

The costing over such a twenty year cycle are estimated in Annex D and result in the following estimates of annualised costs:

Routine maintenance alone is not the major element in a fully costed, fully functional maintenance regime. Roads deteriorate and incur higher maintenance costs as time goes by until periodic maintenance is required. The full maintenance costs can only be estimated by considering the complete cycle of events over a prolonged period.

The costing over such a twenty year cycle are estimated in Annex D and result in the following estimates of annualised costs, on table 1 below:

Tab. 1 : Result in the following estimates of annualised costs

Routine and Periodic Maintenace costs per km. Annualised over 20 years (ALL)					
Growth Rate	2.50%	Platform Width	6.7	6.7	6.7
		Traffic AADT	1000	500	2000
New Roads	No Winter Maintenance		452995	410809	512655
New Roads	Three month Winter Maintenance		487255	445069	546915
Old Roads	No Winter Maintenance		856012	695785	1082607
Old Roads	Three month Winter Maintenance		890272	730045	1116867

The "platform width" of 6. 7 metres is the average width of the surfaced area (as opposed to the carriageway width between edge lines) over the Phase 4 and Phase 5 SLRP contracts. Maintenance costs are influenced by platform width since this affects both pavement patching costs and periodic maintenance costs.

A winter maintenance requirement increases the general maintenance rate appreciably but is not a great contributor. This is because the overall maintenance costs are driven more by the pavement degradation and periodic maintenance costs than by the routine maintenance.

The rate for old roads is much higher than for new roads because the estimate foresees a serious effort in the first 5 years to bring these roads up to a reasonable pavement standard - Improvement through maintenance.

Applied to the probable LGA road holdings and assuming that the regional roads are handed to ARA these rates produce an overall annual cost of maintenance to the LGAs, based on the average of costs over 20 years, of:

Tab. 1 : Annual cost of maintenance to the LGAs

Estimated LGA Maintenance costs - without Qark Roads			
Road Type/origin	Length - Km.	Cost/km/yr ALL	Total - ALL
Urban Roads - Paved	1248	873,100	1,089,628,800
Urban Roads - Gravel	1745	156,000	272,220,000
Primary LGA Roads New Paved	500	427,900	213,950,000
Primary LGA Roads Old Paved	540	873,100	471,474,000
Primary LGA Roads Gravel	5020	156,000	783,120,000
Secondary LGA Roads	15150	44,200	669,630,000
Total LGA Maintenance Cost			3,500,022,800

These figures are not a precise amount required by the LGAdministrations for road maintenance but are an indication of the scale of expenditure which they will need to build up to if they are to implement comprehensive and effective road maintenance strategies designed to keep their roads in reasonable condition and to gradually upgrade their less satisfactory roads to an acceptable standard.

Quality of Maintenance

The control of routine maintenance operations does not generally require the application of test procedures other than the use of a measuring tape or stick and a straightedge.

The quality of materials for patching, pothole repair and other interventions to paved carriageways can be difficult to control adequately because the volumes are so small. In general, the only practical means of material quality control for bituminous surfacing for these purposes is to accept certification from the supplier. Because of this it is desirable to limit acceptable suppliers to those with a proven track record of satisfactory materials supply or to those who can demonstrate the acceptability of their materials through programmes of regular testing.

At its crudest, the adequacy of routine maintenance can be verified simply by driving over the road. If there are no perceivable faults then maintenance, at least in the visible aspects, is basically satisfactory. If any possible faults are observed then it becomes necessary to stop and measure defects for checking against specified requirements in respect of both the dimensions of the defect and the frequency of occurrence.

This form of visual inspection on its own is not sufficient. There are areas of the road structure which are not always visible and these too must be checked for compliance with requirements. Such areas will include drainage and culvert cleanliness on a regular basis and, perhaps less frequently, items such as embankment slopes, erosion around major structures and at culvert inlets and outlets, free flow in major waterways.

The key to control of routine maintenance quality is the availability and use of experienced supervisors. Supervisors need to be familiar with the roads they are controlling; they will know where problems are likely to occur, which roads are the most problematic under which conditions, which material sources give good and bad results and which elements of the labour force/contractors require closest supervision.

Recomandation on Maintenance Standards and Levels of Service and Planning systems

A comprehensive system of Levels of Service and Standards of Maintenance should be developed.

For consistency this should cover all classes of road and traffic levels. It is therefore desirable that such a system be developed jointly with ARA.

Although, at the extremes, this system might cater only for one organisation or the other, in the middle range it is likely that there will be an extensive area of overlap, especially now that ARA (and possibly the LGAs) are expected to take over all regional roads from the District.

An example of Levels of Service and Maintenance Standards Indicators is given in Annex. This could be used as a model for development of a system appropriate for Albanian conditions or some other approach could be adopted.

Much of the commune, and in many cases the municipality, maintenance work is already directed simply at ensuring basic access.

Basic access can itself be defined as a maintenance standard, the lowest acceptable, although it may be further qualified by provisions relating to winter snow clearance.

Ideally, road maintenance should be a planned programme of events aimed at preventing problems before they become serious. Where funding is wholly inadequate, this approach becomes impractical and the maintenance organisation is forced into a wholly reactive mode where precious funds are conserved and used only to resolve problems as they occur.

Implementation of a planning system, operating jointly at both the central and LGA levels, is highly desirable to plan maintenance in such a way as to make the best possible use of available funds. The ROMAPS planning programme currently exists, where it is being used as a roads database; an upgraded version of this system, or some alternative, should be installed.

Its use would be to provide a comprehensive budgeting and planning function. With advances in internet connectivity, ownership of the programme together with access for both input and output could be shared between the centre and the LGAs. To get the best out the system it is important that all parties should have a sense of partnership.

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Annex : Levels of Service and Maintenance Standards - An Example

A basic functional classification of public roads in this example divides the roads in the system into three "Functional Classes":

National Roads

Secondary Roads

Local Roads

These three functional classes are then each further sub-divided, using traffic levels as the criterion, into five "Traffic Levels".

Functional Classes	Traffic Levels - AADT (v/d)				
	1	2	3	4	5
National Roads	>8000	8000 - 5000	5000-2000	<2000	
Secondary Roads		>5000	5000 - 2000	2000-500	<500
Local Roads			>2000	2000 - 500	<500

The system envisages the provision of five different levels of routine maintenance; hereinafter called Maintenance Standards and refers to them as:

MS1, the highest standard of maintenance

MS2,

MS3,

MS4 and

MS5, the lowest standard of maintenance.

At the same time, five different Levels of Service are considered:

Excellent

Good

Satisfactory

Poor

Bad

The level of service provided by a specific maintenance standard will be lower on a road of higher functional class and will be higher on a road of lower traffic level.

Service Level is a concept which cannot be measured directly; it is a statement of the quality of the experience which the road user can expect, or which he experiences, and is related to conformity with a series of differing criteria. These criteria are formalised as the Indicators which define the 5 Maintenance Standards. The following charts illustrate the variation in the relationship between Service Levels and Maintenance Standards for International Roads, Secondary Roads and Local Roads at different Traffic Levels:

Service Levels – International Roads

Traffic AADT (v/d)	SERVICE LEVELS – INTERNATIONAL ROADS				
	Maintenance Standard				
	MS1	MS2	MS3	MS4	MS5
>8000	Good	Satisfactory	Poor	Bad	Bad
8000-5000	Excellent	Good	Satisfactory	Poor	Bad
5000-2000	Excellent	Excellent	Good	Satisfactory	Poor
2000-500	Excellent	Excellent	Excellent	Good	Satisfactory
<500	Excellent	Excellent	Excellent	Excellent	Good

Service Levels – Secondary Roads

Traffic AADT (v/d)	SERVICE LEVELS – SECONDARY ROADS				
	Maintenance Standard				
	MS1	MS2	MS3	MS4	MS5
>8000	Excellent	Good	Satisfactory	Poor	Bad
8000-5000	Excellent	Excellent	Good	Satisfactory	Poor

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5000-2000	Excellent	Excellent	Excellent	Good	Satisfactory
2000-500	Excellent	Excellent	Excellent	Excellent	Good
<500	Excellent	Excellent	Excellent	Excellent	Excellent

Service Levels – Local Roads

Traffic AADT (v/d)	SERVICE LEVELS – LOCAL ROADS				
	Maintenance Standard				
	MS1	MS2	MS3	MS4	MS5
>8000	Excellent	Excellent	Good	Satisfactory	Poor
8000-5000	Excellent	Excellent	Excellent	Good	Satisfactory
5000-2000	Excellent	Excellent	Excellent	Excellent	Good
2000-500	Excellent	Excellent	Excellent	Excellent	Excellent
<500	Excellent	Excellent	Excellent	Excellent	Excellent

It should be noted in the table above that it is considered most unlikely that any Local Road would have traffic or require maintenance outside the limits shown by the box in the lower right corner.

Adoption of the Joint Stock Company in British India: History and Patterns

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Abstract

The joint stock company was introduced to India in the late 17th century but only gained widespread usage in India during the 20th century. However, the adoption of the joint stock company was closely linked to family businesses and did not spread in a uniform manner across the population. This article will examine the spread of the joint stock company in India and look at four groups: Hindus, Muslims, non-conforming Muslims and Zoroastrians. We will suggest that the legal and business institutions of these four groups shaped their willingness to adopt the joint stock company.

Introduction

Joint stock companies are tied closely to family businesses in India. As late as 1993, of 297,000 joint stock companies in India, 294,000 were family owned. [1] Joint stock companies have not replaced the Hindu joint family in India. Instead, the Hindu joint family businesses continue to be used by wealthy Hindus in conjunction with joint stock companies. This paper will examine the spread of the joint stock company in India and compare its patterns of adaptation among Hindus, Muslims, and Zoroastrians. We will suggest the following: Hindus were able to use the joint stock company to a greater extent than the Muslims due to differences in Hindu and Islamic inheritance law as well as the similarity between the Hindu joint family and the managing agency. Muslims remain underrepresented in India's business world: only one of the fifty largest business houses in India has a Muslim chairman. Recent data show that Hindus continue to dominate industry and business in India. A look at India's fifty largest business houses in 1997 shows that only one of them had a Muslim as chairman. [2]

The adoption of joint stock company in India was tied to the rise of the managing agency[3]. Joint stock companies in India were controlled by managing agencies. Managing agency contracts allowed the managing agency to have control of the joint stock company even though it did not own a majority of the shares. While Indian law prohibited banks and insurance companies from being governed by managing agencies, virtually all other private corporations were controlled by managing agencies. [4] Managing agencies were in turn controlled by family businesses and were rarely owned by one person. [5]

Who utilized the managing agency? The vast majority of managing agencies in India were controlled by Hindus and Zoroastrians whereas the Muslim rate of ownership was minimal. Earlier studies suggest that Muslims controlled only 1.09% of India's managing agencies. [6]

Let us turn to a brief discussion of the Hindu joint family businesses and their adoption of the managing agency. India in the 19th and early 20th century was characterized by an underdeveloped capital market. Hindu joint families used joint stock

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[1] Dutta, 30.

[2] Tripathi 2004, 340-342.

[3] Brimmer 561-563, Tripathi 2004.

[4] Lamb 110, Tripathi 2001, 46-47.

[5] Brimmer 1955, 558; Lamb 1955, 102; Tripathi 1990, 27; 2001, 43

[6] Nigam 1957, 104-225.

companies to raise additional capital. Typically, the shares for these companies were bought by members of the same caste. How were Hindu merchants able to raise sufficient capital for this? Hindu inheritance law provides an answer. First, it allowed for the collective holding of wealth. Second, it excluded females and distant relatives from inheriting wealth.. Hindus were also familiar with the concept of a managing agency. Hindu joint families had numerous branches which were governed by a central unit.

Muslims in India were governed by Islamic inheritance law. Islamic inheritance law differed from Hindu inheritance law on two crucial counts. First, it did not allow for collective holding of wealth. Second, Islamic inheritance law included numerous heirs including women and distant relatives. This retarded the rate of capital accumulation amongst Indian Muslims.

Muslims were also hindered by relative unfamiliarity with the Hindu joint family business. The traditional means of business among India's Muslims had been the Islamic partnership. [1] However the partnership differed from the Hindu joint family in two respects. First, it lacked durability. Second, Islamic partnerships could not branch out into multiple businesses as could the Hindu joint family.

A small number of Muslims did not adhere to Islamic inheritance law and utilized business institutions similar to those of the Hindus. We will refer to them as non-conforming Muslims and discuss them in greater detail below. [2]

Joint Stock Companies in British India

Joint stock companies were introduced in India in the 1660s by British and Dutch merchants. However, these joint stock companies failed to gain popularity in India. They were restricted to southern India (particularly Coromandel) and failed to spread to other parts of India. It has been suggested that these companies lacked means of effective conflict resolution among shareholders. Joint stock companies were reintroduced in India in 1829. However, Indian merchants were reluctant to adopt them. The first Indian to launch a joint stock company was D. Tagore. However, few Indians followed his example and the joint stock company was largely used by Europeans in India. It was only in the 20th century that the utilization of the joint stock company became widespread in India.

Table 1 Joint Stock Companies in India[3]

Year	JSCs in Operation in British India
1880	Under 500
1890	886
1900	1,340
1910	2,216
1920	3,668
1930	6,919
1940	11,372
1950	27,558

Table 2: Joint Stock Companies in India from 1850 to 1950[4]

Year	Number of JSC
1851	2
1852	4

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[1] The common forms of Islamic partnership include the mudaraba, mufawada, and 'inan. See Udovitch for a further discussion of Islamic partnerships.
[2] These Muslims belonged to the Khoja, Bohra, and Memon castes.
[3] Rungta pg 47.
[4] Rungta, 47.

1853	*7*
1854	*11*
1855	*11*
1856	*12*
1857	*16*
1858	*22*
1859	*38*
1860	*48*

In 1851, twenty two years after the founding of the first joint stock company in India, only two joint stock companies were in operation. The Act of 1857 also failed to stimulate the growth of joint stock companies. What explains the tepid growth of joint stock companies in India?

First joint stock companies could only get corporate status through an act of the British Parliament or the Indian Legislature. Second, joint stock companies were seen as partnerships. Third, the liability of every shareholder was unlimited. The Act of 1857 remedied many of these defects but joint stock companies still grew slowly in India.

India suffered from a dearth of both capital and entrepreneurship. Organized capital markets did not exist in India. Banks typically served the needs of only Europeans. On the other hand, Indian moneylenders charged exorbitant interest rates. The peasantry and working class's incomes were insufficient to generate the requisite capital for industrial ventures.

Managing Agencies in British India

Indian merchants were also reluctant to invest in industrial ventures. Most chose to remain in retail, trade and moneylending. Managing agencies bridged the gap and offered a solution to the lack of entrepreneurs and lack of capital. How did managing agencies bridge the gap? How did managing agencies operate? Managing agents assessed the costs necessary for a particular enterprise. They also assessed the size of the market. Managing agents then registered the company and selected the board of directors. The agents would sell shares but through a managing agency contract, retain control of the company. This process was repeated numerous times and eventually managing agencies controlled numerous companies. This allowed managing agencies to overcome the dearth of capital.

Managing agencies became extensions of the joint family. The members of the managing agency were members of the same family. Highest authority was given to the eldest male. The shares were bought by members of the same family or social network. A single family retained control of multiple companies through the managing agency contract. Funds from one company would be used to launch other companies. Indian banks were also more willing to lend to companies which were managed by managing agencies.

A Comparison of the Spread of the Managing Agency and Joint Stock Company

Which groups in India adopted the managing agency? The adoption of the managing agency took place with relative ease among Hindu merchant castes. First, these castes could raise money through their social networks. Second, the managing agency model matched the Hindu joint family business model in that a central unit managed numerous branches.

The Muslims of India were disadvantaged on both counts. First, Muslims experienced fragmentation of their estates due to Islamic inheritance law. Second, the Islamic partnership differed radically from the managing agency and the joint stock company so Muslim businessmen were unable to make the transition.

A look at table 3 shows us the presence of Hindus and Zoroastrians the absence of Muslims. Table 3 shows us the results of three different studies. The first list shows the largest industrial houses in India after independence was the result of a government study, the Monopolies Inquiry Commission. Of the 37 houses, 34 are controlled by Hindu business families,

two by Zoroastrians, and on by a Jewish businessman. [1] The second list is R. K. Hazari's *The Structure of the Corporate Private Sector*. Hazari's list includes business houses of various sizes and is adjusted for region, caste, and assets. Of the 17 business houses in Hazari's list, 15 are controlled by Hindus and the remaining two by Zoroastrians. Sharma's *Entrepreneurial Change in Indian Industry* which lists India's 58 largest business houses in 1969. Of these 58, 55 are controlled by Hindus and 3 by Zoroastrians. Sharma's list also has no Muslims as owners of business houses.

Table 3: India's largest companies and business houses

Community	Monopolies Inquiry Commission	R. K. Hazari	Sharma
Hindu	34	15	55
Zoroastrian	2	2	3
Muslim	0	0	0

What conclusions may we draw from the table above? First, the bulk of business houses in India were controlled by the Hindus. Second, the Zoroastrians controlled a proportion of business houses significantly greater than their population. [2] Third, Muslims despite possessing approximately 12% of India's population did not own a single business house which ranked among the largest.

What accounts for the Zoroastrian prominence in business? Bagchi has suggested that the Zoroastrian success stems from two factors: they were located in the commercial hub of Bombay and they served as middlemen of the British. [3] Bagchi's assertion is questionable on two points. First, other groups that lived in Bombay did not achieve the same level of success. Second, why were the Zoroastrians chosen as "middlemen" and how did this necessarily imply success in industry? Others have suggested that the Zoroastrian success is due to their Westernization and greater level of education. However, other minorities such as Brahmins also possessed knowledge of the English language but did not achieve the same level of success. The commercial success of the Zoroastrians may be attributed to confluence of factors including inheritance laws, communal institutions, and their ability to raise capital. [4]

Let us turn to a brief discussion of non-conforming Muslims. This group followed Islam but used Hindu inheritance law and business institutions. Like the Zoroastrians, their influence is significantly greater than the proportion of their population. A significant portion of the non-conforming Muslim population migrated to Pakistan after the partition of British India in 1947. [5] We can see the significant role played by the non-conforming Muslims from the table 4 below.

Table 4

Industrial Investment in Pakistan in 1960[6]

Community	Proportion of Industrial Investment	Proportion of Population
Memon	27%	0. 3%
Bohra	5%	0. 04%
Khoja	11%	0. 14%
All Other Muslims	57%	99. 52%

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[1] Timberg 17-20.

[2] The Zoroastrian population was approximately 100,000 out of a population of over 300 million in India.

[3] Bagchi, Private Investment in India.

[4] Further study is needed on the Zoroastrians. See Desai 1968; White 1987

[5] See Levin 1974 and Papanek 1962.

[6] Papanek 1962

Not only did non-conforming Muslims possess a significant proportion of Pakistan's business houses, they also contributed to a disproportionately large segment of industrial investment. Since the non-conforming Muslims possessed the same inheritance law and business institutions of the Hindus, we can see that they were able to raise capital relatively easily and also adopt to the managing agency system.

Let us discuss the remaining population of Indian Muslims. First, the Indian Muslims could not raise capital as easily as Hindus. While Hindu inheritance laws encourage the collective holding of wealth and discourage the fragmentation of estates, Islamic inheritance law includes a greater number of heirs and divides estates with every generation. A wealthy Muslim family was likely to experience division of its estate whereas a Hindu family would not experience such division. Second, Hindu entrepreneurs possessed caste networks whereas Indian Muslims did not have access to such networks. [1] Muslim attempts to raise capital were hindered. In 1889, Muslim businessmen established Koilpatti Mills in south India. However, this mill failed from a lack of sufficient funds. In 1895, Muslim businessmen attempted to launch the Petai Sugar Refining Company. This was transformed into a joint stock company with limited liability. However, the owners could not raise sufficient capital and this venture was sold to Hindu businessmen. [2]

Muslim businessmen also suffered from a lack of experience in running managing agencies. A Hindu family business was controlled by one central unit whereas a Muslim business operation was a partnership and lacked branches. A look at case studies will reveal how Hindu joint family businesses functioned vis-à-vis partnerships.

Case Studies

Case Study 1: The Mafatlal family

Mafatlal began his career in 1886 and worked menial jobs and as a peddler. However he saved his capital and in 1905 lauched the Shorrock Spinning and Manufacturing Company. The share for this joint stock company were bought by members of his caste. He used a managing agency to control the company since he did not possess the majority of the shares. Mafatlal expanded his business to include more mills, cotton ginneries, and also entered the field of business. His sons and grandsons controlled the businesses through managing agency contracts. [3]

Analysis: The Mafatlal family utilized the Hindu joint family business very effectively. They were able to include sons and grandsons as managing agents of their business empire. Second, they also were able to tap into caste networks to raise capital for launching their joint stock company. Had the Mafatlals not been familiar with the Hindu joint family business, they might not have been able to use their caste networks or know how to utilize the managing agency.

Case Study 2: The Birlas

The Birlas were a prominent moneylending family. They owned branches throughout India. The Birlas expanded their business to precious metals, cotton, and trade in the 19th century. They launched their first cotton mill in 1916 and their first joint stock company in 1918. The Birlas used managing agency contracts to control their business and eventually had over 50 joint stock companies in areas as diverse as cotton, manufacturing and retail.

Analysis: The Birlas relied heavily on the Hindu joint stock company business. They used its structure to expand throughout India and into diverse areas. They were able to effectively use managing agency contracts to control businesses while not possessing a majority of the shares in these businesses.

Conclusion

Our discussion has shed light on the performance of different groups in British India: Hindus, Muslims, Zoroastrians and non-conforming Muslims. We saw that the Hindus and non-conforming Muslims were advantaged by the use of the Hindu joint family business whereas the Zoroastrians benefitted from a confluence of factors. On the other hand, Islamic

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[1] See Ahmad 1991, Leonard 1981.

[2] Tripathi, 1984 228-236.

[3] Hazari 1966, 207-208; Tripathi 1990, 105-114

inheritance law fragmented estates. The Islamic partnership lacked the ability to branch out and this hindered the success of Muslim businessmen.

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The Music's Role in Socialization of the Romani in Turkey: "Musician School" Project Example

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Abstract

The Romani, who are the people always looked from a distance throughout the history, scared and feared, have always been so close and so far away at the same time. It is hard for every society to accept what is not the same with it, the "other". However, a Project was planned, with the idea of from local to universal, so that The Romani, who can perform the intercultural carrier, transfer their life-style in a fun way through their language with the music they create, could socialize, instead of being seen as the "other". Within this Project, it is planned that various groups with a certain musical talent, consisting of The Romani, will have a four-year education in different areas of music and will be helped to share their talent with the society. With this Project, The Romani will tell their dreams, sadness, fights, and their nonchalance of life and their forgotten lives that no one doesn't want to see or could not see through their songs and dances, which comes from the assumption that it will contribute their unity with society. The artistic activities of the Romani, who are different color in our country, having a rich cultural variety, should be supported. That the natural ability to music and dance in the Gypsies are not limited within them, and that these talents are turned into productivity in different areas of music will both support their development and increase their social value. In this study, Bursa Metropolitan Municipality Conservatory "Musician School" (Çalgıcı Mektebi) Project, designed in 2011 within the scope of music's role in socialization of the Romani, is examined and it is aimed to present this Project.

Keywords: Turkey, the Romani, Socialization, Music's Role

Introduction

The socialization of human who is a social being is seen as an important procces for all communities. The socialization which is the process of preparatipon of an individual by having his own character, and the integration into society (http://www. tdk. gov. tr/) is described "being aware of an individual regarding to the norms about the expected role for him while participating in any group activity" according to Erkal (1997:87). Socialization in a healthy way has many positive effects on people. Self-confidence and also rules and values systems of the individual develop. Socialization also allows the development of understanding and tolerance towards other people. Doğan (2002,64) describes the socialization as being together with others, and points out people who fail to do are kept under social pressure. Social relations in cultural conditions affect the structure of society, culture and individual as well. (Koştaş, http://dergiler. ankara. edu. tr/dergiler/37/770/9798. pdf). In this context, the socialization of individuals who locate in the same country and reflect different cultures have a great importance. Gypsies can be an example for this, who spread all over the world. In fact, gypsy community who has always been humiliated throughout history have been beside us but insomuch as that away from us. This situation is not different in Turkey the country we live in.

The studies on Romani people and their population is quite low compared to other social researches. In contrast, their spreading of every part of Turkey, spending nomadic life of large of them, grouping of some them on the existence of cities; prejudice against the Romani people in society, socio-economic status and living conditions are seen as a major subject for research and analysis. In this study, briefly the social status of Romani people in Turkey is examined, and it is aimed to introduce Musician School (Çalgıcı Mektebi) Project which is applied in Bursa Metropolitan Municipality Conservatory in

the context of the role of music through their socializing process. In this study the expression "Romani" was preferred to define them because Romanies themselves prefer the expression of "Romani" for themselves instead of "Gypsy",although Romanies are generally expressed as "Gypsy" in Turkey.

There are many similarities between the way of life and field of occupation of Romanies who have spread to various parts of the world, In this regard, the situation in Turkey is not much different. It seems that there will not be a simply change in social status of Romanies as long as we host prejudice in our collective memory as a society, and the government takes no serious step which may affect their living conditions in a positive way. Especially for those who live in big cities, correspondingly the challenges of metropolitan living conditions; problems such as poverty, lack of education and social security are some of the most important problems of Romanies. Although it is difficult to reach a definitive statistical information related to the number of Romanies in Turkey, according to the official figures it is 500 thousand while according to Romanies this figure is around 2. 5 million. It is possible to find Romanies almost everywhere in Turkey. A large part of them are in the region of Thrace (Rom groups) and Anatolian (Dom groups). They are particularly scattered in Maraş, Antep and Adana, and in all districts in the cosmopolitan nature of İstanbul. Romanies who emigrated from Bulgaria particularly live in Kayseri, Adana, Osmaniye, Sakarya and Çorum. (In Çorum, resident Romanies sometimes called as "Haymantos") Those located in Erzurum, Artvin, Bayburt, Erzincan, Sivas called them with the name of "poşa" or "boşa". They are known as "Qereçi, Mutrib" in Van, Hakkari, Mardin and Siirt. ("Mutrib" or "mırtıp" means "musician" in Arabic.) Their nomadic life since ancient times, and their professions to live on such as musician and craft are their common features often known by everyone. Yet today, in modern and post-modern eras, although most of them live settled life, they are alienated in almost all the countries where they live. (http://www. mazlumder. org/tr). Therefore the socialization of Romanies is quite important and doing it with music field which they know best could make it easier. The project of Musician School (Çalgıcı Mektebi) which was designed by Bursa Metropolitan Municipality Conservatory in the from local to global conceptipon in 2011 and which began accepting students in 2013 is seen as an important demonstration project in order to socialize Romanies, who can make intercultural transportation by the musics they made in this context, and tell us their life in a fun way in their own language, by destroying the idea of seeing them as "others". In the project, it is aimed that various groups formed by Romanies which have a certain music talents will receive music education in different branches of music for four years, and it is planned to assist them to show their talents to the society. With this project, it is seen that telling their dreams, sorrows, fightings, circumstances of forbearing, and their lives in odd corners which no body want to see or can see by their song and dances, and the assumption that it contribute to social reintegration is seen as a starting point.

One of the main purposes of the project is not to forget and make not to forget the effects of the "Gypsy Music" whose main feature is beginning in a sad and pessimistic way, then frantically reaching a rhytm and clicking people or getting the shivers of them, and the cultural reflection of it in our country, whose effects extends from India to Anatolia, from Anatolia to Balkans, from Balkans to North Africa, from North Africa to Europe, from Europe to America. It supports Gypsy's development and increase the value they have in society to show their natural predisposition for music and dance, and converted these capabilties to efficiency in different branches of music. Below the project which was designed and started to be applied for socialization of Romanies is introduced with content and titles.

The Name of the Project

"Çalgıcı Mektebi" project oriented for socialization and education of Romanies of Bursa

The Subject of The Project

It is designed as a social responsibility project created within the Bursa Metropolitan Municipality Conservatory to heed Romanies' "we want to socialize" call. To make Romanies gain social status,who suffering from aphaty and change the point of view of society draws the attention as one of the most important goals of the project.

The project is specifically designed for Romanies of Bursa. The success of the project will be able to set an example to other municipalities and music institutions. The first step towards the socialization of Roma citizens have been taken in the field of music. "Music Education Project" was intended to be implemented for the areas such as;

Turkish Folk Music,

Turkish art music,

Romani music,

Classical Music,

Romani Chorus,

Instrument making and repair.

4 years is determined for training process. Joining is provided to all Romani citizens who are interested the field by determining the lower age limit for candidates as 12. Ability exam is tested for each year in august. Candidates who studies or works are able to continue to part-time schools. The test is applied to measure musical hearing ability to candidates who are proper in terms of health, and winner candidates are directed to the field of music education above-mentioned. The diploma will be given to candidates who have completed the educational process successfully, they will be able to take part in various orchestras, and they will be able to be contractual music teachers in private institutions. If the project reached success, public concerts will be held across the province, and Romani music group will play an important and active role in answering the purpose for socialization of Romanies. It will contribute to the integration of Romanies with public. The group who has the support of the municipality to participate in activities all over the world will contribute to the promotion of Bursa.

By discovering the potential of Romani musicians, it can be increasingly configured in commercial sense. The presentations in the field of music of cute marginals can creat a touristic opportunity. Romanies due to their receptive structure to other traditions, their conglutinating some elements belonging to different traditions in their music, and their providing a certain transitivity among different cultures will be able to convert some of the global trends, cultural and musical relationship to opportunities in our favor.

The Aim and Objectives of the Project

It supports Gypsy's development and increase the value they have in society to show their natural predisposition for music and dance, and converted these capabilties to efficiency in different branches of music.

The Benefits Of This Educational Process Will Provide in Social Perspective:

Social security,

Social Consciousness

Organization,

Protection of Cultural Structure,

Training and Information.

Its Effects On Humans:

To be able to define their own identity,

Ability to enhance the lost values,

Wide study areas,

Being open to development and changes

Social Solidarity,

Unity and togetherness,

Responsibility,

Awareness of Doing Business as a group.

Benefits of This Education Process Will Provide in The Field of Psychology:

To be held in esteem,

Sense of mutual trust,

Being independent, being individual,

Mutual love and respect,

Motivation resulting of being appreciated,

Compromise,

Sense of loyalty,

Sense of honor,

Increase in production and quality,

Positive attitudes, behaviors, and relationships,

Increasing in discovering and creating new things,

Family peace.

Benefits It Will Provide For Public:

To make individual reach to a certain level,

To help individuals adapt to new conditions engendered by social change,

To provide to clutch its way and method by creating volition to change the enviroment and to help for organizing by taking the action with this purpose,

To provide equal opportunities in education,

To create changes in the form of production, in relationships and and behaviours of individual,

To play a role to ensure social integration,

To contribute the social integration by providing training to those not educated,

Not only the persons who get the high school diploma by finishing the program promote in their current professions in social life, but also new graduates will find the opportunity to work in public and private institutions

They will gain rational thinking features which provide to develop relationships between environment and people.

The Contribution of the Project to the Development of Town - City

The project will enable Romani citizens to present their individualism and capabilities in society in a self-confidential way with the education and activities they will take, and so educated Romani citizens will not be alienated in society. They will experience the happiness and inner peace of being part of the society without losing their own culture. In Bursa, Romani and not Romani people will take part as a unit in art and culture facilities, and these facilities will promote to introduce all the elements of social-cultural and to be applied these kind of facilities to our other cities and the world.

The Contribution of the Project to the Social, Economical and Cultural Development of Society

The project will firstly provide a social-security enviroment to Romani citizens with these facilities. Their presentation for their capabilties by combining them with education will bring about benefit of profit for them. In this way, happiness and peace will take part in their family life. In terms of culture, they will protect and transmit it to the next generations. They will keep the instruments alive which inherited from their ancestors and announce it the whole world. They will improve their musical abilities, and get the opportunity to compose proper music in harmony and maqam subjects. Turkish folk music, Turkish art music, Western music and Romani music will announce this various beauty under Turkish Culture by working together.

The Contribution of Town – City to the Nationally and Internationally Introducement

Bringing the lost cultural values of Romanies by the help of educational activities, and present it in national and international levels through concerts and broadcast. It is bringing Turkish and Romani music types together, to fit within a universal music, and extent tastes and interests nationally and internationally to the highest level. Most importantly it will support Romani children through the process of being included training, prevent them to chase of the bad habits, and provide them to take part in the summit of success.

Result

For centuries, Roma musicians who are important part of the entertainment industry in Turkey will increase their prestige in society and develop their interior genetic music skills by increasing the projects as in the conservatory which belong to Bursa Metropolitan Municipilaty. Thus, musicians who can influence our country and the world will appear among Romanies who are paved the way for, are got prestige in society, and became social. Deserved reputation for Romani identity which is named in a humliaiting tone in general can be gained with music which is one of the most effective communication tools. In terms of the conversion of the Romani sense, the new Romani figures can be established. Aesthetic and artistic representation can provide the basis for the formation of identity. With update-oriented effort, the complex process of preparing the present situation can be converted to contribution in integration. The process may be embodied with an increasing number of examples of projects. Creating projects to develop Romanies' artistic skills and socialize them with society of local governments as in the example of Bursa Metropolitan Municipality will increase their prestige, and the perspective in society will reverse.

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Trademark Protection, Absolute and Relative Grounds for Refusal of Trademark

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Abstract

A trademark is a sign that individualizes the goods of a given enterprise and distinguishes them from the goods of its competitors. Trademark may consist letters, words, slogans, symbols, numerals, pictures, name, logo, even sounds and smell. They are based on registration. One registered trademark gives to his owner the right to exclude others from using an identical or similar mark to identify its goods or service on market. Trademark owners should apply for registration by filling an application in national level, in their national office for protecting trademark rights which trademark will be protected only in that current country and in international level by filling one application where his trademark will be protected in many country depending in which country he has mark the protection. The law does not recognize every possible mark or symbol as a valid trademark, there are some criteria that one sign or mark have to satisfy to gain the trademark protection. Any sing which is not able to distinguish the goods and services can not be registered, and this is one of the reasons for rejection of registration. Sign or mark must be a "trademark", must not fail on the absolute and relative grounds. Sign can be refusal for absolute ground if is not able to distinguish the goods and services. Unprotected mark will be consider also mark in conflicts with a prior right in another trademark or other distinctive sign will also be refusal, in this case for relative ground. Accordantly to this, the owner, during creating his mark should be original, natural, creative etc.

Keywords: trademarks, protection of trademark, absolute ground for refusal, relative ground for refusal.

Trademark

The formal definition for trademark as defined under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is that it could be: any sign or any combination of signs, capable of distinguishing the goods or services of one undertaking from those of other undertakings. [1]

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[1] Agreement on Trade-Related Aspects of Intellectual Property Rights, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C

The sing, may consist letters, words, slogans, symbols, numerals, pictures, name, logo, in modern age even sounds and smell, which in itself have two main characteristics: they should be distinctive and should not be descriptive.

Example:

Words (words Trademark): Coca cola, Sony, Ford, Apple, Philips, Levs.

Logos (figurative trademark):

3-D trademarks

Sounds trademark:

Yes : √   No: X
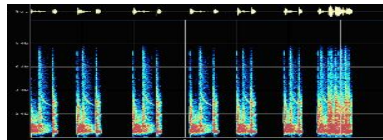
Sign must be distinctive, able to be easily distinguished from the identifying features of the products and services of other producers. [1] It means it must be very natural and capable to distinguish.

Descriptiveness means when the mark gives information regarding the product and services to the consumers. Descriptive marks are considered those which give exclusive rights to some potential symbols that may interfere with the rights of competing merchants to freely describe their goods and communicate with the public. [2] The law dose not permit registration of descriptive trademark. Giving legal protection and exclusive rights of marks with descriptive character will cause a monopoly in market and limiting its usage for other competitors on the market. Monopolization of market is one of the biggest reasons why descriptive words or signs should not be protected as e trademark.

According to this, most important characteristics of a trademark is its distinctive character.

Economic point of view of trademark

Trademark can be considered as instrument of connection between the producers and consumers.

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[1] C. Colston & K. Middleton, *"Modern Intellectual Property Law" Second Edition, London, Sydney Portland, Oregon, p. 505*

[2] R. SCHECHTER and J. THOMAS, *Intellectual Property the Law of Copyrights, Patents, and Trademarks*, Thomson West, USA, 2003, p. 571

The most common use of trademark is in consumer advertising to promote product sales, but trademark use has become increase

ingly sophisticated and varied. Promotion of product sales and cementing customer loyalty, trademarks help their owners increase profitability, respond to unfair competition, expand and maintain market share, differentiate products, introduce new product lines, gain royalties through licensing programs, support strategic partnership and marketing alliances, and justify corporate valuation in financial transactions. [1]

Trademark Protections

A trademark protects the right to distinguish the owner's goods or services from other goods or services from another owner's. [2] Trademark protection provides exclusive right to owners. It means that the protection gives the right to the owner to exclude others parties from using his mark or imitation of his mark for goods or services that do not originate from him.

Trademark right is limited, it can be protected for next 10 years with possibility of renewable 10 years intervals. [3]

Trademark rights are purely territorial in scope. [4] There are two ways of protection of trademark, national protection and international protection of trademark.

National Protection

Marks can be reiterated in each state. [5] National protection of trademark is when the applicant applies for protection in one current state or territory in their national office. Examiners will examined if the sign fulfils the requirements in accordance with national legislation. The protection of this trademark is valid only in the territory in which protection is asked for.

The procedure for the protection of national trademarks is regulated by the national law and by their implementing regulations. If the sign meets the requirements of those laws and regulation in national level than the sign will get the protection.

International Protection

International registration of trademarks simplifies the procedure of obtaining a trademark registration in more than one country by filling one application. Protection of international registration of trademark is regulated with Madrid Agreement and the Madrid Protocol and it is known as a Madrid system of protection.

Madrid Agreement was signed in 1891 and provides for protection of marks in many countries which obtain an international registration valid in each contracting party. According to this, nationals of any of the contracting countries may, in all the other countries party to this Agreement, secure protection for their marks applicable to goods or services, registered in the country of origin, by filing the said marks at the International Bureau of Intellectual Property (hereinafter designated as "the International Bureau") referred to in the Convention establishing the World Intellectual Property Organization (hereinafter designated as "the Organization"), through the intermediary of the Office of the said country of origin. [6]

It means that international registration is when the trademark owner applies to gain registration in member countries, each of which apply their own rules and laws to determine whether or not the mark may be protected in their jurisdiction. As we can see the Madrid system offers protection to users of trademark applying for protection in a number of countries at the

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[1] K. Idris, *Intellectual Property: A Power Tool for Economic Growth, p. 18*

[2] A. L. Brookman, *Trademark law, Second Edition, 2015 USA,   p.4*

[3] article 18 of TRIPS Agreement has set minimum terms of years for duration of protection

[4] B.M. Barkoff and A.C. Selden, *Fundamentals of Franchising,* Third Edition, 2008, USA, p.44

[5] L. Brookman, *Trademark law, Second Edition, 2015 USA,   p.4*

[6] MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS, article 1, point 2, avelable online: http://www.wipo.int/edocs/lexdocs/treaties/en/madrid-gp/trt_madrid_gp_001en.pdf

same time. When we say number of countries it means all countries which are contracting parties to this treaty including the countries out of European continent.

By international protection of trademark applicant or owner of trademark dose not have to go in many countries, to fill application in many languages and to pay a separate fees in each office, here he has to fill one application for protecting his trademark.

Applicant should apply for international protection at International Bureau of World Intellectual Property Organization (WIPO) in Geneva.

In an other hand we have also have a community trademark (CTM). CTM is a unitary mark for every Member State of EU. [1] Office of Harmonization for the Internal Market (OHIM) simplifies the procedure for obtaining trademark protection in the EU especially for a person who does business in more than one EU country. By filing one CTM, the applicant can obtain trademark protection in all countries of the EU. The number of member countries of the EU has reached 28 with the accession of Croatia as of July 1, 2013. This means a CTM can provide trademark protection in all 28 countries. EU has 24 official languages, so applicant applying for a CTM can fill out the trademark application in any these 24 official languages. However, the applicant, would still have to translate the application into one of the five official languages of OHIM which are English, French, German, Italian and Spanish. As we can see there are five official working languages of OHIM.

Each of the EU member states actually has their own trademark laws but which must also be compatible and harmonized with the First Trade Marks Directive. [2] CTMs are regulated by the Community Trademark Regulation (CTMR). Even if regulation has effects in EU territories, it dose not replace national trademark laws.

Absolute and relative grounds for refusal of trademark

During the process of registration, trademark is examined for absolute grounds for refusal. Any sing which is not able to distinguish the goods and services can not be registered, and this is one of the reasons for refusal of registration.

The law does not recognize every possible symbol as a valid trademark. A registrable mark must satisfy three criteria:

It must be a "trade mark"

It must not fail on the absolute ground and

It must not fail on the relative ground. [3]

If one mark satisfies these criteria it will be registrable and protected for 10 years with possibility of renewable 10 years intervals, other way it will lend in refusal for absolute and relative grounds.

Absolute grounds of refusal prevent registration prima facie, relative grounds for refusal deal with the mark in connection to other marks.

Absolute grounds for refusal of trademark

Sign may be refused for absolute ground if there is lack of distinctiveness, descriptiveness, generic.

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[1] C. Colston, *Principles of Intellectual Property Law,* 1999, London, p. 374

[2] . F. ABBOTT, TH. COTTIER and F. GARRY, *International Intellectual Property In An Integrated World Economy, Second Edition, USA, 2011*

[3] C. Colston, *Principles of Intellectual Property Law,* 1999, London, p. 374

The absolute ground for refusal prevent, in general, marks that are purely descriptive, functional or objectionable for being registered. [1]

Article 3 of Trade Mark Directive (TMD) sets out the absolute ground for refusal of trademark registration. Accordingly to this, any application for trademark protection which can not satisfy the following requirement, will be rejected for absolute grounds:

A sign must constitute a trademark or capable of graphic representation (Article 3/1. a)

A trademark must have a distinctive character (Article 3/1. b)

Must not be descriptive (Article 3/1. c)

Must not be customary in current language (Article 3/1. d)

Furthermore, trademark is not resistible for the same reasons if it is contrary to public policy or is deceptive.

Trademarks which are devoid of any distinctive character shall not be registered or, if registered, shall be liable to be declared invalid[2], says article 3. 1. b of Trade Mark Directive (TMD), same as Article 7/1(b) of the Community Trade Mark Regulation (CTMR) which consider a lack of distinctive character as an absolute grounds for refusal.

Same treatment have a mark which give information to customers for goods and services or are directly connected with goods and services, these are considered as descriptive trademark and will be refused for absolute grounds for refusal. A descriptive mark might reveal something about the ingredients of the product, or its properties, or about the likely users of the product. [3]

"ORANGE" or "FRUIT" for oranges, it would interfere with the ability of other greengrocers to convey information about their oranges. [4] Monopolization of a word is one of the biggest reasons why a descriptive mark should not be registered.

Generic marks are also not protected, they are common names for the kind of product instead of including the source of the product. [5] Word "Apple" for fruit can not be consider as a trademark, it will be consider as a generic for type of fruit, but word "Apple" for computers can be use as trademark because word apple as no connection with computers, electric goods.

Relative grounds for refusal of trademark

Relative grounds for refusal deal with the sign in connection to other marks.

Mark in conflicts with a prior right in another trademark or other distinctive sign will also be rejected for relative ground.

Sign which is identical or similar kind of goods or services which would create confusion at the average consumer, with an earlier trademark including the possibility of association to earlier trademark will not be protected as a trademark base on relative grounds for refusal.

 Provisions regarding relative ground can be founded in Article 8 of CTMR and Article 4 of TMD.

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[1] C. Colston, *Principles of Intelectual Property Law,* 1999, London, p. 357

[2] Article 3.1.b, Trade Mark Directive, available online: http://www.wipo.int/edocs/lexdocs/laws/en/eu/eu056en.pdf

[3] R. SCHECHTER and J. THOMAS, *Intellectual Property the Law of Copyrights, Patents, and Trademarks*, Thomson West, USA, 2003, p. 575

[4] L. BENTLY-B. SHERMAN, *Intellectual Property Law*, Oxford University Press, Oxford, 2004, p.832

[5] D. Friedmann, *Trademark and Social Media Algorithmic Justice,* USA, 2015, 167

For more, rights with higher priority to similar trademark filed for identical goods or services where the likelihood of confusion on the part of the public exists, which includes the likelihood of association with the earlier trademark. [1] In case of this, the injured party has the right for opposition.

Example:

Identical :

Conclusion

If a sign meets all requirements for protecting a trademark, it will be accepted and will be registered as a protected trademark. Trademark will be protected for 10 years with possibility of renewal by paying the fees again in every 10 years.

International registration of trademarks simplifies the procedure of obtaining a trademark registration in more than one country by fulfilling one application

Trademark protection is territorial, but, the procedure of obtaining a trademark protection now is simplified by giving the chance to applicants to apply with one application in many counties.

Otherwise, if trademark will not satisfy the requirements in accordance of legislation for protection of trademark, it will be refused or rejected depends on which requirements dose not meet. They can be absolute and relative ones.

Absolute grounds of refusal prevent registration prima facie, relative grounds for refusal deal with the mark in connection to other marks.

Regarding to this, sign must be original, creative, remarkable in the market, non descriptive, distinctive or different to become a trademark.

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MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS, article 1, point 2

Article 3. 1. b, Trade Mark Directive

Implementation of Monitoring, Evaluation and Supervision for More Quality Social Service in the System of Social Protection of the Republic of Macedonia

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Abstract

The need for implementation of monitoring, evaluation and supervision in the system of social protection, in fact, stems from the need to modernise the organisation and work methodology of the providers. Service providers are often required or given support in developing ways to monitor the services provided (monitoring) and in the assessment and evaluation of the results of those services (evaluation). Supervision focuses on the fact how the work is done to quantitatively and qualitatively acceptable level. The following have been defined as research priorities in this area: the impact of monitoring, evaluation and supervision for better social service and determining the status for their application in institutions of social protection in the Republic of Macedonia. This paper explains its three components (areas): monitoring, evaluation and supervision in the social work. The objectives of their implementation are the welfare of the beneficiary, improving the quality of work and professional development of professional workers through the preservation and development of professional standards and the standards of a given service.

Keywords: monitoring, evaluation, supervision, social work

Introduction

Social care is an organised network of institutional and non-institutional facilities designed to meet the needs of citizens. The reforms that are taking place in social protection are influenced by modern trends in social work, expressed through decentralization, de-institutionalization, pluralism, strengthening of civil society and the possibility of providing private services, affecting and enriching the content of social work. These change the relationship to the client's position and improve the professionalism of social worker.

Social work has its application in various areas, but when it comes to social work in the Republic of Macedonia and beyond, it is often understood as social protection, an area in which the social work is formed and has the oldest tradition. Hence the most frequently used working method is social work with an individual and family. Also in the literature, the social protection is often pointed out as a primary social work, therefore when talking about social work, primarily meant is the area of social protection and the mention working method.

One of the primary goals of the reform in social protection in the Republic of Macedonia is introducing the quality system, in terms of monitoring, evaluation and supervision, and any authorised service provider is obliged to ensure their implementation. The goal is to provide quality services by preserving and developing professional standards and the standards of a given service.

The need to implement monitoring, evaluation and supervision in the system of social protection actually comes from the need to modernise the organisation and methodology of the service providers, as well as the needs of professionals who daily face complex life problems of their clients.

Monitoring and evaluation in the social work

Monitoring and evaluation are procedures that ensure the highest possible level of service quality. The term "monitoring" means procedure of identifying what happens in the process of service provision: fairness of requested actions, consistency and continuity of the requirements, level of meeting minimum standards. Namely, the monitoring includes activities for monitoring and surveillance of the services foreseen in the individual action plan, developed together with the client. Also the dynamics of work is monitored, respect of deadlines and other terms of the planned activities. In fact, the monitoring is mostly implemented according to pre-defined plan, and only in exceptional circumstances an extraordinary monitoring can be done. (Spooner, McDermott, 2008) Monitoring also involves systematic and regular data collection in the process of providing services, to prepare the "ground" for adequate evaluation.

The evaluation is a procedure to assess the results from the service provided: the extent to which the service contributed to maintain or improve the quality of life of the beneficiary, the extent to which level beneficiary is maintained or improved with the service, the level of client satisfaction with the service. (Spooner, McDermott, 2008; Čuk, 2009)

The evaluation is not only a final assessment of the service, it can be an assessment of all phases of the planning and provision of social services or the activities undertaken with the predetermined criteria or standards. It is an assessment of the results of the previously projected and planned activities of an individual, group or institution. Therefore, the evaluation is an important element in the choice of methods of work, as well as in the building of a strategy to achieve the final goal. It may be internal or external. The internal evaluation makes self-assessment, who I am, what I am doing, with whom I work, how I act, how the others see me, in which institutional frameworks I act, and external evaluation refers to who is assessed, what is assessed, why is assessed, how is assessed, time when assessment is done and assessment results. (Donevska, 2014: 189)

Namely, if the monitoring is designed to monitor the process of service delivery, the evaluation is geared towards what results, i. e. effects the service provides. Monitoring and evaluation are activities that can equally be used, whereby one procedure does not exclude the other. The manner of their implementation depends on: the group of beneficiaries, their number and their potentials, resources available to the service provider to conduct the evaluation, the complexity of the information required during evaluation. The service provider chooses how to conduct monitoring.

Supervision in the social work

Supervision as a method of learning the professional knowledge in the area of social work began to develop in the USA in the late 19th century. It is related to the actions of Mary Richmond, who first used the term "supervision" when trying to organize a charitable social work. The word "supervision" derives from the Latin words "super" (above) and "videre" (to observe, to see). Hence, the supervisor is defined as an observer or a person who supervises the work of someone else in relation to the way it was done and in terms of how much is done. The supervision is interested in how the work is done to quantitatively and qualitatively acceptable level. In the beginning of social work, supervision was aimed at organizational supervision and control of social work. According to some authors supervision refers to inspection and audit of programs and the work of institutions, and rarely the work of individuals within programs. (Kadushin, Harkness, 2014)

The objective of supervision is to provide quality work, adequate organizational structure, and professional development of social workers and increase their competences. The supervision is conducted by a professional, trained for this type of work. Hence, the supervision is aimed at: the protection of the interests of the beneficiary, respect of the standards and procedures, promotion of professional and quality work, personal and professional advancement of experts through continuous learning, encouraging and strengthening the professional staff to take responsibility for their work and decisions, prevention of professional stress and burn out. Supervision is a process that ensures effective review of practical work, or its outcome, and preservation and promotion of professional and organizational quality standards. (Dimitrijoska, 2011/2012; Kadushin, Harkness, 2014)

Supervision is divided into internal and external supervision. During internal supervision, supervisory process is implemented continuously in the organisation of the authorised service provider. A professional – supervisor can be employed for its implementation or the task can be assigned to some of the employed professionals, who among other jobs, part of the time will work as a supervisor. The person should have the necessary knowledge and skills, know

supervision methods and techniques, and possess appropriate moral qualities. The external supervision means hiring supervisors outside the organization of authorized service provider. When engaging an external supervisor, it is required to make an agreement for the implementation of supervision, as well as for the mutual obligations. (Kadushin, Harkness, 2014; Dimitrijoska, 2011/2012)

Depending on the number of people the supervisor works with, the supervision may be *individual* or *group*. In the individual supervision the supervisor works with one person that is supervised. The purpose of individual supervision is to monitor and protect the quality of work as well as assistance in overcoming the problems and difficulties in the work. Also, individual supervision should encourage the professional development of the supervised worker and strengthen his personal and professional competencies. Group supervision takes place in a group of supervised people, whereas the mutual interaction of the group and the supervisor creates a good foundation for their self-understanding as professionals, their core values and core services they provide. In the group process, interaction and exchange of experiences are essential factors for progress of each individual member, and the group as a whole. The purpose of group supervision is to help group members to recognize and integrate all the factors that affect their professional work, and thus to strengthen and develop their personal and professional competencies. The work group allows interaction between group members, exchange of experiences and mutual support. (Dimitrijoska, 2011/2012; Kadushin, Harkness, 2014)

The supervision has three main functions: *administrative, educational and supportive:*

Administrative function means introducing and maintaining new/good standards in the work, coordination and harmonisation of the practice and administrative procedures and ensuring efficiency in the work;

Educational function means stimulating the educational development of each engaged worker with an aim to raise the awareness for the importance of continuous learning and advancement;

Supportive function means maintaining harmonious working relations, both with the beneficiaries and colleagues, and support to the supervised service providers who work on complex problems of the beneficiary. (Kadushin, Harkness, 2014; Dimitrijoska, 2011/2012)

The situation in the Republic of Macedonia with the application of monitoring, evaluation and supervision

In the Republic of Macedonia, monitoring and evaluation of services in the social protection system are applied occasionally and supervision has not yet been applied but the Institute for Social Affairs performs surveillance of the professional work and the Ministry of Labour and Social Policy performs inspection.

According to the Law on Social Protection (2013) surveillance of professional work in the Republic of Macedonia of the institution for social protection and their employees, as well as over other legal or natural person who performs work in social protection, is performed by the Institute of Social Affairs. The surveillance is a legally regulated procedure of external control of the institution's work in the area of social and family legal protection. The surveillance of the professional work is performed for observation, monitoring, control, insight and improvement of the manner and quality of professional work and efficiency in performing the functions of social protection institutions established by this law and other regulations. The surveillance of the professional work provides expert assistance in the work of social protection institutions and the employees. Also, according to the Law on Social Protection (2013), the Ministry of Labour and Social Policy performs inspection over the implementation and enforcement of laws and other regulations in the field of social protection over social protection institutions, other legal and natural persons who perform certain works of social protection as a professional activity.

The theoretical conclusion is confirmed by a research conducted in 2014, as part of the doctoral dissertation "Ethical profile of the social worker and modern trends in social work[1]" which analysed the use and importance of monitoring, evaluation and supervision as reforms in the system of social protection for better social service.

Combined qualitative-quantitative methodology was applied. The research method is exploratory, and in that context, the applied research techniques were: survey questionnaire, interview and content analysis. Data processing used mainly statistical methods, while analytic-synthetic method, comparative method and the method of generalisation were used in the theoretical analysis. Social workers were included in the research as research unit. The research sample has been combined with intended and random choice. The research was conducted in in eight towns in the Republic of Macedonia, considered to be typical representatives of the basic regions (Eastern, Western, Central and the City of Skopje) – Skopje, Bitola, Prilep, Tetovo, Veles, Kumanovo, Ohrid and Strumica, which represents an intended sample of territorial units and then a total of 100 social workers were chosen at random (from all eight municipalities), employed in public social institutions, and they represent the final sample that was surveyed. The choice in these towns for the survey was designed to cover all the regions of the Republic of Macedonia and include the larger Centres for social work. Also, expert interviews were conducted with employees of the Ministry of Labour and Social Policy, Institute for Social Affairs and the Institute for Social Work and Social Policy. Interviewed employees were selected at random, and a random sample was institutions that employ interviewed.

Following the analysis and comparison of theoretical scientific materials, legislation and survey results, it can be concluded that they largely coincide, and baseline assumptions are confirmed. Namely, from the conducted research, it can be concluded that the research results fully confirm the hypothesis that modern trends affect the reforms in the social protection system of the Republic of Macedonia.

The purpose of the questions in this section is to get knowledge about the changes happening in the public social institutions under influence of the modern trends.

Chart no. 1 Answers of the social workers on the implementation of monitoring and evaluation
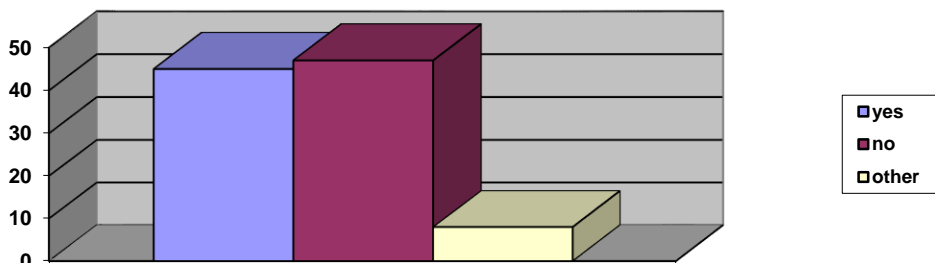
From the results it can be concluded that there is almost an equal number of social workers (45) that perform monitoring and evaluation and those who do not perform monitoring and evaluation of their activities (47), while 8 respondents had no answer to the question.

Chart no. 2 Answers of the social workers on the implementation of supervision

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[1] The research was conducted as a part of the doctoral dissertation "Ethical profile of the social worker and modern trends in the social work"[1] of Biljana Nackovska – Veljkovikj, defended on 29.02.2016 at the Faculty of Philosophy at the University "Ss. Cyril and Methodius" Skopje.
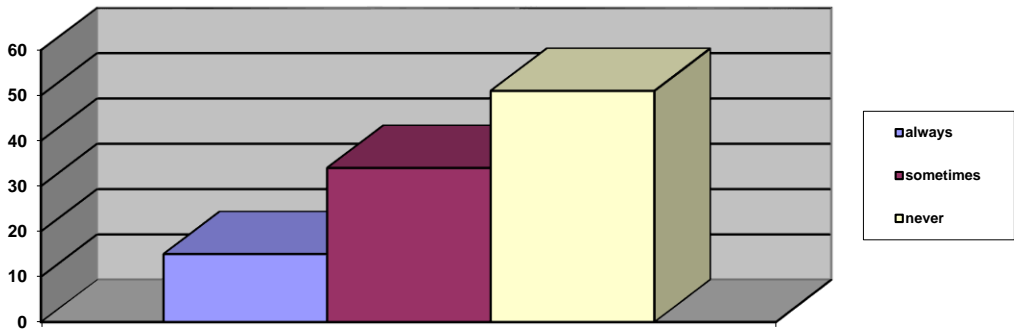
From the data in Chart 2 it can be concluded that the implementation of supervision is not a regular practice in the work of social workers. The majority of social workers (51) said that supervision was never conducted, for 34 social workers it is conducted sometimes and only 15 respondents shared the opinion that supervision is a regular practice, further emphasizing the professional and inspection supervision.

Chart no. 3 Answers of the social workers on external or internal supervision
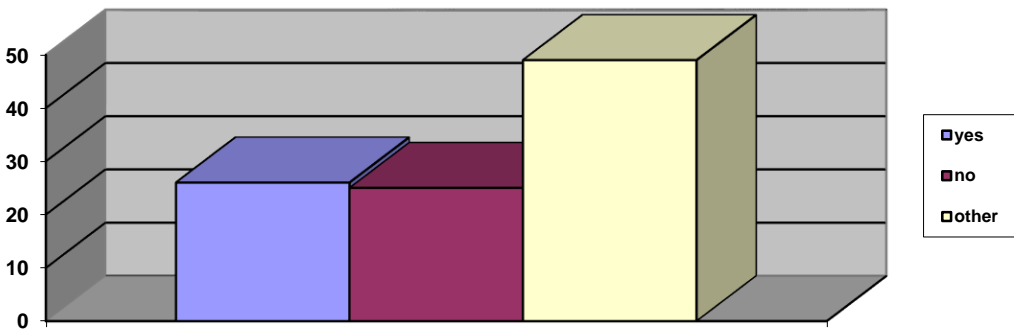
Most social workers (57) believe that no one performs supervision, because it is not implemented in CSW. 26 respondents think that it is conducted by an external party (social inspection and surveillance of operations), and for 25 respondents supervision is carried out by internal person (that is, person in charge of internal control in operation).

Interviewed experts when asked about the impact and implementation of monitoring, evaluation and supervision in social work emphasize the following:

By increasing the degree of harmonisation of social work with the approach and methods used in developed EU member states and other countries, monitoring and evaluation are imposed as an essential part of social work in case management. The interviewees recognise the monitoring and evaluation as useful, but believe that with the current way of working with professional teams still there is no real, and legal need to implement them. The same view is shared in terms of supervision, which is expected to be implemented in accordance with current and specific needs, plans and legal obligations arising from the new way of working - case management.

Conclusion

The analysis and comparison of theoretical scientific materials, legislation and research results lead to the conclusion that in the practice of social workers monitoring and evaluation of the work are partially implemented, while the supervision has not yet been organised, and much of the social workers confuse professional surveillance by the Institute for Social Affairs and inspection of the Ministry of Labour and Social Policy and believe they have a supervision over their work. It also imposes a need for organising additional education through which social workers would be able to keep up with modern developments and trends, to renew the gained knowledge as well as get more information on new developments in social work.

It should be noted that the supervision, monitoring and evaluation as well as the surveillance, besides the different way of realisation and applied methodology, have a common purpose, aimed at improving the quality of work, professional development experts, and are aimed at protecting best interests and welfare of the service beneficiary.

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Students Between Rumors and Misunderstandings

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Abstract

The detailed study of the students' conflicts among each-other intends to observe the causes and favorable conditions as a necessity in order to understand the roots of the social phenomena. This implies a comprehensive analysis of social, economical, intercultural factors which influence on its application. The study is conducted at "Aleksander Xhuvani" University in Elbasan, in the Faculty of Social Sciences, Faculty of Economics and in the Nursing Faculty. There are surveyed 400 students of these faculties. A special attention was paid even to the interviews and opinions of students, which are reflected in the interior of the study. According to the survey, there is a result; 42% of the students have stated that they are in conflicts with other students. This shows that we have a relation where roughly half of students are in conflict with each-other and this happens due to several factors. In this study, we are focused on rumors and misunderstandings between them as the main cause of the students' conflicts with each-other.

Keywords: University, conflict, rumors, misunderstandings, tolerant and communicative

Introduction:

Conflicts are a natural and unstoppable part of the life. They are an integral part of human relationships. People are constantly involved on ongoing conflicts. Therefore, children squabble over toys, young people seek for more rights, adults argue about their work, politics, safety and financial income, expenditure etc. There is a general trend that it should be held a negative attitude towards conflict. it is also formed a conviction that conflict is a "bad idea" which threatens the good relations. However, in reality conflicts are internal constraints of the society which can be negative or positive. They are positive because it helps to create new social and political systems and it also helps to build the future. They are negative when they turn in violence and the loss of control happens, therefore they go out of the positive frame and they go back to the destruction.

The students' conflicts with each-other have taken new dimensions after 1990 due to the vigorous economical, political and social changes. Moreover, there are many factors of this transition which effect on the increase the cases of these conflicts.

Students in the grip of rumors

Data from this study showed that 35% of the conflicts happen because of the rumors. About 37. 7% of women are in the grip of rumors against 31. 6% of boys. The difference between boys and girls that fall prey to rumors is small, even though it is widely known that women are by nature more inclined for gossip, but it was not expected such a high percentage for boys who gossip. The values and norms of the Albanian traditional culture that cultivate Albanians the "art of silence" are weakening**.** During the communism time, conversations in public and within families were in danger because the regime did not allow the trade talks. There were also forbidden face to face conversations and even the large group talks. After 1990, with the freedom of speech and the mass unemployment of Albanians, the increased of their leisure time brought the old Balkan custom that of staying and chatting for a long time in the bars. These factors have increased the capacity of rumors. This old Balkan disease is clearly seen and highlighted by the many foreigners who come in Albania. "You stay a long time unemployed and all the time you stay in the bars, because there are so many bars that you can barely found in

the western countries" (Klan magazine, nr425, page 19). Actually, Albanians have crossed their arms due to unemployment and not because of their genetic laziness as many of them say. We do not forget that Albanian refugees do the most difficult jobs with prolonged schedules, as for instance: in construction, jobs in agriculture, quarries etc. Moreover, before 1990s we had the opportunity to work all the foreigners who visited us had the first impression that we the people were aging prematurely, weather-beaten because of their hard physical work and their malnutrition. We have a society, which is heavily weighted by rumors, baseless accusations, slanders etc. Even the news circulating in Albania are in two sides, those who come from the information and those from the people. They talk, whisper words and the fantasy turns to reality, something that really happens, since they all talk about it.

In many social Albanian environments there is the mentality " slander, slander because something will remain". The politics, press and TV may accuse everybody, without any problem, for corruption, theft, immorality and no one attempts to prove wrong, or apologize for violating the personality of the individuals. It is so actual and real the Socrates' quotes "Ignorance and envy have condemned, until now, many good people and I think that the same will happen even in the future. There is no reason that it will stop for me"… From this environment students have not escaped and they have fallen prey to rumors. Most of their free time is spent in bars.

There are to many bars around the university and the dormitories. Cafes are the centre of their world where their massive madness form the psychosis that everyone will have his/her own favorite bar and normally that do have anything else to do, but to spend many hours there by chatting and making rumors. This is their entertainment activity. Otherwise, as M. Nano states, "In cafeteria, people go to stay with others and there are said the untold stories of the others (Klan magazine, nr 425, 2005, page 19). With such a long and monotone time we can mention only Charles Baudelaire "We are forced to work, if not for fun, at least from desperation, because let's say the truth, work is less boring than amusement (Hefner. J., 2003: 132)

The dormitory is the source of rumors, where you can hear everything that happens in the university. They spend most of their afternoons in their rooms; few of them learn the lessons systematically, whereas others enter to the rumors' worlds to pass their free time. One student says "When I came in the first year in the dormitory, I found it strange when my roommates who were in the second or third year, knew everyone who was passing by and if one of them learned something new, she would tell it in the room. I remember once, when one of my roommates who just came said that she had seen one of my friends with a boy and started making rumors about her until the time when we discovered that he was her brother. Now, when we visit other rooms we firstly ask: "is there anything new around?

"We have the creation of a rumors' network, where truth is not revealed in every story"-says another student. This sea of rumors devours everyone and no one can escape from it. Being a small city and a university with a very small number of students compared to Tirana, almost every student knows each others' movements and they do not pass unnoticed and without being slandered. All around university there is such a structure within a small period of time, that consist of rumors for boys who are judged for drinking alcohol, smoke or gambling, whereas girls for their private life as going out with a boy, for the clothes they wear etc. They were asked if they had disagreements with one or other students with the following sentences, will be characterized approximately: 52. 2% of the girls and 55. 5% of the boys. "She does not say always the truth about me". Therefore, that is the reason why many students are reserved in their behaviors due to these rumors. Look at the answer of the question: "Who will you hate mostly?" 28. 8% of the girls have chosen to the ones who reveal a secret of their private life. Fearing that this private secret may fall in the rumors' net and it is not know how it will be transformed. Generally, girls have created their self-defense reaction, trying to keep secrets for their private life as far as possible from the others' eyes. The process of socialization is for the society and sociology, constantly a process of loss of the personality, where the absolute individuality and the individual's freedom is neutralized by the control and by social roles (Dahrendorf,R., 1997:. 35). As Zyhdi Dervishi, a sociologist states "Conflicts are stimulated by rumors and prejudices are less stable or ephemeral"..

Moreover, in order to reduce or to overcome these kinds of disagreements it is necessary to change or modify radically the mindset, behaviors patterns not only among youngsters, but also among other people, the family circle or beyond. They have intensive interactions within them who affect more in their socialization and in the future the conflict will be significantly reduced under the pressure of rumors and prejudices as a result of the impact of developments of in the modern and post modern profile (2005:93). The experience of urban countries show that limiting the unnecessary communication between people, the cooling system of kinship brings the reduction of rumors and prejudices.

Occasional misunderstandings and excessive student jokes

Occasional misunderstandings cover 19. 9% of the conflicts between students while excessive jokes cover 6. 5% of the conflicts. These conflicts happen due to various deficiencies in the communication process or defects in the students' expressions in a wider context within society. It is a range of problems of different ways of expression and their pretences.

Albanians in general are people educated to not speak freely and to not express their opinions. The word kills more than the riffle, the silence is gold, etc are proverbs that in the past were so highlighted and they had too many values (Ahmet. I :1995:21). The education of Albanians since in their childhood has had problems due to the patriarchal environment where their opinions were not heard. They were said "you are too young to speak, only I know this and that…" etc and by these expressions they were suppress and prevent not to speak freely by educating them with the thought that they are wrong and they remained silenced. It is so different from the western concepts which emphasize that children should be free to talk unreservedly, to communicate with their parents, to discuss for certain topics even if they are wrong. This gives them the opportunity to create their self-esteem and to continue the communication. Due to misbalances of subculture and different language dialects that exist among provinces and many expressions or daily slang for some, may be misunderstood from other students. In the education system the lectures are separated from the seminars, therefore the lecturers explain and students are free to give any idea about the lecture. In these cases there are spoken some provocative words. Being in a heterogeneous environment there are students from various districts and different mentalities and therefore we can have minunderstandings and they bring conflicts especially to the fresh students who are not accustomed with each-other.

In general, Albanians like making jokes and in the society the funny people are more privileged and are seen as more sociable and more friendly with other people. Humour is the most powerful antidepresive mode, but it also has its negative sides. Students who want to be upon the others and when they want to make others laugh, they can pass their limit and may insult unintentionally the other students. As Erich Fromm states: The dynamism of human nature is instilled in the human's need in order to express his willingness against the world, rather than his need to use the world (2005:65). Boys generally do not stand to be defeated in a debate or disagreement and they do not accept the victim's role. This is the reason that they do not withdraw and they tend to bring disputes to the end.

It is known that most of the girls because of their fragile nature and the patriarchal environment, where they did not have the rights to express themselves freely so they are educated to be crestfallen and obedient to men. Men live in such environments and they decide almost everything and women just obey to them. In these familiar environments are socialized most of the students. But as stated by the famous writer Ismail Kadare, "Old Greek called immoral a prolonged irreconcilable conflict (1990:79). Therefore, students need to be flexible and they should not be tenacious in debates. It was not expected for girls in conflict such a high percentage and comparable to the boys. Probably, it is because of the stifles in the family and they can not stand this, so they express freely their inner anger within their sociable environment which is freer to stay away from their family prejudices. In the recent years Albanian girls are being educated more and more with the feeling of being equal. This maybe needs a detailed study. The vulgar way of talking and impoliteness have nothing in common with the civilization and they are not part of ethics in politicians or legislators' communication even when they have to deal with crimes, fraud or legal violations and even when they talk or communicate with each other. (Within our environments, we feel bad when he hear the vocabulary that is used, the high tones, unethical tool of communication. It seems that we may be part of Playboy collective, who are ashamed to behave or talk about moral because they may lose their licence. Thus it is violated one of primary principles of the universal social morality "the moral example and the example of the moral (Kabo. P;2006:208).

This patriarchal and or uncommunicative mentality is so visible even in the answers of the question: What do you prefer more in debates? 74% of girls and 66. 4% of boys declare to argue about their original idea.

Conclusions

To conclude, we can say that factors such as misunderstandings and rumors are the main factors for students' conflicts with each other, despite the transition that the society is going through. It is needed to educate a generation that should be more flexible, more tolerant and communicative with each-other. Undoubtedly, it is not easy, but it is needed to start making a change in the concept of educating youngsters in their family and in school. Making a merger and combination of forces

in our education system, may be it will be firstly appear the new beginnings of a peaceful and communicative environment. Certainly, this is not easy in this suffocating and conflicting environment.

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Semiotic Effect in Visual Communication

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Abstract

The paper attempts to define the term semiotics of photography. Approach to the theme was started from the concept of semiotics. Since the 60s of the last century, "semiotics", which studies the characters, has begun to affect changes in the humanities and natural sciences. After Ferdinand de Saussure, the study of signs focused on humans need labeling, especially on the logic of "communication" and disclosure "codes" that form the background of diverse cultural phenomena. Semiotics provides to understand in a different way, by language and framework, the link between the image and society. It is also a method that can be used to expose photos, studying mass media, literary texts and systematically analyze a number of other features of the popular culture. In the modern, technologically developed world, man is exposed to photos more than ever (billboards, advertisements, magazines, art photography...). Visual impact, as the most convincing form of attracting attention, affects the formation of opinions and attitudes, encouraging consumption and serves in many other commercial or political purposes. Therefore, semiotics, science which studies signs and their meanings, is becoming more important scientific discipline in explaining sociosemiotic aspects of society. In the paper is analized the photo in a different context using semiotics to understand it. Assuming that the symbolism of the publicly engaged photos exposed to the public differs from those intended for the specialized or limited audience, will be attempted to prove that the former is expected to influence with emotions, more shocking attempt to attract attention, and the later let observers themselves to decode picture.

Keywords: photos, semiotics, advertising, poster, manipulation

Introduction

While preparing the photos it is necessary to follow the rules. They are not strictly defined, but more as a set of guidelines. Some of them include the proper scene framing or seating the objects by the thirds. The development of technology caused the possibility of a photomontage. Advertisers uses this possibility, to get the maximum for the purposes of their campaign. Combination of photos and text is used as well. However, photos can send a message without text, using the symbolism. Semiotics provides a way of understanding, detecting elements of photography and its symbolism and understanding overall context.

In the modern, technologically developed world, man is exposed to photographs more than ever (billboards, advertisers, magazines, art photography...). Visual impact, as the most convincing form of attracting attention, affects the formation of opinions and attitudes, encouraging consumption and serves in many other commercial or political purposes. Therefore, semiotics, that studies signs and their meanings, becomes more important scientific discipline in explaining socio-semiotic aspects of society. The aim of the present work is to summarize the application of semiotics to understand the photo in a various context. In addition, due to detailed analysis of visual symbols influence, this paper offers examples of specific types of photos that are explained and compared.

Assuming that the symbolism of the publicly engaged photos exposed to the public differs from those intended for the specialized or limited audience, the effort is made to prove that in the the former case it is expected more influence at emotions, more shocking attempt to attract attention, while in the later case is left observers themselves to decode picture.

Semiotics of Photography

Semiotics of photography can be described as one part of science that deals specifically with understanding the nature and specific features of meaning, colloquially named - "image". The scope of such specialization includes proving semiotic character of image (photo), studying particularities that differ imaging from other types of meaning (especially visual or meaning based at iconography or intrinsic motivation) and to consider ways in which more kinds of image meanings can differ without losing the essential characteristics of the image category (Sonesson, 1993).

Semiotics as theory of characters, is the sum of the meanings, allusions and presentations (Stanford Encyclopedia of Philosophy, 2006). Photography as a sign needs such exact elements of identifiying that it could be properly explained. According to Scott, the difference between the graphic of image, as its base, and iconography, as the base, is fundamental. It is actually essence of diversity between two directions. Graphical view of the image shifts focus from its essential existence to the very act of shooting; at the same time high number of amateur photographers is the real function of image, better than several art photographer whose work is closed in galleries. Scott further proposes that the graphic nature of photography should be made by placing the object of its authenticity compared to dropping it in the picture. The sequence (A) object / signified ↔ (B) camera ↔ (C) photographer, guarantee of authenticity is in relation (A) ↔ (B). The sequence (A) object ↔ (B) painting ↔ (C) painter, guarantee of authenticity is the relationship (B) ↔ (C) (Scott, 1999, 28). This interdependence suggests objectivity of photography as reality projection, opposing to its subjectivity generated according to the author's vision.

By the opinion of Henry P. Robinson, photographer of the 19th century, the image brings the past into the present, while the photo makes it contrary. A moment captured in photography, therefore, can represent only the past. According to Roland Barthes, "read" photos is not a problem. It need no encryption to a linguistic form, which must be known before its decoding. Perceiving photos is similar to the perception of reality because it enables moving from point to point of what is in front of the camera (van Leeuwen & Jewitt, 2001, 94). According to David Rodowick, the character can be a very complex structure, which mixes forms and materials of representation, and has meaning only in the context of a photo as unicode message.

Photography can be analyzed using four models: narrative, two variants of the rhetoric and the Laokont model. The narrative model is of key importance in some areas of semiotics, but its usability in semiotics of image is very limited (Sonesson, 1988, 3). According to the Catherine K. Riessman narrative analysis refers to different forms of meaningful content (Riessman, 2003) - image content among others. Dulcie M. Engel, analyzing the paper of R. Barthes "Rhetoric image", concludes that the title or text combined with photo is parasitic message. While accompanying text may give a new meaning, such as the continuation of the story shown in the photography, it usually only transmit connotation already featured on it (Dulcie, 2008, 2). Göran Sonesson proposes five categories of image objects that can be applied narrative analysis on:

time sequence - a series of moving images, as a movie or television program

time set - a set of static images of the same subject matter, such as comics or photo-novellas

multiphase image - a single static image of people from the same event

implying image - a static image that lacks multiphasing, but is made in a well-known event

static pictures - lacking any possibility of placing in an event (Sonesson, 1988, 4).

Rhetorical models for analyzing images are taxonomic and systematic. The taxonomic model, is not widely used although Barthes, in his book "The rhetoric of the image," tried to compile a list of rhetorical figures. This approach has opened more new questions than it provided answers (Sonesson, 1988, 4). Systematic analysis model is much broader and is organized

into a number of subcategories. Algirdas Julien Greimas introduced the concept of **isotopy**, which explains the connection of two or more related terms in a whole, making it meaningful (Hébert, 2011, 41). Implementation was presented by Walter Koch, analyzing, possibly vulgar comic named "Proposal", as presented in Figures 1 and 2.

Figure 1. Comics 'Proposal' Strip „Prijedlog" (Koch, 1971., 38)

Figure 2. Explanation of comics using the isotopic (Sonesson, 1988, 45)

Comic itself doesn`t show explicit pornography, but scene sequence leaves room to allusions that observer can use to fill the gaps left in the undisplayed interspace. Figure 2 shows the schematic of narrative analysis, including scenes not shown in the graphic novel. A comic is made as a joke, which alludes to prostitution, but the last scene demystify the whole situation. Such a possibility of different interpretations of photographs, comics, cartoons and other static forms confirms the severity of their categorization and analysis

Laokont model owes its name to ancient Greek sculpture exhibited in the Vatican. That name was used by Gotthold Ephraim Lessing as the title of his book in 1776, in which he dealt with the boundaries between painting and poetry (Sonesson, 1988, 83). Lessing compared those two forms of expression, while in modern semiotics Laokont model still develops, leaning on Peirce and Hjelmslev theory. David Wellbery uses several settings from Hjelmslev theories and establishes a comparison between expression and content, combining the layering of materials, substances and forms (Wellbery, 1984, 110). The expression of photography is supported by the static visibility and has unlimited sources of motives, but is limited by spatial development. Substantially everything is displayed visually, consisting of bodies, objects and other physical forms, but is limited in the possibilities of expanding the image and acts only in one ontological reality.

Summing models, Sonesson concludes that semiotic analysis of photography must contain following elements:

Motive exposed to analysis, such as text in the system, should be subjected to stratification of the large number of repetitive elements, using the combination of multiple rules.

While "text" under study is object of study, the aim of describing the process is basically the "system" of elements and rules.

Connections that take place within the system determines the identity of elements.

The only connections within the system to identify the elements are the differences, which can be reduced to a binary opposites (Sonesson, 1988, 102).

Photography is transferring ideas into reality, with the lack of reality and temporal dimensions (Botz-Bornstein, 2005, 49). Joining the time dimension and photography makes completely different multimedia category (movie, fotonovelu...). Philippe Dubois identified photography as a mirror of reality (Dubois, 1983, 20). The most elementary explanation of the photos from the semiotic point of view was given by Ferdinand de Saussure, defining it as a sign. Just as the other characters it can be separated into two components - a signal (what is seen in the photo) and the symbol (meaning of visible) (Franklin et all, 2005, 244). But these basic setting inflicts problems in analyzing the photos, because the meaning can be explained in several ways. In fact, as many as the observers, so many different explanations may be. When it comes to road signs, displayed symbolism is agreed and everyone "read" such images in the same way, but it is not applicable to, for example, photojournalism or billboards. In the next chapter followes comparative analyzes of the same photo from several different perspectives, trying to show their ambiguity.

Analysis of Photos

Example 1. Advertising photomontage

Figure 3. a,b: Advertising photomontage sports equipment manufacturers 'Arena' (tpmcdermott. wordpress. com & www. themost10. com)

The example shows poster campaign because of the impact on the public. Such a campaign should send a clear message to be provocative enough, but visually creative to attract attention. Advertising campaigns must also send a specific message. Their message is based mainly on the motivational level of action of the viewer, that is, a potential buyer. Figure 3 a and b presents two pictures of the advertising campaign of the company "Arena", which produces sports equipment. Mentioned campaign was about a line of swimsuits "Water instinct". The meaning of both messages are identical. Users of these swimsuits become more skilled, faster, stronger, invulnerable in the water. In the picture a, the swimmer`s teeth are replaced with shark`s teeth, while in the figure b swimmer hunts shark. Both messages have meaning: the user of listed swimsuits turns into a predator. Namely, as the human abilities in the water are reduced compared to those on the land, and having on mind relatively common congenital fear of water, it is clear where these images points.

Another important detail that should be noted is obvious photomontage. In drafting of advertising campaigns, photomontage is acceptable. If photomontage is used on photographs in, for instance, political newspaper articles, then it is not acceptable.

Example 2. Manipulation of public opinion with the photos

Photographies may contain some hidden meaning or send a message that should shape public opinion in someone's favor. Figure 4 shows an American soldier on the street gives a water bottle to Afghan boy. The message that is sent can be explained as: Americans are in Afghanistan to help the local population. The public is particularly sensitive to a children, which emphasizes the advantage of these photos. Why is it even necessary to adorn war? The answer may lie in the fact that the war is a big industry that requires budget expenditures, for which citizens are not ready. The war in Afghanistan, thousands of miles away from the United States is not particulary acceptable to the American citizens. To justify such an operation, the government, among other things, reaches for campaigns that include such motivational photos.

From the semiotic point of view it is possible to ask one more question and get another hidden message. Does the soldier really give a bottle to Afghan boy, or the boy gives a bottle to a soldier? If a boy gives a bottle, a message can be understood as follows: local population accepts international forces as saviors and helps them in warfare. Such messages have exactly the same goal - to achieve public acceptance of the American military intervention in a foreign country.

Analysis of facial expressions and gazes from two participants in the frame, also confirms previous arguments. The soldier has a calm but firm expression, while the boy slightly raised his head which presents pride. All these signs are positive and leads in campain direction.

Figure 4. US soldier in "humanitarian action" in Afghanistan (isnblog. ethz. ch)

Example 3 Art Photography

Photography, as art, is accepted only in the 20th century. Although containing the elements of science and profession, it found its place in museums and galleries and other art facilities. The art photography, unlike other forms, does not send a clear and concrete message. Also, sent message can be ambiguous or hidden, or even non-existent. The photographer has his own perception of telling a story through a photo or, simply, go for aesthetics, colors, shapes, or any other artistic expression. Still, making of photography should follow certain rules that must be respected, but they are not essential to its semiotic understanding.

Analysis of photography "Behind the old window", taken by Albanian artist Adrian Limani, may not be entirely accurate. Likewise, it doesn`t have to be wrong. Art photography is seen in its own unique way by every observer. What is certain is usage of wall as a framework. The window can represent a view in the future or the past. Since the point of view is from the room to the outside, and that the person within the framework is turned with his back (probably on leaving), frame could be perceived as pessimistic. The curved horizon is dramatic, amplified by isolated tree without leaves. The following proposal could be given by stratification of presented elements: bare and damaged wall is a ruin, or a poor house. A person leaving symbolizes separation, and a frame narrowed within a window may represent anxiety. Horizon ends with meadow but its finality and the aforementioned drama may symbolize the end. Art photography often plays with colors, but black and white technique is very common. Its symbolism is different: can represent grief, poverty, depression, and, for example, elegance. Considering the context of the whole image and all of its elements, the impression is that it expresses the sadness

of separation. However, it is possible to reinterpret the symbols and context differently, which would lead to a different course and completion.

Figure 5: Art photo by the author Adrian Limani (www. photographyblogger. net)

Example 4: A painting

The artwork tells the story of Christ's arrestment after a night spent at the foot of the Mount of Olives, representing figures of Christ and Judas, unified in a kiss of treason, surrounded by disciples and Roman soldiers (http://artknowledgenews. com/hr/200812076540/Caravaggio. html).

Explanation of a piece as such says what the artist wanted to present. It is an extraordinary work of art. For those who are familiar with this motiv, symbolism of Judas kiss is not unknown. It revealed identity of Jesus to Roman soldiers. However, if the picture is observed by a person that never saw this work of art before, semiotics reveals its diversity. The painting could be divided into two parts. Jesus and Judas on the left side, and approaching soldiers to the right. On the right side is displayed a character who is believed to be Caravaggio`s self-potrait. The soldiers surroundes two men and want to capture them. Jesus has closed eyes and folded hands, while waiting for his pursuers in Judas embrace. It is difficult without knowledge of the work itself read out that the other character is a traitor. Caravaggio`s painting is full of symbolism. Using red (passion, readiness to react, fight of fire and blood) and blue (strength, composure, stability, wisdom, faith in paradise) indicates the categorical character. The red color also highlights the dynamics of the violence. Furthermore, interwined fingers of Jesus may indicate a prayer or willingness to get handcuffed. Judas wrinkled forehead symbolize cogitation. Self-portrait of the author stands above all, watching the situation with a lantern in his hand. His face shows curiosity. Lantern puts Caravaggio in a different context - mythical. It turns him into Diogenes who found a man among men.

Figure 6: Art painting by Michelangelo Merisi da Caravaggio - Taking of Christ (en. wikipedia. org/wiki/The_Taking_of_Christ_(Caravaggio))

Conclusion

The symbolism of the selected photographies is adapted to the effect that photo must achieve regarding the purpose. Comparing mentioned symbolism it can be concluded about how it is used, as shown in the table below:

Table 1: Example of decoding symbolism of photography

It is clear that the pictures used as advertisements have primary role to attract public attention. This is the first step in the presentation of the offered product. After familiarizing the public with the product, followes the transfer of messages that is metaphorical, not offering a direct, clear message, but tends to provoke targeted associations. By its character, these pictures are the closest to images used in public campaigns. In such cases is noted attempt of provoking positive emotions. A common feature of all these photographies is to encourage the viewer to the desired reaction, in other words to manipulate with public opinion. Such photos are exposed to short views of thousands of people. Therefore, must be striking, use the aggressive symbolism and be observed in the tough competition.

On the other hand, art photography has no ambition to attract wider public. These photos will be exhibited in an intimate setting, for the people who were there specifically in search for art. They decided to set aside time to stand in front of the photo, take a good look and think about it. The artist doesn`t need observers to create conclusions identical to his, but to provide an opportunity to create their own. There is a noticeable difference in creative freedom in developing art photography comparing the others. It is allowed to flirt with different environments, emotions, sending clear messages and understandability. Proof of this is the fact that only in art photography overcome anxiety, sadness, and that this doesn`t diminish its value, because its value is not measured by concrete results (sales increase, changing the public perception), but subjective comments.

The artist`s goal is not to make observer in creating conclusions as he imagined, but to let them make their own. And so the work of art, as well as advertisements can be read in many different ways, which depends on a lot of preconditions

such as the knowledge of the peace or brand, the interest in it or on the subjective perception. There are many variables affecting the decoding, the only moment that links advertising and art is that they are both phenomena of the public world.

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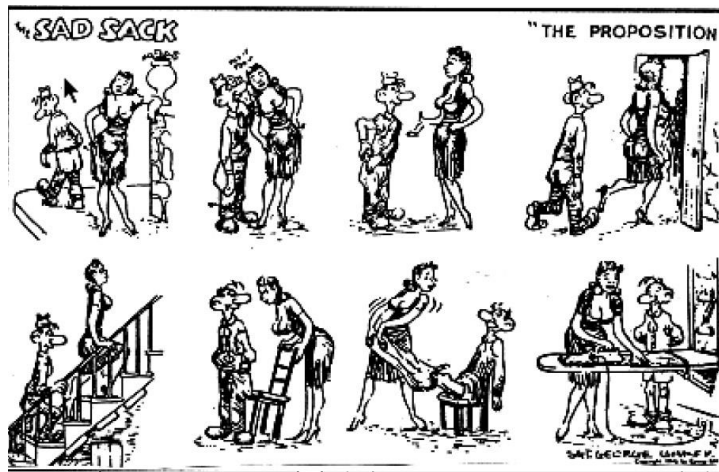
Figure 1. Comics 'Proposal' Strip „Prijedlog" (Koch, 1971., 38)
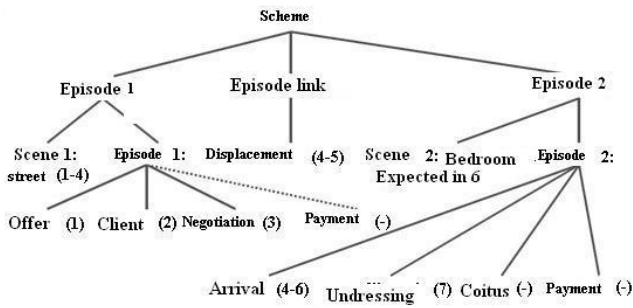
Figure 2. Explanation of comics using the isotopic (Sonesson, 1988, 45)

Figure 3. a,b: Advertising photomontage sports equipment manufacturers 'Arena' (tpmcdermott. wordpress. com & www. themost10. com)

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Figure 5: Art photo by the author Adrian Limani (www. photographyblogger. net)

Figure 6: Art painting by Michelangelo Merisi da Caravaggio - Taking of Christ (en. wikipedia. org/wiki/The_Taking_of_Christ_(Caravaggio))

PHOTOGRAPHY	PURPOSE	SYMBOLISM	EMOTION	EXPECTED IMPACT
1.	Increase in sales	Switching of roles Memorable parts of shark`s anatomy	Manipulating with fear Challenging consumers	Attracting attention Provoking debate
2.	Creating sympathy for the military operation	Soldier and a boy Collaboration	Humanity Empathy	Public awareness Public approval
3.	Personal satisfaction	Framing Curved horizon	Anxiety Loneliness	Encouraging observers to think

		Leaving person	Finality	
4.	Peace of art	Antithesis Manipulation with colours Self-portrait	Anxiety Fear	Telling the story

Table 1: Example of decoding symbolism of photography

Publication of Notices in a Procurement Procedure

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Abstract

The Contract Notice is an extremely important part of the procurement process. It marks the commencement of the formal procurement process for a specific contract and notifies potential economic operators of the concrete opportunity to participate in the procurement process. To ensure as much competition as possible and to comply with the basic requirements for transparency, the Contract Notice must be drafted in a way that clearly describes the nature, scope and estimated value of the contract and how economic operators can apply to participate in the process. The Contract Notice must also be completed fully and correctly. Failure to draft a clear, complete and compliant Contract Notice could result in a disappointing level of competition, poor quality or inappropriate tenders, or a flawed procurement process that might have to be re-started. In cases when there is a need for correction or changing of the contract notice and all the subsequent information, another notice should be published. This implies a requirement to notify all potential tenderers of any revision so as not to favor one tenderer in particular. In any case, it is important to consider carefully the impact of any changes that the contracting authority proposes to refer to in the amending notice. There are no specified minimum and maximum time periods for publishing a Contract Notice, but there are statutory time limits that start on the date of dispatch of the Contract Notice.

Keywords: Contract Notice, procurement process, requirements for transparency

1. Introduction

Analyzing the requirement of the respective Directives for publication of notices, such as the place they should be published, the time scale, the language, CPV codes, etc, it is clearly understood that these requirements refer to the contracting authorities of Member States only. As such, they might not be applicable to a country, which is not a Member State yet, meaning that a national law of such country cannot introduce such concrete requirement, even though it might be under an approximation process. Saying this, the Albanian PPL does not 'comply' with respective Directives, regarding the requirements on notice' publications, but on the other hand it is for sure that the respective PPL requirements does comply one hundred per cent with the overall requirements of the Directives regarding transparency. According the Albanian PPL, contract notices for contracts of a value above the high value thresholds (so called international procurement procedure) shall be published on the Public Notices Bulletin and on at least one journal of European distribution, while contract notices for contracts of a value lower than the high value thresholds (so called national procedures), but above the low value thresholds, shall be published only in the PNB. In any case, all procurement notices (despite their value) are published on the web-site of the Public Procurement Agency. This requirement goes even further in the secondary legislation, which does require that all contracting authorities (in Albania) should use the electronic procurement system not only to publish their procurement notices, but also to perform their procurement procedures, making the use of the electronic procurement system mandatory1. In this case, the contract notice and tender documents accompanying it should be dispatched in the electronic platform by the contracting authority itself. The publication of such notice and relevant tender documents will be done by PPA in the following day, of the dispatching day (by the contracting authority)2.

The usage of this system is free of charge for both parties; the contracting authorities and the economic operators. As it is seen, the interaction between the contracting authority and the publisher (PPA in this case) is done in a very short time (only a working day). Also, using the e-procurement system does allow for a shorter time period of publication of the tender documents, compared to the paper based procedures3. Using such an electronic system, the Albanian procurement

system, (even though it does not publish the procurement notices in the Official Journal of EU), is quite an open system towards the international business community.

1 The mandatory use of the electronic procurement system has been set by the Decision of Council of Ministers no. 45, dated 21. 01. 2009 "On performing public procurement procedures by electronic means". This decision has been adopted several times and is now replaced by the Decision of the Council of Ministers no. 918, dated 29. 12. 2014 "On performing public procurement procedures by electronic means".

2See article 5 of the Decision of Council of Ministers no. 914, dated 29. 12. 2014 "Rules on Public Procurement".

3 See article 43/8 of the PPL.

The e-procurement system does allow for any interested economic operators, despite their nationality, to be registered in the electronic procurement system. Registration can be done on-line or by a request sent to the Public Procurement Agency.

Once an economic operator is registered, registration is valid for bidding in all public procurement procedures delivered in Albania, at any time4. It is important to emphasize that the requirement to use the e-procurement system does refer to all kinds of procedures (except for the negotiated without prior publication procedure), despite their value. The requirement of the Albanian legislation in this regard goes further than the one of the relevant Directives, which oblige the contracting authorities to advertise only contracts of a certain value and type that are subject to the Directive. For public contracts that are not subject to an obligation to publish a notice, contracting authorities may choose to publish prior information notices, contract notices and contract award notices in the Official Journal.

Despite this option, when such a contract is advertised in accordance with the provisions of the Directive, however, that does not mean that the remaining provisions of the Directive apply. As far as they are not covered by the relevant Directives, in practice, EU Member States may opt to introduce their own rules for sub-threshold contracts and other contracts that are not subject to the detailed advertising requirements of the Directive and as discussed above this is not the case of the Albanian procurement system. The latter is stricter as it provides for the same advertisement rules for all kinds of public contracts falling under the scope of PPL.

This stricter requirement might raise a discussion on evaluating means and goals to be achieved. It might happen in practice that stricter requirement (as the obligation to publish a contract notice even for very low value contracts) might result to be a non cost-effective solution (by allowing everyone to submit an offer, the number of bids will be considerably high, which means that first you will need time to evaluate, second a lot of complaints can take place, etc). Despite this, taking into consideration the 'need for transparency" in the system, the procurement legislation does 'insist' on the advertising requirement.

Having analyzed all of the above, the answer to the question if the Albanian procurement legislation is fully approximated to the relevant EU Directive, regarding the publication of the notices, is that it is approximated at the highest level possible, considering the fact that it is a national law of a non-Member State.

1. Technical specifications and the qualification criterion

This initial work of 'identification of the needs' and the final objective ofensuring 'satisfactory completion of the contract', are directly reflected on the technical specifications and qualification criteria. During the preparatory phase of a procurement procedure, a contracting authority should describe the characteristics of goods, services or works they want to purchase/realize through the implementation of the public contract. This description is done by the technical and service specifications. The purpose of technical and service specifications is to give instructions and guidance to tenderers at the tendering stage about the nature of the tender they will need to submit, and to serve as the economic operator's mandate during contract implementation. On the other hand, after describing the characteristics of the object of the public contract, the contracting authorities will need to describe the criterion of the potential economic operators, which will be considered eligible to implement such a contract. This description is done by the qualification criteria of the economic operators. The qualification of economic operations refers to the process of assessing and deciding which economic operators are qualified to perform the contract (referred to also as the qualification stage). These two main components of the procurement

procedure will be analyzed in details, below, in the light of relevant Directives and Albanian PPL, considering also the different environment context of their application.

1. 1 Technical specifications

Technical specifications setting forth the characteristics of the goods, works or services to be procured5 shall be prepared for the purpose of giving a correct and complete description of the object of procurement and for the purpose of creating conditions of fair and open competition between all candidates and tenderers6. Specifying a requirement is a fundamental and early stage in the procurement process. If the specification is lacking in some way, what is delivered will also be lacking. As such, technical specifications should reflect correctly the needs of the contracting authority and the budget estimations made for the acquisition.

4 According to PPA in 2010, 336 new economic operators were registered in the eps, of which 114 foreign economic operators, in 2011, 347 new suppliers, of which 119 foreign suppliers, in 2012, 371 new suppliers, of which 82 foreign suppliers, in 2013, 1576 new suppliers, of which 38 foreign suppliers, in 2014, 1580 new suppliers, of which 173 foreign suppliers, (See respectively, Annual Reports of the Public Procurement Agency of Albania, available at www. app. gov. al).

5Differently from the Directive 2004/18/EC and the Albanian PPL, the Directive 2014/24/EU, while providing for technical specifications, goes further with its prescription providing also that 'the characteristics required of a work, service or supply, may also refer to the specific process or method of production or provision of the requested works, supplies or services or to a specific process for another stage of its life cycle even where such factors do not form part of their material substance provided that they are linked to the subject-matter of the contract and proportionate to its value and its objectives. The technical specifications may also specify whether the transfer of the intellectual property rights will be required'. See article 42/1.

6 See article 23/1 of the PPL. Also according to the first paragraph of the Recital no. 29, of the Directive 2004/18/EC, 'the technical specifications drawn up by public purchasers need to allow public procurement to be opened up to competition. To this end, it must be possible to submit tenders, which reflect the diversity of technical solutions'. On the other hand, the Directive 2014/24/EU seeks to emphasize not only the aim of allowing competition, but also achieving the objectives of sustainability. In concrete Recital no. 74 of the said Directive, in its first paragraph provides that 'the technical specifications drawn up by public purchasers need to allow public procurement to be open to competition as well as to achieve the objectives of sustainability. To that end, it should be possible to submit tenders that reflect the diversity of technical solutions standards and technical specifications in the marketplace, including those drawn up on the basis of performance criteria linked to the life cycle and the sustainability of the production process of the works, supplies and services.

A set of precise and clear specifications is a prerequisite for tenderers to respond realistically and competitively to the requirements of the contracting authority. Incorrect or unrealistic specifications lead to problems that later occur during the tender and award process, such as the need for issuing amendments to the tender dossier, cancellation of tender proceedings, lodging of complaints and contract problems.

Incorrect or unrealistic specifications lead to problems that later occur during the tender and award process, such as the need for issuing amendments to the tender dossier, cancellation of tender proceedings, lodging of complaints and contract problems.

As such thorough preparation of technical specifications is extremely important for the ultimate success of the contract implementation; therefore, greater effort during the preparation phase will save time and money in the later stages of the project cycle.

If the specification is lacking in some way, what is delivered will also be lacking. As such, technical specifications should reflect correctly the needs of the contracting authority and the budget estimations made for the acquisition. A set of precise and clear specifications is a prerequisite for tenderers to respond realistically and competitively to the requirements of the contracting authority. Incorrect or unrealistic specifications lead to problems that later occur during the tender and award process, such as the need for issuing amendments to the tender dossier, cancellation of tender proceedings, lodging of complaints and contract problems.

Whenever possible, the technical specifications should be defined to take into account the accessibility criteria for people with disabilities or design for all users7. In any case, the technical specifications shall afford equal access to candidates and tenderers, and not have the effect of creating unjustified obstacles to competitive tendering8. The thrust of the rules in this context is to ensure the use of non-discriminatory specifications, which would allow all potential contractors, suppliers and service-providers to meet the requirements and would prevent the artificial restriction of potentially successful tenderers to one. Even in cases where a contracting authority makes a reference to a technical specification, it cannot reject a tender on the grounds that the products and services tendered for do not comply with the specifications to which it has referred, once the tenderer proves in his tender to the satisfaction of the contracting authority, by whatever appropriate means, that the solutions which he proposes satisfy in an equivalent manner the requirements defined by the technical specifications. Also, where a contracting authority prescribes technical specifications in terms of performance or functional requirements, it may not reject a tender for works, products or services, which comply with a national standard transposing a European standard, with a European technical approval, a common technical specification, an international standard or atechnical reference system established by a European standardization body, if these specifications address the performance or functional requirements, which it has laid down. In this respect, they do not more than confirm the application of the Treaty principle of free movement and other relevant principles deriving from it as are equal treatments, non-discrimination and mutual recognition, to the use of technical specifications.

Under this light, the contracting authorities must presume that products manufactured in accordance with the standards drawn up by the competent standards bodies conform to the essential requirements laid down in the Directive concerned.

They may not refuse products simply because they were not manufactured in accordance with such standards, if evidence is supplied that those products are in conformity to the essential requirements established by the Community legislative harmonization. If there are no common technical rules or standards, a contracting authority cannot reject products from other Member States on the sole grounds that they comply with different technical rules or standards, without first checking whether they meet the requirements of the contract. In accordance with the mutual recognition principle, a contracting authority must consider on equal terms products from other Member States manufactured in accordance with technical rules or standards that afford the same degree of performance and protection of the legitimate interests concerned as products manufactured in conformity with the technical specifications stipulated in the contract documents.

The importance of technical specification is, among others, at the fact that they are the core conditions of the contract that will be concluded at the end of the procurement process. As such they may be considered as the connection mechanism among three stages of the procurement process; identification of needs (there is no needs' identification without specification of what is needed), competition process (based on these technical specifications the competition is run) and contract implementation (the satisfactory implementation of the contract should meet these technical specifications). Having such a role in the procurement process, the technical specifications should be included in the tender documents and will become an annex of the eventual contract awarded as a result of the tender9.

1. 1. 1 References of technical specifications

According to the Albanian PPL10, technical specifications shall clearly describe the contracting authority' requirements by reference to:

a) national standards transposing international accepted standards, international accepted technical approvals, common technical specifications, international standards, other technical reference systems established by international standardization bodies or - when these do not exist - to national standards, national technical approvals or national technical specifications relating to the design, calculation and execution of the works and use of the products;

b) Functional requirements with reference to national or international standards as means of presuming conformity with such functional requirements;

c) Both methods under (a) and (b), for different products, services or works included in the same contract. Each reference shall be accompanied by the words "or equivalent".

Relevant Directives, on the other hand, provide that without prejudice to mandatory national technical rules, to the extent that they are compatible with Community law, the technical specifications shall be formulated:

7See article 23/1 of the PPL and respectively articles 23/1 and 42/1 of Directives 2004/18/EC and 2014/24/EU.

8 See article 23/2 of the PPL and respectively articles 23/2 and 42/2 of Directives 2004/18/EC and 2014/24/EU.

9. See cases C-45/87 Commission v Ireland and C-359/93 Commission v Netherland.

10. See cases C-45/87 Commission v Ireland and C-359/93 Commission v Netherland.

either by reference to technical specifications defined in the relevant Annex of the Directive and, in order of preference, to national standards transposing European standards, European technical approvals, common technical specifications, international standards, other technical reference systems established by the European standardization bodies or - when these do not exist - to national standards, national technical approvals or national technical specifications relating to the design, calculation and execution of the works and use of the products. Each reference shall be accompanied by the words "or equivalent";

b) or in terms of performance or functional requirements; the latter may include environmental characteristics. However, such parameters must be sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting authorities to award the contract;

c) or in terms of performance or functional requirements as mentioned in subparagraph (b), with reference to the specifications mentioned in subparagraph (a) as a means of presuming conformity with such performance or functional requirements;

d) or by referring to the specifications mentioned in subparagraph (a) for certain characteristics, and by referring to the performance or functional requirements mentioned in subparagraph (b) for other characteristics.

Comparing the respective provisions of the Albanian PPL and the relevant Directive, on the way of formulating the technical specifications, it is clearly noticed that, PPL has adopted the Directive provision and customized it into the Albanian context. As such, the PPL does not refer to the 'European standards' as Directive does, but it refers to the 'international standard', which does include the "European standards" but it is broader than that. This difference, once again, leads to the discussion of the differences between an EU Directive and a national law, especially when it is of a non-EU Member State.

Even in this case, when requiring that formulation of the technical specifications should be done only by reference to European standards, it is noticed that the aim of the Directive is to guarantee the principle of non-discrimination among Member States (economic operators, which comply with European standards). The Directive seeks to prevent the designation of technical requirements in a way, which intend to favor one or more products (especially national products and economic operators) without any objective reasons.

PPL, on the other hand, is more open in this regard, providing for the non-discrimination principle not only for European Member States (economic operators, which comply with European standards), but for all interested stakeholders, which do comply with relevant international standards. Another difference of the respective provisions is that the PPL requirements on technical specifications do not refer to the performance requirement and environmental characteristics at all. As such, the PPL is focused on technical specifications based only in functional requirements, giving less possibility to the contracting authorities, to fully describe their needs based also on performance and when it is the case on environment requirements. On the other hand, this legal requirement (preparing technical specifications based only on functional requirement), gives more space to the contracting authorities to define the technical specifications by reference to some specific functional requirements, orienting in this way the tender towards a specific product and/or provider.

This may be done for example by using a specific feature of a product, or by reading the part number of the item, or by looking up the details in a economic operator's catalogue and replicating them etc. As such, the use of a specification that favors a single economic operator will lead to reducing the options available to ensure that the best overall value is provided through the procurement process.

Contracting authorities may indicate that the products and services bearing the eco-label are presumed to comply with the technical specifications laid down in the contract documents; they must accept any other appropriate means of proof, such as a technical dossier of the manufacturer or a test report from a recognized body. The Albanian PPL, on the other hand,

does not explicitly provide for the possibility of requiring labels as such, but gives the possibility to the contracting authorities to require certificates drawn up by independent bodies stating the compliance of the candidate or tenderer with certain quality assurance standards, including, also environmental management standards.

There is a general ban on technical specifications that mention goods of a specific make or source, or of a particular process, and that have the effect of favoring or eliminating certain enterprises or products. Among the specifications that can have such a discriminatory effect and are therefore prohibited, the Directive mentions in particular the indication of trademarks, patents, and types or a specific origin or production.

Following the principle of non-discrimination and open competitions, procurement rules explicitly provide that while preparing technical specifications, contracting authorities (unless justified by the subject-matter of the contract) shall not refer to a specific make or source, or a particular process, or to trade marks, patents, types or a specific origin or production with the effect of favoring or eliminating certain undertakings or certain products. An exception to this general ban is allowed where the subject matter of the contract cannot otherwise be described by specifications that are sufficiently precise and intelligible to all concerned.

1. 2 Definitions of technical specifications and other concepts related to them

As discussed above, the Albanian PPL has adopted partially the relevant provision of the procurement Directive, on technical specifications. As such, PPL has been satisfied with the adoption of basic concepts and requirements, which should be considered while preparing technical specifications, but does not explicitly provide neither for the definition of technical specifications depending especially on the type of the contract, nor for other concepts related to such specifications, such as for example the definition of 'standards', in the context of technical specifications.

a) "Technical specification", in the case of public works contracts, means the totality of the technical prescriptions contained in particular in the tender documents, defining the characteristics required of a material, product or supply, which permits a material, a product or a supply to be described in a manner such that it fulfills the use for which it is intended by the contracting authority. These characteristics shall include levels of environmental performance, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labeling and production processes and methods. They shall also include rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions, which the contracting authority is in a position to prescribe, under general or specific regulations, in relation to the finished works and to the materials or parts, which they involve;

b) "Technical specification", in the case of public supply or service contracts, means a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labeling, user instructions, production processes and methods and conformity assessment procedures;

c) "Standard" means a technical specification approved by a recognized standardization body for repeated or continuous application, compliance with which is not compulsory and which falls into one of the following categories:

- International standard: a standard adapted by an international standards organization and made available to the general public,

- European standard: a standard adopted by a European standards organization and made available to the general public,

- National standard: a standard adopted by a national standards organization and made available to the general public;

d) "European technical approval" means a favorable technical assessment of the fitness for use of a product for a particular purpose, based on the fulfillment of the essential requirements for building works, by means of the inherent characteristics of the product and the defined conditions of application and use. European technical approvals are issued by an approval body designated for this purpose by the Member State11;

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e) "Common technical specification" means a technical specification laid down in accordance with a procedure recognized by the Member States, which has been published in the Official Journal of the European Union;12

f) "Technical reference": any product produced by European standardization bodies, other than official standards, according to procedures adopted for the development of market needs.

1. 3 Types of specification

According to the PPL, the description of works, goods or services should contain the technical specifications to be achieved, including plans, drawings, models, etc. In cases of functional description of works or goods, the technical specifications should clearly and neutrally describe the scope of the works, in order to indicate all the conditions and circumstances which are important to the preparation of the bid.

The description shall indicate not only the scope of work, but also the requirements related to the named work from the technical, economic, aesthetic and functional aspect. In order to guarantee the comparison of bids in relation to the contract object's requirements for these goods or for their functions, the competitors and bidders shall be provided with precise requirements for the functions or performance, thus helping them during the bid preparation. Specifications for the supply of appropriate goods or services for the environment shall also be indicated in the description of works.

a) Generic specifications

A generic specification aims at describing the requirement in a way that does not restrict the number of economic operators that the contracting authority may attract. It can be based on national (European) or international standards (provided that equivalents are accepted) as a means of clearly opening the market. In the context of procurement, specifications need to be developed in such a way that the requirement described can be met by any number of economic operators that supply the goods or services identified.

A generic specification:

- makes economic operators responsible for proposing and delivering the requirement, meeting the contracting authority's needs;

- can be used to stimulate competition;

- can be used where there is no need to be specific.

b) Conformance specifications

A conformance specification lays down unambiguously the requirements that economic operators must meet. It allows no room for maneuvers. The specification describes the product or service required in great detail and can be based on national (European) or international standards (or equivalent) as a means of clearly specifying what is needed. In case of using such type of specification for goods for example, it may specify weight, size, finish, volume, circumference, and use with other goods. In case it is used for services, it may describe duration, number of people required, what will be done by the people, where they will do it and when they will do it. The economic operator is required to deliver the goods or services that meet this need and in this case they are not encouraged to do better. Conformance specifications are often supported by drawings

11. Assessment' and means the documented assessment of the performance of a construction product, in relation to its essential characteristics, in accordance with the respective European Assessment Document, as defined in point 12 of Article 2 of Regulation (EU) No. 305/2011 of the European Parliament and of the Council.

12. According to the Directive 2014/24/EU a 'common technical specification' means a technical specification in the field of ICT laid down in accordance with Articles 13 and 14 of Regulation (EU) 1025/2012; As it is seen the latest Directive refers these definitions to specific EU Regulations, which has not been in force yet at the time the Directive 2004/18/EC has been adopted

While in some contexts conformance specifications can work appropriately, the following dangers exist:

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- The economic operator may know of a better or more cost-effective way to meet the need. If discouraged from being concerned with this aspect, economic operators will not pass on the benefit of the experience they have to the contracting authority;

- Doubt may still exist concerning exactly what is required, because the specification is still not "clear";

- Too much detail requiring "conformance" may lead to: an additional cost, while preventing economic operators from offering the benefit of their wider experience; confrontational relationships, particularly with services.

However, where for a given reason the specification *has* to be "just so", a conformance specification may be appropriate. Additionally, if the contracting authority has a nationally recognized expert in the field they are specifying, then the economic operators may genuinely learn from this expert by attempting to meet the need specified.

c) Detailed design specifications

This option develops a conformance specification a step further. A design specification defines the technical characteristics of the requirement in great detail. The economic operator has no input into the design process and is not responsible for the benefits available to the contracting authorities. This option can be used where:

- The contracting authority has the nationally recognized expert in the field they are specifying;

- The economic operator innovation is not required;

- Non-experts will be asked to deliver the requirement;

- There is a risk of ambiguity.

As with conformance specifications, an economic operator may feel that different positions for the components will be more advantageous but not offer the preferable solution, for fear that noncompliance may result in their exclusion.

d) Performance specifications

Performance specifications are sometimes called output specifications because they focus on the output to be delivered. Performance specifications provide a clear indication of the purpose, for which the item is required and this requirement is fully communicated to the economic operators. The difference here is that the economic operators are then encouraged to use their expertise to offer solutions (products and/or services) which, in the expert view, best meet the need as specified by the contracting authority.

The use of a performance specification can lead to wider competition being stimulated than with a conformance specification.

2. Qualification criteria

The 'exclusion criteria' and the 'selection criteria' are put at the same time under the 'qualification umbrella'. Procurement rules require the mandatory exclusion of economic operators, who are in a specific personal situation (for example, they have not paid social security contributions or taxes, or have been convicted of an offence relating to their professional conduct) and also give the possibility to the contracting authorities to require economic operators to meet minimum capacity levels relating to their economic and financial standing and technical or/and professional ability. Thus, a contracting authority may want to check, for example, the financial resources, experience, skills and technical resources of economic operators and disqualified from the procurement process those economic operators that do not satisfy such capacities.

This process of selection of economic operators must be carried out by applying objective, non-discriminatory and transparent criteria (referred to as selection criteria), which are set by the contracting authority in advance.

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2. 1Grounds for exclusion of economic operators

Personal situation of the economic operators, participating in a procurement procedure should be considered first (even before the assessment of the financial and technical qualifications) in a selection process. In this perspective, it is clear that this personal situation of the economic operators is not directly linked to his capacities to successfully perform the contract. They are issues, which are personal to the tenderer, although it may be that some of these grounds will imply previous wrongdoing in respect of past performance in procurement procedures and may, therefore, imply a serious concern over the suitability of the tenderer to perform the contract at issue13. According to the procurement Directive, there are two categories of grounds for exclusion; a) mandatory grounds for exclusion and b) optional grounds for exclusion, which will be analyzed below.

2. 1. 1 Mandatory grounds for exclusion

According to the Albanian PPL14, any candidate or tenderer, convicted by a final judgment, of which the contracting authority is aware for any of the reasons listed below, must be excluded from participation in the awarding procedures:

participation in a criminal organization;

- corruption;

- fraud;

- money-laundering

- forgery

13 See E. Piselli "The scope for Excluding Providers who have Committed Criminal Offences under the EU Procurement Directive", 2000, p. 267-269.

14See article 45/1 of the PPL.

The contracting authority may ask tenderers to supply the production of an extract from the judicial record or failing that, of an equivalent document issued by a competent judicial or administrative authority showing that these situations do not apply and may, where they have doubts concerning the personal situation of such tenderers, also apply to the competent authorities to obtain any information they consider necessary on the personal situation of the tenderers concerned. Where the information concerns a tenderer established in a foreign country, contracting authorities may seek the cooperation of the competent authorities

In this regard, PPL has approximated the relevant provision of Directive 2004/18, nevertheless there are some differences, which should be emphasized. First, according to the PPL, the 'forgery' reason has been added to the list of mandatory grounds. Second, the Directive explicitly leaves it to the Member States to provide for derogation from the requirement of mandatory exclusion if there is an overriding requirement that is in the general interest, while PPL does not provide at all for such opportunity. This is still explained with the national context where this law is applicable, and in concrete with the low level of integrity. As such, PPL does not give space for any 'subjective' decision of derogation from the said rule, even though in cases of an overriding situation. The third difference is merely related to the fact that Albania is not an EU country and as such cannot approximate the relevant Directive in all its features. Thus, the Directive when asking for documents, which prove the personal situations of the economic operators, provide that 'in case the information concerns a candidate or tenderer established in *a State* other than that of the contracting authority, the contracting authority may seek the cooperation of the competent authorities.

3. Technical and/or professional ability

The specific technical and/or professional ability criteria must be aimed at assessing whether economic operators have the relevant technical and/or professional ability (skills, equipment, tools, manpower, past experience, etc.) to perform the contract to be awarded.

According to PPL, the contracting authority may require from the economic operators to prove they have the necessary technical qualifications, the professional and technical competence, the organizational capacity, the equipment and other physical facilities, the managerial capability, reliability, experience and reputation and the necessary personnel to perform the contract as indicated by the contracting authority in the contract notice. Further on in the secondary legislation, these requirements, related to the technical and/or professional ability, are divided and specified according to the nature of the contract: i) works, ii) supplies and iii) services, meaning that specific requirements depend and are different for works, supplies and services. The difference is not in the requirement as such, but mainly in time references and relevant proofs required. Here below, I will analyze the concrete requirements and compare them with relevant requirements provided by the relevant Directives.

i) Technical and professional requirement for work contracts

With regard to previous experience, the contracting authority shall require similar works for one single object, of an amount not more than 50% of the estimated value of the contract to be procured, carried out in the last three years of the operator's activity; or similar works up to a total value of the last three years' work, not lower than the double of the limit value of the contract to be procured. Meeting one of the two above-mentioned conditions shall be the basis for considering a tender as qualified. As evidence of previous experience, the contracting authority shall require certificates of successful completion issued by any public or private entity, stating the value, time and type of work performed.

Regarding the technical and professional performance:

- Professional licenses in relation to the performance of works, contract object; and/or

- A statement on the average labor capacities of the economic operator; and/or

- A statement on the means and the technical equipment at the economic operator's disposal for the execution of the contract

This list of evidence is exhaustive; a contracting authority may apply only the criteria that are derived from such a list. However, within these limits, it is left to the discretion of the contracting authority to determine the specific criteria to apply. In any event, the contracting authority must determine the criteria relating to technical and/ or professional ability to be applied by taking into account the specific practical context of each case.

One of the differences noticed between the PPL and the Directive (s) concerns the required time for the past experience. While PPL requires past experience during past three years, Directive 2004/18, accepts it for the past five years, meanwhile Directive 2014/24, does not provide such time limitation at all.

ii) Technical and professional requirement for supplies contracts

With regard to previous experiences, the contracting authority requires evidence of previous similar contracts carried out in the last three years of the business activity. In any case, the amount shall not be more than 40% of the value of contract to be procured.

Evidence of the delivery of supplies must be given by certificates issued by the recipient of goods, and/or sale tax invoices stating clearly dates, sums and the amount of supplies.

In case of supply contracts, the contracting authority may request from economic operators samples of supplies, descriptions and/or photographs/ catalogues, and evidence of authenticity. It may also require certificates drawn up by official quality control institutes or agencies attesting to the conformity of the products with clearly identified specifications. These are optional requirements, left on the discretion of the contracting authority on whether they should be required or not.

iii) Technical and professional requirement for service contracts

With regard to previous experiences, the contracting authority requires evidence of previous similar service contracts carried out in the last three years of business activity. In any case, the amount shall not be more than 40% of the value of

contract to be procured. Evidence of successful execution of the service must be given by certificates or other documents issued by the recipient of the service stating dates, the amount and the type of service.

In order to verify that works, goods and/or services meet the quality requirements, the contracting authorities may request tenderers to submit certificates issued by independent bodies, recognized by national or international standardization systems. This provision shall be applicable even when technical requirements refer to the candidates' or tenderers' qualifications. These shall be proportionate and strictly related to the contract object and shall observe the principle of non-discrimination. The same is generally provided by Directives too, but it is still adapted into the Albanian context with two typical changes; first, Albanian procurement rules do not provide for the possibility of economic operators to submit equivalent quality assurance measures (mainly in cases where the economic operator concerned had no possibility to obtain such certificates within the relevant time limits for reasons that are not attributable to that economic operator, provided that the economic operator proves that the proposed quality assurance measures comply with the required quality assurance standards) as Directives do, and second, the Albanian rules refer to the international standardization systems (logically including the European ones, but is broader any way), while Directives refer to the European standards.

Conclusions

Description of the characteristics of goods, services or works that a contracting authority needs, is a key step in a procurement procedure. This description is made by the technical and service specifications. Apart from the technical specification, another important step of the contracting authority is to describe the criteria of the potential economic operators, which will be considered eligible to implement such a contract. These are actions carried out by the contracting authority, under the preparatory stage, but have a direct and important (inevitable) effect on the selection stage. As such, a lot of attention must be given to this stage of a procurement procedure.

Generally speaking, the requirements of the PPL, on preparation of technical specifications and qualification criteria, are in the same line with those of the Directive (s). However, even in this case, it might not be said that the provisions at issue are fully approximated. The main feature, making the difference is 'flexibility'. PPL tends to be stricter than the Directive(s), because it does reflect in its provisions, the general context (such as economic, social, political considerations). As analyzed in details, above, PPL tends to minimize the situations, which leave decisions on the contracting authority discretion. This way of ruling the system gives more possibility to monitor and control the activities of contracting authorities in this regard, and aims at ensuring the good implementation of procedural rules. On the other hand, these "detailed ruled situations" might lead to situations that are not cost-effective (for example, a very good offer might be disqualified for an unessential non-compliance with set requirements, only because the contracting authority does not have the discretion to decide differently).

On the other hand, the requirements of the PPL on technical specifications and qualification criteria are applied for all public procurement procedures, despite the financial three shold, while the Directive does not apply to public procurement procedures relating to contracts that are below certain financial thresholds set by the Directive itself. This difference is explained by the different status and different objectives of the Directive from one side and PPL, as a national law of a non member country, on the other.

When deemed as appropriate, the contracting authority may require tenderers to clarify their tenders in aiming at an objective examination, evaluation and comparison of tenders. Without prejudice to the negotiated procedures, no change in a matter of substance in the tender, including changes in price and changes aimed at making an unresponsive tender responsive, shall be sought, offered or permitted. Directive 2004/18, on the other hand, does further, providing also the right of economic operators to even supplement submitted certificates and documents. Both cases do not indicate what is meant by "clarification" of evidence and "supplementary" evidences, or to what extent clarifications of the evidence submitted and/or supplementary evidence may be requested and accepted consequently. However, the 'clarification situation' is clearer than the 'supplementary situation'. In general terms, to assist in the assessment of the evidence submitted with a view to establishing whether economic operators meet the set selection criteria, a contracting authority may, at its discretion, ask economic operators to clarify this evidence. Clarifications may be requested, for example, when the evidence submitted contains inconsistent or contradictory information, is not clear, or contains omissions. Submitting supplementary evidences, on the other hand, is a much more delicate situation. Generally speaking, supplementary evidence means that additional information/evidence may be requested.

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Family and Its Role in a Healthy Education of Adolescent

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Abstract

Over the centuries the family is going through constant transformations as a result of the continuous process of evolution. It forms its shape under the conditions of life which dominate in a certain place and a certain time. Family in our country, has quickly changed with the social changes that are characteristic of our historical period of transition given the circumstances as a society we have experienced. Society regardless stages of its transformation or transition from one system to another, can not evade what is the basis of the continuation of its journey educating seed with acceptable norms of morality, education and culture necessary for the conduct of civilized life. Today there are several factors that affect adolescents and education. Today our Society in facing various difficulties in the education of their offspring. As in Albania and Montenegro today we rise or schooled teenagers in conditions completely different from their predecessors fathers and mothers. Today the competent authorities do not exercise their influence in Institutions of education enough so the family is difficult to educate teens genuine requirements Notwithstanding her desire that their offspring be better. Today in the vicinity of schools have full local where sold alcoholic beverages and tobacco. Given the fact that this problem among adolescents in Ulcinj and Shkodra did not take one by a survey earlier this issue we decided to develop a questionnaire research with adolescents in these two cities close to the geography, but in different states with a not distant geographical longitude.

Keywords: *family, education, health, adolescent, health behaviors*

Introduction

Modern Times is complex and difficult in terms of education for the family. Never before as today has been so difficult to educate adolescents. Apparently the education of children outside the education paradigms of the past authoritarian not automatically process is easy. Education in freedom, in the context of family democratize brings "is difficult for the family," which created a social situation where many parents feel overwhelmed by the "critical level" education that are not able to understand what happened with family and their children (Tushi, 2012). Many parents are confused and psychologically of behavior before their children. Often they ask concerned about the educational situation that takes place in our families. They want to know if children are getting well educated or family is left behind with traditional stuffs. The old roles and relationships between parents and children, looking in vain old settings be moral and educational functions of the traditional family. Situation educational violence is blurred because the old principles of the education system, operated traditionally in it in the past, in terms of the modern family, mixed doubt roles and positions and relationships between parents and children are not the same ones that they have been especially traditional family. Today should understand deeply that way impressive, difficult situations in relationships with members of the family, regarding communications education to parents on their children, is not only due to differentiated time parents with their children but for reasons time of conceptual differences, but also the lack of social patience. At a time when other roles and social structures fade when their influence

on man becomes spontaneous and indirectly, of course the role of the family, especially with regard to education of children increased significantly.

Methodology paper

The sample

Selection of samples for the study were adolescents 11-18 years of age in the Municipality of Ulcinj and at the Shkodra. This study was conducted in two states, the number of participants in this study was 1005 students (teens) high school, in the region of Ulcinj (N = 739) and Shkodra (N = 266). Participants in research by 48. 6% (N = 488) were male and 51. 4% (N = 517) women. Classes were selected at random, as in primary schools as well as schools of both cities.

The objective of research

To assess the risk factors associated with healthy adolescent behavior.

To assess the degree of coherence between the scale of assessments in healthy adolescent behavior with the scale of the health care family.

 To assess the degree of coherence between the scale of assessments in healthy adolescent behavior with the degree of relationship with parents.

The purpose of the research, research questions and hypotheses

The purpose of this research is to assess the level and introduce healthy behavior among adolescents aged 11-18 years in the city of Ulcinj compared with those of Shkodra, according to information from the adolescents themselves, as well as assessing the impact of demographic factors such as age, gender, residence, number of household members, Real number of children within the family, parental education and employment.

It raises the hypothesis that this research are:

The hypothesis of this research are dictated by the sight of world literature and at the same time by observing the latest trends of young people in relation to their appearance and social image.

H-1. Population of adolescents 11-18 years reported higher levels of importance to health

H-2. Teenagers who highly value healthy behavior are more engaged in physical activities and pay attention to healthy food.

Research Design

The study used two standardized questionnaires. The survey was conducted in 6 schools in the Municipality of Ulcinj and in 6 schools in the Municipality of Shkodra. Questionnaires were distributed to schools by their students in collaboration with the class teacher. After collecting the questionnaires were collected and placed in a box together, where besides us there is no one else had access.

The working population

The population of this problem is large and heterogeneous. Since this problem is not able to study it in the population, I make a sample I am a champion chosen, especially in order to investigate the problem. Population of this problem are pupils of the Municipality of Ulcinj and Shkodra. As the number of individual cases of salaries are great that I am oriented to study this problem only in high school classes.

The theoretical treatment of the problem

Family is defined as basic social cells and one of the most complex, older groups and socially sustainable. It lies very different sides of human life, and therefore has a wealth of meanings and interpretations philosophical, sociological, psychological, educational, social, economic and legal for. Family is a group of biological and educational. This is its fundamental social content from creation to the present day. Family is the first bio-psychological-social to which create, develop and educate the child. In the bosom of family, the child develops and affirmed as being bio-psychosocial attentive. Held in psychological view, learn to speak, think, and work is reduced, exercise observe, perceive, recognize themselves, others and the world around. Under the influence and help of parents and other family members, develops abilities, skills and habits before life forms. Through social interaction with mother and interaction with family members, especially playing with other children and adults, and imitating the behavior and work of family members, it develops mental forces, observations and perceptions skills etc. (Brada, 2012). The family is the first school, even irreplaceable child. Educational practices and psychological scientific inquiry have proved that adult child in the family environment of the entire psychophysical development experiences, is communicative, more easily adapt to new social environment. The biological function of the family is reflected in the satisfaction of sexual urge individuals, meeting the emotional needs, reproduction, the procreation and education of new generations, or extension of the human species. Family historical development of its function of education has not always been the same intensity of which depends not only on it, but in the circumstances - the content, nature and structure of social relations in which it was held.

Theoretical concepts on the family

The complexity of the nature and functions of the family in society and in human development, it is natural to have happened, many theories and studies on family and its history come to know and understand human origins and existence.

Today there is no complete theory which defines the family in all its details. Existing research is not sufficient for processing the theoretical principles that will highlight how family history been properly through the years. The social function of the family is reflected in the education and care for offspring, so that protection from attacks and threats to individual freedom. Today, the function of the family has changed, but it still remains an important social institution, which plays a major role in the life of every individual and in every social system.

Family Types

Family represents one complex creations with social standing and consists of various elements of biological origin, social etc. Society in general and the family in particular are composed of concrete individuals. Family is presenting cell or basic element, but also institutions and social groups. The family institution is not only natural but also the social institution. The social function of the family is quite broad.

There are many classifications of families based on different criteria:

 a) The traditional family in tribal communities many different subspecies,

 b) The patriarchal family of old civilizations, which all their needs not meet with productivity in its district.

c) before the industrial family, traditional one.

d) industrial family, which is characterized by on the social groups.

Family and education of children

Modern Times is complex and difficult in terms of education for the family. Never before as today has been so difficult to educate adolescents. Apparently the education of children outside the education paradigms of the past authoritarian not automatically process is easy. Education in freedom, in the context of family democratize brings "is difficult for the family," which created a social situation where many parents feel overwhelmed by the "critical level" education that are not able to understand what happened with family and their children. Many parents are confused and psychologically of behavior

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before their children. Often they ask concerned about the educational situation that takes place in our families. They want to know if children are made difficult or family is left behind traditional and old roles and relationships between parents and children, looking in vain old settings be moral and educational functions of the traditional family. Situation educational violence is blurred because the old principles of the education system, operated traditionally in it in the past, in terms of the modern family, mixed doubt roles and positions and relationships between parents and children are not the same ones that they have been especially traditional family. Today should understand deeply that way impressive, difficult situations in relationships with members of the family, regarding communications education to parents on their children, is not only due to differentiated time parents with their children but for reasons time of conceptual differences, but also the lack of social patience.

The family as an educational factor of teenager

In sociological doctrines family is the most important agenda of personality in action affects all direct and indirect starting even eating sleeping and other impacts of expression, purity, etc. Family is a factor of the child spends most big in the beginning so that affects a child's development. The human being is born as human sociological although there certain predisposition or born to become social beings to comprehend sociologically it created in social. Family's impact is the primary community because it is the first human group most important and closest. It is the prototype of every other community, social, because the family placed permanent connections, emotionally close, and versatile solidarity among members. The family created by the establishment of a marriage between a man and a woman, in which children are born and which remains the formal structure of family reunification. Is the primary group and intimate community while turning social institution somewhat larger society (Mitrovic, 1995).

The role of the family in the education of adolescents

The problems of education are quite difficult at different stages of adolescent development, to touch on the role of special and irreplaceable family in the upbringing of the younger generation. Family education is as old as the family itself. He long time ago existed in the distant past of science education. Even today this education is done by very many parents, educated or not, without knowing the science of education, even in some cases by educating children better than some who know this science. Family plays a major role for the individual because, through it, the child enters the society gradually becomes an element of civilization. Family feeds and other materials to meet the requirements of spiritual showing special care for them. Family atmosphere affects children and adolescents in many ways, forming their very personality traits, attitudes that keeps others, to work, property, society etc. Relations and cooperation between family members contributes to the creation of new family relationships, the degree of openness or other attitudes, attitudes toward family members belonging or in their society. Early childhood teenager knows only lifestyle of the parents. A few years later he will go after the life of the parents. A few years later he will go after the following examples influence of others. Child relinquishes some of his desire to honor the rules of the family and society, even when not like these rules. He is afraid not to apply because they can destroy the shroud parents, but there are times when the personality of adolescents swaying, holding within personality his another "I", which becomes even more wild when he comes to understand better the duality of personality his (Kraja, 2008). It is known that the house does not become class, no organized process for everything, it is usually in the school at the time of the learning process.

Education as a factor of development of teenagers personality

Social factors are very numerous and complex. They cause very different impacts. However, all the effects of this type do not have the same importance for the development of personality. Greater importance upon those impacts are relatively more stable and somewhat organized. In these views education has a special place. Its importance for the development of personality that greater education is separated from frame the impact of social surroundings and prominent which as one of the special factors crucial in the development of each individual. There is a range of our general provisions for which do not lack the basic conditions for the development of the largest number of individuas, members of a community.

Education and health education of adolescents

In the civilized world education and health education are treated as medical and educational scientific discipline that has as its object the establishment and activity of study and advancement of health culture of the people as a precondition for

protecting his health. They treat health as wealth and physical value of the material and cultural, family and all the people. In this feature education and school health education of youth is of paramount importance. The healthy formation of youth is a prerequisite of development and security material and cultural nation. Education and health education aims and tasks: to help students, teachers and parents to acquire basic knowledge on physical, mental and social development of man on the dangers facing shaped the disease, injuries, and the possibility and how to protect it from these at all stages of human development, countries, conditions in various forms of life and action of man, to acquire knowledge about hygiene, personal and collective, as well as on the role, function, duties and importance of medical services for the protection of health.

The adolescent healthy education

Adolescence is a dynamic period of growth and physical development, psychological and social connecting passage from childhood to adulthood, differing significantly from these two age groups. Adolescence includes ages between 10-19 years. The overall goal of improving adolescent reproductive health includes: responsive relationships and equal between boys and girls; reducing the incidence of pregnancy before the age of puberty; prevention and treatment of sexually transmitted infections and HIV, improving the status of girls and women in society.

Adolescence, in particular puberty, is a period of rapid development, when young people acquire new skills and face many situations, which are not only development opportunities, but also a risk to their health and welfare. Adolescence is a time of mental and psychological suitability, where young people develop their identity, intimacy, relationships with peers and intensify gradually became independent from the family. Adolescence is also a time when discovered new experiences and influences that left their mark on the thinking, ideas and actions. The behavior of teenagers during those years can lead to the onset of sexual relations, abuse of alcohol, tobacco and other substances. Peer pressure can lead to the onset of risky behaviors. Lack of proper access to appropriate services and lack of supportive environment can affect their health and development. The strategy for maternal, child, and adolescent reproductive health. The most significant health challenges during adolescence are: accidents, trauma, injury, sexual and reproductive health, risky behaviors associated with the use of harmful substances, nutrition, physical activity and mental health. Tobacco use is at a high level in this age group and there is an increased prevalence among girls. Excessive alcohol consumption among adolescents is associated with road traffic accidents. Teenagers and young adults are most at risk to be infected with various diseases and nw tw particular with HIV. However, the promotion of good health, not just removal of risky behaviors. Our investment for future generations should also promote healthy ways of living. Adequate physical activity and balanced nutritional diet in adolescence are the cornerstone to good health. Interventions to achieve these are particularly important to reduce youth obesity.

Health care in teens

Adolescence is a period of about 10 years. until the late teens or early 20s, during which children go through changes remarkably physical, intellectual and emotional. Monitoring children during this period presents a challenge for both parents and doctors. Fortunately, most adolescents in good physical health, but psychosocial difficulties are common, because even normal individuals struggling with issues of personality, independence, sexuality and interpersonal relationships. Most teens have a constant preoccupation with the question "Who am I, where I go and what my relationship with all the people in my life?". Many forms of unhealthy behaviors that start during adolescence (eg, smoking Tips for parents to influence behavior change skills and application of the rules of healthy eating:

• use oil in small quantities in cooking

• take into account the size of the food pieces

• use at every meal fruits and vegetables

• use fish at least 2x a week

• adolescents should always remove the skin from chicken meat

• use lean meats and limit consumption quantities

• use of integrated products

• have reduced the

Introduction of consumption of sweetened drinks at

Analysis and interpretation of records

Table No. 1. Pearson correlation results for healthy behavior correlated variables

		Healthy behavior
Weight	r	-. 076
	p	. 018
	N	969
Do you drink alcohol	r	. 086**
	p	. 007
	N	1005
Do you smoke	r	. 119**
	p	. 000
	N	1005
Do you deal with physical activity	r	. 542**
	p	. 000
	N	1005
Feeding	r	. 364**
	p	. 000
	N	1005
Relationship with father	r	. 172**
	p	. 001
	N	982
Relationship with mother	r	. 166**
	p	. 001
	N	1001

Linear regression analysis was used to determine if weight, drinking alcohol, smoking, dealing with physical activities are important for prediktor healthy adolescent behavior. Initially seen the degree of correlation between the values of healthy behavior with weight, physical activity, nutrition, smoking and drinking alcohol. The results show that the weight is found in negative correlation (r = -. 076). although this correlation is statistically valid it is weak. Correlation shows how much weight are the smaller adolescents is their health care. While drinking alcohol and smoking were positively related to healthy behavior, but it is worth noting that the maximum values in these two instances show that teens do not drink alcohol or smoke. While the positive correlation and nutrition activities indicate that as many healthy behaviors as more young people practice sports and pay attention to nutrition health. And that this correlation is moderate and statistically significant (Table 1).

Tabela 2. Summary results of the regression model

Model 1	R	R Square	Adjusted R Square	p
Drinking alcohol	. 086a	. 007	. 006	. 001
Smoking	. 119	. 014	. 013	. 001
Feeding	. 364	. 132	. 131	. 001
Physical activity	. 542	. 293	. 293	. 001

a. Prediktor: (Konstant) Drinking alcohol; Smoking; Feeding; Physical activity.

It shows that smoking, alcohol, dealing with physical activity and nutrition healthy are predictor significant variance of bringing healthy but the forecast is not too strong to explain the behavior of healthy Just 0:07% of the variance behavior of healthy explained drinking alcohol [Rs =. 007, β (39. 6,. 56) =. 08, p =. 007]; smoking only explains 0. 014% [Rs =. 014, β (39. 5,. 49) =. 11, p =. 001]; getting physical activity explains 29. 3% of variance [Rs =. 293, β (32. 9,. 91) =. 54, p =. 001] and nutrition explains 13. 2% of variance [Rs =. 132, β (36. 2, 1. 0) =. 36, p =. 001]

These results indicate that high teens who value healthy behavior are more engaged in physical activities and pay attention to healthy food.

When the model is added as prediktor weight which only explained variance only 0:06% of healthy adolescent behavior have 46. 5% of the variance explanation by the combination of these five factors.

Tables 3. Results of regression analysis where the dependent variable is healthy adolescent behavior.

		Unstandardized Coefficients		Standardized Coefficients		
		B	Std. Error	Beta	t	Sig.
Ulqini	(Constant)	14. 399	1. 455		9. 893	. 000
	Adolescent health values	1. 012	. 034	. 747	29. 443	. 000
	Healthy behavior in the family	-. 002	. 010	-. 006	-. 235	. 814
	The importance of the relationship with father	-. 037	. 030	-. 034	-1. 241	. 215
	The importance of the relationship with mother	. 036	. 028	. 035	1. 281	. 201
Shkodra	(Constant)	10. 932	2. 546		4. 294	. 000

Adolescent health values	. 873	. 059	. 677	14. 850	. 000
Healthy behavior in the family	. 022	. 017	. 056	1. 284	. 200
The importance of the relationship with father	. 126	. 049	. 121	2. 581	. 010
The importance of the relationship with mother	. 094	. 055	. 080	1. 709	. 089

These results indicate that high teens who value healthy behavior are more engaged in physical activities and pay attention to healthy food.

When the model is added as prediktor weight which only explained variance only 0:06% of healthy adolescent behavior have 46. 5% of the variance explanation by the combination of these five factors. While healthy family behavior is checked for its variance prediktibilitetin of healthy adolescent behavior. Healthy behavior in the family although it is showing a significant prediktor statistically Veccia she explains 0. 07% of the variance of healthy behavior in adolescents.

The relationship with the father and mother entered in the regression model showed that the relationship with his father explained variance of 0. 03%, while 0. 2% relationship with his mother. when both are included in the model relationship together they explain 0. 4% of variance are important preditkor healthy behavior.

Regressionit analysis is made for healthy adolescent behavior with four scales considered in this research and look at the table when these rates are combined in just the scale model "values of health for adolescents" preserves signifikancen p <. 05 and no other steps prediktorë are important for healthy adolescent behavior. But these factors combined together explain 54. 8% of variance healthy behavior (Rs =. 548).

Except for the cities analyzed as shown in Table 3. see the city of Shkodra and maintains the relationship with his father as a predictor signifikancën. This model explains 55. 9% of variance healthy behavior for teens Ulcinj (Rs =. 559) and and 54. 9% (Rs =. 549) for adolescents Shkodra.

Tables 4: Të dhënat përshkruese për Sjelljen e shëndetshme me moshën e adoleshentëve.

Age in years	Medium	Standard deviation	N
12. 00	2. 13	. 640	15
13. 00	2. 59	. 532	105
14. 00	2. 51	. 640	215
15. 00	2. 61	. 564	178
16. 00	2. 55	. 597	151
17. 00	2. 58	. 572	147
18. 00	2. 54	. 594	194

Kruskal-Wallis test was used to see whether age influences adolescents reporting values on the scale "values of health for adolescents". The results show that p =. 04, indicating that the effect is significant, and this is performed post hoc analysis (LSD) to see which age the differences between larger in relation to healthy behavior. The results show that significant differences are between the age of 12 with all other ages up to 18 years. Adolescents aged 12 years have the lowest annual average growth rate of healthy behavior than those of older ages.

Tables 5: Hi square test results for adolescents coming from Ulcinj and Shkodra in their responses to the "values of health for adolescents".

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	2. 572a	2	0. 276	0. 275		
Likelihood Ratio	2. 604	2	0. 272	0. 282		
Fisher's Exact Test	2. 588			0. 273		
Linear-by-Linear Association	1. 487b	1	0. 223	0. 228	0. 123	0. 023
N of Valid Cases	1005					

a. 0 cells (0. 0%) have expected count less than 5. The minimum expected count is 13. 76.

b. The standardized statistic is 1. 219.

The data were analyzed with hi square test for adolescents coming from Ulcinj and Shkodra in their responses to the "values of health for adolescents have shown that there is no correlation in the distribution of responses in reporting" values of health for adolescents "with the city χ2 (2) = 2:57, p <. 223.

In the table we see that in general we have a total of 5. 2% of participants who responded to the category "Not at all important" and 3. 8% of them are represented by the Ulcinj adolescents and 1. 4% from Shkodra. Ners in the category of very important responses have 59% of adolescents and 64. 3% Ulcinj. While the overall total of 43. 4% of the responses have Ulcinj adolescents and 17% of adolescents from Shkodra who are represented with more important category.

Table 6. Annual average growth rate, standard deviation and variance analysis results for healthy behavior and drinking alcohol.

Drinking alcohol	M	SD	N
Every day	39. 70	5. 14	10
6 days a week	41. 83	6. 33	6
5 days a week	39. 66	2. 88	3
4 days a week	41. 66	4. 93	3
3 days a week	42. 33	4. 27	6
2 days a week	41. 00	3. 30	12
1 days a week	40. 86	4. 36	37
1 in two weeks	41. 96	2. 75	55
Every month or less	41. 10	4. 14	124
I do not drink alcohol	41. 93	3. 68	749
F (9, 995) = 1. 3, p =. 206, η²= 0. 012			

As shown in the table, healthy behavior had the highest average in the group of adolescents who do not drink alcohol (M = 41. 9, SD = 3. 6), compared with other groups. Teenagers who do not drink alcohol have been shown to have healthier behavior than those who drank alcohol and this difference was statistically valid (F (9, 995) = 1. 3, p =. 206, η2 = 0. 012).

Conclusion

This study was led mainly by development theories which describe the needs of children as they go through during adolescence. The basic belief is that children have special needs at every stage of life, based on growth and development that is expected to occur during that period. Stages of adolescence, like others before it, has its own set of development achievements which should be achieved within a reasonable time in order to optimize the development. In order for adolescents to do this they must adjust their roles in their relationships with their parents, becoming more equal over time. In fact the whole goal of adolescence is to turn the child into a functional adult who is no longer dependent on caregivers. This is a great road for parents and teens as transformed their role requires frequent adjustment and renegotiation. The first family is the basic institution of society, family education takes place not in school, but naturally, the full family provides appropriate educational conditions, family education relies heavily on the family tradition and beyond. In the family used special educational methods, which can avoid the educational care for the younger generation, in numerous conversations and random, individually developed to promote the creation of emotions and beliefs, without excluding the prevention of the negative.

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Invalidity Juridical Acts and Its Classification

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Abstract

Based on the kind of invalidity juridical acts and contracts in Albanian Law are generally classified in absolute and relative invalid acts. The difference between them and the consequences are defined in Albanian Civil Code. Invalidity of juridical as a very important aspect of rights was first mentioned in traditional albanian system of rules and then defined in Civil Code of 1929 of King Zogu "About juridical acts and obligations",Civil Code of National Albanian Republic of 1981 and actual Civil Code of 1994. This work aims to analyze classification of invalid juridical acts and the elements that cause this invalidity. For this purpose are taken into consideration actual juridical literature, laws and their changes, Unified sentences of Supreme Tribunal Court and collected database from different courts. While analyzing this database the question that arises is: whether classification of invalid juridical acts is important in adjusting consequences derived from these acts.

Keywords: Nullity, cancelation, solution to consequences, absolute invalidity, relative invalidity.

Introduction

Juridical acts are considered invalid when law violence is noticed or will of parts is threatened and doesn't correspond to the real will of parts to make an agreement, contract or other juridical act.

Albanian Civil Code classifies invalid juridical acts in two categories:

1. The ones noticed invalid

Juridical acts noticed invalid are considered absolutely invalid

2. The ones declared invalid

Juridical acts declared invalid are the relative ones that bring juridical consequences until the moment are declared invalid from the court.

ABSOLUTELY INVALID JURIDICAL ACTS

Absolut Invalidity is the hardest form of juridical invalidity because the act is supposes as never done and doesn't bring any consequence. According to actual law juridical act is considered nul when one of the main conditions of creating the act is lacking or is in discordance with ordering disposite of law. Juridical act is null from the moment of its execution, so the court doesn't have to take into consideration consequences this act cause to third parts. Nevertheless in many times absolute invalidity is asked from the parts in court. In these cases the court has to consider the consequences because this is asked from involved parts.

Some of the kinds of absolutely invalid acts are as below:

1. *Juridical acts created in discordance with the certain form*

One of the base conditions of juridical acts is creation of it in the right form defined in law. If a juridical act isn't written down in letter when this is defined in the ordering part of law this act is considered invalid. In this case the written form is the main condition of the act content. Absolute invalidity of juridical act caused from uncertain form of it defined in law can't be later valid. The only case when invalidity can be surpassed is earning property prescription as a form of earning proprietorship when element time and possession of property is fulfilled. Conclusively juridical acts when written form is missing are considered invalid. This case is common in court practices.

2. *Illegal juridical acts*

Acts are considered illegal when they are in discordance with the ordering or preventing part of the law. These acts are divided in those illegal and those who are made to deceive the law. When acts are in discordance with law is not necessary to be proved that are made with the purpose to break the law because the act was prevented with the ordering part of the law. The act is considered absolutely invalid and for this is not necessary to be proved the acknowledgement of the law from the parts. Their lack of knowledge doesn't justify the absolute invalid act. Nevertheless this doesn't mean that the component good faith isn't taken into consideration. It's importance is necessary to resolve the consequences of invalidity between parts that have been in good faith. There are thoughts that the act can be invalid even when is in discordance with rules and tradition but this kind of invalidity is not specified in law. In this category are also involved juridical acts done to deceive the law. These acts look like legal but hide in themselves elements of abuse. The will expressed in these acts doesn't correspond to the internal will of the person, as one of the basic element of a valid juridical act. This lack of will is illegal that is why the act is considered invalid. The person who does the juridical is aware of its illegality because acts consciously and wants the consequences according to his interest.

3. *Fictive or simulated juridical acts done with agreement of parts not having as purpose to bring juridical consequences*

Fictive juridical acts are the ones done by the parts only for appearance not having purpose to bring juridical consequences, or creating/changing juridical relations. In these acts the purpose and the will of the parts to change a juridical relation is not expressed that is why are considered absolutely invalid. For example when a person wants to hide a property from the bank that has given a loan makes a fictive sell contract, not having as purpose to sell the property. These acts are invalid even when their content is legal. Fictive juridical acts are easily made in the everyday life like donating, selling, borrowing or partnership in business enterprises. Simulated juridical acts are the ones absolutely invalid made to hide another act that the parts don't want to publish. The real act in this case is hidden from the simulated act that doesn't purpose to bring any consequence except from hiding the real purpose of the parts. These acts are considered invalid because they lack of purpose while the hidden act is considered valid as long as is made according to law. When the simulated act hides another act, its validity is checked from the court. When the court realizes that the real juridical act isn't threatened from illegal components this act is taken into consideration. Usually simulated juridical acts are made to deceive the law or to hide an illegal act. As long as fictive and simulated acts are made only for appearance, not aiming to create or change juridical consequences they are considered null.

Sentence number 932 of 22. 06. 2000 of Unified Tribunal of Supreme Court Tirana

 About the case with accusing part Spiro Kristo and accused part Anastas Recka with object: declaring invalid rental contract number 1757 rep 599 kol of 14. 10. 1996. Unified Tribunal of Supreme Court came to conclusion that is time to unify court practice for these cases.

1. When juridical act can be considered simulated and the elements that makes it so?

2. How can article 686/2 of Civil Code be interpreted about lose or damage of the parts in contract?

First Level Court of Saranda has canceled the accuse while Second Level Court has changed first sentence and declared invalid rental contract allowing the parts to fulfill contract agreement between them and "Kamberi" company. Civil Tribunal of Supreme Court has changed second sentence approving first sentence. Unified Tribunal of Supreme Court notices that according to this process in first and second level involved parts Spiro Kristo and Anastas Recka have made a rental

contract for the amount 12. 500. 000 (greek currency) within a year. So in the end of the year the borrowing part has to pay back the money including interest percentage, and the loan is guaranteed with a store. In the same date Spiro Kristo has made a contract with "Kamberi" company for the same amount of money but including Anastas Recka as a creditor part. Spiro Kristo has raised the accuse pretending that rental contract between him and Anastas Recka is a simulated act because there is a lack of the real will of the parts and appeared will, realized in the form of written contract at the attorney's office. As the accusing part pretends the real will was depositing the money in the "Kamberi" company (a year later this rental company proved to be bankrupted) with the intermediary part. The purpose was to get the money back after a year including interest percentage that would be equal to the amount described in the simulated rental contract. These pretends are proved to be not based in law and facts while accused part Anastas Recka denied to have had the purpose or will to deposit the money in "Kamberi" company. Also in this cases we dont have the opposite claim which is a special agreement where parts express the will to make a simulated agreement. Also it can be proved that the purpose of the accusing part was to deposit to "Kamberi" company the amount he had rented aiming to reach the time to give back the money he had rented from the accused part. Also the contract signed with "Kamberi" company cannot be considered as in interest of a third person because there is mentioned the accused part name so the third person in this case can only benefit without counter-payment not taking any risk. No contract can make a person creditor or debtor without his will. Unified Tribunal reasons that creditor cannot interfere in the way debtor uses the money, but can only ask the money and the interests back when is time according to the contract. However Unified Tribunal judges as mistaken the fact that first and second level court have considered valid the rental contract because it is in discordance with any economic logic. They reason that any bank or trade activity cannot reach that percentage of profiting so those interests can be paid. Our Civil Code doesn't put any limit to the allowed payments and interests while some other countries law define it. This Code accepts all principles of freedom contracting and competition as a fair procedure in a free trade of goods and capitals but in a threatened and abused trade from illegal invasions we have the opposite of free contracting. As the limit of maximal payments due to rent isn't predicted in articles of special part of Civil Code the court should refer to the general articles of economic aspect of obligation. According to article 442 of Civil Code "creditor and debtor should act correctly and be impartial according to terms of reasoning that means freedom of contracting is not absolutely limitless. According to article 686/2 of actual Civil Code general conditions that bring damages to the contracted parts in a disproportional way are invalid especially when are totally different with terms of equality and equity of contractual relations. In the above case rental contract is legal but according to article 686/2 of Civil Code payable interests go beyond the economic logic. Nevertheless the court should reason that invalid parts don't necessarily make turn invalid the juridical act because according to article 111 of Civil Code "When the reason of invalidity involves only a part of the act this act remains valid in the other parts except for the case all parts are indivisible with the invalid part of juridical act"

Unified tribunals reason that putting as guarantee the property enforces the fact that the purpose of both parts was to make the rental contract because the pretend of accused part to be guaranteed for the payment is an uncontested evidence of the validity of the contract. In the end the Tribunal reasons that the contract should be declared invalid only for the payable interests to be returned at the end of the year.

4. Acts made from incapable to act people

According to the law one of the conditions that the act can be valid is the juridical capability to act of the person, meaning the person has to understand the importance of the act and not to be fooled as a result of misunderstanding the consequences of his act. Juridical act is a voluntary act as long as the law relates will with capability to act so lack of will would bring invalidity of act. In this case lawmaker reasons that the act should be made from the person who takes care of the incapable person. Acts made without the consent of the person who takes care are declared invalid from the court based on the demand of the protector ship institution. According to article 8 of Civil Code minors until 14 years are incapable of acting. They can make juridical acts adjusted to their age easily fulfilled and acts bringing profit without charge. Conclusively minors can't be part of agreements or official representatives of third persons.

5. Juridical acts made by incapable of acting people as a result of mental diseases or incomplete growth

 In this case the act is absolutely invalid as long as the person who cares has not given his consent including here people who suffer mental diseases turning them incapable of reasoning and thinking.

2. 2 Juridical acts relatively invalid

Juridical acts declared invalid are specified in article 94 of Civil Code. These acts are declared invalid from the court because of the different shortages and faults. Compared to absolute invalidity this one brings consequences until the moment one of the parts asks the court cancellation of the act. If time of prescription is fulfilled the act is considered valid so would bring consequences like all valid acts. The real act is cancellable but the cancellation is adjustable when time of prescription is fulfilled and parts don't ask cancellation of the act. In this case it is presumed that parts have expressed the will to change or cancel juridical consequences based on this cancellable act so in a way they consider this relatively invalid act.

if the state of stand by ends before time of prescription is fulfilled act is considered null and can't bring juridical consequences in the future.

1. Acts made from people who lack of the consciousness of the importance of their acts

People fully capable of acting can be in a state of not understating the importance of their acts so the express of their will cannot bring juridical consequences as long as cannot be identified with the real will of the part. People who were unconscious of the importance of their act aren't mean to be mentally diseased but just bot clear at the moment they make the act. As long as these people aren't declared incapable of acting from a court their state is defined from a group of psychiatrist. Validity of their act isn't conditioned from the consent of the person who cares as long as they are capable of acting.

2. Juridical acts from incapable of acting people declared so due to mental diseases or unhealthy growth

According to article 10 of Civil Code capability of acting can be removed or limited from the court when a person is mentally diseased or lacks of healthy mental growth so they aren't able to take care of themselves. These people cannot make juridical acts or be object of rights and obligations derived from juridical relations. Civil Code equals all kinds of these juridical acts not dividing them to acts from persons prived to act or limited to act. When people are limited to act from a court sentence it is not necessary to prove unconsciousness of the time of act. In this cases just the court sentence is needed to cancel the act. These acts are also invalid even when the person was mentally healthy or understood the importance of his act because life is unpredictable and we can't exclude the fact that a mentally diseased person can act normally in a moment towards the attorneys office and make acts opposed to his interests. If act made from limited to act people is made without the consent of parents or people who care this act is relatively invalid so will be canceled from the court.

When the act is made from people prived to do so this act will be considered absolutely invalid. Cancellation and consequences will come based on the state of capability to act. The decision to prive or limit a person to act is forwarded written to all courts so all the interested people to be aware of the fact. A summary of the decision is forwarded to the National Association of Attorney' Office.

3. Acts done from minors over 14 without the consent of parents or caretaker

Minors from 14 to 18 are limited to act. According to article 7 of Civil Code "the minor over 14 years old can make juridical acts only with the consent of his official representative who can be his parents or a caretaker ". Nevertheless acts related to the profit from their work and their administration are considered valid. Despite above exceptions minors from 14 to 18 cannot be object of civil-juridical rights and obligations without the help of parents or caretakers. Even when the act is made in the proper and legal way it will be considered invalid from the court when asked so from the interested part except from the case when parents or caretakers have given their consent. According to article 6 of Civil Code "Woman who has reached 16 earns the right to be fully capable of acting when she gets married and doesn't lose this right when she gets divorced before getting 18".

4. Juridical acts under the influence of habits of will

Will is an essential component of juridical act. Discordance of expressed will with internal will would bring habit of will. Habits of will that make acts cancelable are deception, mistake and threaten. While fictivity and simulation bring nullity of acts habits of will bring cancellation of acts. A juridical act is considered deceive when the part is intentionally pushed to

make a mistake from the other part by rendering the conditions in an unreal way or hides the conditions that would prevent the part from acting. Juridical acts done in conditions of miscount. This acts are made when one part has a mistaken image of the circumstances that have pushed him doing this act. Miscount has to do with lack or unclear understanding of the components of juridical act. For example one person has that that according to a sale-contract has earned ownership of a property while actually he has earned a temporary usage of the property according to a rent-contract.

Juridical acts done by threatening. Threatening is an influence in persons psychological state making him to do a juridical act based on the fear of a bad cause on property or non-property interests. Not every kind of threatening brings invalidity of juridical act as a result of discordance of expressed will with internal will. Threatening should be illegal, and in discordance with general terms of right. Threatening has to be important, causing bad consequences in persons interests or his relatives. Also it has to be serious giving the idea that risks bad causes to the person or his relatives. Effectuation of threatening has to be possible and believable showing to the other part that has all the chances to do it.

According to article 96 of Civil Code: "Threatening causes invalidity of juridical act when intimidates the person so it would bring bad causes to his relatives".

Juridical acts in conditions of big need. Conditions of big need mean that a person takes responsibilities when he is in danger. In order to consider these acts invalid below conditions have to be fulfilled:

-Conditions of juridical act have to be more important than profit of them.

-One of the parts has to be in conditions of big need. Both components are needed to consider the act invalid.

According to article 99 of Civil Code juridical act is made in conditions of big need when obligations are insignificant compared with profits of the other part. Usually these acts are found when one part is economically stronger and uses this advantage making the act in conditions of unequal business.

Conclusions

Invalidity of juridical acts is clearly categorized in Albanian Civil Code predicting also juridical causes that bring these acts in involved parts. Invalid juridical acts are classified in absolute ones that are considered nul and relative ones that bring causes until their cancellation from the court.

Absolutely invalid acts never get valid with a later act of involved parts while relative invalid acts are valid when time of prescription id fulfilled because parts have expressed their will to crate or change a juridical relation giving it a juridical attribute.

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Pedagogical Assumptions Via the Internet Culture

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Abstract

The pervasion of digital technology through our lives is part of a broader set of phenomena. More and more we speak now of the network society, knowledge and learning. In fact, the networks have come into our lives, permeating our daily relations with their presence. New integrations have risen between men and networks capable to create the evolution, to change the forms of our knowledge into new learning contexts. Technology makes grading easier, lesson planning easier, provides access to additional information and resources, saves time, and helps the learner expand his or her learning opportunity beyond the classroom walls (Technology in Education Consortium, 2014; Nye & McConrville, 2007). In such a learning community, teachers and students in the role of diversity, skills and participatory methods, collaborate on the construction and reconstruction of knowledge as well as the exploitation of the sense of life experiences. The interaction that the teacher assumes is the function of priority organizer of educational environments with an appropriate learning and a conscious participation. These concepts shape the basis of treatment of the paper for the presenting, authors together with their vision and generalize from contemporary literature that emphazise the role of *internet culture* in education.

Keywords: *internet, society, culture, pedagogy, education*

Introduction

At school students have central position, stimulated and encouraged in their conscious participation in the various learning experiences in both individual and collaborative forms, where the attitude of active research in the acquisition of knowledge, promotes the need to find personal interpretation to common group learning. The aim of global growth projects (cognitive, affective, social, etc.) is having free and responsible persons, capable of processing a subjective identity and participating in a critical and active life in society; in learning situations subjects are different genders, ages, rhythms and types of development, social classes, religions, cultures, countries of origin and experience of social life where such differences,

becoming a resource that offers a significant contribution to the growth of the whole the educational community. In the field of education, advances in technology offer many benefits. Schools and individual teachers find it easier to communicate with parents and the community. Technology makes grading easier, lesson planning easier, provides access to additional information and resources, saves time, and helps the learner expand his or her learning opportunity beyond the classroom walls (Technology in Education Consortium, 2014; Nye & McConrville, 2007).

Internet culture and pedagogy

According to a starting point of Kantian philosophy, the man reaches humanity only through education, where the task of the educator should be to find out what the interest of a child is and help him fulfil it, but the teachers are not always available to sacrifice their role, down among the students, to find new ideas and solutions. Effective communication is the essential element to successful online experiences (Cavanaugh & Hargis, 2010; Duncan & Barnett, 2009; Garrison & Vaughan, 2008; Yang et al., 2010). The online environment offers unique opportunities for rich dialogue and interaction as well as the possibility of promoting cognitive engagement with deep educational meaning (Garrison & ClevelandInnes, 2005).

The real difficulty is something else, failing to put students in touch with the object of study, thus allowing them to make "experience", difficulty that resulted in the reorganization of school learning "symbolic -reconstructive" based on language and written text. Could the use of the media and, above all, the

Introduction of new media, enable the school to regain control of the experiential method to activate the process of teaching and learning aims? And yet, the technology can effectively penetrate in everyday teaching to the solution of various problematic? Constructivist theory suggests that effective online learning is active, not passive; allows learners a level of control over learning experiences; encourages collaboration and cooperation among learners; and promotes interaction and social presence. While there is no single educational theory specific to online learning, the framework for a model has been developed from these cognitive and constructivist theories: the Community of Inquiry (CoI) Model (Garrison, Anderson, & Archer, 2000). A community of inquiry is a group of students and at least one instructor who engage in discussions focused on constructing knowledge or solving a problem (Garrison et al., 2000). The CoI model assumes that the best learning experience is —a collaborative communication process for the purpose of constructing meaningful and worthwhile knowledgell (Garrison et al., 2000, p. 92). The key distinction in this type of education is that it is institution-focused, faculty-centered, and delivered primarily through electronic media to remote or distant sites (Gibbs, 2000). It is normal to think that talking about technologies applied to teaching, for conveying a simpler and conscious knowledge, is something innovative and unprecedented but it is not: the close relations that interconnect between these two sectors stem from the simple fact that the educational act is in itself a relational and communicative ergo "act", any innovation in the field of communication allows a positive impact not only in the sphere of education, but also on how to exercise the same methodology and didactics.

Learning with the network in education settings

More and more we speak now of the network society, knowledge and learning. In fact, the networks have come into our lives, permeating our daily relations with their presence. New integrations have risen between men and networks capable to create the evolution, to change the forms of our knowledge into new learning contexts. In this landscape, the society becomes the context of a central research for a significant learning, through new forms of sharing and distribution, leaving apart the traditional limits of space and time. New references for learning through the international reflection and expressions such as *lifelong learning* and *distance learning* where, the expression "You never stop learning" adequately expresses a profound truth: whether it could change form and content, to adapt to new learning demands and needs of the adult life, but the need and willingness to learn does not end over the time. Waits and Lewis (2003) provide an alternative view, as they consider distance education to be an entity distinct from distance learning. They suggest that distance education is "education or training courses delivered to remote (off-campus) sites via audio, video (live or prerecorded), or computer technologies, including both synchronous (i. e., simultaneous) and asynchronous (i. e., not simultaneous) instruction"). Keegan (1996) also views distance education as being institution-focused educational experiences that are provided to students at sites separated from the instructors. The pivotal elements of these definitions include the belief that the institution dictates the content, context, and time of the learning opportunity with the student adhering to the learning opportunity restrictions driven by the institutional focus.

It is on these ideas that we have developed and tried to focus on the dynamics of e-learning promoted and enhanced by resorting to the use of increasingly sophisticated technologies, such as forms of optimal learning thanks to which, today, each of us can keep alive their education throughout their lives. In their lives outside the confines of the school environment, young students are immersed in a wide range of digital interactions. When they enter the world of school, students often find themselves in an environment that largely discourages, if not prohibits, the use of the same digital technologies that engage them as learners outside of school. Worldwide the interest of trainers and teachers is focused on the Internet, which is proved to be an environment where it is possible to teach and learn in new, wider and flexible ways, with positive implications on the organizational and economic area. The information found by this form of learning is supported by new technologies and highlights the importance played from e-learning in the world of education at any level or age. The environments nowadays can make use of two powerful extraordinary challenges with the intent of a major innovation in their professional training: 1. the strategic need associated with the technological opportunity that is the strategic need of enhancement of the most important competitive factor and 2. capital human and its constant development in a turbulent mutational environment and the opportunity offered by the technologies of network communication.

Regarding the first aspect, the need to have, to attract and use the best human resources, as a quality factor in their different performance and therefore to achieve lasting competitive advantages, leads to the need of developing methods and systems of continuous training and Tapping the potential of the people employed. Integrated energy and resources, are in the best position to communicate, and to reset the times related to the limits of space and time where dynamic was established and articulated in being able to make out the best collective potential. This is one of the areas for reflection that permeates our current society.

The recent crucial turning point starts with the transition to online education since the advent of the Internet has increased to a new philosophy of education, based more on the reuse and sharing of knowledge already possessed by the participants rather than the transmission between teacher and learner. Ramig (2009) expanded on the use of blogs for educational purposes, claiming that social networking sites, such as Twitter, Facebook, and MySpace, also established a presence in class and in the lives of students of all ages. This form of social media can also cultivate communication by extending classroom discussions outside of class time and allowing students to have control over their learning environment (Ramig, 2009).. Ramig (2009) recommended that teachers not only become familiar with the online tools to incorporate proper safety measures in class, but also advised teachers to make extra efforts to use these tools as part of the educational process.

The starting point of this reflection can be doubtful related to the current problem of distance learning and in particular of online education: what is the relationship between quality and interactivity? From the point of view of those who design an online course content and interactivity can be integrated, and the financial implications, methodological and didactic choice (about the weight to be attributed more to one or other possibilities) are very high. The online courses are differentiated between web-based courses (based on materials) and based systems Computer Conferencing courses (based more on the interaction between people), while the course-interactivity formed at a distance can be three types: with the teachers, with the materials and among the students.

When designing a course, it is very important to consider what and how the students interact, because if the interaction between the participants has a relevant cost, it is quite true, that interactivity is more difficult without providing an initial meeting clarifying on costs, particularly if participants come from distant locations. From the methodological point of view the mixed strategy is preferable, through a meeting of all course participants, especially when it comes to planning activities, establishing roles or subdivisions of tasks, even if it is not always feasible, and requires a level of expenditure proportional because of the distance.

In such a learning community, teachers and students in the role of diversity, skills and participatory methods, collaborate on the construction and reconstruction of knowledge as well as the exploitation of the sense of life experiences. The interaction that the teacher assumes is the function of priority organizer of educational environments with an appropriate learning and a conscious participation. The teacher is a director involved in motivating the potential of each student in the process of acquisition of skills and competencies. Motivation to learn, after all, is not homogeneous or un modifiable in the same person, since the individual is the result of individual factors, social and cultural rights, will be more influenced by the same learning itself, but more balanced and stronger will be the practice of the process itself activated.

Innovate means not filing the application for equipment to be put at the service of the things that you already do to keep them in the same way, since innovation is not the service that technology makes to insiders but the service itself, that is, head of who is providing it; it follows that attention should be paid to training for those who, in purely educational field, are likely to become "obsolete" in spite of the qualifications possessed. The new generations have an underlying need: to be educated to the management and search of knowledge, understood as communication with the new media, in order to gain the knowledge that citizens can know how to consume the use of the media themselves; thus reinterpreted, the reality technology to be used directly as a real asset in the process of traditional teaching, creating not only innovative models but those models based on collaborative and bidirectional communication processes, as well as outlined in recent years. If innovation initiated the transition from the "information society", understood as mass information with the distribution of default data and standardized to a "knowledge society", understood as cognitive participation of every individual to the wealth of knowledge through the skills possessed, Media Education focuses on the way in which the subject form his personality in a "media" society, questioning the way to safeguard the development of the individual, protecting its autonomy and creative freedom, focusing on ways fruition, interaction and importance of the understanding of "what and how" they can change attitudes and behavior in the new generations.

Conclusions

New criteria should be established to be able to make choices about which role and for which purposes internet culture can be used with a priority school context. The reading of the " medium", considered as construction, put on stage and represented from the reality, where the perceptual experience is determined and conditioned mainly by the relationship of analogy of the image has with what is still more effective "since writing moving", will pretend accuracy and objectivity: the media is not the reality, but the mere representation of moving it. In digital-age learning cultures, modern technology allows learning to be portable, constant, and interactive. It provides learners with an expanded audience who can provide global perspectives (McKnight, 2014). As digital-age learning is ever evolving, the educators' interconnectivity with it becomes increasingly more important, at least according to the article, Learning and Leading with Technology (McKnight, 2014). From this reading it is clear the role of the teacher in leading the students to mature critical awareness of choices and strategies that regulate and underlie communication, which is the source of man's look on man in its modernity. Moreover, it is clear how technology provides an opportunity enabling schools to reconfigure forms distributed differently for an additional didactic "differentially effective" for the construction of integrated self-learning environments able to expand on the basis of experience that the students perform.

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Internationalisms: Do They Affect or Enrich the Modern Albanian Language?

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Abstract

Language is a symbol of cultural, national or state identity. For Albanians, language was and is the most important feature establishing their identity. The first attempts to codify the written Albanian language were distinguished since the second half of the nineteenth century by the Albanian scholars, who led the cultural movement "Albanian National Renaissance", where first of all we can mention Konstandin Kristoforidhi and Sami Frashëri. As an isolated Indo-European language, Albanian language is part of the Balkan linguistic connection. Although the Albanian language has not lost its origin, throughout its history it has proven and suffered interventions and major influences not only from the Indo-European but also from non-Indo-European languages. These influences are more directly reflected in the lexicon as the most fluid system of language. Like any other language, the Albanian language has responded to the demands of social development, changes in the field of production, technology, science, culture and so on by enriching and further developing its vocabulary, *inter alia*, by borrowing words from other languages. Language lexicon flows are larger than outflows and this explains the fact that the lexicon is expanded from generation to generation with new units. In general, there is a large number of words in Albanian language borrowed from Latin, Slavic languages in the south and Turkish. Most of the borrowed words such as anglicisms, germanisms, greecisms, italicisms etc are introduced in Albanian language in written form and orally, mainly in the last thirty years as a result of direct contact of Albanians with European and transatlantic countries, where they have lived and continue to live as immigrants, asylum seekers or workers. The number of foreign lexemes in Albanian language often differs from region to region and even from one person to another. Motivation of borrowing the words from a linguistic community, who regarding the cultural, technical and economic aspect prevails to the other community, is the desire and need to name new terms, objects and events, which are unknown in the language that takes these words. Borrowing new words for new issues also serves to cover linguistic requirements. However, taking foreign expressions does not necessarily show a sign of weakness; in a typical case there is a language enrichment, because new words are attributed to new things, new knowledge or new spiritual values. There are also cases when a word already exists in Albanian, but it is still replaced with the foreign word. In different circumstances both can be used. From this point of view, a question arises: What attitude should be taken for foreign words? Do foreign words enrich or spoil a language?

Internationalisms: Do they affect or enrich the modern Albanian language?

The society adjusts language with the age it lives in. What distinguishes a vivid language is that it has been subjected to changes in its depth and that it naturally receives and collects sometime also words and denominations from other languages, with which the population is in contact in a certain fashion.

Even Albanian language like other languages has accepted and allows foreign lexical elements, translates, adjusts, assimilates them and creates neologisms based upon them, therefore it activates own mechanisms to accomplish own needs. This is happening even nowadays when in Albanian language as never before in its life, ideas, concepts, notions and terms are embraced from various languages and cultures, especially from those bearing huge impact on globalizing processes.

A considerable part of foreign words in Albanian language is composed of internationalisms, which are current and present in almost every page of the vocabulary of Albanian language and in every article of every Albanian daily newspaper. Dealing with loan-words and internationalisms, which are understood and spread worldwide, implies the wakening of sensitivity on problems of communication. The benefit here lies that in such fashion it can be ascertained and proved among other things, how conveniently these loan-words have been integrated in the linguistic system of Albanian language, provided there is a tendency of internationalization of the vocabulary and if all loan-words must be replaced with respective words in Albanian.

The relevance of internationalisms on international and inter-linguistic communication is becoming increasingly bigger. More and more it becomes apparent the goal towards European integration at any cost (even at the cost of linguistic and cultural independence). In this regard, Braun also deems that „Internationalisms can be seen as vocabularies of a potential European integration". [1] Thus, in the role of a supplementary source, internationalisms affect directly the "westernization" of modern Albanian lexicon.

The internationalisms play an important role not only in translation, but they bear significant importance also to the international adjustment of terminology. They are witnesses of a European cultural and intellectual history, which transport concepts, symbols, conceptual models and joint traditions. In the event of something missing in the relations among nations, internationalisms would be able to facilitate mutual understanding with other nations in our age of global communication. According to Braun, common linguistic items „ provide explanations on processes, historical and cultural events of contacts in Europe." [2] As „preliminary conditions for the creation and spread of internationalisms" Volmert mentions two factors: 1. „historical loan-words among languages in contact "and 2. Simultaneous definitions based on agreements, or the entering of new expressions of inter-linguistic value". [3]

The lexical equalities or similarities in various languages are based not on coincidence, but on the contrary they must be understood as results of historical, political, cultural, economical, historical-linguistic developments etc. Numerous developments have had an impact especially on the reception of new internationalisms. Recently internationalisms show in most of the cases notions of international modern developments in science and technique. The most important developments which influence on general vocabulary among other things are: global exchange of information, becoming increasingly fast, multinational cooperation in many fields, massive tourism beyond the borders of countries and worldwide spread of political, cultural and sport events. As a result of globalization international vocabularies bear so a particular relevance not only in scientific and professional languages, but even increasingly more in the language of daily life.

The lexical loan-words among them also internationalisms exist in the vocabulary of Albanian language in a substantial number and this part of vocabulary shows the trend to increase continuously. The causes of changes in the Albanian language fund of words are related as elsewhere with economic, political and cultural transformations of Albanian society. The trend for vocabulary internationalization comprises nowadays almost all fields of life, where apart from the field of science and technique, a part of foreign words in Albanian language arrive from the fields of politics. Thus we can mention several internationalisms, which have entered the political lexicon of Albanian language: *anarki, anarkist, aparteid, atom, autonomi, azil, azilant, bojkot, burokrat, burokraci, delegacion, demagog, demagogji, demokraci, demokrat, demokratik, demonstratë, deputet, diktator, diktaturë, diplomat, diplomaci, diplomatik, diskriminim, ekzil, elitë, ekstrem, ekstremist, ekstremizëm, fashist, fashizëm, fundamentalist, fundamentalizëm, gjenocid, ideologji, institucion, kaos, klasë, kongres, konservativ, kushtetutë, ideologji, legjislativ, mafie, militant, nacionalist, nacionalizëm, pacifist, parlament, parti, patriot, patriotizëm, pluralist, politikë, propagandë, puç, puçist, racist, racizëm, radikal, reformë, republikë, revanshizëm, simpatizant, shovinist, territor, terrorist, terrorizëm, totalitar, totalitarizëm, ultranacionalist.*

In Albanian language the foreign word is often used as a scientific term, whereas the respective expression in Albanian bears also a general meaning. It is often difficult to ascertain accurately from which source internationalism derives and it is not always verifiable in which place internationalism was used for the first time and how its path progressed in other languages. The oldest loan-words in Albanian language, which nowadays are partially internationalisms, derive from Greek and Latin. The Albanian language is more of a language that borrows than loans words. As to new internationalisms in

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[1] Braun, P. 1990: Internationalismen – Gleiche Wortschätze in europäischen Sprachen. P. 32

[2] Therto,Pg. 32

[3] Volmert, J. 1993, Pg. 71.

Albanian language codification is missing until now and they are not standardized, such as. *avokado, bajt, butik, celibat, disketë, e-mail, globalizim, hamburger, internet, keçap, piceri, xhins, softuer, slip, karies, modem, maço, loto* etc. [1]

The Albanian language is facing a bit peculiar situation nowadays: on one hand several Albanologists try to avoid not only spread loan-words but also internationalisms; while on the other hand, there is a tendency of continuous widening of vocabulary with new loan-words of international character, especially in the field of science and technique as well as in the sphere of international relations. In this regard the question emerges: Is it necessary to remove from use the timely rooted loan-words in the language of people and that are understood by all, replacing them with new words or loan-words from western languages that people fail to understand?

Clear efforts to the enrichment of Albanian language date back to 19th century by the writers of Albanian National Renaissance, who requested the purification of Albanian language from foreign words, especially from Turkish words. Among other things there were also efforts to replace international words of Greek and Latin origin, which were never used later such as. :[2]

astronomi	qiellshkronjë -	astronomy	skyscraper
gjeometri	dhematje -	geometry	land surveying
vullkan	mal që nxjerr zjarr -	volcano	mountain that spits fire
satelit	pasës etj. -	satellite	passer etc.

In the 20th century we own in Albanian language a considerable number of neologisms in the shape of borrowed translations, new words and transfers of meanings. Nowadays in Albanian language there are several studies[3] and vocabularies of foreign languages, which try to replace foreign words with formations and creation of loan-words or with other Albanian words. [4] Likewise numerous studies[5] have shown that all loan-words, including also internationalisms can be integrated in Albanian language, whereas Maksuti[6] expresses his opposition against such thought to albanianise all loan-words, therefore also internationalisms, since according to him, such maximal purification has not been present in Albanology. A vivid Albanian language would be also able to borrow and accept many foreign words, given that a language that is not capable to adjust to other language, implying assimilation, is a dead language.

The continuous entry of internationalisms in the lexicon of Albanian language does not imply that Albanian language is losing own originality. The migration of words and foreign expression is not harmful to the language; but on the contrary the demolition of the system of linguistic rules is such. Given that internationalisms fail to bring about changes in the grammatical structure of the language, they represent no risk and do not harm originality of language. Many foreign words in Albanian language have already become part of Albanian vocabulary and their replacement with other Albanian words can no longer apply.

Several authors prefer clearly equivalent Albanian words with internationalisms. For instance, in Shkurtaj we find a word list of „foreign words, which can be replaced entirely or partially". [7] Even in Murati we also find a word list with „vocabulary from foreign languages ". [8] Given the aims of these two authors to avoid foreign words and replace them with new Albanian words, Maksuti deems that on one hand, we must oppose to the infinite use of foreign words, but on the other

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[1] Maksuti, I. 2009: Internationalismen im Albanischen, Pg. 104.

[2] Shkurtaj, Gj. 2003, Pg. 160

[3] Shkurtaj, Gj. 2003, Pg. 129-156; Murati, Q. 2004: Standardi gjuhësor dhe kultura e shprehjes, Prishtinë

[4] See Fjala shqipe në vend të fjalës së huaj. Prishtinë 1989; Fjala shqipe në vend të fjalës së huaj. Tiranë 1998.

[5] Çabej, E. 1975-77; Thomai, J. 2002; Shkurtaj, Gj. 2003; Murati, Q. 2004 etc.

[6] Maksuti, I. 2009: Internationalismen im Albanischen, Pg. 94-100.

[7] Shkurtaj, Gj. 2003, Pg. 129-158

[8] Murati, Q. 2004, Pg. 121-127

hand we must also oppose ungrounded efforts to get rid of these words by means of unnecessary neologisms, often formed improperly.

Particular loan-words not always are replaced with their respective words in native language, be it because they contain particular connotations of meaning, missing in a replaceable word, or due to social and linguistic reasons. Thus, not every foreign word can be translated and replaced with its equivalent in Albanian, since the huge deepening of scientific knowledge requires not only the thinnest semantic aiming of notions, ideas and contents, but also their thinnest explanation. In Albanian language Turkish and Slavonic words are avoided in general and they are replaced with native lexicon, new words or with a lexicon of another foreign language. Taking into account the increased requirements of linguistic communication, the language requirements cannot be met only by its internal sources. In this context, the loan-words can be perceived as natural constituents of language.

In general, internationalisms must be greeted, given that they enrich the vocabulary of the mother tongue and contribute in the creation of an international vocabulary. Thus, we mention for example foreign words of the last two decades, so the new words have found use in Albanian language like: *bestseler, bingo, bumerang, haker, hobi, kampus, klikoj, kompjuter, lider, lobi, marketing, masmedia, menaxher, monitor, poster, snajper, softuer, sprei, stek, supermarket, shou, tender, tinejxher, tost, trend, xhins.*

Even if we have a look at newspapers nowadays, both in Albania and Kosovo and Macedonia, it is evident that in general there is a positive attitude toward internationalisms and that as a result no attention is paid to maintenance and care to Albanian language. On the other hand, it must be taken into account also the fact that the penetration in abundance of loan-words triggers their negative aspect, where language becomes incomprehensible to simple speakers and apart from that, it loses expressivity furnished by native elements. This requires the need to prevent the overflow of foreign words, given that the preservation of purity of lexicon is linked directly to the preservation of national character of Albanian language from any foreign blend, as well as crystallization of the norms of standard language in lexicon. [1] But in lexicon, the norm is looser. This implies that apart from several lexical variants (synonyms etc.), the standard language accepts also foreign words, indispensable for their content and for the requirements of several fields such as terminology, scientific speech etc.

As a conclusion we can say that the entry of foreign words /internationalisms in the lexicon of Albanian language is no dangerous or harmful in the event o their integration in the linguistic system of Albanian language, not ruining its fundamental features and if they help linguistic communication. Thus, internationalisms must be considered as relevant elements in the process of enrichment of language, in order to widen its expressive means. The Albanian language cannot sidestep the lexical impact of foreign languages. But in general, it must be the case of a prudent relation with lexicon of foreign languages, not without any control and restriction. Therefore, a genuine and contemporary democratic linguistic policy must be followed, which sees the purification of lexicon of Albanian language not as a purpose in essence. "The purification merely for purification of lexicon could trigger not its enrichment but its impoverishment, weakening or restriction of social functions of language. "[2]

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The Role of Measurement in the Public Polls (Albanian Case)

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Abstract

In Albania reality are made a lot of surveys to predict the result of elections. It is so important to have the exactly result of the election of another items to predict. A prestigious company has done the survey in Albania reality, but they have "Forgotten" that the Albania reality is different from the reality, because they have used the same questionnaires in Albania reality.It is so important to have the right measurement and to have the reliability and the validity of the survey. So we have types of measurement and in my research I have used one of them. If we used the right measurement, we can have a small margin of error and the result of the surveys should be the reliability than the other cases. I have decided to make the survey in Albanian reality lot of survey in two different realities. One of them I have used two kinds of sample, when one of them is systematic sample and another is quota sample. A comparison between two surveys is made providing the same questionnaire (with delicate questions) in the same place and time. The only difference was in the last step of the sample: one of the surveys has made the interviews based on the quota (gender, group age), whereas the other has used the systematic schema (with step – door by door). The margin decided by this way included also the one produced by the used of the quota. The expectation was a determination of differences between answers by this distinction.

Keywords: measurement, systematic sample, quota sample.

Introduction

There are a lot of concepts that are tied with each other. The concept that are tied with each other, are the types of measurement, the role of reliability, the role of validity, the role of measurement.

To have reliability and validity result we should have the good relationship with each element of the research design. Measurement provides information about where we have been, where we are currently, and whether we are changing over time. [1] So it is very important to choose the right types of measurement. According to the Steven's Stately we have four types of measurement that are:

Nominal Scale

Ordinal scale

Interval scale

Ratio scale

The nominal scale simply places people, events, perceptions, etc. into categories based on some common trait. The nominal scale is the lowest form of measurement because it doesn't capture information about the focal object other than

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[1] D. Lynn Kelley "**Measurement made accessible"** A Research Approach Using Qualitative, Quantitative, & Quality Improvement Methods -SAGE Publications 2 00 o International Educational and Professional Publisher Thousand Oaks London New Delhi" fq 1

whether the object belongs or doesn't belong to a category. Coding of nominal scale data can be accomplished using numbers, letters, labels, or any symbol that represents a category into which an object can either belong or not belong. [1]

The **ordinal scale** has at least one major advantage over the nominal scale. The ordinal scale contains all of the information captured in the nominal scale but it also ranks data from lowest to highest. Rather than simply categorize data by placing an object either into or not into a category, ordinal data give you some idea of where data lie in relation to each other. [2]

Unlike the **nominal scale** that simply places objects into or out of a category or the ordinal scale that rank orders objects, the interval scale indicates the distance one object is from another. In the social sciences, there is a famous example often taught to students on this distinction. [3]

The scale that contains the richest information about an object is **ratio scaling.** The ratio scale contains all of the information of the previous three levels plus it contains an absolute zero point. To use the example above, the ratio scale allows you to measure the stumps from the bottom of the lake; the bottom of the lake represents the absolute zero point. [4]

So I can say that I have used the ratio scale in my research in order to reduce the error margin, because it is the only types of measure that is more correctly that the other types of measurement.

METHODOLOGY

So I have done two types of survey in Tirana in different period of times, when I have used a criteria of not identify the respond and in another survey I have used another criterion when I have not identified the respondent. I emphasize that the problem that I have studied, are delicate problem and the respondent here in Albania are afraid to tell the truth. So the reliability and the validity of the result of the research it will not be the truth.

Also another element that is important in my research is the role of the sample. We have a lot of types of sample which are:

i.) Probability sampling methods.

ii) Non probability sampling methods. [5]

And we can say that the belong methods of sampling are:

Simple random sampling

Stratified random sampling

Cluster sampling

Quota sampling:

Purposive sampling

Systematic sampling

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[1] http://www.socialresearchmethods.net/kb/measlevl.php

[2] http://www.socialresearchmethods.net/kb/measlevl.php

[3] http://www.socialresearchmethods.net/kb/measlevl.php

[4] http://www.socialresearchmethods.net/kb/measlevl.php

[5] Muzammil Haque, "Sampling methods in social research", page 1

The types of sample that I have used in my research are quota sampling and the systematic sampling, which the meanings of these are:

Quota sampling: This method of sampling is almost same with that of stratified random sampling as stated above, the only difference is that here in selecting the elements randomization is not done instead quota is taken into consideration.

Systematic sampling: In this method every *n* th element is selected from a list of population having serial number. [1]

I emphasize that this types of sample enter a margin of error, that effect in the reliability and the validity of the scientific research. In my study two types of these samples enter a margin of error when the systematic sampling enters an error and also the quota sampling enters an unspecified error.

RESULTS OF DATA PROCESSING

Survey on the road:

ISW (street) = [Δ (life satisfaction) + Δ (Happiness)] / 2 =[+ 4. 4% + 30. 1%] / 2 = + 34. 5% / 2 = + 17. 25%

So we have to ISW (street) = + 17. 25 %

The survey in the family:

ISW (family) = [Δ (life satisfaction) + Δ (Happiness)] / 2 =

[+ 20% + 28. 9%] / 2 = + 48. 9% / 2 = 24. 45%

So we have to ISW (family) = **+ 24. 45%**

Margin required is:

ISW (family) = + 24. 45% - ISW (street) = + 17. 25% = + 7. 2%

As the margin it will be [- **7. 2%**+ **+ 7. 2%**]. From this margin will be "expected" statistical error, that inserts the sample of size (for sampling with size 100 units) is + / - 10. 6%. We will have: (- **7. 2%**)- (- 10. 6%) = - **+ 17. 8%**

So the margin remains **[-17. 8% + 17. 8%].**

CONCLUSIONS

As conclusion, we can say it is so important to choose the right types of measurement, the right types of sampling and the right way to do the reliability results. As I have chosen the right items also results that have entered an error. This error effect negatively in the results of the surveys.

So it is so important to use the right instrument to have good results and the reliability and validity results.

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The Use of Twitter by Politicians During June 2015 and November 2015 General Elections the Case of PDP

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Abstract

Nowadays, one of the mechanisms used by politicians in order to reach mass over is social media with the development of information and communication technologies. In this sense, as a free social media tool, Twitter, is one of the most used social media websites with the features of diffusion of thoughts directly on Internet and easy accessibility. This study evaluates that how and for what purposes Twitter is used by the candidates of Peoples' Democratic Party during the June 2015 and November 2015 General Elections in Turkey. For this aim, Twitter accounts of two co-chairman of PDP Selahattin Demirtaş and Figen Yüksekdağ; Deputy Chairman of Parliamentary Group of PDP Pervin Buldan; Parliament Vice President of Group of PDP İdris Baluken and Administrative Authority of Parliament of PDP Sırrı Süreyya Önder are analyzed during two election times in one month period. As a result of this study, during two election times, differentiation of political language, decrease of peace rhetoric and hardening of opposite language as a parallel of the development of armed conflict in this period are observed in candidates of PDP which claims of being the party of Turkey peoples.

Keyword: 2015 June General Elections, 2015 November General Elections, The Political Use Of Twitter, Peoples' Democratic Party.

1. Use of Twitter by Politicians:

When it comes to reaching the masses, politicians would like to make use of the faintest opportunity they acquire and the advances in information and communication technologies, especially the social media tools provide them this opportunity. Thus, Twitter, which is a free social media medium that lets users send 140 character long posts to their followers, is a functional communication tool, since it could spread ideas directly in Internet environment and its easy access. Twitter is open for communications continuously and thus, used extensively in social and political events (Enli and Skogerbø, 2013: 763- 764).

Established in 2006, Twitter is the most popular microblog site among other social media tools in the world. The reason for this popularity is the free registration of the users and availability of the capacity to send 140 character short messages called tweets to their followers on any subject. Contrary to other social network sites such as Facebook and My Space, Twitter does not require approval or permission to follow or to be followed by someone. Two significant features that characterize Twitter are the fact that it requires an answer to the question "What's happening?" and the answer is limited to a text of 140 characters long (İkiz et al., 2014: 44).

Twitter is one of the most visited web sites globally and in several countries, and number of users that visit Twitter as a social media tool increases rapidly everyday. As a result of the number of tweets sent during the protests that were

organized after the elections in Iran in June 2009, and the tweets of American student James Karl Buck, who was jailed during the anti-government demonstrations in Egypt in 2008, Twitter became an important field of study in social sciences (İkiz et al., 2014: 44).

Twitter also became a subject in academic studies, since it is the most popular social media tool among politicians. However, the number of such studies is actually limited, and these studies are concentrated in the United States of America. For example, Gulati and Williams (2010) investigated how the candidates used social media in 2010 elections in the USA. They determined that most of the House of Representatives candidates had Facebook profiles, Twitter and YouTube accounts and argued that Twitter, Facebook and YouTube usage had no affect on the voter profile.

In another study, Williams and Gulati (2010) demonstrated that congressmen utilized Twitter more efficiently and frequently than house representatives. In that study, it was premeditated that local demographics and the age of the candidate was not effective on Twitter use, the source of election and party campaigns, however, was an effective factor. Similarly, Lassen and Brown (2011) studied the reasons why congressmen started to use Twitter, and found that it was due to the membership of the candidate to a smaller party, the fact that party leader forced them to use social media, the young age of the candidate and being a senate member. Furthermore, it was reported that Twitter use did not have any effect on election weakness.

Chi and Yang (2010a) scrutinized the motives behind Twitter use in 111th House of Representatives based on transparency and electorate reach, and they determined that Republican candidates used Twitter to reach their constituency and to create an agenda, and Democrat candidates mostly used it for transparency. In another study, Chi and Yang (2010b) claimed that Democrat Party candidates used Twitter more than Facebook and Twitter and Facebook were complementary web sites. Golbeck on the other hand, analyzed 6000 tweets to determine how and for which purposes the congress members reached the voters on Twitter. Findings of that study showed that congress members mostly used Twitter to provide information, to share articles about themselves and to announce their daily activities. These findings indicated that Twitter was generally used to advertise and to distinguish one's self, rather than to increase transparency. Twitter was not a tool, which was frequently used by congress members to make direct contact with citizens (Golbeck et al., 2010).

2. Use of Twitter by Politicians in Turkey:

There are studies, albeit few, that were conducted to investigate how Twitter was used by political parties and leaders in Turkey. Sancar (2013) conducted the first ever study on the subject and investigated the Twitter accounts of the leaders of political parties that were represented in the parliament in 2012 and then President Abdullah Gül. The study identified that Twitter was used the most by Republican People's Party (RPP) leader Kemal Kılıçdaroğlu, followed by People's Democratic Party (PDP) co-chair Selahattin Demirtaş, however it was not used effectively by then Justice and Development Party (JDP) leader and prime minister Recep Tayyip Eroğan, Nationalist Movement Party (NMP) leader Devlet Bahçeli and President Abddulah Gül, and these individuals used Twitter for one way communications and never interacted with citizens. It was determined that leaders with an interaction potential were Kılıçdaroğlu and Demirtaş.

In another study in the field conducted by Sobacı and Karkın (2013), the content of tweets sent by mayors between January 1st and June 30th, 2012 were scrutinized and it was identified that only 10.7% of these tweets included a direct interaction with citizens. Memiş (2015) investigated the Twitter accounts of 12 mayors to determine their degree and type of social media use with respect to participation in local public policies within the municipality organization and mayor level and found that interaction with citizens were limited in personal social media accounts and remained on the level of providing information, which is considered as the first stage of interaction.

Çetin (2015) investigated the Twitter use of mayor candidates in 2014 local elections and identified that mayors had low level of interaction with citizens, significant portion of the sharing was conducted by their supporters and politicians usually did not develop a discussion culture by opening their accounts to opposition views. In this respect, politicians continued to soliloquize in information and communication tools, transferring their monologue practices in conventional media.

İkiz et al. (2014) scrutinized the twitter use of 16 mayor candidates in 2014 local elections and their findings supported that of Çetin (2015). The study by İkiz et al. (2014) showed that mayor candidates primarily used Twitter to announce their

location and activity information, and tended to introduce their public service policies and plight, instead of discussing their policies with the electorate.

1. Political Environment in Turkey between June 2015 and November 2015 General Elections

Kurdish issue is one of the most significant problems in Turkey that stigmatized the last thirty years. Terrorist actions of PKK from the initial attacks against the state security forces in Eruh and Şemdinli in 1984 to the "resolution process" that filled the agenda towards the end of 2012 caused numerous financial and emotional damages. Terrorist actions that occurred within the 38-year period resulted in 40 – 50 thousand deaths, thousands of unidentified murders, depopulation of thousands of villages and smaller settlements, millions of immigrants and financial losses amounting to 1.5 trillion US dollars (Aydın, 2014: 257).

"Resolution process" commenced with the meetings held by National Intelligence Organization (MIT) officers with imprisoned PKK leader Abdullah Öcalan at İmralı prison at the end of 2012, and started to be discussed in public following the announcement by government. A message by Ocalan was conveyed at a crowded activity in Diyarbakır by then Peace and Democracy Party (PDP, now People's Democratic Party) members of parliament and a three-stage plan was announced at Qandil Mountain, where PKK headquarters were located. According to this plan, PKK militants started to withdraw from the country, public officials held hostage by PKK were released and expectations from the government to legislate the judiciary infrastructure for democratization were started to be expressed frequently. On the other hand, the government, to receive feedback from public opinion and to enable a smooth transition into the understanding of the process, introduced a committee of wise men, which was also proposed by Öcalan and main opposition RPP. A Resolution Commission was formed in the parliament, which prepared a "democratization package" and presented it to the public on October 1, 2013 (Aydın, 2014: 228).

İmralı talks were finalized on February 28, 2015 and an agreement was reached for the disarmament of PKK with Öcalan and Qandil. Ten articles that included an extensive democratization package was read at a meeting at Dolmabahçe Palace in Istanbul with the participation of Deputy Prime Minister Yalçın Akdoğan, Interior Minister Efkan Ala, JDP Group Deputy Chairman Mahir Ünal and Sırrı Süreyya Önder, Pervin Buldan and İdris Baluken of the İmralı Committee. National and local dimensions of democratic politics and democratic resolution would be redefined, the concept of national identity would be reformulated and pluralist life would be guaranteed by the constitution through redefinition of the democratic republic, joint homeland and and republic with democratic criteria within the context of Dolmabahçe Agreement (BBC, July 17, 2015). However, despite all promising precepts, Dolmabahçe Agreement failed to move the resolution process forward. Immediately after PDP Co-chair Demirtaş uttered the phrase "We will not let you be the president [of a presidential system]" in his party group meeting on March 17, Erdoğan said he did not consider the agreement positively on March 20. According to a news report published in Cumhuriyet newspaper on September 18, 2015, Dolmabahçe Agreement was shelved due to the lack of PDP support for Erdoğan's presidency and providing incomplete information about the process to Erdoğan (Cumhuriyet, September, 18 2015). After the that statement of PDP Co-Chair Demirtaş in the parliament, clashes between PKK and armed forces erupted in Ağrı on April 11 and 4 soldiers died.

The attempts of PYD in southern Syria to form a government created a possibility of Turkish military intervention, which increased the tensions between the parties even further. The tensions escalated as a result of a live bomb attack organized by a IS terrorist during the presser of Socialist Revolutionary Youth Movement (SDGH) members, which were gathered at Suruç to go to Kobane, and the consequent death of 32 people. As a result KCK (Group of Communities in Kurdistan) Co-Chair Cemil Bayık called on the people to take arms and to dig trenches and tunnels. On July 24, Turkish Armed Forces (TAF) jets organized airstrikes against IS in Northern Syria and and against PKK in Northern Iraq. This was the first military operation against PKK in three years. As a result, the resolution process was totally forgotten and nationwide operations against PKK recommenced.

October 10, 2015 witnessed the most deadly suicide bomb attack in the history of Turkish Republic in Ankara around 10.04 local time. A peace rally was organized by Revolutionary Workers' Unions Confederation (DISK), Public Workers' Unions Confederation (KESK), Union of Chambers of Turkish Engineers and Architects (TMMOB), PDP and Turkish Medical Association and several other non-governmental organizations on October 10th. However, before the rally even started, at the junction where the main railway station was located, while the groups were gathering for the rally, 2 explosions took place 3 seconds apart and 107 people lost their lives and 500 were wounded as a result.

2. Twitter Use by PDP Parliamentarians during June 2015 and November 2015 General Elections

General elections held on June 7, 2015 was repeated three months later on November 1, 2015 since no party was able to form a single party government and the failure of all coalition attempts. Between the two elections, for the first time in Turkish political history an election cabinet ruled the country. However, these four months that the election government ruled the country became the scene of one of the darkest periods in the history of the republic.

In the present study, how and for what purpose Twitter, which was considered within the context of information and communication technologies, was used by Peoples' Democratic Party parliamentarian candidates during campaign periods of June 7 and November 1 general elections were evaluated. The reason why the sample group included PDP candidates was the change in the rate of votes and number of seats they won in the parliament between these two elections. PDP received 13.1% of the total votes and won 80 seats in the parliament in June 7 general elections, demonstrating a huge success when compared to previous terms. However, the party was not as successful in November 1 general elections, where PDP received 10.8% of the votes and won only 59 seats.

In the present study, the tweets sent by PDP co-chairs and group deputy chairmen during the one month periods before June 7 (May 7 – June 7) and November 1 (October 1 – November 1) general elections were evaluated. The universe of the study was PDP election candidates, while the sample included the party co-chairs Selahattin Demirtaş and Figen Yüksekdağ and group deputy chairman İdris Baluken, parliamentary deputy speaker Pervin Buldan and parliamentary administrator Sırrı Süreyya Önder. The tweets sent by individuals in the sample were assessed based on the categories of democratization, peace, alienation, security, mobilization, and location and activity notification.

Democratization was selected as a category, because most countries in the world claim that they are closely attached to the democratic system. Democracy principle generally includes the elements of the participation of all people in the process of determination of the relationship between the individual and society, establishment of a majority rule, which respects the rights of minorities, protection of individual rights and freedoms, and providing equal opportunities to all members of the society (Çam, 1995: 388- 389). Cooperation of the government with masses in making decisions affecting the public and regulation of the affairs, accountability of the government to citizens in public affairs and equal citizenship rights for all citizens are in the core of democracy (Schmidt, 2000:13).

As a concept, the term "other" denotes the one who is not one of "us" and differentiates individuals and groups from each other. "Us" and the creation of "the other" against the first is a social process. To be able to create a group bias, first a group consciousness should be developed and thus, groups are differentiated and isolated from one another. Group bias is made of the shared bias of members of a particular group about the members of another group and its members. "The other" is generally loaded with negativity. The practical benefit of a society creating "others" is basically a superiority/inferiority relationship. The superior one defined the other as passive, and worthy of every negative attribute. Supervising and dominating one creates the other for instrumental purposes to maintain its control, not only to legitimize its control over the other (Bilici,2011:4). Thus, the phenomenon of alienation is utilized by politicians to create bias in the society in building the ideology in political process. Therefore, it was selected as one of the categories of assessment in the present study.

In the study, tweets that maintained the hope for peace were considered within the peace category due to the differentiation of the political process between the two elections and the sliding of the agenda from the peace process towards security concerns, and tweets that expressed security concerns, criticizing the government were considered within the category of security and the reflections of these social events in politicians' rhetoric were evaluated.

Between May 7 and June 7 PDP parliamentary candidates Selahattin Demirtaş, Figen Yüksekdağ, İdris Baluken, Pervin Buldan and Sırrı Süreyya Önder tweeted a total of 262 times, while they tweeted 204 times between October 1 and November 1. Table 1 demonstrates the tweets sent by these five parliamentary candidates in both periods based on the categories used in content analysis.

Table 1. Tweets sent by PDP parliamentary candidates during the periods of May 7 – June 7 and October 1 and November 1 by category

Categories	Democratization		Peace		Alienation		Security		Mobilization		Location and Activity Notification	
Periods	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%
May 7-June 7	9	3,42%	19	7,22%	23	8,75%	35	13,31%	42	15,97%	135	51,33%
October 1 – November 1	0	0%	3	1,47%	57	27,96%	52	25,49%	16	7,84%	76	37,25%

An analysis of the tweets sent in both election periods based on democratization, peace, alienation, security, mobilization and location and activity notification would show a differentiation parallel to the terror and violence events experienced nationwide. In May 7 – June 7 period the rate of tweets on security was 13.31%, on alienation was 8.75% and those focused on the longing for peace were 7.22%. During this period when resolution process was still in close memory, it was observed that the tweets of the researched five parliamentarian candidates concentrated in the areas of democratization, peace, mobilization and location and activity notification, while during the October 1 – November 1 period they mostly tweeted on alienation, security and location and activity notification.

It was found that PDP parliamentary candidates utilized Twitter mostly (37.25%) for location and activity notifications between October 1 and November 1. However, the same ratio was 51.33% for May 7 – June 7 period, it fell to 37.25% during the second elections. It was followed by alienation with 27.96%, and it could be stated that political rhetoric became harsher, and criticism of the government increased since the same rate was only 8.75% before June 7 elections. Furthermore, security concerns and government criticism was determined as 25.49% before November 1 and since the same rate was 13.31% before June 7, it was obvious that in the second elections the terrorist events influenced the political rhetoric. In addition, the rate of the tweets on peace decreased from 7.22% before June 7 to 1.47% during the second election campaign period. In this period, no tweets within the context of democratization in Turkey were sent by PDP parliamentary candidates that were the subjects of the present study. In this period, when the resolution process was "shelved," as a result of the political climate in the country, it was observed that PDP parliamentary candidates turned away from the democratization and peace rhetoric. The environment of concern created by the violent events of this period caused hardening of the political language of PDP parliamentary candidates as well.

Table 2. Content of Tweets Sent by PDP Parliamentary Candidates Between May 7 and June 7

Categories	Democratization		Peace		Alienation		Security		Mobilization		Location and Activity Notification	
PDP Candidates	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%
Selahattin Demirtaş	0	0%	1	8,33%	2	16,67%	3	25%	3	25%	3	25%
Figen Yüksekdağ	2	15,38%	0	0%	0	0%	0	0%	9	69,23%	2	15,38%
İdris Baluken	0	0%	6	9,52%	15	23,81%	10	15,87%	4	6,35%	28	44,44%
Pervin Buldan	7	4,55%	10	6,49%	5	3,25%	19	12,34%	17	11,04%	96	62,34%
Sırrı Süreyya Önder	0	0%	2	9,52%	1	4,76%	3	14,29%	9	42,86%	6	28,57%
Total	9	3,42%	19	7,22%	23	8,75%	35	13,31%	42	15,97%	135	51,33%

Content of the tweets that five scrutinized parliamentary candidates in the present study sent between May 7 and June 7 are presented in Table 2. Accordingly, Selahattin Demirtaş tweeted 12 times and used Twitter 25% for mobilization, security and location and activity notification. In the same period, Figen Yüksekdağ utilized Twitter 69.23% for mobilization, followed by 15.38% democratization and location and activity notification. Two female politicians, Figen Yüksekdağ and Pervin Buldan tweeted about democratization, stressing women's rights. Baluken used Twitter mostly for location and activity notification (44.44%), followed by 23.81% for alienation. As could be observed in the previously mentioned tweet samples, İdris Baluken expressed the harshest criticism against the government. Proportionally, Baluken and Demirtaş were the

politicians within the context of the present research that used alienation rhetoric against the government the most. Pervin Buldan was the politician who used Twitter for location and activity notification the most (62.34%). It was followed by tweets on criticisms expressed within the context of security, voicing her concerns about Saturday Mothers. Buldan was the politician who stressed peace the most with 10 tweets. Sırrı Süreyya Önder tweeted mostly on mobilization on Twitter (42.86%), followed by location and activity notification with 28.57%. Finally, findings of the present study demonstrated that Twitter was used by the politicians under scrutiny between May 7 and June 7 for location and activity notification the most with a rate of 51.33%, followed by mobilization with 15.97%.

Table 3. 1 Content of Tweets Sent by PDP Parliamentary Candidates Between October 1 and November 1

Categories	Democratization		Peace		Alienation		Security		Mobilization		Location and Activity Notification	
PDP Candidates	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%	# of tweets	%
Selahattin Demirtaş	0	0%	1	6,67%	3	20%	3	20%	7	46,67%	1	6,67%
Figen Yüksekdağ	0	0%	0	0%	3	27,27%	5	45,45%	3	27,27%	0	0%
İdris Baluken	0	0%	1	0,99%	45	44,55%	23	22,77%	4	3,96%	28	27,72%
Pervin Buldan	0	0%	1	1,3%	6	7,79%	21	27,27%	2	2,6%	47	61,04%
Total	0	0%	3	1,47%	57	27,96%	52	25,49%	16	7,84%	76	37,25%

Content of the tweets sent by PDP parliamentary candidates Selahattin Demirtaş, Figen Yüksekdağ, İdris Baluken and Pervin Buldan between October 1 and November 1 are presented in Table 3. Twitter account of PDP parliamentary candidate Sırrı Süreyya Önder, whose tweets were included in the analysis for May 7 – June 7 period, was hacked in August and Önder was not able to use his account after August. Thus, Sırrı Süreyya Önder's Twitter account was excluded from analysis for October 1 – November 1 period.

Classification of the contents of the tweets sent by scrutinized individuals in the present study is displayed in Table 3. Based on this data, Selahattin Demistaş preffered to send tweets mostly to activate mobilization (46.67%), followed by alienating rhetoric with 20% and criticism on security. Figen Yüksekdağ mostly voiced her concerns and criticisms on security in her tweets (45.45%). It could be stated that Yüksekdağ was affected by the process since she never tweeted on that subject back in May 7 – June 7 period. Furthermore, 27.27% of Yüksekdağ's tweets included alienating rhetoric, and it was observed that Yüksekdağ's language became harsher and increased her criticism against the government. Baluken used Twitter in an alienating manner the most during this period (44.55%), and this type of content in his tweets increased twice from 23.81% during the previous elections. Based on the findings of the present study, Baluken was the parliamentary PDP candidate who used alienating rhetoric the most. Peace emphasis in Baluken's tweets, which was 9.52% in the period before June 7 elections, decreased to 0.99% in the period before the second elections. An analysis of Pervin Buldan's tweets demonstrated that she used Twitter mostly for location and activity notifications with 61.04% in this period, similar to the previous period. This was followed by criticisms on security with 27.27%. However, with a rate of 7.79%, Buldan had the least alienating rhetoric among the investigated candidates. Between October 1 and November 1, 4 investigated politicians tweeted a total of 204 times with an average of 51 tweets per candidate.

RESULT

As industrial society evolved into information society, information and communication technologies transformed social and political communications, diversifying the mechanisms available for the politicians to reach citizens. Research showed that social media is extensively used by the politicians, especially during elections. One of the social media tools, Twitter is lately increasing its effectiveness in political communications. Defined as verbal or written use of language as a form of social practice discourse is considered as one of the significant tools that convey ideologies (Evre, 2009: 135). Thus, the present study investigated the reflections of social events into the discourse of PDP politicians during two election periods.

Results of the present study demonstrated that PDP politicians frequently used Twitter during both election periods, led by Pervin Buldan and İdris Baluken. The tensions in political process and terror events caused radicalization and sharpening of political rhetoric in Turkey. In the period between May 7 and June 7, PDP politicians used Twitter for location and activity notification with a rate of 51.33%, followed by mobilization with 15.97%. In this period 13.31% of the tweets were about security, 8.75% of the tweets included alienation, and 7.22% of the tweets voiced the longing for peace.

However, between October 1 and November 1, discourse of the politicians changed along with the social events. It was found that PDP parliamentary candidates mostly utilized Twitter for location and activity notification (37.25%). However, while this rate was 51.33% before June 7, it decreased to 37.25% before November 1 elections. This was followed by alienation with 27.96%, and when it is considered that the same rate was 8.75% before June 7 elections, it could be argued that political discourse harshened and the dose of the criticism against government increased before November 1 elections. Furthermore, concerns for security and related criticisms of the government were voiced in 25.49% of the tweets, and since the same rate was 13.31% in the period before June 7 elections, it could be deducted that experienced terror events in that period influenced the political discourse. In addition, peace, which was the subject matter of 7.22% of the tweets before June 7, decreased to 1.47% during the second elections. In the time period covered by the scope of the present study, tweets of the PDP parliamentary candidates did not include a discourse on democratization of Turkey.

Results of the current study demonstrate that interruption of the peace process in Turkey, the increase in terrorist events and the tensions in political cycles increased the alienating discourse in the language used by PDP parliamentary candidates, similar to the nation at large. As a result of the present study, it could be argued that the decrease in PDP votes between the elections of June 7 and November 1 demonstrated the hypothesis that the new political process and discourse was not beneficial politically for PDP. Although Peoples' Democratic Party was established on June 22, 2014 with the premise of a party for the whole Turkey, it is still a question mark whether the party has accomplished this premise especially before November 1 elections. Because a party for Turkey should respond to the demands of all citizens, not only those who live in Eastern or Southeastern regions. In fact, PDP that defines the party as the representative of "all oppressed and exploited, all alienated and ignored peoples and belief groups, women, workers, laborers, the youth and unemployed" in the party covenant returned to the image of the old Peace and Democracy Party, which defended the rights of Kurdish ethnic identity, during these two election periods.

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Monitoring and Evaluating the Performance of Teachers Through the Process of Observation in the Classroom

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Abstract

When we discuss about the framework of the teaching hour, we can conclude that it is the main axis of the work of teachers in the school institutions. However, during the recent years it has been a subject of discussion the idea that learning timeframe has changed in all its dimensions or aspects. Then, the question arises as to how much really the class teaching has changed so far? What's the professional level of preparedness of the teachers, in order to achieve a successful teaching hour? In this regard though, the evaluation of a teaching class, it should not only be done by the competent persons, but they must be also prepared in all the professional aspects. In this paper we will not talk about the learning and observation process in itself as a method of teaching and learning, but we will be focused mainly on the observation which is performed by the monitoring inspectors, the school director etc. during the teaching and educational process. The observation as a method it has mainly been used to supplement and verify the accuracy of the other methods. So far, the monitoring teamwork should pay attention to the process of observation, by including all the facts, the situations and aspects that are associated with the monitoring facilities, including all necessary aspects that help us find the truth and accuracy of the issues that we are being interested at.The methods, techniques and strategies enable us to objectively monitor and evaluate, in an effective and useful way, therefore the planning and methodology, as well as their use, are the main "pillars" of monitoring / evaluation of teaching performance. Thus, these methods and techniques enable us collecting relevant data and information, which are related to the performance of teachers on the basis of the measures and actions for corrections, improvements, promotions, incentives, licensing and full accountability. What methods, techniques and strategies we are going to use, it depends on the type of our monitoring and evaluation objectives. Also, it depends on whether we are dealing with the external or internal monitoring and evaluation process. In this paper we will try to present the observation method, such as an effective method for collecting data and evaluating the work of teachers. We will also examine some of the key aspects of observation: *the observation planning, preparation, monitoring, the undergoing process of observation and the analysis after observation.*

Keywords: *observation, the process of data collection, performance, evaluation.*

1. Introduction

The survey is one of the crucial elements of the collecting data during the MMV teacher performance. Moreover, at the first regard it is thought that observation it simple process as a method in itself, but it is actually quite complex, because during the monitoring process there seems to be occurring a couple of complex aspects within a short period of time. As Mathews states: "The survey is a data collection through human senses (Matthews, B. & Ross, L., 2010). So, the observation is a very complex process, by taking into account the fact that we are dealing with a several human senses, and during the process the monitoring responsible team not only uses the sense of sight, hearing, etc. but as well as a coordination and combining of these common elements.

The observation as a method of inspection is the sensory process that includes the contemplation of a fact, phenomenon, process, event, or a reality in the educational institutions for the purpose of inspection / assessment (KIPA, 2011).

There are several ways of providing information relating to the subject of monitoring / inspection, but the most effective ways of it are considered the participation in classes, laboratories, and sports' facilities, monitoring the learning process or activity that takes place (KIPA, 2011).

Another useful way of collecting data is even talking to the students about many aspects of school life, regarding their level of satisfaction with the work of teachers, for example. Also talking with the teachers about what went well or if there were presented any difficulty on understanding the ways of presenting, in order to find ways to improve, then all those aspects discussed have to deal with the teacher performance and the possible ways of improving them, in the case it is necessary.

The process of observation in the classes is a more effective way to gather data and provide direct inputs. Thus, directly from this observation, we will learn many aspects which will help us to give an accurate judgment.

The monitoring / inspection as a process, is based on several aspects, including the main aspects of the inspection that supports the judgments "on student outcomes, the effectiveness of the use of didactic / laboratory means of learning, the directing and managing of the classes and as well as using all the given opportunities to improve them (KIPA, 2011).

The observations in the classes help us to ascertain the actual situation of the majority of aspects, these help us monitor / inspect for objective assessment and recommendations for improvement in those areas where there are serious weaknesses or potential vulnerabilities. An observation followed by a critical reflection of the data that are provided to show the reality, life obstacles and classroom assessments (Sadker, M. & Sadker, D., 1997). During the monitoring / inspection of the educational institution, the monitors withhold the continual contacts with teachers and staff, providing support and advice on observations in classes and the quality of work in general. The time that the monitors spend in the institution, should be used for professional conversation, the teaching level and cooperation in the future, in order to improve the quality of teacher performance. They can be held through informal talks with inspectors, while they remain in the institution, sharing positive experiences or related to their findings during the observation classes. All these aspects help to break the dividing wall between the teacher monitors and it contributes on creating a positive climate of understanding and cooperation.

The leader of the group of monitoring / inspection, every day meets with the school principal in order to inform about the findings of the monitoring process. From these meetings, the Director may introduce additional data, presenting the views of staff for monitoring / inspection or he/she will be informed of potential concerns.

Also, the monitors / inspectors meet the students, from conversations with students they can understand how they feel at school, and what are their needs and requirements. Even though, the suggestions they may have for improving various aspects, can be asked about the process of learning, involvement in various activities.

2. Monitoring and evaluation of teacher performance in the classroom

The Monitoring and evaluation of the teachers during an hour lesson, is one of the most important works of the inspector and the school principal as well. The director (monitor) of the school, by observing the classes and analyzes he often appreciates, knows what is happening in his school (ISP, 2003). If the observations are infrequent, or after the end of the observing process they are not followed with adequate analyzes, then they will have no value, because they have been formally made. The monitor should correctly recognizes the performance of each teacher. In order to achieve this, there must be developed a systematic monitoring and evaluation of the class and the work of teachers. Not only that, but as far as the observer observes classes, the more he recognizes high school students. The monitor (director, inspector, etc.), must possibly recognize all students, in order to recognize their individual features of mental work, inclinations, desires and abilities. This can only be achieved through a systematic observation of teaching process as a whole.

Besides periodic observations, an important place in the work of the school principal in this case has the system analysis of teaching classes. So, the school principal monitors to the same teacher a couple of those teaching lessons, which will include some of the classes, or a thematic as a whole. The monitoring and evaluation of a system of lessons, creates the

opportunity of the monitors to determine the effectiveness, impact of the advice of its recommendations. Before the start of the school year or during certain periods, the monitor (school director or inspector) plans which teachers will be monitored and assessed during the process.

3. The observacion in the classroom

The classroom observation is a basic strategy for the professional development of teachers. From this observation the monitor should give full conclusions as to the performance of each teacher and the conclusions must be drawn in order to connect with his individual improvement. The experience of many countries has shown that these observations should relate to the overall development program of teachers within the school. Some of the key aspects of the survey are:

Figure 1. *The main aspects of the observation*
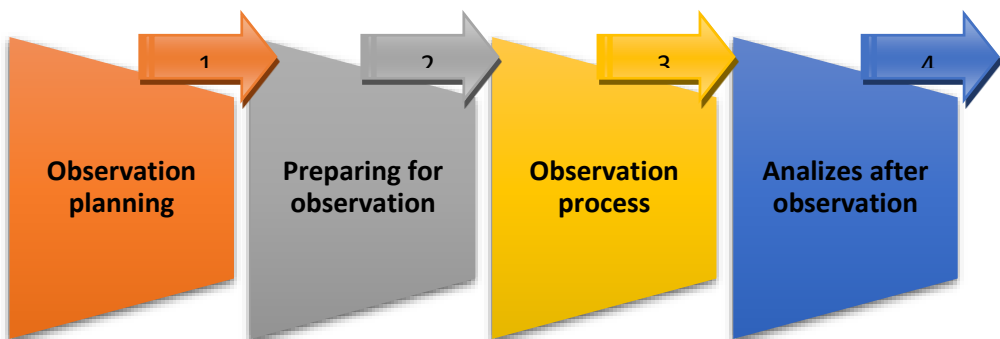
3. 1. The Observation Planning

Që në fillim të vitit shkollor, monitoruesi planifikon vëzhgimin e mësimdhënësve, me qëllim që të konstatohet niveli i përgatitjes profesionale dhe pedagogjike dhe nga kjo nxjerrim përfundime për veprimet e mëtutjeshme. Mësimdhënësit e rinj, duhet të vëzhgohen që në ditët e para të shkollës. Pastaj nga monitoruesi, duhet të planifikohen vëzhgimet periodike, në periudha kohe të tilla, që mësimdhënësit të kenë kohë të reflektojnë ndaj këshillave. Njëkohësisht, në këto vëzhgime shihet edhe masa e reflektimit të mësimdhënësve. Poashtu është shumë e dobishme që vetë mësimdhënësit të realizojnë një numër vëzhgimesh tek njeri-tjetri. Vëzhgimin duhet shikuar si një strategji për përmirësimin e mësimdhënies, me anën e vizitave reciproke.

Since the beginning of the school year, the monitor plans for teachers' surveillance, in order to ascertain their professional and pedagogical level and to draw conclusions from it for further action. The young teachers should be observed, since the first days of school year. Then the monitor must be planning for the periodic observations in such periods that the teachers have additional or sufficient time to reflect on advice. At the same time, these observations can be seen in the reflection of teachers' measures. It is also very useful to teachers themselves to realize a number of observations to each other. The observation should be seen as a strategy to improve teaching, through mutual visits and sharing of the positive experiences.

The observations may be announced or unannounced. The announced observations usually have to be recommended for the young teachers. A few days before the survey, the monitor (the inspector, the school principal or the monitoring group) discusses with the teacher for the lesson planning, methods, the appropriate teaching techniques, the necessary materials, by providing appropriate guidelines.

In a school where the director-teacher relations are on sound foundations, some announced visits can be realized even by the teachers themselves, by inviting the director of the school to assist in classes. This will affect the strengthening of cooperation in school and, in turn, it gives teachers the opportunity to share their experiences.

Generally, the announced observations are organized for the teachers observed some time ago. These enable monitors to observe a lesson held in normal conditions. The teachers should not always be warned in the case they will be observed in classes, in the case we even can compare the difference of the level of the class.

3. 2. Preparation for observacion

It is more than necessary to be prepared by the monitors before the survey. What should be done by the monitor?

To monitor the progress of the work of teachers,

To study and analyze the earlier observations,

To review the improvements in the level of teaching,
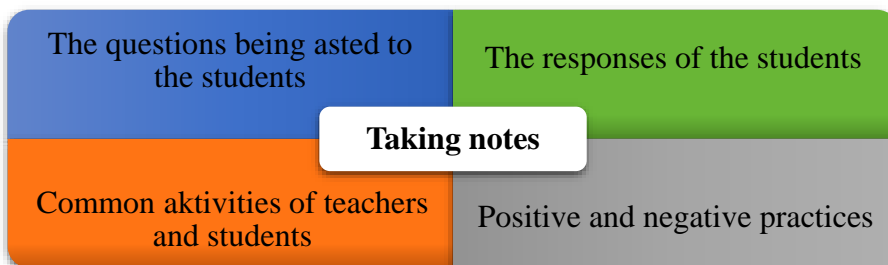
To review the curriculum of the subject,

Based on this information, the monitor identify the performance and the level of teaching, by focusing on the difficulties and obstacles that may have passed through and to see the further obligations and duties for the future.

3. 3. The process of observacion

During the process of observation there will be raised many issues, but one of the fundamental problems is what is intended to be taught during the learning process?

During the survey, it is preferred that the observer to take notes about the situation in the class, by focusing on the teaching techniques and activities that are developing by the students. It is very important for the evaluation to be consequently documented and much more information to be gathered. This should be done throughout the class, by registering all the moments and activities conducted. During the monitoring process, the monitor should be clear that its purpose is to observe the class and not change the situation in the classroom (Sadker, M. & Sadker, D., 1997). It is worth mentioning that some of these data that have been noted during the observation process will be presented in the figure below.

Figure 2. *Taking notes on the moments and activities developed in the classroom*

The questions being asted to the students

The responses of the students

Taking notes

Common aktivities of teachers and students

Positive and negative practices

Record keeping is of great importance, and the observer should be aware of the sources of taking these important notes. It is practical to monitor to sit at the end of the class behind the children, but always should have the opportunity to survey not only the teachers but also the students. The primary goal is to observe more and to practice as little intervention as possible (Sadker, M. &Sadker, D., 1997).

3. 3. 1. The activities that could be observed during the monitoring of the classes

In order to have more accurate results of the teaching process, the monitor can observe a variety of activities, and for this reason the position of the observer must be very interactive, so he would be able to see the face of the students and not

only their verbal responses, but also the nonverbal ones. The expressions, comments, and student activities will provide valuable ideas on teacher-student relationships and the class nature of the activity (Sadker, M. & Sadker, D., 1997).

Disa nga aktivitetet e mundshme të mbledhjes së të dhënave:

Communication

The level of communication

The level of communication teacher - student;

The level of communication teacher – student- teacher;

The level of communication student - student;

The level of communication student - student – teacher.

The teaching process

The process of lecturing :

How much time does the teacher spend for lecturing?

How clear the lecture of the teacher is, and how understandable and adequate it is for the students?

Discussion:

How long does the teacher communicate with the students?

How long do the students among themselves communicate?

Demonstration and use of tools:

- Demonstration (including laboratory demonstrations); didactic use of personal tools by the teacher; the use of teaching aids by the student;

- How much do the students possess the relevant texts and relevant necessary tools (pens, notebooks, rulers, paints, glue, pencil, etc.).

Assistance for the teachers:

- The teacher provides students assistance in individual and how he can help the students in group work?

Methods, techniques and strategies:

Are the methods, techniques and defined strategies suitable and adequate for the development of teaching topic?

The physical environment of the classroom*:*

The physical environment of a class is convenient and it fits to the selected methods (the establishment of banks, presentation tools and teaching materials)?

Individual and group work

The Students work independently in the classroom;

How often do the students work in groups?

A teacher gives homework at the end of class?

The teacher's Assistance:

How often does the teacher provide the students with assistance in individual and how he can help the students in group work?

Table 1. The protocol model for the monitoring process in the classroom

The safety of students:

Do the students work individually; Do the students feel free to express their ideas, opinions and solutions?

How much each student feels safe to express what they think and learn?

Is there an optimistic and positive environment created for the students in the classroom?

The Climate class:

Is there a positive and optimistic climate that prevails in the classroom?

Homework

Does the teacher give homework at the end of course?

Table 1. The protocol model for the monitoring process in the classroom

4. Analysis after observacion

After every class surveillance, there should be conducted a meeting and discussing session with the teachers. This meeting should be done immediately, because the recent activities of the monitor and teacher are fresh. The monitor, before he meets with the teacher, he must make a reflection and review over all those moments that have been marked, by taking into account the identification of positive and negative aspects.

A greater importance should be given to the meeting, where it should not be considered as a meeting where only negative remarks have been given. In order to feel comfortable and teacher meeting to be effective, the monitor task is to create a warm atmosphere and a good understanding.

Therefore, there should be developed a constructive conversation and an interactive discussion about the teaching class which occurred a few minutes ago. At the request of the monitor, the teacher makes a self-analysis of the first teaching class, which highlights the flaws and possible omissions, which may have arisen during the hour with or without a clear

goal. Although, the monitor is familiar with some aspects of the planned teaching class, because he has already had a conversation before the class, where they have discussed the objectives, techniques and strategies that will be followed by the teacher, in order to realize the specific class. There are cases where teachers are not lacking excuses, by trying to get justifications on the idea itself, why he has acted that way.

The monitor (inspector, principal of the school etc.) develops the conversation in these lines:
- He presents the positive aspects of the teaching class,

- He covers the negative parts,

- Giving remarks,

- Giving suggestions (recommendations).

The line in which the monitor (inspectors, director etc.) mentions the positive parts of the development process of the class by the teacher, the main aim is to stimulate and encourage the teacher by seeking consecutive improvements and not only being focused on the failures and so to create a sense of frustration or other opinion by them. Therefore, main goal is to create the atmosphere of a conversation in which monitoring-teacher dialogue has to develop in a positive and realistic aspect and without misunderstandings and prejudices.

In another line where the monitor even mention the flaws and omissions, the conversation must be very convincing so that the issuance of warnings to be convincing, so that the side of the monitor, in this case the teacher would believe or image of a monitoring and correct and fair assessment, which should be put at the service of advancement and progress. So, the monitor provides an overview of the progress of the class. In making recommendations, the monitor must be careful that they are as clear.

The teacher, in most cases, agrees with the assessment of the monitors, by contributing with comments and suggestions. The monitored teacher usually undertakes such measures that in the future will avoid omissions made during the observed class.

Why should the teachers' performance be assessed?

There are different opinions, why should the teachers' performance be evaluated, and what are the main intentions of it. The specialists in the field of education, especially those that have assessed such practices on the assessment of teachers have been giving different arguments.

According to L. Bell (1988), the evaluation of the teaching staff should be made to achieve these goals: to identify the inactive nonprofessional teachers; to increase salary and to make promotions; to provide external accountability; to improve the work / teacher performance; to make effective management of teachers; to provide professional development opportunities.

Table 2. **Benefits and problem end teacher appraisal**

Difficulties/ Disadvantages	Advantages and rewards
Difficulties	*Leads to the identification of clear aims and objectives*
Suspicion	*Improvers relationships*
Concern	*Provides opportunity for honest*
	Communication, understanding, training and development
Lack of experience (in self- appraisal and appraising others)	*Displays concern and commitment*

Training may be required	*Generates motivation*
Opposition of significant groups	*It is open and seen to be open*
Disadvantages	*Reduces subjectivity in assessment*
Appraisal requires: time and commitment, especially from senior staff honesty from all involved the need for discipline	*Provides permanent (and available) records*
It can provoke conflict	*Provides opportunity to praise*
	Person being reviewed has an ownership in the process, which leads to clearer
	understanding of expectations, responsibilities and aspirations

Source: **Based on L. Bell (1988)**

There are a wide range of goals and objectives related to monitoring and evaluation of teachers' performance, but there is only one major goal and that is to guarantee the quality of the teaching process. It is not enough just a simple observation of the teacher in class, the aim is to ensure that each class has a teacher professionally prepared and competent. The evaluation system should recognize, cultivate, and develop good teaching (Danielson, 2001).

Another aspect is the linking the evaluation and assessment with the increase of salary and together with it the accountability. One such way, not only will affect positively, but it likely will impact on increasing responsibility, especially among teachers with teaching deficit or professional disability. Such a model has been supported by Ingvarson and Chadbourne (1994), as a model for career development in Australia.

Many stakeholders feel that the evaluation of teachers is needed to account before a number of external partners, but especially the parents and employers. In that sense we can say that teachers should not only give an account before the inspection sector within the external evaluation and internal evaluation, but they have even greater responsibility to parents and the community.

Conclusions

This paper draws some conclusions we have reached, such as: Why should an observation be done in the class? What do we identify through a process of observation? How to conduct surveillance in a class? What do we intend through observation in class?

The survey in class is done with the purpose of impartial and objective collection of accurate information in the classroom and school;

Providing direct and constructive feedback about professional practice;

Identification of good behavior and professional practice (as in teaching, pedagogical documentation maintenance, etc.);

Identifying of the professional attitudes and practices that require further assessment and improvement;

Collection of data from diverse sources, including direct observation, interviewing and consulting;

Collection of information before and after the classroom observation, helps a fair and objective assessment.

Classroom observation can be done in two ways: direct classroom observation or video recording.

To ensure accountability, increase accountability, performance improvement, professional development opportunities, etc.

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The Impact of Herzberg's Two Factor Theory and Efficiency at Work

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Abstract

This study aims to find out whether there is connectivity relation between motivation and productivity at work in the retail industry. The basic theory of this research is the Herzberg's two factor theory, concretely motivational and hygienic factors. Another goal is to see which of the two factors of Herzberg theory have more impact in raising the productivity of the employees in the retail industry. The study sample included employees at the company JYSK, Skopje City Mall in Macedonia. The main techniques used for collecting the data for the study is the primarily designed questionnaire used to measure these indicators. Regarding the first objective of the study, the results show a high correlation between motivational-hygiene factors and increasing productivity. The results of the second goal of this study show that hygienic factors dominate more on raising of the productivity than motivational factors, which means that for employees the most important is the monthly salary, relationships with others, being secured etc. One of the key recommendations is that the executive management of the organization to maintain the right attitude in relation to hygiene factors, because for the employees at any organization it is very important the management also to approve and implement other methods for promoting motivational factors.

Keywords: productivity, hygienic factors, motivational factors, retail

1. Introduction

Organizational behavior nowadays is one of the most important dimensions and requirements in the labor market. Alongside its many treatment issues, motivation is a very important mechanism of organizational behavior. On the other hand, many industrial psychologists are involved in maintaining homeostatic organizations trying to contribute to the productivity and performance achievements. They require different application methods, and training programs to detect what steps should be taken and implemented in order to obtain positive feedback.

The study aims to find the relationship between the employee's motivation and productivity of the organization, using the relevant questionnaire to measure these variables.

The Herzberg two factors theory, known as motivational-hygiene theory (Herzberg, Mausner, & Snyderman, 1959), is the basic theory supporting this research. Hygienic factors include: wages, company policy, work environment, relationships,

job security. Motivational factors include: advancement or progress, chances for personal development, gratitude, responsibility, achievement.

2. Main Case

2.1. The problem of research

Knowing that the productivity of the organization is one of the main problems and is essential to all types of businesses, especially nowadays where competition is increasing, it is very important that the leaders of any industry to improve the productivity and take concrete steps to change the organizational behavior.

The main problem of this research relates to the conceptual model of the theory of Herzberg on motivational and hygienic factors, as important factors affecting the productivity of the organization's. In particular, the study aims:

- To find out that is there a connection between the motivation of employees and increase of the benefits of the organization.
- To detect which types of motives, motivational or hygienic, more influence in raising the productivity of the organization.

2.2. Hypotheses

1. There is a connection between the motivation of employees and increase of the productivity of the organization.

2. The motivational factors of motivation tend to be in higher level than hygienic factors for raising the productivity of the organization.

2.3. The sample included in the study

In our study the sample consists of a total population of twenty subjects from the retail company JYSK in Skopje, who are of different ethnic backgrounds: Albanian and Macedonian. The selected sample of this research are just the sale employees of the organization, without involving the top management of the company. The table below includes the main categories that participated in the study, including:

Table 1. Sample Statement

		Percentage (%)
Age	18 to 25 years old	15.0
	26 to 35 years old	75.0
	36 to 45 years old	5.0
	46 to 55 years old	0.0
	Over 56 years old	5.0
Gender	Male	35.0
	Female	65.0
Education	Primary Education	0.0
	Secondary Education	25.0
	University Education	75.0
	Master or PHD Education	0.0

From the table above we can see that most of the subjects were between the ages 26 to 35 or 75% of the total number of subjects. Subjects 18 to 25 years were 15%, 36 to 45 years were 5% and over 56 years were 5% of the total number of subjects. Regarding the category of gender, 65% of subjects were female, 35% male. A considerable number of them are with university education about 75% and 25% are with secondary education.

2.4. Measuring Instrument

For measuring the scope of this study is used the questionnaire technique. The inventory for measuring motivational and hygienic factors is based on the original version of the measurement scale developed by Tang et al. (2010). Any assertion of an attitude questionnaire belonged to motivational factors and hygiene factors of motivation. For the measurement of employee's productivity, is used the questionnaire prepared by the researcher as well as modified with the goals and objectives of this study.

Our inventory consists a total of 35 claims, based on the Likert scale measuring. Motivational factors are classified into five component indicators, a total of 14 claims, including:

- Achievement (claim number: 1,2,3)
- Advancement (claim number: 4,5)
- Work itself (claim number: 6,7,8)
- Recognition (claim number: 9,10,11)
- Growth (claim number: 12,13,14)

Hygienic factor is analysed in six component indicators, with total included 16 statements such as:

- Company policy (claim number: 15,16,17)
- Relationship with peers (claim number: 18,19,20)
- Work security (claim number: 21,22,23)
- Relationship with supervisor (claim number: 24,25,26)
- Money (claim number: 27,28)
- Working conditions (claim number 29,30)

Regarding the measurement of labour productivity, there are in total five claims (claim numbers 31,32,33,34,35) adopted by its researcher.

The used questionnaire has undergone several methodological steps of translation from the original English language translated in to Albanian language and after that back translated and adapted in to the Macedonian language.

2.5. Data analysis

Based on the basic concepts of two factors Herzberg theory, undoubtedly the main finding is to highlight which steps or organizational behaviour cause dissatisfaction among employees and on the contrary what are the incentives that increase job satisfaction as well as the impact of the productivity of the employees against the organization. For testing the hypotheses of this research is used SPSS software (version 22.0) where are applied these statistical methods:

- Cronbach Alpha is used to view reliability questionnaire.
- Descriptive analysis on demographic data.
- Pierson Correlation to measure which of motivational or hygiene factors have more connection with the productivity at work.

- Multiple Regression Method is implemented to check whether hygiene and motivation factors will significantly explain the variance in job satisfaction

3. Literature review

Motivation is one of the more important mechanisms that stimulates man to the realization of different shares. It is an inner strength that arises from the need of the human body and pushed towards meeting that need. Motivation cannot be seen but can be measured by the performance. This does not mean that if someone performs a job as it should mean that it is motivated. The motivation for the work is not universal, it differs from one circle to another. Schulze & Stayn (2003), have

argued that to understand people's behavior at work, the manager or leader must be aware of the concept of need and motivation, to initiate movement towards their workers.

There are a number of theories to explain what motivates employees to be more satisfied at work and as a result to have high productivity. Substantive theories aimed to study the motives of employees that needs to be realized within the organization, where if we come to a conclusion about those needs and encourage them, then we will have the highest efficiency in the workplace. These include the theory of Abraham Maslow (1954), McClelland (1961), the theory of Herzberg (1959). Procesive theories aimed to study why people often take jobs that do not wish to work or not work in conjunction with their motives, their interests and goals. As part of procesive known theories are: the theory of Vroom (1964), Adams (1965), Lawler (1973). The basic theory of this study is the two factors theory of Hertzberg.

Maslow in 1943 for the first time wrote the script on the hierarchy of needs. Five needs in the form of pyramid enumerated as follows:

Based on the graph above we can see that the basic needs demand physiological approach necessary for our physical survival. According to Maslow these needs are: the need for food, water, warmth, shelter, sex, sleep. The second need is the need for security, the desire to be felt safe and free from danger and anxiety. Need to Belong, tend to be part of a particular group in society, the family or intimate relationship with someone. We give love in return and why we made it. From this psychological needs of the individual we have as a result of his membership in groups, clubs, organizations. The need for respect is another important dimension of human benefits enable self-confidence. This category includes the needs of inner desire to show strong, independent and achieved higher and his desire to have the reputation, prestige in relation to others. Need the last standing on the pedestal according to Maslow's hierarchy of needs for self-actualization, in a more general term is the desire to achieve full human potential. If someone has reached this pedestal, then what motivates this person? According to Maslow, this person is motivated to reach his inner values, seeking to have the kindness, sincerity, beauty, excellence, simplicity, and so on (Maslow, 1969).

According to Maslow, human needs have a systematic ordering, from the most basic to the higher needs in the hierarchy above. If carried out and meet a need, then it need not encourages and motivates the man and the body begins to require other incentives to achieve.

Although at first this theory did not have much access to organizational behavior, but later began to be analyzed and practiced in the organizational context. After 1943, when the Maslow theory came to light, in order to improve and increase the motivation at work, this theory began to be applied in various organizations that received international echo (Hazel, 2014).

4. Analysis and Results

4.1. Measuring characteristics of the questionnaire

To analyze the reliability of the instrument that is used to measure the motivational and hygienic factors, respectively measuring productivity at work, it is calculated Cronbach Alpha coefficient value, which value is 0.96, which exceeds the standard for being with statistical significance, where we can conclude that our instrument is reliable.

Table 2. Reliability Statistics

Cronbach's Alpha	N of Items
.962	35

4.2. Connectivity between motivational factors and hygiene and productivity at work.

Given that the main issue of this research is to find a connection between the Herzberg two factor theory, namely motivational and hygienic factors of labor productivity and the issue to analyse how these variables as they are in relationship with each other is used Pearson correlation method. The table below shows that the value of Pearson's coefficient (r = 0.62, p> 0:01), is statistically significant degree of freedom to 0.01. This value indicates that there is high correlation between motivational factors and hygiene and productivity at work.

Table 3. Correlation between motivational factors and hygiene and productivity

		MPMOTIV	MPPROD
MPMOTIV	Pearson Correlation	1	.622**
	Sig. (2-tailed)		.003
	N	20	20
MPPROD	Pearson Correlation	.622**	1
	Sig. (2-tailed)	.003	
	N	20	20

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

Based on the results obtained we can conclude that our hypothesis is confirmed positive lodged.

4.3. The difference between motivational factors and hygiene and productivity.

For analysing the productivity at work by which factor depends more the motivational or hygienic, and also to analyze whether demographic factors may play a role such as age, gender and education in raising of the productivity, it is used regression analysis with linear models.

Table 4. The arithmetic mean, standard deviation and correlations between productivity and the independent variables.

Variables	M	SD	Age	Gender	Education	Hygienic Factor	Motivational Factor

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Productivity	19.25	2.954	.189	-.035	.090	.587**	.610**
Predictive Variables							
Age	2.05	.826	1	.330	.036	.535	.352
Gender	1.40	.503		1	-.236	-.165	-.252
Education	2.75	.444			1	.236	.210
Hygienic Factor	54.15	10.937				1	.849
Motivational Factor	49.55	10.575					1

To examine the results of the variable forecasters productivity have designed models of regression analysis model combining the first variable of age, sex and education and in the second model have introduced variable factors hygienic and motivational factors. The combination of first analysing productivity in combination with the variables age, gender, education, as shown in Table 5, resulted in a model that describes only 5% of their impact on labour productivity and are not statistically significant (R^2 = .050, F (3,16) =. 280, p = .830). The combination of the second model, where as a predictor of productivity are provided hygiene factor and motivational variables factor, resulted in a model that describes 43% of the variance in productivity, which is the highest power ratio (R^2 = .434, F (5, 14) = 2,146. p = .120) and statistical significance.

Table 5. R Square value results in two models of regression analysis

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	F	Sig.
1	.223[a]	.050	-.128	3.137	.280	.830
2	.659[b]	.434	.232	2.589	2.146	.020

a. Predictors: (Constant), Education subjects, Age of subjects, Gender subjects

b. Predictors: (Constant), Education subjects, Age of subjects, Gender subjects MPFM, MPFH

Regarding the beta coefficients in the following table in the first model to the variables of age, sex and education, have no significant contribution, variables age (β = -. 244, t = -. 879 and p = .394), gender (β = .206, t = 855 and p = .407), and education variables (β = -. 035, t = -. 168 and p = .869). With the intervention of the second variable model of hygienic and motivational factors, noted the significant contribution of the variables that hygienic factor (β = .778, t = 2.913 and p = .011), whereas the variables of motivational factor are (β = .697, t = 2.936 and p = .010).

Table 6. Summary of standard regression analysis of independent variables for predicting productivity

Variables	β	t	Sig.
Age	-.244	-.879	.394

Gender	.206	.855	.407
Education	-.035	-.168	.869
Hygienic Factor	.778	2.913	.011
Motivational Factor	.697	2.936	.010
Constant		3.132	.006

Based on the results obtained from regressive analysis, we can conclude that there is no difference in terms of the theory of Herzberg factors, hygienic and motivational. For the participating entities to two factors are of great importance in increasing labor productivity at the same level and also our hypothesis presented the motivational factors of motivation tends to be a higher level than hygienic factors for raising the productivity of the organization.

5. Discussion

As the study aims to first identify the relationship between motivation and productivity at work, the second purpose of this study is to see which factors are most important to increase productivity, hygiene or motivational factors. Details of this study were collected through questionnaires and were processed by statistical methods, using descriptive method, Pearson correlation, regression analysis. By analyzing the reliability test, Cronbach Alpha value resulted to be 0962, showing consistently high value of confidence.

The first objective of this study is to review the report of the links between employees motivation and increasing productivity at work, which report is analyzed using Pearson correlation, which proved to be worth r = .622, high correlation and significant the degree of freedom (p> 0.1), which means that the establishment of motivation at work then the chances are very great that we will have the improvement or increase efficiency and productivity. The results of our study correspond well with results obtained by other studies, where Hauser (2014), pointed out that motivation is one of the most important factors of employees that encourages them to be more productive at work. Huselid (1995) states that employees produce frustration demotivated and unproductive work, so in order to have performance and high productivity workers organizations, incentives should be used to revive their activity.

The second objective of the study is detecting what types of motives, motivational or hygienic, more influence in raising the productivity of the organization. To analyze our hypothesis about the second objective, which means that the factors motivational motivation tends to be a higher level than hygienic factors for raising the productivity of the organization, in an analysis of regression was observed that both variables play a role in increasing the efficiency of work, with 43% of variance explained by the productivity of the organization hygienic and motivational factors. Factors related to the theory of Herzberg were conducted by a number of studies, some results obtained in hygienic factors have played a role in encouraging workers to other studies have emerged as the most important motivational factors. A study conducted on two factors- Herzberg theory in retail companies from Winer & Schiff (1980) found that motivational factors are most important and priority to promote and stimulate workers than hygienic factors that take secondary role. The results of our research comply with the data obtained from Lucas (1985), which evaluated the report supervisor-subordinate is an important factor that report assessing the two factors theory Herzberg, which also affect the satisfaction of workers.

Having satisfied employees work means not only to do their job well, but also provide a good service for customers so that customers feel satisfied with the service that is given. According to the study of Dawson (2005), employees who are happy and satisfied at work, their happiness will follow up to the customers who remain satisfied and loyal to the company. Herzberg theory, claims that satisfied employees with both factors, the hygienic and motivational, is likely to be the highest performance, unlike those who show resentment between these two factors.

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Additional:

Shortcuts

MPMOTIV-Averages of the motivation

MPPROD- The overall productivity

MPFM- Averages of the motivational factors

MPFH- The overall hygiene factors

Relations Between the Athletic Department and Sports Clubs in Albania. the Research in the Department of Athletics

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Abstract

"Athletics teaches lessons valuable to the individual by stretching the human spirit in ways that nothing else can" **(Bowen & Levin, 2003, p. 243).**

In Albania there is a great andikap in the field of athletics. University knowledge related to this field remains at the level of undergraduate banks materialize in practice. Athletic Department is not an agreement with the clubs that train athletes or sports clubs for football are that the atletikor preparers often include as an assistant coach. Finally there is an initiative of the Ministry of Education and Sports to establish such cooperation and relations to make this part of plans and curricula, but it still has not been realized in practice, because Albania has an acute shortage of infrastructure.

International Athletics Federation signed a memorandum of understanding with the Albanian Federation of Athletics. The aim was to help with programs for children, education of coaches and support initiatives for athletics at competitive levels. Also to support initiatives to better structure sportive. But that relations remained on paper, today manufactures athletic department student and prepare new trainers but without a vision for the space you created them employment, there is a vision for it, no one strategy and what is the most important projects there is cooperation with other countries to support athletic clubs and strengthen the work of professors athletic field with trainers.

This study is important in helping gain an understanding of the relationship between coaches' trust and how he or she perceives the athletic-director's mindfulness within the athletic department. Lumpkin and Favor (2012) stated that "proponents of high school sport programs believe athletics contribute to the overall education of students" (p. 41). Sports play an important role in the Albanian society. Although high school sports are popular, more importantly many believe they are avenues for providing opportunities for justice, fair play, and teamwork.

Sports and athletics express many of the cultural beliefs held by society, including the Protestant work ethic, capitalism, the bureaucratic mentality, and the ideals of fairness, teamwork, and sportsmanship, all of which are associated with collectivism (Beyer & Hannah, 2000).

Statement of the Problem

Some of the disadvantages to high school sports are undue stress, time commitment, physical injury, and unsportsmanlike behavior (Duda, Olson, & Templin, 1991). According to the National Center for Sports Safety (http://www. sportssafety. org), more than 3 million children under the age of 14 incur some type of injury as a result of sports. Unsportsmanlike behavior is modeled in a variety of sporting situations. In both practice and competitive events, children are exposed to other children who may exhibit undesirable behavior (Duda, Olson, & Templin, 1991)

In fact, studies have indicated that participation in athletics can lead to the experience of negative outcomes. Tatum (2007) suggested that school leaders, in this case high school athletic departments and coaches, must be intentional in their efforts to positively influence the lives of their student-athletes. Without staff members being intentional, student-athletes will not reap the potential benefits of participation (Doty, 2006). The research on high school sports suggest those student-athletes may experience similar harm to that felt by adolescent athletes in that intensive competition at an early age may turn kids away from sports.

According to Judge and Judge (2009), Traditionally, the job of athletic director was viewed as a nonthreatening reward offered to a coach at the conclusion of a career. As the basic mission of the secondary public school expanded over the past decades, so did the responsibilities of the athletic director. School corporations typically hire individuals, for the position of athletic director, who are already trained in producing results, experienced in program management, who have administration skills that are specific to budgets, personnel, event planning, fundraising and marketing. (p. 37)

The athletic director holds a vital position in the scope of the total school program. The trend

today is to have the athletic director as part of the school's administration. The responsibilities of

the position have grown so much that a full-time administrator is often needed to manage the

athletic department. The athletic director is responsible for the business administration of the

department, which means performing managerial functions. The amount of time allotted and the

amount of support given varies widely from school system to school system.

"Theoretically and empirically, trust is necessary for school mindfulness and school mindfulness reinforces a culture of trust" (Hoy, Gage, & Tarter, 2006, p. 252). Organizations can be designed in ways that facilitate or discourage trustworthy actions from those involved. The structure, policies, and culture of an organization can impact the level of trustworthiness within the organization (Wenger, 1998). High school athletic departments are no different. These departments might be structured so that the coaching staff is given high levels of freedom over all decisions made within. The athletic director desires to create an environment in which the coaches can have this freedom and that they can know that they are trusted with the decision-making process.

The purpose of this study was

to explore two of the organizational social processes (mindfulness and trust) within high school

athletic departments. In this research, it is assumed that mindful organizations

develop open and trusting relationships between the athletic directors and the coaches within the

department. If valid, the results from the study could benefit the department by providing

information that might change the relationships, attitudes, and approaches to the high school

athletic setting.

Terminology:

 Athletic Director (or Director of Athletics) refers to the person responsible for the entire

operation of the athletic program, including planning, organizing, leading, and evaluating

coaches and other personnel within the department. He or she is simultaneously a mentor, a

businessperson, a motivator, and an enforcer (Branch, 1990).

Coaches are designated as paid or volunteer members of the athletics department staff

who are under contract to perform both on and off the field/court duties (e. g. communication,

planning, and networking), as well as developing knowledge in a number of areas (e. g. pedagogy, psychology, sociology) (Nash & Sproule, 2009).

Colleagues refer to those coaches (head and assistant) who work in the same athletic department.

Mindfulness refers to organizations and individuals who exhibit the following five characteristics: preoccupation with failure, a reluctance to simplify, sensitivity to operations, a commitment to resilience, and deference to expertise (Hoy, Gage, & Tarter, 2006).

Research Questions

1. What is the right ratio between autonomy of sport and intervention the law to fix an issue public importance as sport?

2. Does a linear relationship of trust in colleagues, athletic director, and student-athlete predict athletic director mindfulness?

3. Is a coach's trust in colleagues a good predictor of his/her perception of mindfulness of the athletic director?

Organizational Mindfulness Research

Organizational mindfulness, in social science terms, is a relatively new phenomenon and as such there has been surprisingly little empirical research (Baker, 2007; Knight, 2004). To complicate matters, the extant research has explored mindfulness with diverse methodologies so there has been a lack of consistency regarding the findings. As a result, how the construct of organizational mindfulness is actually manifested remains unclear (Knight, 2004). Highlighting the range of the research on the subject, a description of three conceptual studies, among the earliest explorations into mindfulness will be reviewed.

Fiol and O'Connor (2003) explored the impact of mindfulness on bandwagon behavior in the health care setting. In the study, they proposed a conceptual model that detailed the relationship of mindfulness and bandwagon avoidance. Bandwagon behaviors refer to individuals or organizations adopting an idea or technique due to pressures from other organizations. Without careful consideration, the bandwagon behavior can cause many

organizations to respond to popular persuasion rather than sound principles and analyses.

Facets of Trust

Trust is a concept with at least five facets: benevolence, predictability, competence,

honesty, and openness (Hoy et al., 2006). Each of these elements is based on common beliefs

that individuals or groups act in ways that are in the best interest of the parties involved. A key

underlying element is the concept of risk. Trust does involve taking risk and making oneself

vulnerable to another with confidence that the latter will act in a way that is not detrimental to

the other party (Hoy et al., 2006).

The Relationship Between Organizational Trust and Mindfulness

The review of the literature indicated that organizational mindfulness has been

understudied in high school settings and completely unstudied in high school athletic

departments. Likewise, the construct of organizational trust has been understudied in higher

education and has yet to be studied in high school athletic departments. The current study added

a deeper understanding of trust and mindfulness as it relates to coaches, athletic directors, and

student-athletes at the high school level.

Evidence that all five mindfulness principles impacted faculty trust (preoccupation with

failure, reluctances to simplify, sensitivity to operations, commitment to resilience, and

deference to expertise) was found in the exploration of organizational trust and mindfulness

conducted by (Hoy et al., 2006). Using a series of factor analyses, Hoy et al. (2006) found two

mindfulness factors: principal mindfulness and faculty mindfulness, both of which measured all

five components. These two factors combined to create what they labeled as organizational

mindfulness. In the study of 75 middle schools, they found lower levels of within school

variance than between school variance, leading them to conclude that mindfulness is a collective

property. Using multiple regression analysis, Hoy et al. (2006) found that the three faculty trust

variance in faculty mindfulness.

 Additionally, they discovered faculty trust in principal was a significant predictor of principal mindfulness and faculty trust in clients had limited influence on mindfulness. Overall, they found organizational mindfulness to be best explained by both trust in colleagues and trust in their principal.

Whereas organizational trust and mindfulness seem to be important aspects of the school

environment, research needs to explore their relationship in high school athletic departments.

Ouchi (1981) asserted that trust is a critical underpinning for well-functioning organizations.

Does this hold true for high school sport organizations? Not only are high school athletic

departments understudied organizations, but the role of trust within the department is also

underdeveloped

Methodology

In order to investigate the research questions and the model data were collected using the cluster sample method of six of the largest school in Albania.

Specifically, conducting the appropriate quantitative analyses required the collection of data

from at least 119 participants of the population chosen at random so all coaches would be included in the population. The goal was to obtain a random diverse sample using the cluster sampling method and random sampling to obtain at least 119 surveys for use in this study. A Power Analysis using G*Power 3. 1. 3 was used to determine the minimum sample size needed for a multiple linear regression with three predictors in order to detect a moderate effect size of 0. 15, α = 0. 05 level of significance, and a power of 0. 95, a minimum sample size of 119 is needed.

Instrumentation and Variables

In order to explore the research questions, operational measures of organizational trust

and mindfulness are necessary. The study used two instruments to collect data. The Athletic

Department Trust was used to measure coaching staff perception of organizational

Trust and the Higher Education Faculty.

The pilot study was conducted at two university athletic departments. In order to ensure

construct validity of the measures, an exploratory factor analysis, using Statistical Package for

the Social Sciences (SPSS), was performed afterwards. The study was conducted using a webbased survey system (Survey Monkey). A total of 100 coaches were solicited for participation in the study and fifty-one of those responded, for a response rate of 51%, which according to Field (2005), a sample of 51 is sufficient for a pilot study (Tingle, 2011).

A principal component analysis with a varimax rotation was used to explore construct

validity of the athletic department mindfulness scale. Three unique factors were found after the

first analysis, but a careful examination of the factor structure indicated that many variables

loaded highly on more than two factors. The goal of the factor analysis was to reduce the size of

the instrument without disrupting the factor structure or the reliability of the survey instrument.

Data Collection

The population of this study consisted of 54 high schools with athletic departments and

over 1,000 coaches. A cluster sample of six of the largest school in Albania was taken

and a simple random sample selection process was used to solicit the approximate 1,000

participants used to obtain the 134 surveys used in data analysis. At the high school level many

athletic directors also coach a sport, therefore great care was taken to ensure that no athletic

directors received an invitation to participate. In the case of the athletic director also being a In this study, the researcher received 134 survey responses. Of the 134 responses, only

109 were used in the quantitative analyses of the study. There were three survey responses that

did not agree with consent to participate. There were twenty-two others that did consent but did

not complete any part of the survey after the consent form; therefore, these responses were

eliminated from the analysis. The elimination process used was listwise deletion default in SPSS

and MPLUS 6 statistical packages. There were 109 responses used for the descriptive statistics

of the athletic director mindfulness instrument and 98 responses used for the descriptive statistics

of the organizational trust instrument. Finally, the correlations and regression analyses were

computed using (N = 98).

Data analysis was conducted through the use of descriptive statistics and multiple linear

least-squares regression. The focus of the study was to gain knowledge and understanding of the

coaches' level of trust in the athletic director, colleagues, and student-athlete. Also, the study was

focused on how coaches perceive the mindfulness of the athletic director. The first step in the

data analysis process was to find the descriptive statistics for each variable. The descriptive

statistics were an examination of ranges, means, and standard deviations used to locate any

unusual findings.

Descriptive statistics, including means and standard deviations were calculated for the three measures of organizational trust and for athletic director mindfulness.

The dependent variable was the total score of athletic director mindfulness on the Organizational

Mindfulness instrument with the predictors being values of the three sub-scales on the

Organizational Trust instrument. Assumptions were examined to insure that no multicollinear

relationships exist between the three predictors.

Using the framework described by Hoy et al. (2006), the independent variable organizational trust consists of three specific measures: coach's trust in athletic-director, coach's

trust in colleagues, and coach's trust in student-athletes. The dependent variable in this study was

coach's perception of athletic director mindfulness (see Figure 2). The decision to explore this

relationship between organizational trust and mindfulness is based on previous research on trust

and mindfulness (Hoy, 2003; Hoy & Tschannen-Moran, 1999; Hoy et al., 2006; Langer, 1989;

Langer & Moldoveanu, 2000; Shoho & Smith, 2004; Smith & Shoho, 2007; Tschannen-Moran

& Hoy, 2000; Weick & Sutcliffe, 2001, 2007) and the researcher's interest in expanding the

research to include high school athletic departments

Implications for Practice

The findings in this study provide suggestions for both practitioners and researchers. In

high school athletic departments, the three dimensions of organizational trust seem to influence

one another as they combine and contribute to the environment that enhances athletic director

mindfulness. The results of the study indicate that when coaches perceive their athletic director

as being trustworthy, he or she is more likely to operate using the principles of mindfulness as

the athletic director. This study does add to the growing body of research in the area of

organizational trust and mindfulness due to the strong relationship that was revealed between the

two constructs. It is hoped that the practical and research implications discussed next will aid

both practitioners and researchers in the improvement of the organizational culture of high

school athletic departments.

Some school stakeholders and central office administrators may find value in the results

of this study. High school administrators who are aware of the connection may choose to hire an

athletic director more likely to create an organizational climate in which trusting behaviors are

recognized and then rewarded. Also, by using these two instruments high school administrators

might uncover the coach's perception regarding trust and mindfulness of the athletic director.

Through this view of the department the administrators can draw conclusions as to whether the

athletic department is in need of attention, and then he or she could use the data to investigate the

causes, and then take the appropriate steps to address those issues.

Furthermore, athletic directors interested in understanding current trust levels and the

impact of trust on decision-making could use this study to justify changing the climate of the

athletic department. Coaches might benefit from the research results with information to aid

them in the job search process. Those coaches who become aware of the relationships found

might be more selective in their job decisions, and might inquire about the current levels of trust

and mindfulness at potential future jobs. Finally, prospective student-athletes and their families

may find the resulting information useful when deciding what schools to attend and whether or

not to participate in athletics.

Conclusion.

Athletic Department in Albania is not an agreement with the clubs that train athletes or sports clubs for football are that the atletikor preparers often include as an assistant coach. Finally there is an initiative of the Ministry of Education and Sports to establish such cooperation and relations to make this part of plans and curricula, but it still has not been realized in practice, because Albania has an acute shortage of infrastructure.

However in terms of conception and formatting a clear relationship and with perspective to create and respect system necessary autonomy sports Albania remains private more to do. If at the central stepped forward in this regard are on track, at local sports movement-structure relationships public are still far from reality social and claims that the law poses.

Athletic directors and high school administrators are encouraged to make use of research

findings and the research instruments presented to further explore organizational trust and

mindfulness. Due to a lack of research on the relationship of trust and mindfulness in high

athletic departments, the two research instruments can be utilized to take a

closer look at this relationship and other organizational processes in high school athletic

departments. The intent of this study was to explore the relationship between organizational trust and perception of athletic director mindfulness operating in high school athletic departments. Athletic directors and coaches that place an importance on trust are: benevolent, competent, honest, open, and reliable. Furthermore, the findings in the study suggest that high school athletic departments with higher levels of trust are more likely to have athletic directors who are: preoccupied with failure, reluctant to oversimplify, sensitive to operations, committed to resilience, and defer to experts when needed. Hopefully the findings in this study support the current trust-building and mindful strategies in order to aid high school athletic department stakeholders in their visions and missions for bettering their overall school structure.

Recommendations

1. There is a need to do more research in the relationship of the two constructs of this study:

organizational trust and its relationship to athletic director mindfulness. The research

would be encouraged to view a close game as an opportunity to remodel strategies

rather than just evidence that current approaches are most effective;

2. Establish awareness of vulnerabilities in the system. Coaches need to be aware of

weaknesses surrounding the department so they are not shocked by unexpected

events.

3. Demonstrate humbleness in order to keep coaches from being blindsided. Success

is important in the athletic realm, but one must not become too complacent;

4. Welcome the occasional bad day. These days should be used as learning

opportunities and not viewed as problems. For example, losing a player to injury

can provide the coaches with an opportunity to make roster changes and

preparation changes;

5. Establish an environment that is free and open to mistakes. Basic organizational

tasks can be improved by simplification (e. g., game schedules), other complex

functions (e. g. off-season training program plans) require more creativity;

6. Develop skepticism in the department. Coaches and/or student-athletes need

skepticism at times to aid in raising their awareness of opponents as well as

raising their intensity to learning the system;

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Albanian Diaspora in Greece in the years 1990-2000

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Abstracts

The reasons that prompted the Albanian exodus were numerous and varied. While if we take a look on its consequences will see that they have a dual nature. Among the positive aspects of exodus we can mention the fact that it helped Albania economically meeting the needs of a considerable part of the population in the moment of political and social crisis transition enabling the survival of many families. [1] On the other hand it had a negative impact not only becouse of spending vital energies of the nation abroad, but also because it led to the formation of a bad opinion about Albanians, opinion spread almost all over Europe, especially where their presence was bigger. [2] For this reason we got to study precisely the image of immigrant in two countries (Italy and Greece), where they have the largest flow of migration in 1990-2000. We should note that in recent years in both countryes in Italy and in Greece prevails the same closed mentality against foreigners. Also it is accompanied (especially in Italy with the malfunctioning of the structure that handles issues of migratory movements, not like in the other states like Germany, England or France where, besides the small number of immigrants, there were laws and better functioning of the state that associated with emigration's problems. On the other hand we can say that in this period, whether in Greece the fortunes of the Albanian immigrants depended from the relations of the Greek-Albanian state, in Italy they depend mainly on the behavior of immigrants. [3]

" Invasion " of embassies, mass departures at the border, and the exodus in general, following the collapse of Albania 's totalitarian regime in the early 90's, and marked the origin of the formation of the Albanian Diaspora. According to the researchers R. Devole compactness of the concept of " Albanian diaspora ", depends of homogenising effect means of mass proclamation, which as a consequence of technological developments of recent years, they can provide culturally emigrants everywhere. [4]

Albanian immigrants in Greece constitute a community with different characteristics from their compatriots residing in the Unitet State of America. The differences are largely determined by relations with host countries, but also from the body, identity processes, distance from the birthplace, etc. From this perspective, the Albanian diaspora is better to be used in the plural than in the singular. [5] When the ships of Albanian exodus set sail to the coast, in Europe was waiting cameras and cameras of the whole world. Solidity of negative images of Albanians depends on the raw materials used for its manufacture : news, television footage, photographs, films, articles, interviews, analysis, documentaries, reportages, sounding titles, chronicles, etc. From this media curfew in few causes can be "good albanians". [6]

Fluent Italian, wearing fashionable, European faces, dignified culture, fell necessarily in conflict with the image of barbarity imparted by the media, but not to the extent as to bring in crisis the bredore coherence of the negative myth of Albanians. [7] The following years this myth on the Albanians would start to fade gradually, but without losing its shape. That's because this period coincided with the television success of several Albanian artists, who with their ingenuity showed the opposite about the negative image of the Albanian community. If smaller and criminal event which will be included any Albanian

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[1] Fabian Kurti. "*About the Albanian Emmigration*", *Përpjekja*, Nr. 9-12 1997. 14

[2] The same,

[3] The same,15

[4] Rondo Devole, *Bridge over sea*, (Tirane: Ora 2008) , 160

[5] Devole,*Bridge…,* 161

[6] Rondo Devole. "*Albanians in Italy" Përpjekja*, Nr.26-27 2010, 96

[7] Devole, *Bridge over…*, 185

would myth reborn with all its strength, bringing a political instrumentalisation of the events. In addition, for the first time in Albanian immigration history in Italy was verified harmful racizm acts to their detriments. [1] However, there is no denying that Albanian emigrants are already an integral part of Italian society. Perhaps it is no exaggeration to say that Albanians are one of inclined groups to be integrated, as is obvious from different data like: presence in the labor market, the percentage of family with permanent residence, level of education, high school attendance, and the cultural approach and attitude. [2] This influenced perhaps because in Italy we will have a significant presence of intellectuals and cultural elite of the country, who after 90 years chose to continue their activity abroad.

Although according the data the majority of them will migrate mainly in the US and in other countries in Western Europe. [3] Meanwhile, regarding the situation of Albanians in Greece in the years 1990-2000, we can not say that we have sufficient resources to present a comprehensive situation associated with their image in the media and the Greek press,but present to us the study of R. King and J. Vullnetari can say that it was similar to the Italian in many aspects. After the first welcoming, the image of Albanians was disintegrated by some stereotypes, which should be noted that constituted a small minority.

But a major impact would have the historical past of the two countries after the breakup of the Ottoman Empire, which would penalize in many aspects Albanian immigrants in Greece. During this period another aspect that would bring prejudice to the Albanian community,would be the differentiation of the state and the Greek society will do among the " half etnic Greek Albanian's " (mainly from areas of southern Albania) and " other Albanian ", which would bring differences in their rights. [4]

The Common of both countries is that Albanian emigration, despite stereotypes used by the media to characterize it, has achieved a high degree of integration in the socio- economic life of these countries. [5]

About the cultural integration of Albanian emigrants in the countries where they have settled over the years 1990-2000, we can not say that in all the places he has been uneven. By the sources used by us, although in small numbers, we can see that this process is not developed with the same intensity in all countries where Albanians have emigrated. This can be explained by several reasons, among which the most important would be ; the size and compactness of the Albanian community, and in the other side the tendency of the recipient companies to allow the organization of immigrants on the basis of ethnicity, coupled with a high degree of tolerance. But on the other side the Albanian emigration can distinguish different trend. In neighboring countries such as Italy and Greece where is the concentrated and the largest number of immigrants, during the whole period of the 90's Albanians have a few cultural activitie,because of prejudices that hinder the integration in economic life.

As in other western countries like the US, France, Germany, England, Sweden, Switzerland, etc., the cultural organization and the integration in the local society without losing national identity was bigger. Albanians were integrated in the social life of the country by participating in associations of migrants in cooperation with the citizens and institutions of the host country. Most associations were created in 1998. A primary concern has been to preserve the associations of Albanian identity, against prejudice and racism.

Suggested by Barjaba and King about the Greece and Italy, organized in association between Albanians has been weak. primarily because of the marginality of their economic and legal status, but also because of the antipathy of their commitment to community organizations to, that remind the communist past. [6] This makes that their cultural activity was not well documented. One of the resources used to reflect the cultural activity of Albanian emigrants are mainly periodicals, newspapers and magazines, through which we tried to get reliable data. But as to their number, as well as often little material they contain, it can not be said that we have failed to reflect the extent necessary, and at all stages that follow this activity. However relying on these sources can make generalizations and cultural activities of Albanian immigrants, certainly in some countries maintaining its specificity. A magazine that reflection the great diaspora activity, whether it be early and

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[1] Devole. "*Albanians in Italy*", 97

[2] Devole. "*Albanians in Italy*", 99

[3] Russell King and Julie Vullnetari, *Migration and Development in Albania*, Sussex Centre for Migration Reserch, December 2010, 36

[4] King and Vullnetari, *Migration and Development in Albania*, 38

[5] The same,32

[6] Niko Gogonas. "Language of second generation immigrants in Greece", *Përpjekja*, Nr.26-27, 2010, 108

that of after 90 years, has been " the Albanian Diaspora ". This magazine, " claims to be a forum of Diaspora figures, problems, messages, voices coming from far away, wherever the compatriots are found. In the first issue of it claims that " will be linked to the current, culture, historical tradition, and in it will be reflected the Albanian emmigration issues,activities of associations operating in the Diaspora, diaspora's figures of our days etc. [1]

In the pages of this magazine, we will find reflected part of the life of countries where immigrants live.

Regarding the Albanian cultural activity of Australia, we learn that there is an organized community of Albanian man in Melbourne has just 6 Albanian schools, which teach Albanian girls and boys. On behalf of the Albanian issue are two centers, Muslim and Catholic, raised by the Albanians. [2] It is impressive the existence of an Albanian-language radio station in Malburn, directed by Hikmet Ndreu. [3] However it is unclear whether this community is formed mainly by immigrants come after 90 years, or it is attached to the old diaspora that existed there.

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[1] *Magazine "Albanian Diaspora"*, Tirane, nr.1, september 1998, 2

[2] The same,38

[3] The same, 39

Relations Between Albanians and Croats Across the Centuries

Naile Demiri

Abstract

The Balkan Peninsula is part of South Eastern Europe, with a surface area of 550 square kilometers and a population of nearly 55 million inhabitants. This is a corner of the Earth with a very attractive geography. It is shaped like a triangle and goes deep into the Mediterranean Sea. This peninsula is bordered with the Adriatic Sea, Ionian Sea, Marmaris Sea, Aegean Sea, and the Black Sea, whereas on the other part with Central Europe. The Balkan Peninsula is, or serves, as a connecting bridge between Europe and Asia. The countries of the Balkan Peninsula are: a part of Turkey, Greece, Bulgaria, Romania, Serbia, Macedonia, Kosovo, Albania, Montenegro, Bosnia and Herzegovina and part of Croatia (up to Sava River).

Keywords: Relations, Albanians, Croats, Centuries

Introduction

According to historical data, the becoming of Croatia started sometime by the middle of the second millennium A. D., when the Christian Church was separated into the Catholic and Orthodox Churches. The Catholic Church has played a decisive role in the formation and awareness of the Croat people that was in the making.

Croatia, the Croatian population in the same territories as nowadays were endangered under the attack of the Ottoman Empire forces, and later of the Austro-Hungarian Empire. Austro-Hungary ruled Croatia until the beginning of the second millennium A. D. namely until the establishment of the first Yugoslav state, the Serbo-Croatia-Slovenian Kingdom.

Under the Austro-Hungarian rule, Croatia was almost a state in its own, as it preserved its language, culture, religion, and all other characteristics of the Croatian people. It followed its own development of the times along with other progressive peoples of the Western Europe.

Croatia faced a slowing down, a stagnation of the economic, political, spiritual and cultural development during the times of first Yugoslavia in 1918-1939. Many times under this government Croatia went through social unrests where people expressed dissatisfaction with the tendencies of the Serbian hegemony.

At the beginning of World War Two, the intellectual and state elite decided to be aligned with the Axis Countries. In 1941 Croatia was proclaimed an independent state and remained such until 1945.

With the capitulation of Hitler's Germany, Croatia again became part of second Yugoslavia, i. e. the communist Yugoslavia, however without settling down with this until 25 June 1991, when it was proclaimed and independent and sovereign state.

Some geographical and statistical data about today's Croatia

National Anthem	Lijepa naša domovino (Atdhey ynë i bukur)
Capital City	Zagrebi
Official Language	Croatian
Independence	25 June 1991
Membership to UN	22 May 1992
Government	Parlamentarian Republic
President	Kolinda Grabar-Kitarović
Prime Minister	TIHOMIR OREŠKOVIĆ
Surface Area	Ranked 126
Total –	56. 594 km²
– % ujë	1,09
Population (2011)	Ranked 128
– total	4. 284. 889 inhabitants
– **density**	75,8 inhabit/km²
GDP (2015)	59,911 billion USD
GDP per capita	13. 994 USD
Currency	Kuna (HRK)
Time Zone	
– usual	UTC+1
– **summer**	UTC+2
Pcountry code	+385
Internet code	. hr
ISO 3166-1 Code	HR

The Albanians in the Balkans, who make up nearly 7 million, are an autochthonous people, whereas the other peoples of the peninsula were mainly formed by the middle of medieval times and later following the Slavic invasion and the remaining autochthonous population.

According to recent historical data published by the Albanian historian Jusuf Buxhovi "Kosova ", volumes I-V, Prishtina, 2012 and by Orhan Rexhepi, 2012, "Pelasgian-Dardans from Atlantis to the Moon, Troy, Rome and the Albanians" with 458 pages, it is evident that from the antiquities to nowadays Albanians belong to one single tree, to one DNA; they are a people who has lived – at times free, and at times under occupation, in this corner of the globe, which is one of the most attractive places on Earth.

The Albanians, once authors and bearers of the development of humanity's culture, in general from the antiquities to modern times, were under the Ottoman rule when the new era dawned, albeit they did not surrender or be desecrated. During the Ottoman rule from 1389 to 1912, there were many senior officials of the Ottoman Empire of Albanian origin. During this five-century journey the Albanians had the opportunity to create friendships and enmities with other peoples of the civilized world, in particular within the Balkan Peninsula. Out of 292 Prime Minister of the Ottoman Empire, 45 were of Albanian origin. [1]

As a result of such historical actions, The Albanians were able to influence the situation of other peoples in the Balkans, while not finding a solution to their own problems. During this journey, it is a special characteristic that the Croats and

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[1] Shyqeri Nimani "Mehmet Ali Pasha, the Albanian Captain who restored the dignity of Egypt" the paradox of the Albanian syndrome, Prishtina, 2012, pg. 20.

Albanians, amidst good times and bad times, established a decent friendship. This deep friendship would not have been possible save for the some common personal and social features both peoples have. It is likely that they have similar social thinking, body constitution, physiognomy, color, body movements etc, and almost similar material and spiritual interests, and even same enemies.

ALBANIAN ETHNIC POPULATION ON 2015 [1].

In their historical and life journey the Albanians remained on friendly terms with the Croats. Throughout their history, the Albanians and Croats had the same destiny. Their mutual friendship and assistance intensified after the First and Second Balkan Wars, after World War One, the Versailles Congress in Paris in 1918, and in particular during World War Two, to culminate in the beginning of the third millennium when Croatia recognized the independent and sovereign state of Kosovo, being one of the first countries in the world to do so.

The Congress of Peace in Versailles laid the foundations of the conflict between the peoples of the Balkans, of Europe and beyond and was the cause of the World War Two and of the wars between the peoples of the Balkans in the last decade of XX century. Simply said: the great powers of the time were unable to understand the aspirations of the big Russian state that aimed to have hegemony over the peoples of the Balkans and then Europe; their aspiration to have access to warm seas that were naturally belonged to the Croats and Albanians. The Russian aspiration for access to warm seas became the cause for wars where millions died. In these situations of conflict the Albanians and the Croats continued to build bridges of cooperation, friendship and mutual assistance in all areas of life, from exchange of ideas thoughts, trade and bloodshed even to protect the national causes of each other. [2]

The Congress of Versailles recognized the annexation of the Albanian territories by Serbia, this ally of Russia. The Congress of Versailles insisted in establishing the Kingdom of SCS and permitted the prevalence of the totalitarian mentality of the on the Croatian population which had already developed the concepts of democracy, labor, and cultural development in general of the Hegel model and Catholic spirit, of democracy, managed by the Austro-Hungarian Empire. The mechanical transfer of the Croat will under the tutelage of the Serbo-Russian hegemony was never accepted by the Albanians or the Croats. The political movements of the Croat population in the second decade of the second millennium were brutally oppressed in bloodshed by the Serbo-Russian forces[3]. The military head of the Yugoslav Monarchy forcefully recruited many Albanian peasants in these forces, from all over the Albanian territories under the Yugoslav Monarchy in order to use them to subdue the Croatian revolt led by Stjepan Radic (11. 6. 1871 - 8. 8. 1928) and others like him who sought to have the independent Croatian state. Stjepan Radic was killed during an attempt on his life while he was addressing from the podium of the National Assembly by the chetnik Punisa Racic. Demonstrations ensued in many other cities of Croatia.

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[1] http://albastrima.fr.gd/HARTA--SHQIP%CBRIS--ETNIKE.htm

[2] http://zeri.info/dosier/33229/

[3] hr.wikipedia.org/wiki/Stjepan_Radić

Albanians from Kosovo and other territories under the military command of the Yugoslav Monarchy were sent to demonstrations of Sisak, Mostar, Dubrovnik, Lepogllava and many other cities in Croatia to suppress the Croatian aspirations and will. The Albanian recruits, as soon as they landed on Croatian soil, expressed solidarity with the Croats and were attached to the Croats, stood stoically until the end. A large number of Albanian recruits returned to their country of origin only after they joined the German army at the beginning of the fourth decade of the second millennium.

 At the beginning of World War II, both Croatia and ethnic Albania sided with Germany, in coalition with the Germans. The elites of the two countries were recognized by Germany, which recognized the independence of the states and offered material and military aid. Germany recognized Albania's independence, the ethnic map and neutrality [1]. The best researcher of the national question, Hajro Cini, in his paper "the collaboration and misuse of meaning of the word" writes : "Within two weeks, Germany beat Greece and Chameria joined Albania. For the first time the Albanian nation was in its ethnic borders. Not only that, but at the insistence of Mehdi Bey Frashëri, Germany accepted the neutrality of Albania. Albania was liberated on September 8, 1943, and in December 1943 was recognized as a neutral state. Unlike the Italian invasion, where Jacomon was representative of Victor Emmanuel - as chairman of the state - Albania already had as the chairmanship of the state a group of elders composed of one representative of each of the four main religions in Albania, among them the signatories of Albanian independence, great patriots, honored outstanding, honest, spotless and idealistic, Mehdi Frashëri and Lef Nosi. All four were Albanians.

In December 1943- November 1944 the Albanian Government has a Minister of Foreign Affairs. No other country invaded by Germany had a Foreign Minister [2].

During World War II Albania had good relations in all fields of social life, but also friendship with the Croatian people. This friendship was created a long time ago, as mentioned above, a Croatian-Albanian friendship grow by arberesh towns Zadar. See this book "Traditional culture of arberesh of Zadar" [3].

Cooperation and friendship between the two peoples grew, and strengthened during the second Yugoslavia, or the communist Yugoslavia of Tito.

Communism, as one of the most forged social systems, which included the second Yugoslavia (1945 - 1990) was imposed on the people of Yugoslavia by the hegemonic Russia, with the slogan that it would solve the national question. Communism did not solve the national issue, neither did it solve social or economic issues. On the contrary, it deepened contradictions, cultivated civil war, and poverty and made such a differentiation of social strata that in the last decade of the second millennium republics entered at war with Serbia supported hegemonic hegemonic back from Russia, but now much weakened.

Once the communist regime in Croatia was established, an unprecedented genocide happened against Kosovo and other Albanian regions that remained in Yugoslavia by Serbia, against the unprotected Albanian population. Croats and Albanians were declared fascist collaborators of Germany and were punished. The penalty was the largest for the Albanian people, since the Albanian Communist Party was last in vassal Party Communist Yugoslavia respectively of the Communist Party of Serbia. Many Albanians and Croats were killed and imprisoned throughout the period of the communist regime in Tito's Yugoslavia. Suffice it to mention only tragedy Bar in the spring of 1945, where thousands of Albanians were executed by Serbian and Montenegrin forces, were Croatian officers - who announced Dalmatian Anglo-American mission to the actions of the Serbian and Montenegrin officers. Anglo-American intervention did to save hundreds of Albanian soldier from carnage to testify later the hellish horror they had experienced. Croatian officers never forgot the assistance of the Albanians[4].

After World War II Serbs executed, imprisoned, exiled and displaced Albanians. Croatian People found themselves at all times protected by the Albanians.

[1] Uran Butka" Massacre of Tivar and the Responsibility of the Albanian state, Tirana, 2012 page 20.
[2] http://www.telegrafi.com/lajme/kolaboracionizmi-dhe-kegperdorimi-i-kuptimit-te-kesaj-fjale-26-7788.htm
[3] Aleksander Stipcevic "Traditional culture of the arberesh of Zadar", Prishtina 2012, page 1- 34.
[4] Azem Hajdini- Xani "Massacre of Bar, memoires, Prishtina, 1998, page 44.

Regarding the good relations of friendship between Albanians and Croats in particular with Albanians who remained in Yugoslavia, ruled by chetnik - partisans it is believed that there are thousands of archived documents archived documents: ecclesiastical documents, works of sculpture and music, literary stories, written by the great minds of the time, concrete diplomatic and political actions all the way to the individual sacrifices for the cause of another.

A lot of arguments about the good relations and friendship between Albanians and Croats are given by Prof. dr. Fehmi Pushkolli in his book "Tome Berisha (life and work), Pristina, 2005. Army officer General Tome Berisha, who reached the tops of martial arts, retired first time by Yugoslav military leader, arguing that Mr Berisha Tome was nurtured with Albanian nationalism and as such is a danger to the Yugoslav army[1].

The prominent Albanian writer and historian Jusuf Buxhovi writes about these good relations and friendship between the Albanians, especially Kosovo Albanians, and Croats.

The erudite narrator confesses in the first case: "Such was the announcement that My Father, Naim Kosova, pilot of aviation of Yugoslav People's Army, and my mother Maria Pelevic, nurses, also employed in People's Army Yugoslavia, were liquidated by the military Intelligence service (KOS), although later we were told that it had been an accident (crash Mig-49), as was presented as an accident the going out of the way of the jeep in which my mother was travelling to Bilieqes hospital. Uncle Josip said that he had reliable data about this and had prepared those for me, to have them. He informed me that in the large leather envelope he had prepared a long time ago for me was a small, sealed document to be given in person to the first man of Kosovo only after that it became a state [2].

The University of Zagreb, in collaboration with the University of Prishtina, has given a great assistance in raising, cultivating and strengthening relations between our two peoples. Cadres of the two sister-universities have channeled the flow of social-political processes and have brought it to the current state, the formation of new states in the Balkans and solving the national question for them, although Albanians have remained separate, and have not yet fully resolved the national question and have not yet finalized their national cause like the Croats have done, but nonetheless have laid good foundations towards achieving this goal.

The political-military cadre of these two friendly countries has played a crucial role to disconnect from the eighty-year-old Russian-Serbian hegemony. At the beginning of the last decade of the second millennium the Serb chauvinism had already forced the politico-military Croatian cadre to respond with military means to the Serbian aggression. In these difficult moments of life or death for Croats, the Coordinating Council of the Albanian political parties, operating in Croatia, led by Colonel Tome Berisha, urged the public that all Albanians recruited in the Yugoslav People's Army to defect from the army and possibly to join the Croatian army. Albanian recruits unanimously answered this call[3].

"It is truly fortunate that no Albanians, either from Kosovo or Macedonia and Montenegro, participated on the side of the Serb aggressor. A large part of them have participated in the defense of the Republic of Croatia. Some of them later took part in the liberation of Kosovo. Most of the officers, who were Albanians, first acted within the Croatian Army, and later KLA. "

One of the figures of the Albanian military, General Agim Ceku who responded to the call and joined the Croatian National Guard says, not only officers of Albanian soldiers in the decisive moments that joined the Croatian forces, but also Albanian businesses in Croatia were placed in the service of Croatians involved in the war and contributed considerably.

In 1991 alone, there were 2801 Albanians who assisted with the struggle for independence for the Croatian people and state; they were clothed in military uniform. Of them 86 were martyred, 507 of them were injured and 41 are missing. Among these soldiers an enormous contribution was given by the Albanian soldier who did not have any military grades - Bekim Berisha. In Croatia he was known by two nicknames: Friend and Lightning, while in Kosovo he was known by the nicknamed Abeja.

[1] Prof. Dr. Fehmi Pushkolli   "Tom Berisha (Life and work), Prishtina, 2005.
[2] Jusf Buxhovi, "Open Dossier" "Faik Konica"- Prishtina, 2014. Page 415.
[3] Prof. Dr. Fehmi Pushkolli   "Tom Berisha (Life and work), Prishtina, 2005, f. 200.

Bekim Berisha's contribution has been immense in the final victory of the Croatian society.

Bekim Berisha: I am willing to defend Croatia

BEKIM BERISHA- ABEJA was born on 15 June, 1966 in the village Shkozet (former Grabovc), the Municipality of Peja. His mother's name was Fahrije Berisha and his father's name was Fazli Berisha. He went to " Janko Joviqeviq " Elementary School in the village of Gorazdevac, Albanian. He went to Peja city to attend the high school. He completed the first two years of high school at the "Shaban Spahija " Technical High School where he attended the comprehensive programme. Then he transferred to "Ali Hadri" Commerce high School Tourism with a concentration on tourism. After finishing the high school in Peja, he attended his undergraduate studies at the University of Rijeka, Faculty of Hospitality in Opatija, from 1 October 1986 to 30 September 1989.
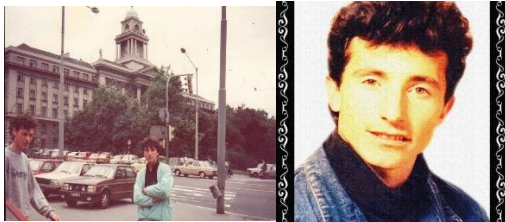
Bekimi as a student in Opati, Kroacia

From 1986 – 1991 Bekim Berisha left Croatia and traveled to different European countries, among which was The Netherlands and entered the Duch Legion. Bekim Berisha arrivied in Croatia in 1991 and join the Croatian elite units against Serbs. He fought along with Croatians for over 536 days and he was also acclaimed as a diversant and tool place in all the attacks that the Croatian army has organised.
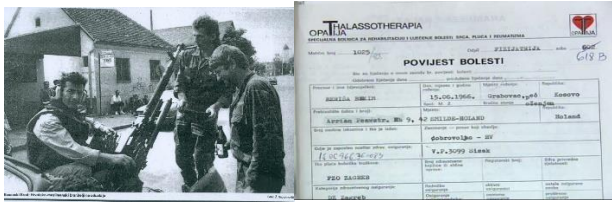
The General Ante Bobetko,The Commander of Battalion 57 "Marian Celjak"- Sisak, stated: Bekim Berisha told me ' I 'm ready to defend Croatia ', and, judging from his language, I noticed that he was not Croatian. Then he says that he is an Albanian from Kosovo and is voluntarily coming from the Netherlands to join Croatian army. I introduced myself as the commander and informed him about the risk that he might go through, including the loss of his life. He says, " I just want to fight, to defend Croatia, in the front line. Without having enough time to think, I decided to accept him in my Kumarevo brigade. This was the wiser decision I had ever taken throughout the war[1]".

Whereas the Croatian media wrote: "After two decades later some other proofs were found in an old wooden house near the Komorovo Region in Sisak. a bag wrapped in plastic was found in deep under the rotten timber of this wooden house. There were petty money, photographs and documents which belonged to Bekim Berisha. There was also a train ticket that Bekim had taken to travel from Brussels to Zagreb on 7 August, 1991. The very same day he joined the National Guard, battalion nr 57, which heriocally protected Komarevo" witten in "Veçernji List[2]".

In May 1992, Bekim Berisha moved to Bosnia in Bosanski Brod in Derventa and joins Bosnia military army and fights in many harsh battles. By June 1992 had been injured several times in Kotorsko, in Doboj. After being badly injured, Bekim was sent to hospital in Zagreb and then he went to Thalassotherapia spa in Opatija. From June 2009, even though hospitalized, he occasionally joined the military to fight.

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[1] *Documentary by Nuhi Bytyçit,: "Kolosët e luftës", dedicated to the marthirs Bekim Berishës and Bedri Shalës.*

[2] http://www.vecernji.hr/hrvatska/bekim-berisha-dragovoljac-odlikovan-redom-hrvatskog-kriza-601758, mw 20.9.2013.

Bekim Berisha in Bosanski Brod   *A document taken from the Thalassotherapia archive in Opati*

In November 1993, Bekim Berisha officially become the resident of the Republic of Croatia. On 3 January 1996, the Minister of Defence Gojko Susak declared Bekim Berisha "an individual of the war of Croatia"

To honor Bekim's merits and contribution during the war in Croatia, the then President of the the Republic of Croatia delivered the "Medal of War of Independence" and described his as the worrier how was worth 1. 000 soldiers.

The medal from the President of the Republic of Croatia - Franjo Tudman and The medal awarded by the president of the Republic of Kosovo - Fatmir Sejdiu

 In 11 March he retured to Kosovo and fought against the Serbian aggressors during which time he was killed on 10 August 1998 in Junik, together with other co-fighters such as Bedri Shala, Elton Xherka and Permet Vula. Initially the four of them were burried in Junik but Serbs removed their budies and reburried them in the cemetery of Prizren. In 1998, the parents of Elton and Permet, Gëzim Zherka and Ilir Vula, managed to take the bodies of their suns and buried them in Gjakova. When the war ended and Ksovo was liberated by the Serbs on 12 June 1999, helped by Gëzim Zheka, Bekim's sister Zyrafete Berisha- Tolaj returns his body in his hometown in Shkozet, and the state of Kosovo held a burial official ceremony, whereas Bedri Shala was buried in his hometown in Negroc.

 On 10 August 2010, Bekim Berisha was officially attributed to title "National Hero" by the former President of the Republic of Kosovo, Prof. Dr. Fatmir Sejdiu for his merits and heroism during the combat against the hostile Serbian regime which lasted about a century in Kosovo.

In 2012, th retired colonel Ivica Pandža Orkan together with 15 other friends from the "Veterans' Club of Croatia" took a motor ride in Kosovo, where among other things, visited Bekim berisha's tomb and his house in Shkozet, Peja.

The retired colonel Ivica Pandža Orkan together with other friends from the "Veterans' Club of Croatia" during a visit at the tomb of Bekim Berishës- Abeja.

On the occasion of the commemoration ceremony of the "Victory of the County and the Thanksgiving day to the Combatants of Croatia" on 31 June 2013, Bekim Berisha family members accepted the golden medal "Croatian Red Cross" from the President of the Croatia. The medal was accepted by Bekim's sister, and his niece Bonita Tolaj.

The medal awarded by the President of the Republic of Croatia- Ivo Josipoviq and The medal by the President of Albania-Bujar Nishani

The president of the Republic of Albania, Bujar Nishani awarded Bekim Berisha the medal "Honor of the Nation' on 16 February for special contribution in the war of Kosovo.
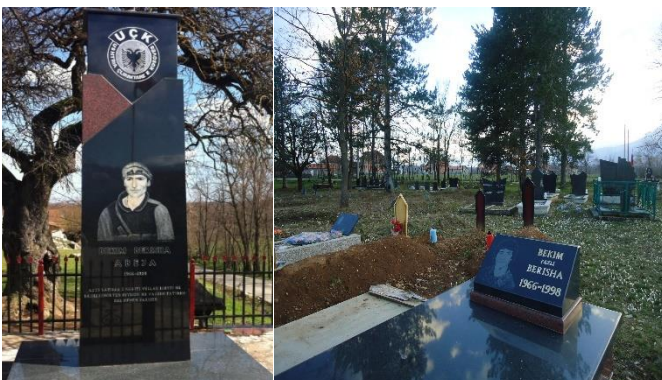
The statue and the tomb of Bekim Berisha, in Shkozet, Peje.

Today the body of Bekim Berisha rests in the cemeteries of the Shkozet, in Peja, the Republic of Kosovo.

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Documents:

A document taken from the Thalassotherapia archive in Opati

The medal from the President of the Republic of Croatia - Franjo Tudman

The medal awarded by the president of the Republic of Kosovo - Fatmir Sejdiu

The medal awarded by the President of the Republic of Croatia- Ivo Josipoviq

The medal by the President of Albania- Bujar Nishani

Documentary by Nuhi Bytyçit,: "Kolosët e luftës", dedicated to the marthirs Bekim Berishës and Bedri Shalës.

Management of Business Processes in Industrial Enterprises from Bulgaria Along the Lines of Balanced Scorecard and QPR Process Designer – Practical Conclusions

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Abstract

Processes generate results that the company provides to its customers. Customers outcomes and processes are connected in dependable interaction. The capacity of the company to provide results that customers expect, largely depends on how well managers or business analysts design and manage processes. A key factor to ensure sustainable achievement of the organization's business process management in industrial enterprises from Bulgaria, which inevitably requires continuous measurement of their effectiveness. Ideally, the measurement must be linked to high company goals, to ensure that the processes are oriented towards these goals and assessed according to their contribution to achieving them. On the other side, measurements should be used to assess the performance of individual employees involved in the process. In other words, the high efficiency of the steps (taken as synonymous with the activities in the project context and modeling terminology using software tools) of processes should be rewarded. In a time when resources are more intangible, tangible shift as a tool for value creation, financial analysis of business becomes increasingly insufficient for the establishment of adequate assessment and prognosis. The new business reality provokes appearance of new methodologies to improve the management of business processes, and measuring and managing organizational performance.

Keywords: improvement; business process management; modeling; measurement; software tools; high efficiency.

Introduction

Numerous references have already been addressed on the process architecture and expectations from a graphical representation of processes as a basis for their analysis and optimization. The next steps of the implementation methodology Business Process Management (BPM) are measuring the effectiveness of processes and their management, with or without the use of IT tools.

Measuring the effectiveness of processes.

Ideally, the measurement must be linked to the company's high-level goals, to ensure that the processes are oriented towards these goals and evaluated according to their contribution to achieving them. On the other hand, the measurement must be used to assess the performance of individual employees involved in the process. In other words, the high efficiency in the execution of steps (accepted as a synonym for activities in the context of the project and terminology modeling using software tools) from operations should be rewarded.

Balanced Scorecard (Balanced Scorecard or BSc) is a very good tool for measuring business processes, as assessed not only short-term financial performance, but also covers customer relations and quality of the activities of the company. In fact, it is essential to monitor the needs and expectations of all parties involved in the functioning of the company. Another positive feature of the BSc is that it clearly highlights the relationship of efficiency of processes with corporate goals, and also binds to them and appropriate initiatives and action plans.

Once selected performance indicators should allow employees to senior levels of the organization to act proactively, to redirect resources and offer optimization of processes before they become real negative effects on the final performance.

When an organization develop fully the activities of measurement and performance management, the question arises how to be weighed against the performance of processes across organizational units or competitors. In these cases, it is convenient to use the technique of comparative analysis (benchmarking). However, before proceeding to compare the effectiveness with other departments and companies, it is imperative to consider all characteristics and features that would make the performance indicators comparable. Too often, organizations compare numbers together disregarding differences in scope, complexity, or even corporate culture.

Benchmarking can affect the processing time, waiting time, costs, Quality Management Systems, customer satisfaction, profit, etc. and be carried out at different levels - at the level of product, process, business unit or the entire company.

Business Process Management.

Business Process Management (BPM), like the customer relationship management (CRM) and other concepts is both organizational strategy and segment of the software industry. It focuses on modeling, automating, managing and optimizing business processes in order to improve the performance of the company. If you look and analyze the complete end-to-end processes, methodology eliminates the boundaries between departments, information systems and users. It also applies in and outside the company, affecting not only employees but customers, partners and suppliers. Adoption of BPM inevitable not only improves return on investment (ROI), but the visibility, accountability and predictability of operations. Put on this strong foundation, everything in the company is going faster and easier, with less wasted time and money.

The rapid development of the methodology is based on the increasingly popular perception that success in today's "customer economy" is achieved through the efficiency of the organization and especially its business processes. Depending on the process of implementing BPM improves productivity, visibility and speed of change, but also reduces costs, errors and time to perform a business task. At full deployment business process management is a key factor for improving and financial results.

Solution market for business process management is formulated from the merger of several niches, each of which relates to the settlement of a separate part of the problem prior to the development of BPM:

- Automation of work processes (Workflow Automation) - the application of information technology in the process based on human labor;

- Integration of enterprise applications (Enterprise Application Integration) - to ensure the exchange of information between heterogeneous systems;

- Modeling and analysis of business processes (Business Process Modeling Analysis) - awareness of the details of the business processes and the potential effect of the

Introduction of the changes;

- Monitoring of business operations (Business Activity Monitoring) - measuring and analyzing the effectiveness of business processes and individual activities.

Too many people still have no clear view of what includes BPM methodology. This should not be the subject of a surprise due to the fact that the community of scholars, consultants and practitioners working in the field of business process management is not reached common definitions and approaches. BPM includes everything that is relevant to the effective and efficient management of processes in the company. At the center of these processes are people, so naturally it would be to try to make them part of the solution to existing problems.

"We are implementing optimization, but the real difference was evident when we decided that this activity is no longer a project and business strategy" (Stephen Schwartz, former vice president of IBM)

This way of thinking of managers is one of the keys to understanding the nature of business process management and key success factor related methodology endeavors. Without discounting the work on the realization of a project, it is the easy

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part of the task. The real challenge for companies is to institutionalize BPM and make it a fundamental management practice based on the ability to manage the process faster and predictable.

Milestones in the theoretical sense:

Implementation of initiatives for business process management usually pass through seven stages:

Modeling and documentation of processes to increase their understanding and initially identifying opportunities for optimization.

Redesign of business processes running on paper into electronic processes, eliminate paper forms, records and other documents, as well as inefficiencies associated with them.

Full automation of the process step by integrating them into corporate information systems.

Adding intelligent automated checks on data in electronic form in order to avoid gaps (blanks) or errors - for example, the selection of merchandise from the code instead of manually filling in her item number.

Introduction of automated control procedures to ensure the continuity of the process and to ensure functionality in the event of technical problems or human error.

Providing visibility of the status of processes in real time.

Analysis of the efficiency of processes in order to facilitate their subsequent development.

What is the situation in practice.

To illustrate the capabilities of business process management can be considered a simplified diagram of the process for the implementation of applications for modification of the characteristics of a product or service from the customer. (example QPR Process Designer)

Figure 1. Process to implement the change requests on the characteristics of a product or service in Bulgarian enterprise
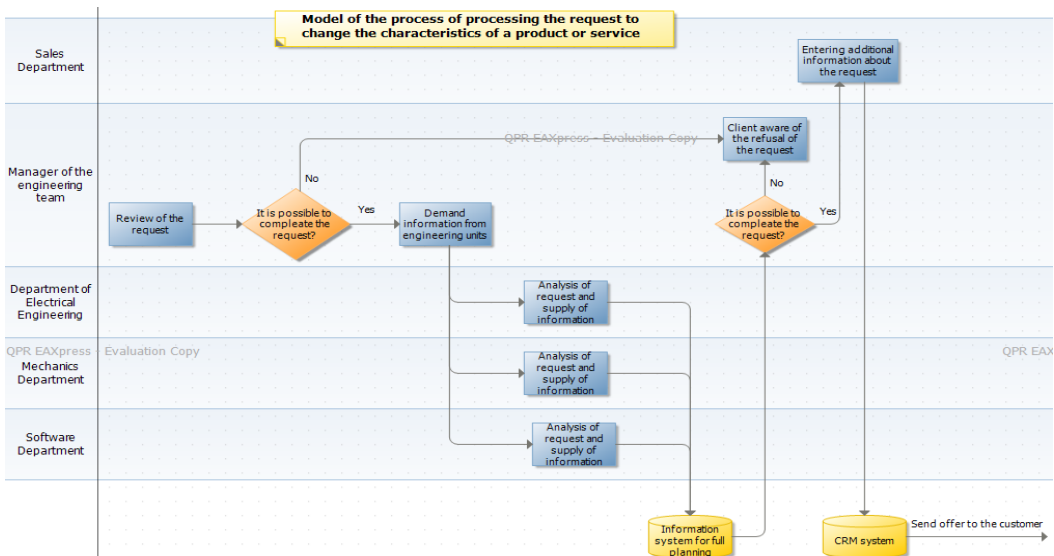
The process begins with the receipt of the request from the client, which is viewed by the head of the engineering team of the company. It may either reject the application, which will cause the sending of e-mail notice to the customer or to request simultaneous analysis of the application of one or more of the engineering departments - Electrical, Mechanical and Software. When you answer all departments are ready, the process is reversed to the corporate information system planning. It processes the data and the calculated estimate of the time and costs required for the requested change. This information is returned to the head of the engineering team that has the opportunity to once again consider whether to refuse the application if its implementation requires too many resources. Otherwise, the information is transmitted to the sales department, which can add additional information about running the application. The company's CRM system automatically prepares bid based on the information and send it by email to the customer.

This process can take a close look and analyze opportunities for adding value through BPM according to its description, by means of the software tools - Balanced scorecard and QPR Process Designer. (Table 1)

Table 1 Analysis of the possibilities for adding value through BCs and QPR Process Designer in Bulgarian enterprises

Element of the description of the process	Ability to manage the process
Processing of the request for change is a sequence of activities - from initial customer notification, review by the head of the engineering team and engineering departments, references to information systems, etc.	Modeling allows to identify the individual steps, and thus the opportunities for optimization, eg automate sending of e-mail or using the information sent by the client for automated assessment of who paid to be included in the analysis of the application (thus eliminating the first step in a review by the manager).
The sequence of steps in the process is clearly structured. Tasks are carried out in accordance with a logic or set of rules. In this process:-incoming requests must be reviewed by the head of the engineering team;-head to determine which departments to analyze the request and to provide information;-If the application is refused, the shipper must be notified by email.	With the help of automation system ensures that each of the steps will be executed according to the real data coming into the process. In addition to providing speed and ease of transfer of the implementation of activities from one unit to another. If delays occur, it is possible to generate notifications or automatic corrective action.
Assurance that all activities are carried out according to plan, one of the main ways in which BPM eliminates many errors encountered in manual work.	
Activities can be performed sequentially or in parallel according to the logic of the business process. In this example, three engineering departments analyze the client's simultaneously (in parallel).	Designing parallel tasks can be achieved by significantly reducing the time required for their implementation. The sequence of steps can often be changed on the basis of the received process in real data. These specific situations conveniently handled in a process using automated information systems.
In almost all business processes involving two or more employees or organizational units. In the case involved the head of the engineering team, employees in engineering and sales department. Besides their important role in the play and several technological solutions - e-mail, text editor and information systems planning and CRM.	With the availability of tools to manage all the processes involved in them can review the status of the various stages of implementation without the need to interact with another participant. Different departments and even clients if they wish, to know what is happening with each request at any time. This level of transparency is difficult to achieve with traditional manually performed processes.
The sequence of activities in the process must be oriented towards a common goal or result. In our example, the	If the organization implements computing the process, it can monitor the fulfillment of other goals: for example, how long it took the preparation of the tender and which organizational units were the fastest and slowest in the

purpose of the process is to be sent to the customer accurate offer.	performance of their tasks. The analysis of this information will assist the organization to evaluate its operational performance. Depending on the findings and conclusions that can be added or removed from the process steps are simple some forms or to change the rules of business logic in it. Taking these actions would be much more difficult if the process was not automated.

Here can be established that the ability to optimize the performance of business processes by introducing a methodology for managing them are significant:

- Modeling of processes leading to promotion and better understanding of the activities of the employees, and often brings opportunities for the immediate improvement.

- Automate the process reduces the number of errors and the time for one cycle, and increased transparency and accountability.

- Process management ensures their implementation with maximum efficiency and supports their projects further optimization.

- The optimization of processes becoming their constant improvement of the life of the company.

Systems for resource planning in the company.

One of the biggest phenomena in business over 90 years is the emergence of so-called systems for enterprise resource planning (ERP). These software products provide customers with an integrated set of modules (for finance, manufacturing, logistics, etc.) using jointly shared database and are compatible with one another.

Many companies in Bulgaria bring the ERP specific technical objectives: to replace outdated systems already difficult to maintain, reduce the cost of the hardware platform required for the operation of their software, etc. Companies that have already started their initiatives, taking into account such purposes are starting to have problems. The reason for this is that they do not appreciate the true nature of ERP - its modules are so closely integrated that such a system is virtually maintenance tool for a complete business process. An ERP system leads to cross-functionality and teamwork (element along the process). On the other hand, this system requires discipline in the company (organization element). It requires the execution of processes within a company, whether she wants it in the way they are or not, and whether it is ready for them or not. When companies prepare effectively for this by switching to process-oriented, they succeeded with the ERP system. If not - their life becomes more difficult.

Target business process management and automation:

The biggest companies in Bulgaria run a large number of processes. They define the tasks, rules, systems and employees engaged in the provision of goods, services or information to internal and external customers. Although undoubtedly BPM can cover any process, it can be applied primarily to those who possess certain characteristics and hidden value to be unlocked:

Volume - the processes that occur most often are a source of significant costs for companies. With their skillful management incremental optimizations can have great value. If in addition to the frequency of these processes, and have any of the other features described below (below), the benefits of their management should be even greater.

 Transfer of implementation (steps) - the more employees are engaged in a process, the more likely it is during its execution to occur errors or delays. Automating processes reduce delays and improve coordination among the participants. If processes involve employees from different organizational units, value added increased further.

Ability for automating - in some processes quickly becomes apparent that some activities can be completely automated, allowing the systems and technology to carry out all the work. Automating the steps creates significant added value and still cannot be counted on to eliminate any human intervention.

Errors - many business processes suffer from errors during execution. Some errors are unintentional, while others are due to insufficient information and understanding of the process.

Prioritization of BPM initiatives based on their described features can be further and identification and analysis of those processes that are the biggest problem for the company. It is sometimes difficult to be recognized, but most companies have such a problematic and difficult to implement processes. Often the problems are felt by all stakeholders - from employees to customers who expect the result of it. Focusing efforts on problematic processes will allow you to avoid the typical resistance to change, as employees are ready to help improve their work. By taking action to optimize processes problematic not only increasing the chances of success, but the readiness of the company to use the methodology of its other processes increases, creating organizational (corporate) culture of perfect execution of activities oriented towards internal use and satisfaction of the customer.

It is vital that the company does not undertake activities automating those business processes that are not sufficiently optimized and efficient. The launch of the project in this way will not solve the occurred problems in the process - and just help them occur faster in a much larger scale and more often.

"The first rule in the implementation of any new technology is that automation of an effective action will multiply its effectiveness. The second rule states that automating an inefficient operation will multiply its inefficiency. "(Bill Gates)

The reason for the failure of many business ventures to automate business processes lies in the inherited inefficiencies in these processes. In these cases much more accurate would be to carry out a thorough analysis of the process, including an assessment of their effectiveness and pre-optimization before taking the next steps of the project. This would prove quite difficult for companies with established from decades practices that are zealously protected by the participants and their managers. A careful approach to overcoming resistance and creating a belief that each participant in the process would benefit from its optimization and automation is the key to success in these cases.

In conclusion

Continuous optimization of business processes with help of BSc and QPR Process Designer is a key competing advantage for many companies. Those who actually are process-oriented experience the following:

- Work more quickly;

- Operate more predictable and consistent;

- Had pride theirs employees, better understand their roles and the roles of others;

- Perform fewer projects to reengineer information systems;

- Adapt better to new business expectations much easier than other competing companies.

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Organisation of Self-Government in the Republic of Macedonia

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Abstract

The subject of this paper is the constitutional and legal regulation of local self-government system in the Republic of Macedonia, territorial division, the process of reforming and building this system since the independence of the Republic of Macedonia from the former federation of Yugoslavia. With the intention of functioning and materialization according to democratic principles, since the independence of Macedonia the system of local self-government has undergone through continuous reform process. These reforms first of all are mostly related to the territorial division of local self-government units, seeking the most appropriate model which would be appropriate to the general developments of Macedonia. In this paper is analyzed the role and the constitutional and legal position of local self-government units, in this case the municipality, as the only unit of local self-government, its legal status, competences, representative and executive bodies, financing and the process of decentralization. It is also analyzed the model of organization of local self-government in the city of Skopje, as a capital of the Republic, in the form of community of municipalities in the city and the impact of the Ohrid Agreement on the regulation and functioning of local self-government in Macedonia.

Keywords: Local Self-government, Macedonia, Municipality, agreements

Introduction

Republic of Macedonia, as unit of the former Yugoslav federation, is the only republic (which was not the case with other republics as federal unit) which gained its independence peacefully, during the breakup of the former Yugoslav federation, through a referendum in 1991.

Macedonia is a multiethnic state, even though by the constitution is not defined as such. Based on the data of the State Statistics Office, Republic of Macedonia has an area of 25. 713 km2, according to the 2002 census, 2,022,547 people living in Macedonia. According to the census the ethnic structure is as follows *: 64,2% Macedonians, 25. 2% Albanians, 3. 8% Turks, Roma 2. 7%, 1. 8% Serbs, Vlachos 0,5% and 1,8% not defined [1].

The issue of the organization and territorial division of local government units in the Republic of Macedonia is addressed since 1952, namely in 1962, when the territory of this republic is divided into administrative-territorial units - municipalities. This administrative division but also the local government had 34 municipalities, a system that was applied until 1991, and today in the country operate 84 municipalities and the city of Skopje as the capital of the republic is organized by a special law on local self-government, as a community the municipalities of the city of Skopje.

Constitutional and legal regulation

With the adoption of the constitution of the independent state of Macedonia in 1991, the system of local self-government sanctioned by the specific provisions and it is considered one of the fundamental values of the constitutional order[2]. By this

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* Note: This is the last population census (2002). Because the regular census of 2012, was halted without being completed for political reasons and 'national security', as was the excuse of state authorities. But probably the main reason as were warnings that the Macedonian population is decreased and predictions were that the Macedonians will have less than 50% of the entire population of the Republic of Macedonia

  Republic of Macedonia State Statistics Office, Skopje, www.stat.gov.com

[2] The Constitution of Macedonia, Article 8

Constitution, to all citizens of the Republic of Macedonia is guaranteed the right for local government[1]. By the Constitution, only the municipality is provided as a unit of local self-government.

The territorial division is done by a special law, and the citizens participate directly or through their representatives, in decision for issues of local importance, especially in the areas of public services, urban and rural planning, environmental protection, local economic development, local finance, culture, sports, social and child protection, education, health and other areas prescribed by law[2]. Therefore the municipality is the only unit of local self-government, and the local self-government system in Macedonia is in the same level and same competences for all municipalities, regardless of territory, number of inhabitants or the level of economic development except Skopje.

City of Skopje as a separate unit of local self-government and the capital of the Republic has also organized local government by a special law[3].

Apart from the constitutional provisions the local government system in Macedonia is regulated also by special laws: the Law on Local Self-Government of 1996 and 2002. 2004. Law on territorial organization of the municipalities in the Republic of Macedonia[4]. The territory of Macedonia is divided into 84 municipalities, while Skopje has special status as the capital and with a particular form of organization - the Community of Municipalities of the city

Organizational structure and competences of local self-government units - municipality

Municipalities as local self-government units are legal entities organized under the Law on territorial organization of local self-government and the Law on the City of Skopje. Currently according to these laws the Republic of Macedonia has 84 municipalities. The territorial division of municipalities is leaded by the principle of separation map and municipal boundaries do not follow ethnic lines but above all territorial division based on principles and relevant criteria to the whole territory of Macedonia.

The law requires that: the territory in which the municipality is established with its boundaries, coinciding with the cadastral boundaries of municipalities, which must present a set of natural geographic and economic connection with road infrastructure between settlements and gravitation towards the common centre, and have the infrastructure facilities and social standard facilities built[5].

Based on these principles by 84 municipalities, there are significant differences between them as to the territorial space, economic development and population.

Therefore ps. Municipality Vraneshtica counted as municipality with fewer inhabitants which has only 1322, or that Kumanovo as municipality with more inhabitants with 105,484[6], while the area the largest municipality is Prilep with 1194 km2, the smallest is Çair municipality, with the area of 3. 5 km2[7] only.

The Law on Local Self Government in 2002, municipalities have two types of competences:

- own competencies and

- delegated competences

By Article 22 of this law is defined the list of competencies for which municipalities are charged to perform work in the public interest and they are: Urban Planning (urban and rural), protection of environment and nature, local economic development,

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[1] The Constitution of Macedonia, Article 114

[2] Same, article 115

[3] The Law on local self-government in the city of Skopje, 1996

[4] "Law on territorial organization of the municipalities in the Republic of Macedonia ", 2002

[5] Law on Local Self-Government, Article 17 and 18, OG No.28 / 2004

[6] Report, the Institute for Policy Studies intercultural Macedonia, May 2009

[7] Wikipedia, Municipalities of Republic of Macedonia (www. Wikipedija / 3.3.2016).

communal activities culture, sports and recreation, social protection and child protection, education - establishment, financing and management of schools up to the secondary level in cooperation with the central government, primary health protection, measures for protection and rescue of citizens, protection against fire, supervision over carrying out performance of its competences and other tasks stipulated by law[1].

Delegated competences to the municipalities defined by Article 23 of this Law as follows:

1. The state administration bodies may delegate the performance of certain issues of its competences to the mayor, in accordance with the law.

2. In the cases of paragraph (1) of this Article, shall be funds from the budget of the

 Republic of Macedonia to carry out those tasks.

3. The method of performing the tasks referred to in paragraph (1) of this Article may be

 adjusted to local conditions, respecting the standards set by law.

The State Administration of paragraph (1) of this article in subsidiary order is

 responsible for carrying out the delegated tasks[2].

Bodies of Local Self-Government Units

The Law on Local Self Government and Municipal bodies are: the Council and the Mayor[3].

- **The Council** as representative body of the citizens of the municipality and the City of Skopje, as a collegial body issued the charter, rules and regulations of the local level or the municipal scope prescribed by law. The law explicitly states and has defined the competences of the council of the municipality / city of Skopje as follows: issuance of municipal statute / Skopje, issuance of decisions and other acts. Extraction of spatial and basic and detailed urban plan, budget and final accounts for implementation of the budget. Municipality / City of Skopje has the right to organize a referendum, establish municipal bodies, organizations, services and funds, elect and dismiss the President and Vice President of the Council, selects, appoints and dismisses holders of other public municipality conducts surveillance the work of municipal bodies, organizations, services and funds, cancels and abolishes acts of organs of municipal council, ensures the implementation of laws and other provisions for which is authorized by the Government, issue regulations for its tasks and perform other tasks defined by the constitution, law and statute of the municipality[4].

The statute of the municipality / city of Skopje determines organizing body of the municipal council. City councillors and the number of which is determined depending on the number of inhabitants in the municipality and can not be less than nine (9) municipalities up to 5,000 inhabitants and no more than 33, the municipalities over 100,000 inhabitants[5]. The municipal council consists of elected representatives in local elections, direct and free elections by secret ballot and plurality, the Council from among its members elect the President of the council of the municipality / city of Skopje. He leads and manages the sessions of the council, cares for the progress of work of the Council and performs prescribed by law and municipal statute. The president of the Council for its work is responsible to the Council of the municipality / city.

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[1] Law on Local Self-Government. 2002
[2] Same, article 23
[3] Law on Local Self-Government, article 31
[4] Same, article 36
[5] Same, article 34

The Mayor is the executive organ of the Municipality / City of Skopje, which is elected by general, direct, and free elections by secret ballot in accordance with the law regulating local elections[1]. The Mayor by law and municipal statute is the highest executive body of the municipality, a Mayor who represents the citizens and represents the municipality and state authorities. Mayor performs and duties that are prescribed by law and held responsible for the tasks delegated by the central municipality. He manages the municipal administration, propose and issue decisions, regulations and other regulations dealing with the municipal administration, proposes and implements municipal budget, appoint management staff of the municipal administration and enterprises, institutions and public funds communal care for municipal public property and overseeing the legality of the acts before the announcement.

The Mayor of the Municipality / City of Skopje issues decisions in administrative proceedings at first instance. With these acts he decides to exercise the rights, obligations or legal interests of citizens in the concrete municipality of its territory defined by law and fall under the jurisdiction of local self-government unit. Against acts decisions of the Mayor, the unsatisfied parties may challenge (complaint) through the relevant Ministry of the central level, in cases where no appeal is permitted by law, the decisions of the mayor are final and aggrieved parties in such cases may raise only an administrative lawsuit at the administrative Court. The mayor's mandate is four years (4) and complies with the mandate of the municipal council as regular elections prescribed by law.

City of Skopje - a special unit of local self-government

The City of Skopje is a special unit of local self-government, in which are implemented the common needs and interests of citizens arising from the status of the city of Skopje, the capital of the Republic of Macedonia[2]. Taking into account the special position of the city of Skopje, the municipality and the local government unit, organization, competences and functions do not differ substantially from other municipalities in the country. Therefore, the Law on Local Self-Government of the Republic of Macedonia decisively emphasizes that the provisions of the same law apply in full for the city of Skopje, as well as the Law on Local Self-Government of the City of Skopje, except those provisions which by this law are foreseen otherwise[3].

The Law of the City of Skopje regulates the competences of the City of Skopje, organizing the tasks of its organs, the direct participation of citizens in decision-making, ways of financing, the protection of local self-government, IMC municipalities within the city, including the municipalities in the City of Skopje, etc..

City of Skopje as Macedonia's capital as a whole and single territorial, urban, economic, political and ecological, includes the following municipalities: Center, Kisela Voda, Gazi Baba, Çair, Karpos, Shuto Orizari and Djordje Petrov[4].

Financing the local self-government units

Local self-government bodies to implement and fulfil the duties and obligations imposed by the law must have the necessary financial exploitation. The local government has the right to adequate financial resources. The issue of local government financing, is one of the core issues that should be paid special attention to the fact that without funding there is no proper functioning of local self-government bodies, namely the provision of services with modern standards. How important is this issue more clearly speaks the principle arising from the European Charter on local self-government, where this principle is ranked one of the key principles for the organization and functioning of local government units and obliges governments of the countries to foresee that matter by specific constitutional and legal provisions.

Local self-government units in Macedonia have two types of funding and resources, income source (own) and additional funds in the form of grants from the budget of the Republic.

The first group includes the income of resource defined by law: taxes (a part of the income tax, the tax asset left in inheritance and gifts of real estate) taxes on municipal land, municipal fees and income from services; income from its own

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[1] Same, article 49

[2] Law on local self government in Republic of Macedonia, Skopje 1995, Article 4. provision 1

[3] Law on local self government in Republic of Macedonia, Skopje 1996, article 16

[4] Same, article 4 provision 1

assets, tax revenues Republican or outside (in-kind or cash), profits from enterprises and public services established by the unit of local self-government revenue from fines for breaking the rules of the unit of local self-government; other revenues as provided by law.

The second group of income includes additional funds from the budget of the Republic and income in the form of a loan from the budget of the Republic, not to stop the functioning of local self-government units[1].

In addition to these sources of funding for this period the local government units in Macedonia are financially supported by many international governmental and nongovernmental organizations to realize more public infrastructure projects. But it should be noted that the allocation of the state budget, the local self-government units with Albanian majority are continuously discriminated by the Government of Macedonia, and this is best evidenced that Albanian municipalities are and remain among the most underdeveloped municipalities in the Republic of Macedonia, where the Albanian political factor is also responsible.

Ohrid Framework Agreement and local self-government

The organization and functioning of local self-government in Macedonia has support directly by the basic principles of the Ohrid Framework Agreement, namely the third and fifth principle stating: it is decided based on these basic principles:

Third Principle - There are no territorial solutions for ethnic issues;

 Fifth Principle - Development of local government is essential for encouraging the participation of citizens in democratic life and for promoting respect for the identity of communities[2].

With this agreement, which is in full compliance with the European Charter of Local Self-Government, municipalities, in particular those with an Albanian majority is recognized the authority for governance as in the sphere of public services, urban planning, rural development, culture, education, social protection and health, local finance, etc..

Although the laws mentioned are approved, but implementation in practice is far from what the Macedonian government authorities committed.

With this agreement the Macedonian authorities took the obligation to make the necessary constitutional and legal changes related to: the decentralization of power (empowerment of local government units), fair representation of Albanians and non-discriminatory in all levels of administration and state institutions, changing procedures councillors practicing qualifying principle of majority (2/3) to amend the constitution and some systematic laws that affect the rights of communities that are not majority in Macedonia, the right for education and the use of language as an official language spoken by at least 20% different from the Macedonian language, expression of national identity through ethnic community symbols, etc.

Although the framework agreement envisaged to become a reality at the latest by the end of 2004, this term not only was not respected but there were delays and not proper deviations. For, not fulfilling the obligations arising from the agreement can not be blamed only the government of Macedonia, but the best part of the responsibility belongs to the Albanian political factor for pursuing a policy incoherent and fragmented throughout this time.

Critical points on this agreement were not realized based on the dynamics of which we consider vital for the Albanian population are:

First, not official use of the Albanian language as second official language in Macedonia, even though, by the Constitution this right is defined exactly: Any other language spoken by at least 20% of the population, is also official language. So, the rate of 20% is provided that a language gets the status of official use. However, this constitutional provision is modified "neatly" in the Law on Use of Languages (2006). Article 2 of the Law states: "The state organs of the Republic of Macedonia

[1] Cop. By Agni Aliu & Esat Stavileci : Local Governance .Tetovo-Prishtina.2009.pg.111
20 Ohrid Framework Agreement, 13 August 2001

can use the official language other than Macedonian[1]. Here we have a substantial change of the constitutional determination that the use of the official language is expressed with "is" and the by law "may". So, the Albanian language is not used by default, but can be used or not, this is a substantial change.

Second, by the Ohrid agreement the fair representation has following wording: "we will fully respect the principle of non-discrimination and equal treatment of all persons by the law". This report shall apply to employment in the administration and public enterprises. But even to this day there is still not adequate representation of Albanians in state institutions and in the Macedonian central and local level of government.

 Third, the decentralization in all fields especially in the field of finance was replaced by classic de concentration.

Delays that brought not timely implementation of this agreement were enough to frustrate citizens, and primarily the Albanians, who are reflecting the idea of alternative competitive "market" of political ideas for new internal adjustment of the political system in Macedonia. So there are many reasons to demand accountability from those who have delayed the implementation process of the agreement, whether in the current government, or precursor. The common denominator of all delays in this process has been playing obstruction deadlines, insincere game between coalition partners.

Conclusion

 The organization and functioning of local self-government, namely the organization of territorial units in Macedonia since its independence has been continuously subject to the reforms and changes, not only in number but also in their core competencies. Initially, immediately after the adoption of the first laws in this area, from 34 municipalities were established 124 municipalities which operated until 2004, and with legal changes that number was reduced to 84 which currently operate.

Republic of Macedonia, although is a signatory to the European Charter of Local Self-Government, even today does not comply with the basic principles of the Convention, related to decentralization and local autonomy in general and in particular financial autonomy is because the competences of local government (municipal) are almost completely squeezed under the jurisdiction of the central government or respective ministries, such as education, culture, health, social issues, etc. while the justice and interior were completely centralized. So, the concept of regulation and the division of competences between central and local government in Macedonia, there was no question of decentralization of competences but for the classic de-concentration of responsibilities for carrying out tasks with local character, in this case the municipality as a unit of local self-government.

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Albanian Federation as a Peace Factor in the Region

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Abstract

The process of creating the Albanian Federation, respectively the acceleration level, is combined with the EU integration process, respectively disintegration process. Certainly, the process of creating the Albanian Federation, as a political project does not face with the challenges the European Political Union project is facing, but the approach to the EU challenges will make us more clear the process from where could be outlined the creation of Albanian Federation. Divergences between the new and older EU members, but also between the EU member states that have national heterogeneity and as consequence were not allowed to pass the Rubicon of internal self-determination, different ethnicities within national borders (Spain, Romania, Cyprus, Slovakia and Greece) with those who present the type of homogeneous state (Germany, Italy, Sweden, Slovenia, etc..), are reflected in the attitude towards Kosovo and, generally, the right to self-determination. Comparative overview of theses of Applied Policy Research Center (CAP, Muenchen) on possible trends in the development of European integration processes, in relation to the process of creating Albanian Federation to the first and fifth scenario results to be small, while to the fourth scenario this possibility seems to be big. The fourth scenario, combined with elements of the second scenario, it seems to be exactly that, in current circumstances is considered the most probable to be realized, but that goes in favour of the creation process of the Albanian Federation. Creation of the Albanian Federation should be regarded as a contribution to sustainable peace in the region. Albanian Federation could play a positive role in deepening the transatlantic relationship

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Introduction

The Albanian Federation establishment process and its acceleration, is actually connected with the integration or disintegration processes in the EU. Based on a parallel comparative view of five possible scenarios formulated by the Investigating Center for Applicative Policies (Centrum für angewandte Politikforschung CAP) about future of the European Union[1], it illuminates my aforementioned thesis. Of course, Albanian Federation establishment as a political project doesn't face the same challenges as the EU Political Project does, but challenges access toward the EU will clear up the process how Albanian Federation establishment might be delineated.

Based on my point of view, this will illuminate interdependent process of these two major projects. A comparing connection by surveying both the CAP scenario and reflection of these possible scenarios on completion of Albanian Federation, there will also be not only merely a theoretical interest. The table at the end of this chapter is the product of this comparative study.

1. 1 The first Scenario

According to Algieri, Emmanouilidis, and Maruhn the so-called **Titanic Scenario** describes a substantial risk of dissolving of the European Union. Based on authors of this scenario this will happen, because there will be more differences among the EU members in terms of further integration process. Divergences between the old EU members and late members will be irresistible. This heterogeneity of interests will affect the development area and it will create impassable obstacles to

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[1] Franco Algieri, Janis A. Emmanouilidis, Roman Maruhn, Europas Zukunft – 5 EU–Szenarien
  Centrum für angewandte Politikforschung (C.A.P.), München, 2003

move together. Over expansion of the EU beyond its possibilities to cope with the current union structures will convert this union into a Political Union unable to act. The case of five EU members, which have not recognized Kosova independence, proves that the EU actually faces its own crisis to be testified as a capable structure to cope with other challenges in the Old Continent.

Based on this scenario, the EU will be weaker and weaker, because there will be big economic and social crises within the EU. Particular members of the EU will not be able to cope with these crises. Inside political and social national system crises will affect inside the EU, in fact they will be noticed by citizens' attitude towards the EU. Populist and outside-parliamentary political powers that will strongly raise their voice against Brussels' policy may be important in national political life and they will be reflected at the EU level. Divergences will continuously produce political crises coming with political disagreement values, which would cause tendencies on political return from supra-national into national structures. This crisis will inevitably have an impact on economy. Financial crisis in Greece and its possible expansion to Portugal, Spain, Ireland, Italy and so on, it seems it gives a basis to this thesis.

The EU political substance loss will be followed with the EU role weakening as an element in action race in relation to North America and Asia.

When the integration process will be completed, Monetary Union will come to an end as well as the EU symbol and the Euro currency will be substituted with national currencies.

There are chances that this scenario will impose an authentic political awakening which will be acceleration and may look like a somnambular revival.

The increasing differences among the EU members, which are not simply connected to integration processes, were visible in relation to policies, which the EU should have towards Kosova. This difference in political points of views was more considerable after the publication of the opinion   of the International Court of Justice on July 22, 2010. To understand this, one needs to look at the internal changes that happened within the EU when Serbia created their resolution for the General Assembly of the UN[1], right after the ICJ issued their judgement that Kosova's decleration of independence is legal internationally. Furthermore, one needs to look at the events that unfolded after Kosova's government tried to get the north of the country under control. As Weller concludes, the UN General Assembly is aware of the fact that that this judgement is not sufficient to come to an agreement between Kosova and Serbia, the General Assembly should create a resolution (Weller, p490, 2011) through which it would call to a "[...] solution which is acceptable to both sides regarding all unresolved issues, though peaceful dialogue, in the interest of peace, security, and regional cooperation[2]. " Even though Belgrade was pushed into not putting forth their resolution, a group of EU countries "[...] came together to to sponzor an alternative text which would only reinforce EU's readiness to become a mediator in talks between the two countries" (Weller, p491, 2011). Serbia nonetheless never let go of its secondary plans to partition Kosova and annex the north.

Divergences among new and EU members and the EU state members with national heterogeneity did not allow internal self-determination to pass the Rubicon. The different ethnicities inside national borders (Spain, Cyprus, Slovakia and Greece) show the homogenous state type (Germany, Italy, Sweden etc.) how this reflects on their attitude toward Kosova and self-determination.

The EU political loss of substance loss and weakening of the EU's role would create preconditions to the reviewing of the Albanian National Strategy (as a normal reflection of national strategies of current EU members) in accordance with long-term interests in relation to North America and other rising superpowers.

By the end of the European integration process, the inter-Albanian national unifying course of action would be imposed to bring the Lek as a single currency and the acceleration of an Albanian Federation as an act of establishment.

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[1]   As expressed by the ICJ, 2010, I. The leglity of the unilateral decelration of independence by kosovo in the international law.

[2]   The Draft Reolution for the 77th talking pint of the day of the 64th UN Geeral Assembly: The request that ICJ shall give an advisory report regarding whether the unilateral decleration of independence of Kosovo is in accordance with inernational law, www.un.int/serbia/Statements/77.pdf, preamble, 2nd paragraph.

1. 2   The Second Scenario – The Scenario of the Closed Kernel of Europe

It has to do with a closed kernel of European nation states, which will be functioning as a structure in themselves within EU structures.

There will be more and more different viewpoints in terms of integration processes. Based on a strategic opinion, if this process were larger, it would end with in an agreement and would transform the EU into a Federal Political Union.

The EU's incapacity to act accordingly, despite its expansion, will induce disappointment in its citizens in relations to the concept of a united Europe. Emphatic national and regional identity will be more important in citizens' conscious and their political formation. Political parties considering citizens' interests should follow this trend. All this has been concluded by Algieri, Emmanouilidis, and Maruhn in their study.

However, there will be much more common inter-trade priorities, greater possibilities of movement, goods and circulation of human ideas. Nevertheless, hungry politicians and realist politicians will avoid integration course efforts. Pragmatism will determine the political course and ambitious projects like a Social Union; United Army etc., will not have enough political support. Groups of strategists with friendly pro-European feelings do not have enough political visionaries.

After failing to establish the supra-national Political Union, then a small number of states will come together and commence a course of interstate co-operation. According to this thesis, this realistic course will enable these countries to widely protect their common interests. This kind of intergovernmental co-operation will be seen as the only way to protect common interests and cope with the possible superpowers.

The supra-national systems and decision-making processes are too complex. Finally, the EU will be incapable to achieve strategic goals, with initially some small countries posing an obstructive attitude towards the EU conversion into a global superpower.

A group of the EU countries may wish and will the Union to be treated as an equal structure, capable to share obligations and responsibilities in the new world order. It will become as linking knot of intergovernmental interests of European countries. This would happen even at conscious process, because any current EU member would fail at this anarchist endurance. A coalition for a common and interdependent union structure would be the best rational and political way out.

To compile a project like that dealing with the establishment of a common European kernel will come up now when political decision takers will conclude that integration process ability, in terms of foreign policy cooperation and security as a unique body, will be possible among the EU countries. This strong political desire, connected to this concept, will very much hinder national peripheral countries intercommunication. Actually, those that are EU members with other international actors in the field of defence, foreign policy and security, will weaken the structural and functional unity of the Union, as concluded by Algieri, Emmanouilidis, and Maruhn.

The establishment of a closed kernel of Europe will clearly send messages to the Albanian political element that the integration of Republic of Kosova in the EU, as long as the Lisbon Treaty will be in force and this political system will be as an inescapable process.   A solution should be found through German model.

As a possible way to enter the EU structures, the Republic of Kosova would do so after having been nationally integrated. This means the establishment of an Albanian Federation and moves toward the European integration process, very much like the German Democratic Republic (GDR) when it was unified with the Federal   Republic of Germany (FRG). The integration process in the field of co-operation among the EU member states, which would compose of the close kernel of Europe and the Albanian Federation, will be presented as a possible political will and mutual interest. This would testify to the growing Albanian element, its structural unity and the functional consolidation of the close kernel of Europe.

1. 3   The Third Scenario – The Monet Method

According to this scenario, the further development of the EU will be done based on the applied model during the past decades. The EU will face internal and external challenges, partially in accordance to expansion processes and

commensurate to world political and economical changes. The EU member states are able to correct the Union inability to act but without a will how to 'to heal' the source of problems.

Capacities and abilities to act, leading structures quality and legitimate democratic base will not have emphatic and meaningful improvements.

After this, the 'old logic' returns to different EU centres, which means the displacement of all hopes towards the Intergovernmental Conference of 2007/2008. Regardless of different rhetoric of politicians, consolidation of reform in the substantial sense is again impossible. At the same time, the political will to look for common action points and move forward again will be tested.

At this point, it would be considered the fact that divergences in the field of interests and conflict avoidance after the EU expansion eastwards have been deteriorating. In general, the common EU system acts from quite a lethargic point, it may not be said it does not move forward.

Regardless of weaknesses, the EU will not be dispersed. Common trade, the Schengen regime, Monetary Union as well as the consciousness that the European integration process has provided peace and stability to the old continent all act to keep the Union alive and united. Governments, as well as national parliaments, political parties and citizens are aware that the EU does not have an alternative model for the future.

In this situation, the European Commission will again as a political body have the role of a motor being accepted by all parties as a functional structure. In the field of foreign policy, agreements and other common Union acts, this will not be an obstacle. However, the obstacles are the lack of political will of each national government to approve Union action decisions in the international field inside the new global order and under USA leadership.

Institutional reforms detailed in the field of common security and foreign policy is insufficient to activate the strategic potential of the Union with about 500 million people.

First, Europeans are not able to improve and enable their military capacities. Considering foreign policy, defence and security, the EU will remain a non-active player and its actions are limited only inside the old continent.

After a very long period, the EU expansion process it finally comes to an end after the entering of Bulgaria, Romania and eventually Croatia. The EU will survey co-operation policies with commensurate interests of other countries connected not only with the entering of these countries in the EU as soon as possible but also to lead stimulating policies for regional co-operation, as concluded by Algieri, Emmanouilidis, and Maruhn in their study.

The Albanian element has a bitter experience with the EU's attitude and at the most crucial moments for it in the 1990s. The failure of substantial reforms necessary to cope with the growing internal and external challenges leaves the Western Balkans, and particularly the two Albanian Republics, outside its attention. The lack of political will to 'heal' ther roots of the problem, starting to caress Serbia, the country which has been destabilizing the region. This creates preconditions for Serbia to play two games at the same time. Firstly, it desires not to give up its strong will to enter the EU. Secondly, it desires to forge alliances with Russia and other Asian elements to the prejudice of peace, stability and stability in the region. This in the meantime, is harmful to the long-term orientations to transform the EU into a cohherent decision-making element - not only in this part of the continent but also in the wider arena.

After the entering of Croatia in the EU, the Union's long expansion process will have come to an end. This emboldens Serbia to turn its course towards Russia, giving clear signals for its possibilities to be treated as a decision-making element to divide   zones of interest in this part of Europe. The return of Russia, whether through considerable investments in Serbian's economy or in tourism in Croatia, Montenegro, Greece and elsewhere in the Balkans, would probably totally devitalize the EU. The EU's policy review towards the Western Balkans commensurate interests connected not only to these countries entering the EU quickly, but leading to stimulating regional co-operating policies would create a predisposition to review the Albanian strategy towards internal   integration.

The political class of the Republic of Kosova would feel tightened because of inner political isolation. This is because of the risk of economic collapse, and it will outline and find a way to get out of isolation through the quick completion of the Albanian Federation project. However, it will always consider strategic interests of the EU based on regional co-operation policies.

1. 4   The Fourth Scenario – The Open Gravitational Space

This has to do with an activation of a common method among a group of the EU member states, where a group of avant-garde countries would be constituted dealing with the integration processes inside the EU, forming a gravity kernel to lead this process.

The leadership of these countries with positive predisposition to deepen the integration course, and after having concluding there are some serious obstacles from a group of countries to move forward strong-minded with the integration course to transform the EU from an Economic Union into a Political Union, a new strategy, the so-called 'Open Gravity Space' will be compiled and presented.

Based on this avant-garde point of view, the transforming of the EU into a free trade zone and weakening of the EU principles and the marginalization of supra-national institutions (ie: the European Commission, the European Parliament) should be avoided unconditionally.

The majority part of governments, majority part of political parties at the European level and civil society, appreciate the deepening of integration processes. The strong-minded EU expansion from 27 to 28 countries, including (Croatia in July 2013) [1] is ambitious. It is aiming to have this number of states in the near future, even 35 countries in total. After the entering of Western Balkans countries in the EU, this avant-garde thinking is necessary in order to be equipped with additional integration impulses. The stagnation of EU integration policies is not only harmful to long-term plans, but they are even poisonous to the abilities of the EU in coping with the difficulties of the new world order and the race in the economic field.

After having failed even before on block approval of integration policies through a more accelerated course (Schengen, Monetary Union), the flexibility on taking decisions for crucial issues in European level will be turned into an action method.

The countries of positive will and predisposition for further integration will increase their agreements indifferent fields, in accordance with basic documents of the EU (Lisbon Treaty and Legal Acts produced by this political agreement).

To legitimise this kind of action, these avant-garde states will use 'co-operation strengthening' coming from the Amsterdam Agreement as a differential instrument.

The opened gravity space, including small and big countries which entered or have recently entered in the EU, will be completing the course of transforming the EU into a Political Union. Mechanisms, structures and instruments of this area (which deepen the course of co-operation) act to enable other states to be integrated whenever they see it reasonable.

The expansion process of the EU is concentrated on the absorption of the Western Balkans countries as well as of the European economic and strong-minded area countries for integration, including Switzerland, as concluded by Algieri, Emmanouilidis, and Maruhn.

Any serious effort of the EU transformation from an economic union into a Political Union, is welcomed by Albanians. Such an effort, as it is in accordance with the long-term interests of the Albanian nation, will be fully supported by Tirana and Prishtina.

Actually, a number of the EU countries like Greece, Cyprus, Romania, Slovakia and Spain have not recognized Republic of Kosova even after International Court of Justice (See Appendix Document 2). They cause real obstacles to the EU in

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[1] On the 20th aniversary of its independence Croatia got the official note informing them that the negotiating time had ended, getting them officially into the timespan of its ratification of its request. In the year 2013 it will adhere officialy into the EU.

terms of Foreign Policy and Security as a unique body. This means a lot, considering that these are countries that pretend to accelerate the EU transformation course into a political union.

Considering this plan, the formation of an opened gravity space from a group of countries pretending to develop the integration course, this is welcomed by the Republic of Kosova and by Albanians in general.

Countries with a positive will for further development will not only increase their   agreements among themselves in different fields in accordance with the EU basic documents, but they will also look for a tactical egression inside decision of "cooperation strengthening" with third countries to keep Republic of Kosova as close to the EU as possible. This would create circumstances to adhere to European trade and to participate in other facilitated programs. In the meantime, judging the persistent action of five European countries against the recognition the of Republic of Kosova's independence and creating necessary preconditions for adherence as an equal legal entity inside the EU, this gives a signal not only to Albanian element but also to the 'Open Gravity Space' to move towards Albanian Federation establishment and its approval. This can be considered it as a necessary and natural process.

In this active kernel of the EU (Germany, France and Brussels), parallel with Poland, Czech Republic, Hungary, Slovenia, Croatia or any other country, the Albanian Federation will be a partner of this Gravity Space. As a block, the Open Gravity Space would be converted into a trailing locomotive to transform the EU into a Political Union.

This scenario seems to be the one that under the current circumstances can be seen as the most likely.

1. 5   The Fifth Scenario – Europe as a Superpower

It has to do with the strong-minded founders of the EU to turn it into a world superpower, n fact, the reversion of the role of Europe as a decision-making power at a world level. In this case, the EU would maximally use its institutional and economic resources.

Even economic priorities, number of population, military potential and so on, offers the EU enough action base, let us not say imposing one.

The linear integration developments, in terms of permanent success on integration reforms' developments, is a guarantee for the Union. The increase of transparency inside the European system, as well as the reason to find solutions to internal and external challenges that the EU is facing everyday, has an impact on the EU to be accepted by Europeans.

An increased net of European society stimulates public debates of different subjects dealing with the EU. The establishing of inter-medial structures (media, different non-government organizations), have an impact on European opinion and civil society itself. Based on close feelings, in terms of the approach of European people's and feeling as Europeans, the EU will be developed in its right track and be transformed into a political union. The common citizens' initiatives at European level and cooperation of supra-national bodies in different kind of fields have an impact on Europeanization process. The EU will reach its final goal by transforming Europe into a country of its own kind.

Inside these developments, countries will convey many competences of today towards suprasupra-national bodies in Brussels. All competencies dealing with foreign and home policies, incorporating defence, economy and social policies, will be conveyed into a common body established based on the European Constitution's competencies. The EU will have more and more competencies in different fields, which are simply estimated as national competencies today. The EU bodies will show that it is more capable to sort out the different problems of citizens' than those of just national states.

The history and tradition of nation states and European regions give priority to the transformation of the EU into a superpower.

The Competencies division principle and violent execution among three powers: execution, legislation and court will have its own model for the European system.

Based on a rule system with clear rules to control the actual system's dealing with legislation and government power, the European Commission is a powerful body with clear competencies and enforcement. The Chairperson of the Commission will be chosen directly by the people. During full enforcement of parliamentary life, both Houses, the European Parliament and European Countries' House, composed of member states, will have full action competencies - in the field of legislation and enforcement. The court's control will mainly be without limitations, they will be the European Court Competence. In this regular and clear contest of constitution financial law, the EU will be right to have its own financial resource funded by European taxpayers.

The EU development and its transformation into a European Superpower testifies that it is an open system, even when it is transformed into a political union it has a great possibilities to attract more members. However, the EU testifies to being a functioning system, but it should be expanded. As Turkey has an open way to enter the EU, finally no European country should be denied to be part of the EU. Even countries outside Europe, like Israel and Morocco, will exert significant pressure to be part if the EU.

Europe will not see this big expansion as a solidarity act only, but also as an investment in the future as well. New markets of countries adhering the EU will be automatically transformed into an economic attraction for strong economies of the old EU countries, which have qualitative and necessary products for new market.

During the transformational process of many national competences to supra-national structures in Brussels, the EU will be transforming into a respected structure in the security field. The EU stabilization, in terms of security and defence issues through the creation of the Strategic European Common Forces (SECF) having a common European command of French and British Kernel, will totally change European role at an international level.

After reforms at the UNO (United Nations Organization), the EU will have its permanent seat at the Security Council. Its action capacity at international level and growing commitment imposes a review to foreign policies in proportion to concepts of interests division inside regional blocks concerns as dominators to international order.

Nevertheless, the EU will definitely end the idea of being civilizing power and will permanently use means of international energy.

Regardless of basic changes between the superpower states of Europe as its big political and economical power, it will be able to be compared with the USA. After the conflicts of the 21st century possible splitting the 'Transatlantic Block', Washington and Brussels may" present their interests at an international level. The creation of a political union, particularly regarding its military force and security matters, makes forces balanced inside the world system as well for a kind of parity with the USA. The establishing of the Atlantic Economic Area it will be as a symbol of a Euro Atlantic equilibrium. This is the most extraordinary potential conclusion according to Algieri, Emmanouilidis, and Maruhn.

In the efforts to transform the EU (European Union) into a world superpower and the return of Europe's role into an international relation field, the Albanians will be a real co-operating partner. The EU's institutional and economic resources would be used to facilitate the establishment of the Albanian Federation upon the integration of both Albanian Republics in the EU, while different European centres will be investing in Kosova state identity creation by interrupting strong-minded inside-national integration. Regarding this plan, as similar partnership as between Austria and Germany, which does not allow political integration, will be used.

Both Albanian republics will use their economic priorities, number of population, natural resources, seaside and minerals and so on, to be transformed into a partnership element in the region. In the EU, they will be co-operating as equal and independent entities.

Linear integration developments in the sense of permanent achievement in integration reforms guarantee success in the field of regional cooperation. In fact, having no more difficulties between the Republic of Kosova in relation to the Republic of Serbia by imposing Prishtina to review its border in the northern part in favour of Serbia.

The same process will be with Republic of Bosnia and Herzegovina, thus again transforming Serbia into a close perspective as a dominant element in the Balkans. The good presentation of interests among the partners of

Transatlantic Block, after the establishment of European Political Union with its military power will impose the Albanian element to review its position and to re-evaluate its interests.

Parity between the USA and European Political Union, which results with the establishment of the Atlantic Economic Area, develops integration between both Albanian Republics and Macedonia. This would turn Albanians into an establishing element in the region and inside the Atlantic Economic Area, if it is ever created after the vision, in the future.

The comparative analysis of these thesis by the Centre for Applied Policies (Centrum für angevandte Politikforschung C. A. P., München) regarding the potential developments during the development of the European integrating procesees, in its potential reprt regarding the Albanian Federation might represent such a table:

Scenarios about the future of EU and the impact on the Albanian Federation

Nr	Scenarios	Probability of success	Propability of failure	Short-term impact on Albanian Federation Project	Long-term impact on Albanian Federation Project
1	The Titanic	Small	Great	Positive	Positive
2	Closed Kernel of Europe	Relative	Small	Negative	Pozitive
3	Monet Method	Relative	Relative	Negative	Pozitive
4	Open Gravitational Space	Great	Small	Positive	Positive
5	Europe as a Superpower	Small	Great	Negative	Negative

Fig. nr. 1

Conclusions

Comparative overview of Centre for Applied Policy Research (CAP, Muenchen) theses on possible trends in the development of European integration processes, in relation to the process of creating Albanian Federation to the first and fifth scenario results to be small, while to the fourth scenario this possibility seems to be bigger. It is of interest to see the conclusion that coincides with the fourth scenario in terms of short term reflection on the formation of the Albanian Federation. Under the first and fourth scenario, this reflection would be anyhow positive.

Whereas long-term reflection on the process of formation of the Albanian Federation under these scenarios, excluding the fifth, is positive to all, without exception. The fourth scenario, combined with elements of the second scenario, it seems to be exactly that, in current circumstances is considered the most probable to be realized, but that goes in favour of the creation process of the Albanian Federation.

Creation of the Albanian Federation should be regarded primarily as a contribution to sustainable peace in the region. If we analyze the meeting points of these processes with the second and the fourth scenario of CAP regarding the EU

perspective, the creation of the Albanian Federation should be perceived as a contribution of its kind in the cultivation and strengthening of the EU, and within this the transatlantic relations.

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Red Meat Production Forecast and Policy Recommendations in Line with 2023 Targets in Turkey

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Abstract

There is a certain delay between the manufacturers due to red meat production decisions, give producers in price compared to the previous year, the production decision, this situation leads to a surge in the amount of consumption of red meat and red meat prices. Individuals in a balanced diet, especially red meat consumption, are considered to be of great importance to supply and economic development criteria. An economic variable values will be in the future, according to the cyclical state of the economy, always involves uncertainty. This uncertainty also applies to the red meat production. In this study, consumption of red meat to Turkey for estimation, Box-Jenkins forecasting models are used. Between the years 2016-2023 red meat production forecasts are made regarding Turkey in the framework of this model. In line with the objectives of 2023, Turkey to increase the consumption of red meat, is given to policy proposals.

Keywords: Turkey's Red Meat Production, Box-Jenkins Model

1. Introduction

A balanced diet, all sorts of nutrients the body needs to consume enough. The foods including vegetable and animal foods are divided into two main groups, especially red meat consumption of animal foods, balanced diet and is of great importance for human health. In fact, the annual per capita meat consumption in the country is considered as a development criterion.

Turkey is a country with geography and climatic conditions suitable for the production of red meat. However, the livestock farming sector, particularly in support always remained in the background. The share of animal husbandry in agricultural production in most developed countries is over 50%. In Turkey, this ratio is around 25% (Ören, Bahadır, 2005:1).

Until the 1980s, the existence of very advanced and animal husbandry in Turkey has increased steadily. However, after the 1980s, the wrong agricultural policy and began to decline with the increase in the cost of livestock sector. Since 2000, however, thanks to state support and incentives has been a considerable increase in the number of large-scale breeding facilities (Livestock Sector Report, 2013: 14).

"In the 2000s "Agricultural Reform Implementation Project" has been radical changes in agricultural policy. During this period, Turkey solve the problems found in the animal and to develop the livestock sector, Agriculture and Rural Affairs Ministry prepared and will support program covering the years 2000-2004 "About Animal Supporting The Decree" was put into practice. With the start of EU negotiations study Turkish livestock sector is considered a strategic approach. In order to establish a strong structure of the livestock sector "Livestock Master Plan and Strategy for 2005-2013" has been prepared. About Supporting Animal Ministerial Decree (2005/8503) 24/02/2005, published in Official Gazette numbered 25737 and entered into force. With strategy, goals and livestock support tools have been put forward. It will be implemented with the support of the livestock sub-sector, intended to increase the number of specialized livestock operations (Anonim, 2011:12).

On 24 January 1980, meat and animal products are excluded from the scope in order to support economic measures. Partially 1992 meat and fish Institution (MKI), Turkey Milk Industry Association (MIA) and Feed Industry (FEEM-IND) is fully customizable. On April 5, 1994 economic stabilization program began to be implemented. In March 1996, it appeared Mad Cow Disease. It has experienced an economic crisis in 2001. On 30 April 2010 it was allowed to import. All these developments have affected the livestock sector negatively (Aydın et al., 2011:5).

Red meat production is mainly mountainous cattle and ovine in Turkey. Red meat; cattle are mainly of cattle and Buffalo is derived from. Still red meat; small cattle is of is obtained from sheep and goats. The following Table 1. Turkey red meat production numbers are given according to animal species. Referring to Table 1. buffalo meat production has shown a downward trend from 1991 until 2015. Beef production increased nearly 3 times. Goat meat production has increased by about 1. 5 times. The mutton production declined approximately 1. 3.

Table 1: Turkey Meat Production (1991-2015) (Tons)

Year	Sheep	Goats	Cattle	Buffaloes	Total Meat Production
1991	128626	19570	309563	8803	466562
1995	102115	14124	292447	6095	414781
2000	111139	21395	354636	4047	491217
2005	73743	12390	321681	1577	409391
2010	135687	23060	618584	3387	780718
2. 011	107076	23318	644906	1615	776915
2012	97334	17430	799344	1736	915844
2013	102943	23554	869292	366	996155
2014	98978	26770	881999	526	1008273
2015	100021	33990	1014926	326	1149263

Source: TUİK

"Considering supports livestock being implemented in Turkey; the share of support farming supports about 15% of the total. In recent years, the increase in the share of total support and that support livestock varied supports applied, is remarkable. the highest share in the support for livestock, fodder plants is about 50% (Anonim, 2011:12).

Red meat prices in Turkey; It is influenced by several factors directly or indirectly. Direct related factors; feed material, feed and labor expenses. Factors affecting indirectly; animal species, substitute products (sheep and goat meat, beef) prices, import or export status, the presence of state intervention, livestock support, interest rates, instability in milk prices, consumer demand, consumer preferences (Cevger and Sakarya, 2006:1).

The economic crisis and the measures taken place in Turkey; Red meat prices negatively affected. Stopping the import of animals and increasing amounts of red meat production; Turkey will make the red meat prices remain stable. The following Table 2 shows the red meat prices in Turkey according to animal species.

Table 2: Turkey Meat Prices (1994-2014) (kg/TL)

Year	Mutton Prices	Goat Meat Prices	Beef Price	Buffalo Meat Price
1994	0,14	0,13	0,15	0,14
1995	0,29	0,27	0,30	0,28
2000	2,81	2,64	2,84	2,59
2005	9,57	9,07	9,56	8,44
2010	18,93	18,32	18,41	16,65
2011	20,36	18,87	18,54	16,8
2012	19,64	18,78	17,51	15,97
2013	18,14	17,00	15,83	15,57
2014	18,28	17,00	17,10	15,25

Source: TUİK

First objective of the study is to make Turkey the 2015-2023 period meat production forecasts. The second objective is in line with its targets in 2023, Turkey decided to place the policy recommendations for increasing the production of red meat.

2. Literature review

In the world and Turkey, there are studies on red meat production estimate. Günaydın G., (2007) works; European Union accession process of Turkey has tried to analyze the potential impact on the livestock sector under various future predictions (Günaydın, 2007). Koç A. A. (1995) works; for supply of red meat derived from cattle and sheep for Turkey it has established a separate supply models (Koç, 1995). Yavuz F., Zulauf C. R., (2001) works; the actual amount of red meat production forecast based on the assumption that Turkey is far below, have developed a method to predict (Yavuz ve Zulauf, 2001). Dastagiri (2004) works; delayed models using animal products has made the supply and demand forecasts until 2020 under different scenarios (Dastagırı, 2004). Çelik Ş., (2012) works; Turkey's 1936-2011 forecasts made by red meat production data with the Box-Jenkins method until 2020 (Çelik, 2012).

3. Methodology

In this study; Time series analysis method is used. A variable values occur in the observation time of the event or the object, are the time series. Time series analysis methods to build statistical models using historical values and estimates of future observations with this model (Ihaka, 2006:1).

One of the methods commonly used in time series analysis method is the Box-Jenkins. Box-Jenkins method; It is applied to the discrete and linear stochastic processes. The basis of this method is based on the paradigm of ARIMA. Method to get a stable result of whether or general acceptance, recognition possibility to model any time you include or not include seasonal series elements and is easily implemented with the help of an econometric software package (Maddala, 1998:17).

Auto Regressive (AR), Moving Average (MA), Autoregressive-Moving Average (ARMA) and Autoregressive Integrated Moving Average (ARIMA) are Box-Jenkins prediction models. AR (p), MA (q) and combinations thereof, which ARMA (p, q) models were applied to stationary processes, ARIMA (p, d, q) models are applied to non-stationary process.

The stationary time series; mean and variance does not change over time. Covariance between the two periods; This covariance are not calculated in the period depends on the distance between the two periods only.

Average = $E(Y_t) = \mu$

Variance = $\text{var}(Y_t - \mu)^2 = \delta^2$

Covariance = $\chi_k = E((Y_t - \mu)(Y_{t-k} - \mu))$

ARIMA (p, d, q) Models: When stationary time series; AR (p), MA (q) and ARMA (p,q) which is available to suit the model. But in real life, most of the time series is non-stationary (Sevüktekin and Nargeleçekenler, 2010:173). Immobilized to the non-stationary time series, which is made by taking the difference. In this case the model, ARIMA (p,d,q) is expressed. "d" is the series stabilizing parameters, that is the differentiation parameter (Brooks, 2008: 233).

4. Analysis

In this part of the study, between the years 1994-2015, the Turkey meat production, with time series analysis, predictive values were obtained until 2023. Using Box-Jenkins methods, modeling was conducted. Time series analysis application for, Eviews software package is used. Variable graph was drawn to start the analysis.
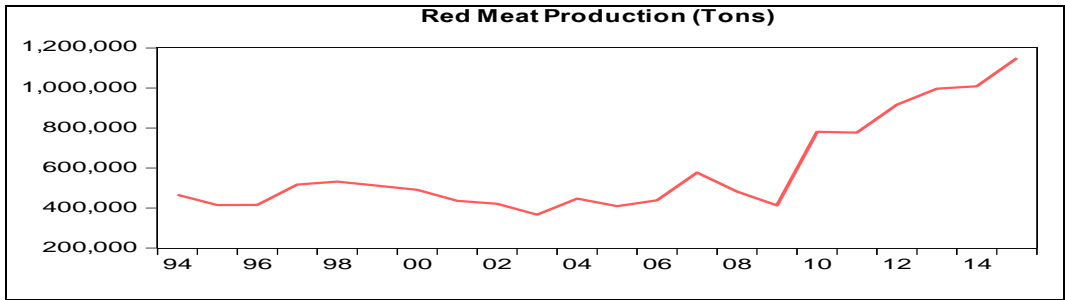
Figure 1: Movement of the Red Meat Production Series

Time series is not stationary, it was immobilized for taking the difference of the first degree. Unit root test is done to look at the stability of the statistical time series. According to the table, because it is smaller than the critical value for the ADF test statistics, the series does not contain unit roots. That series is stationary.

Table 3: Unit Root Test Results of DE Series

Null Hypothesis: DE has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic - based on AIC, maxlag=4)

		t-Statistic	Prob. *
Augmented Dickey-Fuller test statistic		-5. 093083	0. 0006
Test critical values:	1% level	-3. 808546	
	5% level	-3. 020686	
	10% level	-2. 650413	

To determine the stability of the series, it is moved to the stage of determining the most appropriate model. Because it has a linear train of red meat production series, ARIMA (0,1,1) model was preferred. The estimation results are given in Table 5.

Tablo 4: ARIMA (p, 1, q) Model Selection

	Akaike	Schwarz	Hannan-Quin
Constant	ARIMA (0,1,0) 26. 07939	ARIMA (1,1,2) 26. 07673	ARIMA (1,1,2) 25. 90615
Constant+ trends	ARIMA (0,1,1) 25. 38953	ARIMA (0,1,1) 25. 53865	ARIMA (0,1,1) 25. 41476

Tablo 5: ARIMA (0,1,1) Model Forecast

Dependent Variable: D(E)
Method: Least Squares
Date: 03/02/16 Time: 21:41
Sample: 1997 2015
Included observations: 19
Failure to improve SSR after 16 iterations
MA Backcast: 1996

Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	-89160. 01	17212. 30	-5. 180016	0. 0001
@TREND	9809. 626	1195. 264	8. 207077	0. 0000
MA(1)	-0. 999890	0. 184244	-5. 426979	0. 0001

R-squared	0. 593588	Mean dependent var	38626. 00
Adjusted R-squared	0. 542787	S. D. dependent var	108570. 9
S. E. of regression	73412. 95	Akaike info criterion	25. 38953
Sum squared resid	8. 62E+10	Schwarz criterion	25. 53865
Log likelihood	-238. 2005	Hannan-Quinn criter.	25. 41476
F-statistic	11. 68448	Durbin-Watson stat	2. 007102
Prob(F-statistic)	0. 000744		

Inverted MA Roots	1. 00

Before the prediction phase, autocorrelation and heteroscedasticity tests are performed. According to the autocorrelation of the test results is not a problem of autocorrelation in the error term, it is seen. Changing according to the variance test, that there is heteroscedasticity problem has been observed. 1994 - 2015 were estimated for the original series and is shown in Figure 2. 2016-2023 term prediction series is shown in Figure 3. Red meat production forecasts and the actual series, as shown in Figure 4.

Forecast: EF
Actual: E
Forecast sample: 1994 2015
Adjusted sample: 1995 2015
Included observations: 21

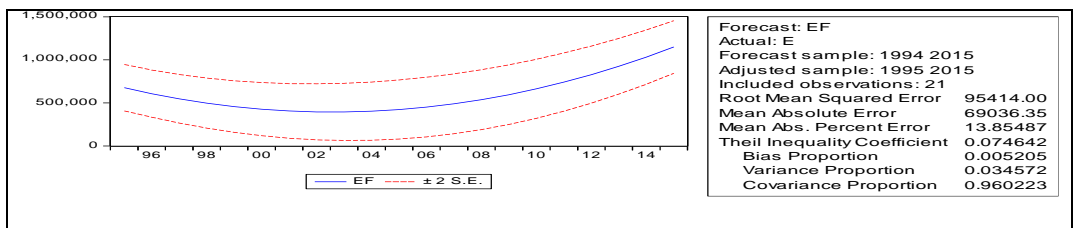|	
Root Mean Squared Error	95414.00
Mean Absolute Error	69036.35
Mean Abs. Percent Error	13.85487
Theil Inequality Coefficient	0.074642
Bias Proportion	0.005205
Variance Proportion	0.034572
Covariance Proportion	0.960223

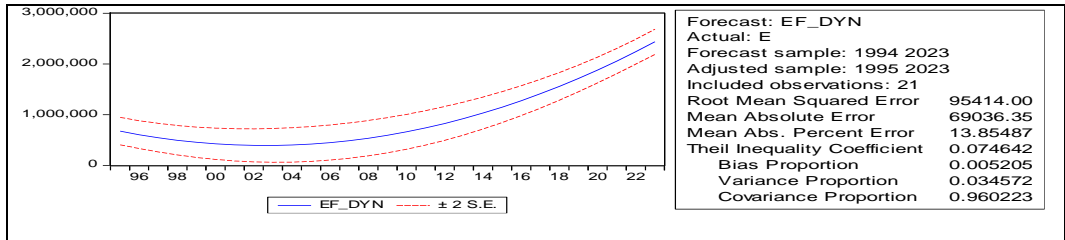**Figure 2: Red Meat Production Forecast Original Series**

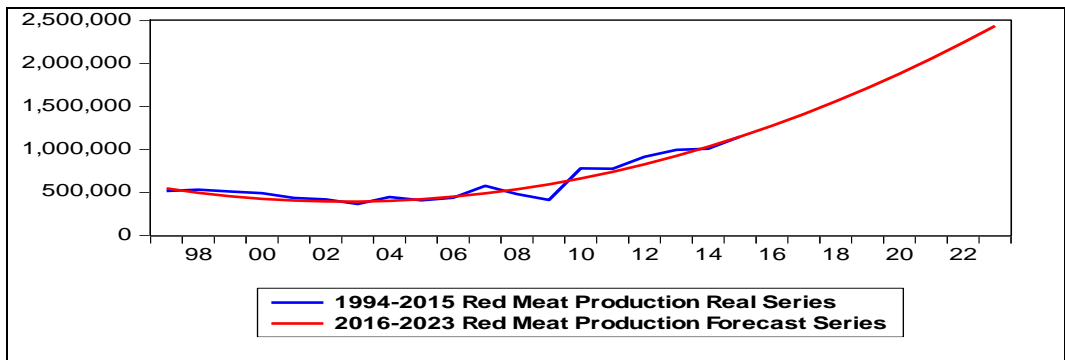**Figure 3: Red Meat Production Forecast Series**

Figure 4: Red Meat Production Facts and Projections Series

5. Conclusions

In this study, the 2016-2023 period of Turkey red meat production predictions were made by analysis of time series. A graph of the variables are obtained. For the unit root test, generalized Dickey- Fuller (ADF) test and the Phillips-Perron (PP) test was used, it was taken into stasis. The first differences of the series, has become stagnant. The correlation of variables (ACF) and autocorrelation (PACF) graphs have been obtained. Akaike information criterion (AIC) and Schwarz information criterion (SC), the smallest of such information criterion, ARIMA (0,1,1) model, has been identified as the most suitable model. Turkey for the period 2016-2023 the predictive value of red meat production was obtained. The results obtained from this study, 8-year predictive values are given in the table below. Red meat production, as seen in the Table 6, in line with the 2023 targets will continue to increase as.

Tablo : 6 Red Meat Production Forecast Values (2016-2023) (Tons)

Year	2016	2017	2018	2019	2020	2021	2022	2023
ForecastinV alues	127583 5	141229 7	155856 8	171464 8	188053 8	205623 8	224174 8	243706 7

6. Policy Recommendations

Turkey's 2023 target is composed of 63 items. 6 of these substances covers economic goals. Reduced to 5 percent unemployment, Of interregional disparities, be reduced to an acceptable level, The eradication of poverty and to minimize the imbalance in income distribution, The participation of women in the labor force, 38 percent of the removal, 15 thousand

disabled people receiving public and Informal employment, be reduced to 15 percent. In short, Turkey in 2023, is one of the world's most powerful 10 economies aims. And in this respect Turkey is trying to reach an average annual per capita meat consumption in developed countries. Turkey In order to meet that target, to focus on red meat production is necessary. Measures to be taken in this regard can be listed as follows.

1. Animal breeds breeding, since there is at the desired level, animal production efficiency, decreases. Breeding work should be brought into a State policy. Ministry of Agriculture, Industry Organizations and Universities to collaborate should be provided (Türkyılmaz, 2010:85-86).

2. Due to rising production costs, the number of cattle and sheep in Turkey has decreased significantly. Therefore, emphasis must be placed on feed costs. In particular, for the further deduction of feed costs, urgent measures should be taken. Businesses should be able to produce their own oath, to make silage, it must be provided (Gözener, Sayılı, 2015:298).

3. Increased in recent years, the number of animals on the run. Not subjected to any control, such animals causes a significant reduction of the number of animals and animal disease increased. Food, Agriculture and Livestock Ministry by, No. 2015/04 Combating Animal Disease Control and Animal Movement Circular was issued. This circular should be applied rigorously.

4. To combat animal diseases, veterinary services should be expanded first. Vaccination programs should be organized. In particular, the spread of disease areas, should be determined. These animals should be kept under quarantine or should be culled. The cost of these animals must be paid timely and fully (Türkıylmaz, 2010:85-86).

5. Animal production in Turkey, based on the document, a system of incentives based on different regions, are implemented. In incentives for the agricultural sector, the share allocated to the livestock sector is quite high. Enough to take advantage of these incentives should be given to training activities (Mustafa Kaymakçı et al, 2000:780).

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The Process of Learning English Speaking Skills

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Abstract

Language gives people the opportunity to express their feelings, desires, thoughts and ideas. Language is a tool, whereby is discovered, acquired, transmitted, stored and inherited knowledge about the world and universe. Language is one of the most significant indicator of linguistics and cultural identity of the language community and individual personality. Language is the carrier of a culture, social behaviour and custom of the respective users. One of the four language skills in the process of learning English, is speaking skill as the first and main form of communication. It occupies a central place in the process of people enlightenment. Information is received, understood and easily processed through speaking or discourse than through writing. The speaking skills are donated to human beings in biological way. Speaking is a vital activity. Meanwhile, the language is a structural model of the system we use to convey our message while we are speaking. This study seeks to assess achievements and to determine the problem areas in the process of learning English speaking skills by high school students overall Kosova, suggesting appropriate recommendations for overcoming obstacles encountered. Thus, through it, are identified communication strategies that second-language learners use, whenever there are discovered linguistics deficiency, as well as difficulties in the process of learning verbal communication; interlinguistisc and intralinguistics communication strategies are revealed, that students use during oral communication, and their skills in the field of discourse are assessed.

Keywords: *speaking skills, communicative competence, communication strategies, "parasites expressions".*

1. Introduction

Lecturing is the first and one of the main forms of communication. It occupies a crucial place in the process of enlightenment of the people's mind. The information is received, understood and more easily processed through active speech than through writing. Lecturing is a process of human behaviour that is granted to them biologically.

The people may possess one, two or more languages. When they own two or more languages, they can fluently express their internal discourse in each of them. However, the people who own only one language cannot express their views, but this can be done only in his first language. If a person wishes to become bilingual, he will have to learn another language, in addition to the first language or mother tongue.

During the learning process of speaking, a second language learner faces difficulties and obstacles due to lingual factors and shocking elements of the language, culture and so on. However, the difficulties and problems are inevitable in the learning process of speaking or writing in a second language.

2. The Process of Communication

The term "communication" can be defined as the process by which the discourse has to be followed to the other internal communicators. This process can be called as human communication or oral communication.

Thus, the communicating activities enable the establishment and maintenance of equilibrium, of cooperation and tolerance between people, by placing them in a common line.

The discourse is the method of expression which ensures human cooperation. It is the means by which various activities are coordinated and linked with each other in order to achieve common and mutual goals.

The complete communication process has to be performed by regulating different hierarchical

communication components. They are as follows:

1. The intended message.

2. Coders.

3. Signal.

4. Channel.

5. Decoder.

6. The received message.

2. 1. The Communicative competence

The term "communicative competence"[1] is seen by many scholars as the main element that covers all forms of communication as conducting means of the speaking community language (users). The term "all forms of communication"[2] can be further explained as linguistic competence, that stretches and completes the process of verbal exposure at all levels of society, by involving "the interaction group" with "the interpersonal interaction ", which involve different areas and dialects. Also, the verbal exposure includes any verbal and nonverbal behaviour that has cultural adaptability.

Concerning the points of views that have been said above, it seems that we could expect two kinds of competencies, namely including: (1) the grammatical competences and (2) the communicative competences.

Thus, the "grammatical competences" can be achieved through exposure to language structure, and the "power of communication" can be achieved through exposure to language structure and social behaviour at once, which revolves around some conventional rules, just as they have been set by the society itself.

There are researchers who say that "language competence" is part of "communicative competence"[3]. So "communicative competence" relates not simply on the implicit recognition of the structure of language, but also through their exposure of the production performance and the endless sense of community clauses in terms of everyday life, using social experience.

2. 2. The teaching and learning in the lecturing process

The development of spoken language is not simply the expression of the structure of language. The development of spoken language involves the development of pragmatic use, in addition to pronouncing development, the construction of words, phrases, sentences and discourses at the same time as a common process.

The discourse plays a primary role in learning a second language. Learning a second language is realized when a student fails to understand how a second language works within a discourse. Barnes and Seidlhofer underline that "the learning of

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[1] Hymes, D., "Functions Of Speech: An Evolutionary Approach" në *Anthropology and Education*, redacted by E. Gruber, F., University Of Pennsylvania Press, Philadelphia, 1961, pp. 24-25.
[2] Ibid.
[3] Long, M., Richards, J., *Methodology In TESOL*, Heinle And Heinle Publishers, Boston, 1987, pp. 168-169.

speech involves the development of new knowledge of on fine and detailed basis such as to why should we communicate, how to communicate and when to communicate, as well as the habits of complex production and management of interaction, which includes the direction of the next question and answer. " [1]

2. 3. The Communication Strategy

The communication strategy is a systematic effort of students to express or to decipher the meaning of words, phrases and sentences in a foreign language, in situations where the necessary systemized rules are not yet entrenched[2]. Earlier, Tarone and her colleag**ues** have defined this phenomenon **as** a "manufacturing strategy. "[3]

Meanwhile, Ellis has come up with its own definition of "communication strategies are psycholinguistic plans, which mainly vivify as part of communicative competence of language users. So potentially, they are aware and serve as surrogate production plans, which cannot be performed by the student himself. " [4]

In the process of speech learning, the students use all kinds of strategies, such as: delay of words, Auto-correction, semantic avoiding etc., in order to hide its linguistic shortcomings, as well as to fulfil the task of communication. Some scholars have made various statements regarding the types of communication strategies, used by students.

2. 4. The learning Strategy

The learning strategy is the epitome of the effort to develop and embed linguistic and psycholinguistic competences in a foreign language. [5] **The learning strategy used by the students differs from the communication strategy itself. However, O'Melli and Çemoti have defined three types of strategies that are used by the second language learners:**

(4) The meta-cognitive strategies**, including planning for learning and thinking. (5)** The cognitive strategies**, including ways to treat conscious learning. (6)** The social strategies**, including learning through interaction with the others.**

2. 5. The Strategy and the process

In terms of the ways that are being used, both the strategy and the process are considered as the same. The strategy relates to how the student reaches a certain use in a given moment of time. The process relates to systematic series of steps by which the pupil reaches the same use in the course of time. Beilistok distinguishes the strategy from the process itself, based on the criterion that considers them as mandatory or selective. [6] So, the process is a mandatory mental activity, whereas the strategy is a selected mental activity.

2. 6. The testing of speech

The research studies in the field of second language learning have paid great attention to the communicative behaviour associated with it. Thus, this research focuses mainly on communication strategies, which are being used by the second language learners (in our case, English). Moreover, in this research, the communication strategy is not seen as the ability of students to communicate effectively. This is simply a tactic that students use language to hide gaps in communication.

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[1] Burns, A., Seidlhofer, B. "Speaking And Pronunciation", në *An Introduction to Applied Linguistics*, reducted by Norbert, S., Arnold Publication, London, 2001, faqe 210-211.

[2] Tarone, Elaine, U. Frauenfelder, and L. Selinker. "Systematicity/Variability and Stability/Instability" in Interlanguage Systems. Brown, H. Douglas, ed., *Papers in Second Language Acquisition*. Language Learning Special Issue No. 4, 1976, faqe 23-35.

[3] Ibid.

[4] Ellis, R. *The Study of Second Language Acquisition*, Oxford University Press, New York, 1994, p. 182.

[5] Tarone, E., Frauenfelder, U., Selinker, L., "Systematicity/Variability And Stability/Instability" In Interlanguage Systems" në *Papers In Second Language Acquisition*, redaktuar nga Brown, H. Douglas, Language Learning, Special Issue, No. 4, 1976, pp. 23-35.

[6] Bialystock, E., "A Theoritical Model Of Second Language Learning" në *Language Learning*, No. 28, 1978, pp. 69-84.

Thus, the objectives of this study are to identify and test cases and methods of using such strategies by the high school students in Kosovo.

3. The Analysis of data

3. 1. The avoidance

As far as the avoiding attitude is concerned, we have noticed that seven percent of respondents refused to speak English with the author of this paper. So, we think that the reason for this sort of deviation is that students do not want to share with the others the gaps that have to use a second foreign language (in our case, English). So, to hide its shortcomings language students use avoidance strategy. Furthermore, the linguistic shock and cultural shock are other factors as well, which lead them towards the use of this strategy.

3. 2. Syntactic Avoiding

The avoiding of the words is the strategy that students get using in order to hide their linguistic shortcomings. Once asked, the students gave one-word answers instead of building a regular sentence or by giving incomplete answers.

Thus,

 "Happy" it has been given for the question: **"What will you do if you get all tens at school?"**

"Serve the poor" it has been given for the question **"What will you do for your people if you become a leader?"**

"Stay home" it has been given for the question **"What will you do if it snows while going to school?"**

3. 3. Semantic avoiding

The students avoid the communication about a certain content for which they do not manage to have the available and accurate rules or forms of learning of a foreign language, by talking about similar concepts, which may imply the desired content.

Thus,

 "My father go me in car go to the school" it has been given for the question: **"What will you do if it sonws while going to school?"**

"I think that is a step forward" it has been given for the question: **"How would you feel if you go to university?"**

"Proud" it has been given for the question: **"What will you do for your people if you become a leader?"**

3. 4. Literal translation

The students apply the practice of literally translation from their mother tongue in the second language. We shall give two samples from the corpus of data collected in this case.

Thus,

 "She is body busy" it has been griven instead of: **"She is expectant"**, by translating: **"Ajo"** with "**She**", **"Është"** with **"Is"**, **"Shtat"** with **"Body"**, **"I zënë"** with **"Busy"**.

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"He is how I" it has been griven instead of **"He is like me"**, by translating **"Ai"** with **"He"**, **"Është"** with **"Is"**, **"Si"** with **"How"**, **"Unë"** with **"I"**.

The phenomenon of literally translating process during of the production of second language structure is the result of interference of first language. The students connect the words of the first language (in our case, the Albanian) with the words of a second language (in our case, English), which are deposited in their mental vocabulary, regardless or without understanding the structure of the sentence of the second language (in our case, English).

3. 5. Explicit Parasitism

In certain cases, students use to hide explicit parasitism in the internal process, which takes place in the depths of their minds. Parasitism can be an expressive sound, words or phrases made by the speakers (users), which do not carry any meaning. Even though, the English speakers (users) of the Republic of Kosovo use parasitism such as "eeeee", "yes", "therefore", "namely", "do you understand me", etc., in order to give themselves more time to find the right word that they have been asking for.

Thus, we have:

 "It also estimate the cost of buildings... ëëëëë... which means... the main aspect is the computer graphics. "

"It can record many programmes and it can be recorded in many programmes and it listed out a lot of programmes… ëëëëë … do you understand me … so many programmes … it means … therefore... that computer can type out your message. "

3. 6. The auto-correction process

The auto-correction is also another strategy that students use when they understand that their discourse is followed by the errors.

During the construction of sentences, the students realized that they were wrong somewhere in the process of communication, therefore they used this self-correcting strategy.

Thus, we have:

 "I will spend more time on making … doing my duty (auto-correction). "

"She will encourage me … to get better marks in another subjects … other (auto-correction) subjects also. "

3. 7. The delay of words

The Procrastination of the words is nothing else, than an extension of the syllables. This gives some more time to the speakers (users) to organize their asking expressions, and to decide what to say next.

Thus, we have:

 "Music issss … is quite different nowadays. "

"I will try to help... ëëëëë … the poorrrr … people if I becoming a doctor. "

"My home is in the trainnn … near the train station. "

"I like to drooo … do many good thirgs … good things. "

3. 8. The repetition

The students sometimes attempt toward repetition of a sound, a word or several words, in order to gain sufficient time to think of the next word.

Thus, we have:

 "Computers can read out … read out to the blind people. "

"I … I am very happy. "

"Nineteen … nineteen years old. "

"Ëëëëë … I spend my leisure time in the company of my pet animals… ëëëëë... pet animals. "

3. 9. The abandoning of the message

The abandoning the message is a different kind of strategy, which was used by the students when they started communicating to a particular topic, but then blown briefly, because of difficulties in the use of adequate forms or rules of foreign language, in our case, English. Thus, the students stopped themselves in mid-sentence and did not seek help from the teachers to complete the discourse.

Thus, we have:

 "Computer is a device that is … that is used by man in the changing world. Without computers no researching no … anything can exist … do you understand me... "

"Computer is a useful electronic device now … ëëëëë... without computer, the world is... the world cannot exist. Computer is a devize … now without computers … computers play a vital role in man's life … ëëëëë... which means …".

3. 10. The Sound reduction

The sound reduction is a strategy that students use when they feel that the thing they want to say is not correct. Instead of avoiding the pronouncing of the word or asking for help, they pronounce the word, reducing significantly their voice. This enables the students to convince themselves that listeners have not heard what was attended to be said and they also feel the satisfaction of completing the sentence. Below, we give samples of this nature.

Thus,

 "I like to be an eagle if I an eagle … I will (reducing of the sound)... learn pride... " it has been given for the question: "What will you for do if you were an eagle?"

"In my leisure time is … (ulje zëri)… played football... " it has been given for the question: "What will you do in your leisure time?"

"Nineteen... nineteen year (ulje zëri)… my old" it has been given for the question: "How old are you?

3. 11. Resource expansion strategy

In order to achieve communication goals, the students try to enhance their linguistic resources in one way or another. In the following section, we give the samples of this nature.

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Thus,

"I select the study … ëëëëë … in English grup … ëëëëë … help to human beings in the world … ëëëëë… I … get up from my bedding … am more interest in mathemetics... " it has been given for the question: **"Why did you select this study?".**

3. 12. Devising of the new words

The students invent new words in order to convey the desired concept, or in cases where their mental lexicon to express themselves reveal deficiencies in communication. The following samples are of this nature.

Thus,

"Fence-stick" it has been divised for: **"post"** (**"hu"**);

"Pine-headed" it has been divised for the expression: **"blockhead"** (**"kokëgdhe"**).

3. 13. Changing of the language

The students use terms of their mother tongue (in our case, the Albanian), without worrying to translate in the second language (in our case, English). Below, we give samples of this nature.

Thus,

"Më fal" instead of: **"excuse me"**;

"Ç'të themi" it has been used instead of: **"what to say"**;

"Meqë ra fjala" it has been used instead of: **"by the way"**.

3. 14. Approximation

The Students sometimes use words or similar structure instead, and appropriate word or any right expression, but, nevertheless, it has common semantic features with the desired unit, which is acceptable for this author. Below, we give samples of this nature.

Thus,

"Teacher's work" it has been used instead of: **"teaching"**;

"Bedding" it has been used instead of **: "bed"**;

"Medical group" it has been used instead of: **"medical science"**.

3. 15. The strategy of lingual transfer

The students use the strategy of lingual transfer when facing differences between first language and the second language. Thus, as a result of the lack of similarities in phonological level, within the performance of the students there are present these following types of strategies:

The phonological interference;

The termination of diphthongs;

The extension of vowels;

The adding vowel at the end of the word;

The mating of consonants.

3. 15. 1. The phonological interference

In English, there is no consonant [**rr**], so that the Albanian students tend towards replacing the sound [r] of English with sound [**r**] of Albanian, as it is seen in the following cases.

Thus, we have:

 [**rrok**] instead of [**rok**] **"rock"**;

[**rraund**] instead of [**raund**] **"round"**;

[**rrab**] instead of [**rab**] **"rub"**.

3. 15. 2. The extinction of diphthong

Even the phonetic differences of a single phoneme cause interferences. Because of these interferences, often the Albanian speakers when they pronounce English words, they give them an audio dimension of their mother tongue. So, it happens that diphthongized sound become a single voice, as it has been seen in the following cases.

Thus, we have:

 [**no**] instead of [**nou**] **"no"**;

[**so**] instead of [**sou**] **"sow"**;

[**ro**] instead of [**rou**] **"row"**;

[**roz**] instead of [**rouz**] **"rose"**.

3. 15. 3. The extension of the vowel

Another strategy that has been used by the Albanian speakers is their tendency to prolong terminal vowels diphthongs. From the data collected, it was found that the English words, which are written with the letters "oo", "ou" and "o", as appropriate, elongated vowels are pronounced, as seen in the following cases.

 [**pu:ër**] instead of [**puër**] **"poor"**;

[**tu:ër**] instead of [**tuër**] **"tour"**;

[**o:upën**] instead of [**oupën**] **"open"**.

3. 15. 4. Avoiding of consonantal colloquialism

Avoiding or weakening of consonantal colloquy is another strategy used by the students, who tend towards the inclusion of a vowel between clusters consonants, such as "gl", "cr", "pl", "pr", "lm "etc., as seen in the following examples.

Thus, we have:

 [**kiriket**] instead of [**krikit**] **"cricket"**;

[**pilezhër**] instead of [**plezhër**] **"pleasure"**;

[**piraivit**] instead of [**praivit**] **"private"**;

3. 15. 5. Adding a vowel at the end of the word

Another interesting strategy is the addition of the vowel [i] at the end of some words, as seen in the following examples.

Thus, we have:

 [**e:të**] instead of [**e:t**] **"at"**;

[**e:ndë**] instead of [**e:nd**] **"and"**;

[**mastë**] instead of [**mast**] **"must"**;

And this phenomenon is due to the influence of the mother tongue (in our case, the Albanian language).

4. Summary

4. 1. General Findings

The discourse plays a primary role in maintaining and developing relations among people. The communication in English takes a core place in all fields of human activity called as "the global village", that is, the world in which we live. Because of this phenomenon, the teaching and learning of English is an inevitable activity in almost all non-English speaking societies. The Republic of Kosovo has a long tradition in terms of teaching and learning English as a second language for the reasons already known. However, to enhance the quality of teaching and learning of English, they are provided and continue to provide guidance and useful recommendations by the drawn conclusions from research studies carried out in this field. The findings of these research studies serve to identify the appropriate solutions for problems related to the teaching and learning of English.

The findings of this study, such as the strategies used by the students when they encounter difficult problems, set out succinctly, while the recommended means for eliminating or at least minimizing them during their learning process of oral communication.

We have understood that, during the process of learning the speech, the students use certain strategies in the communication process, in order to hide linguistic shortcomings. Avoidance is the first and foremost strategy, which is often used by them. Thus, seven percent of students shunned conversation in English with this author to talk about a certain topic because of anxiety, shock language, culture shock and language deficiencies. The avoidance of syntax is a strategy through which the students avoid constructing sentences. Rather than building complete sentences, they try to give elliptical answers to questions that are addressed. The strategy of semantic avoidance is a particular type of strategy, which is used by students to avoid semantic cooperation to the questions asked.

Students apply the practice of literal translating of based on their mother tongue (in our case, from Albanian), in the second language (in our case, in English), and use explicit parasitism in the communication process when faced with the gaps and language shortcomings. They also use the auto-correction strategies, by lengthening and repeating of the words. Through auto-correction strategy, the students come to correct themselves, by using different expressions and grammatical units. The auto-corrected units are sometimes wrong. Meanwhile, the delay of the words has to do with the extension of the syllables. It gives the speaker (the user) a sufficient time in order to ask for the following essential elements. Even the

repeating is seen as a strategy that is used by the students. When using this strategy, the students repeat certain units, such as words, expressions, partial sentences or even the complete ones. Thus, we have found that repetition of complete sentences gives to the students more time available than the repetition of words or partial sentences.

The students also use the drop-message strategy. The students begin to communicate regarding a specific topic, but in the middle of the lecture, they short-cut it, by leaving it unfinished, due to the difficulty or anxiety-caused by the learning of the elements of linguistic system of a foreign language (in our case, the English).

The students purposely lower their voices when they feel they are making mistakes. The Sonic Reduction Strategy shows that they have no confidence in learning a second language (in our case, in English). The expansion of resources is a particular strategy through which the students try to increase their linguistic resources in place in order to give precise answers to the given questions.

Also, we have discovered that some students invent some new words during the oral communication process in the case when they cannot find the right words, or when the latter are lacking in their mental lexicon. In certain contexts, students use the strategy of changing the code, that is, they use certain words of the first language (in our case, the Albanian) in the second language (in our case, English). The approximation is a strategy through which the students use the related units instead of needed units, therefore, correct. However, these related words have similar semantic features.

Besides the above-mentioned strategies, the students use strategies of intra-lingual and inter-lingual transfer of the elements. Thus, the students use the lingual transfer strategy whenever there are differences between the first language (in our case, the Albanian) and the second language (in our case, English). The linguistic transfer strategies are: (1) phonological interference; (2) Cessation of diphthongs; (3) the duration of the vowel; (4) the avoidance of consonantal cluster; (5) adding the vowel at the end of the word; and (6) coupling the consonants. Finally, we have discovered that the students use intra-lingual transfer strategy in oral communication process whenever there are irregularities in the grammatical rules of a foreign language (in our case, English). This happens in the case of names and verbs, their forms, respectively plural and past tense, the irregular forms. Thus, with respect to the names and irregular verbs, the students apply the rules that include the names and regular verbs.

5. Recommendations

In order to reinforce language and communication competence of students in English, the following solutions will be useful and will help to eliminate, or at least to minimize the problems faced by students in the learning process of oral communication.

To develop the linguistic competence of the students the foreign language should be taught linguistically, namely, the lingual access to the teaching of English in the first place might be useful for the development of relevant competencies.

There can be taught different types of oral discourses of the second language (in our case, English), while students may be given sufficient time in order to develop conversational discourse classes. The training in conversational discourse will lead to the elimination of linguistic shock and cultural shock as well. Moreover, it would help to develop the students' communicative competence.

During the teaching of English vocabulary it must be recommended to initially learn grammatical functions of words, focusing mostly on semantic values and their special grammatical behavior.

Similarities and differences between the first language (in our case, the Albanian) and second language (in our case, English) can be used especially during the course of syntax, which would lead to the elimination of the habit of translation word literally from the first language into the second language.

During the lesson enunciation, the phonetic similarities and differences of phonemes can be demonstrated in class, while it is advisable to exercise the right expressions granted in this field. Moreover, the students being familiar with the first language interference (in our case, the Albanian) it's of great importance the pronunciation of sounds in the second language (in our case, English) which should be done at the right time.

The students can be motivated to interact with their teachers and teaching groups during the process of learning of a second language (in our case, English) at home and in school. Furthermore, the pursuit of programs on radio and television, and reading the daily newspapers in English, will help the development of speaking in this language.

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Issues of Legal Organization of the Patient-Health Care Professional Relationship

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Abstract

Nowadays increasing attention is paid to the issues of legal organization of the patient-health care professional relationship. One of the issues in this field is the institution of the rights and obligations of the patients and the medical practitioners. Cases when the doctor restricts the rights of the patient while fulfilling his duties or vice versa are rare. Interaction of the scope of rights and obligations of the patients and medical practitioners causes complicated situation. The author believes that solution to such situation is to be found in the human rights standards. The article discusses the issue regarding the grounds, on which the legal relationship of the patient and the health care professional are created, and how they are organized. The issues of the patient-health care professional relationship are viewed from the perspective of the human rights. Rights to life and health form the fundamental principle of the human rights, which is integrated in the national and international legal acts. The aim of the article is to provide insight to the role played by fundamental principle of the human rights, principles in the relationship of the patients and medical practitioners. Analyses show that human rights in relations between patients and health care professionals are absolute.

Keywords: patient rights, health care professionals' rights, human rights

1. Introduction

The issue of legal relationship between the patients and the medical practitioners becomes increasingly more important in Latvia. As the framework of the patient rights develops, new precedents in the patient-health care professional relationship are found in practice. The activities of both patients and medical practitioners are based on series of regulatory enactments, regulating the mutual legal relationship. Legal acts of national, European Union and international level serve as grounds for creation of the aforementioned legal relationship. Taking into account the rather complex scope of rights and obligations specified in the legal acts, this results in a contradicting notion of the enforcement of the rights and the limits of the discretion of the patient and the medical practitioner. In order to examine the essence of the issue, this thesis will review, what kind of relationship is being established between the patient and the health care professionals as a result of implementing the scope of rights and obligations stipulated in the regulatory enactments.

2.Determining and restricting the scope of rights and obligations of the patient

Upon adoption of the Law On the Rights of Patients in 2009 and the new practice of organization of cross-border health care, namely, by introducing the Directive (2011/24/ES) „On the application of patients' rights in cross-border healthcare" in Latvia in October 2013, significant changes have taken place in the field of medical law in Latvia. Eventually the changes encouraged development of the tendency of patient autonomy and weakening of the legal institution of the health care professional.

The most important special legal act of national level, which regulates the scope of the rights and obligations of the patients, is the Law On the Rights of Patients. The purpose of the law is to promote favourable relationships between a patient and the provider of health care services, facilitating active participation of the patient in his or her health care, as well as to provide him or her with an opportunity to implement and protect his or her rights and interests.[1] The Law On the Rights of Patients includes such rights of the patient as rights to information, rights to refuse treatment or consent to treatment.[2]

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1 Article 2 of the Law On the Rights of Patients No 205, date 17.12.2009, as amended
2 Article 6 of the Law On the Rights of Patients, No 205, date 17.12.2009, as amended

The patient autonomy, the rights and obligations of the patient have been clearly defined and the purpose of promoting favourable relationships between the patient and the health care professional has been stated upon the Law On the Rights of Patients entering in force. On the one hand, the scope of the rights and obligations granted to the patient is narrow; on the other hand, the exclusive rights of the patient to freedom of treatment process can be restricted on the grounds of the current scope as well.

The Law On the Rights of Patients mentions the following obligations of the patient:

1. to take care of his or her health, if the health condition allows;

2. to become actively involved in medical treatment and to provide the attending physician the knowledge, which is necessary for ensuring medical treatment;

3. follow the internal rules of procedure of a medical treatment institution and the instructions of the medical practitioner;

4. to pay for the received health care services;

5. to respect the rights of other patients;

6. to present a personal identification document upon the request of the health care professional.[1]

It is important to note that the patient may directly infringe the rights of the health care professional upon enforcement of his/her rights and fulfilling or not fulfilling the duties.

Upon enforcement of the exclusive rights to refuse the treatment, the patient ignores the duties imposed by the law and simultaneously turns on the mechanism, activity of which is based on life and health. In such case the health care professional only has the duty to inform the patient of the potential consequences. On the condition that the decision of the patient remains the same after the health care professional has explained the situation, nevertheless the health care professional has the duty to encourage the patient to attend another doctor. Therefore the national regulatory enactments provide the patient with the rights to freely dispose of their health and life. However, these rights are restricted as well (Šulce – Rēvele, Līkanse 2013).

If the patient is unable to make the relevant decision on grounds of the health condition or age, the rights to act on behalf of the patient are transferred to the relatives of the patient. So in this case the exclusive rights of the patient to decide upon his or her health and life are transferred to third parties.

It follows from above that the patient has a rather vast array of rights and imposed obligations, which on the one hand gives the patient certain discretion, while on the other hand restricts his or her private rights such as rights to life, health, etc. The patient may refuse the treatment given a series of conditions, which will not always depend on the will of the patient.

3. Discretion of the health care professionals within the framework of professional activity

Regardless of the scope of rights and obligations granted to the patient, to a great extent making decisions regarding treatment depends on the health care professional as well. Contrary to the regulation of the rights and obligations of the patient, which is mostly determined by one legal act, the work of the health care professional is regulated by several regulatory enactments of the sector, that is, each profession of health care professionals has its own regulatory framework. At the same time it should be noted that the scope of obligations of the health care professionals in accordance with the specifics of the activities is included in the regulatory enactments regulating the procedure of providing health care services (Slokenberga, Gusarova,Lieljuksis, Mucins, Stanislavska, Saberte,Slisere, Taurina, 2015). Nevertheless the basic rights and obligations of the health care professionals are regulated by the national level regulatory enactment – the Medical Treatment Law.

Section 41 of the Medical Treatment Law stipulates the obligation of the doctor to provide information on the diagnosis of the illness in language that is understood by the patient. But before treatment consent of the patient to treatment has to be obtained. The doctor has the obligation to explain and inform the patient regarding potential consequences and

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1 Article 15 of the Law On the Rights of Patients, No 205, date 12.12.2009, as amended

complications of the disease. The doctor has to inform the patient regarding the potential side-effects of the prescribed medications or treatment methods.

In regard to the basic obligations in the work of health care professionals the independence of the doctor mentioned in the Medical Treatment Law has to be noted as well. Section 38 of the law stipulates that a doctor shall be independent in his or her professional activities. All doctors have the right to provide an opinion on the state of health and treatment of a patient.[1] Therefore it shall be noted that, when speaking of the institution of the obligations of the health care professional, attention should be paid to the scope of restricting of the independence. It is important to find out what the independence of the doctor means, what are the limits of activity of a health care professional.

Considering the studies conducted at national level, independence of the health care professional means a scientifically substantiated professional activity in accordance with the code of conduct and choice of treatment for the benefit of the patient's health regardless of the economic or other interests of other persons or the doctor himself. [2] However, on the other hand, there are the rights of the patient, which may contradict the scope of independence of the doctor. Such rights of the patient as rights to life and freedom should be noted here among others as well. The above shows that although independence of health care professional is integrated in the regulatory enactments of national level, its scope is limited and does not really give the person rights to a fully and indisputably independent activity. The burden of restrictions imposed on activities of health care professional "forces" the person to act in accordance with certain standards or an artificially created frame.

It is important that the mutual legal relationship of the patient and the health care professional is regulated by the public law, which essentially means determining of obligations with the purpose of balancing the interests of the individual and the society. Namely, this ensures protection of the individual against unjustified state intervention in his freedoms and guaranteeing equal rights of the individual.

On the other hand the legal relationship of the patient and the health care professional is based on the private interests of the parties. For example, the rights of the patient to confidentiality, qualitative treatment or careless treatment by health care professional, or the rights of the health care professional to independent actions during treatment process, obtaining of patient data, etc.

In the field of activity of private law the patient independently decides whether he wishes to use his rights, which, for instance, have been granted to the patient by the Law On the Rights of Patients. The aforementioned allows the persons to freely form legal relationship through mutual agreement at their discretion. The private law regulates the relationship on the grounds of equality, and mutual agreement is the most characteristic for of these rights. The main principles of the private law are independence and autonomy of the person, inviolability of private property and freedom of contract.

Therefore ideally the patient and the health care professional should reach an agreement during the treatment process, based on the rights and obligations of each party stipulated in the national regulatory enactments (Rosner, Berger, Kark, Bennet, 2000).

Besides, the discretion of each party stipulated in the national regulatory enactments should not restrict the activities of the other party.

But the outcome of the cooperation between the patient and the health care professional could result in a phenomenon. The health care professional has a discretion stipulated by the law, but he or she may act independently only so long as the exclusive and autonomous rights of the patient are not infringed.

Thus the national regulatory enactments are not able to ensure regulation of the relationship of the patient and the health care professional. The issue of implementing of the legal relationship of the patient and the health care professional and determining the scope of activity of the parties should be addressed from the perspective of the human rights.

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1 Article 38 of the Medical Treatment Law, No 167/168, date 12.06.1997, as amended
2 Vilka I., (2013) Professional activities' of healthcare providers.[Online] Avaliable: http://www.juristavards.lv/doc/260686-rsta-profesionala-briviba/ (January, 2016)

If we examine the content of the rights and obligations of the patients and the health care professionals specified in the national regulatory enactments, it shows that these are based on the principles of the basic human rights and freedoms, integrated in the European Union and international legal acts.

4.Human rights aspect in patient-health care professional relationship

The tendency shows, that relationship between patients and health care professionals more often are viewed from human rights perspective. It is noted that this approach helps to better understand the scope of patients and health care professionals' rights and obligations, how far they can apply particular rights. (Exster, 2002). Rights and duties of the parties at national level restrict each other. Human rights explain relations between patients and health care professionals from another perspective. New perspective gives new opportunity to solve the problem between too parties. At the same time it gives more freedom in relations between them. Human rights in patients and health care professional's relationship gives chance to expand the border of their activity (Gostin,1997).

The main principles of human rights that can be applied to patients and health care professional relationships include high standards of health. This standard shows both positive and negative guaranties in health system.

Main principles of human rights in patients and health care professionals' rights are founded in international and regional human rights norms and agreements. For instance, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the European Convention on the Protection of Human Rights and Fundamental Freedoms, the European Social Charter and other regulations.[1]

Another source, which shows human rights and health interaction, is the Convention for the Protection of Human Rights and Dignity of the Europe's Convention for the Application of Biology and Medicine. The Convention shows that rights to private life, the rights to information, non-discrimination rights are protected. It should be noted that the European Social Charter [2] Article 11, shows the rights to the protection of health.

All these principles are protected by the national law. Because of implementation problems some transformation of general principles content is observed at national level. Latvian human rights and patients and health care professionals' relationships are mostly viewed from the civil rights perspective or social perspective. This approach is not effective way of problem solving because of the narrow approach (Hall, Bobinski,Orentlicher, 2005).

At the same time, the concept of human rights in patient care recognizes health care providers as important actors, whose rights must be respected both as a matter of principle and for the benefit of the patient. The relationship between patient and health care professionals' rights is critical. No doubt that health care professionals are unable to provide high-quality care unless their rights are respected and they can work under decent conditions with professional independence (Hervey, McHale, 2015). At the same time patients' rights focusing on exclusivity and their rights are central.

If national level regulations will be applied in relations between these two parties, situation is possible where the rights and duties of two parties can meet. In that case the rights and duties of one party will always restrict other parties' rights and duties which are mentioned in the national level regulations. But if relations will be viewed from the human rights perspective, exclusive right to life will be as general principle (Abraham, Lewis, 2000).

5.Conclusion

- Patients and health care professional enjoy the same human rights (rights of life, rights to information etc.).

- The patients and health care professionals' rights and duties which are mentioned in national level are too narrow and restrict social and professional activities of both parties.

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1 Cohen, Ezer (2013), Human rights in patient care: A theoretical and practical framework. [Online] Avaliable: http://www.ncbi.nlm.nih.gov/pubmed/24421170 (January 15,2016)

2 Article 11 of the European Social Charter

- Human rights in relations between patients and health care professionals are absolute.

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