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Commodities Versus Stocks: Analysis of Their Performance from 2009 Through 2015

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Abstract

Although over the last several years one could have witnessed unprecedented interest in commodity investments, the view of commodities from an investor's perspective is of more recent date (with the exception of precious metals). There are several reasons for investing in commodities. First of all, they let investors gain equity-like or higher returns. Then, they can help to mitigate risk and improve portfolio diversification. They can also provide a possible hedge against unanticipated inflation. The growing popularity of commodity investing has been followed by a great number of new investment vehicles that make commodity investments available to a wider audience. Thus, investors based on their risk-return criteria and individual requirements may select from a broad range of commodity-linked financial instruments. One of possibilities is investing through a commodity index. This approach is especially attractive to investors that are familiar with investing in stock indexes. In theory, commodity indexes share a similar goal: to create a broad indicator of commodity price movements, though in practice portfolio weightings, construction, and calculation methodology vary significantly from one index to another. The most important of commodity indexes are: the Thomson Reuters/Core Commodity CRB Index, the S&P Goldman Sachs Commodity Index, the Bloomberg Commodity Index (former Dow-Jones AIG Commodity Index), and the Deutsche Bank Liquid Commodity Index. The present paper is aimed at assessing return and risk characteristics of these indexes and at providing a comparative analysis of their performance in relation to the most important equity indexes, such as S&P500, FTSE100, CAC40, DAX, WIG, BUX, IBovespa, Nikkei, Shanghai Composite (SSE), TSE300 (current S&P/TSX Composite Index), and AOI (All Ords). The empirical data covers daily quotations from January 5, 2009 to December 30, 2015. To verify whether the commodity indexes returns differ significantly from the returns of equity indexes, the nonparametric Mann-Whitney test is applied. The test has been chosen as returns of commodity indexes are not normally distributed.

Keywords: commodities, equities, return, risk, Mann-Whitney test

Introduction

Although over the last several years one could have witnessed unprecedented interest in commodity investments, the view of commodities from an investor's perspective is of more recent date, with the exception of precious metals which have traditionally been viewed as a store of wealth (Rouwenhorst 2012). There are several reasons for investing in commodities. First of all, academic studies demonstrate long-term viability of commodities as an asset class that produces similar returns to equities with less historical volatility and negative skewness (Gorton and Rouwenhorst 2004, Akey 2005, Proelss and Schweizer 2008, Chevalier and Ielpo 2013). Other research illustrates that commodity returns have been non-correlated to financial assets like stocks and bonds, and that commodities demonstrate inflation hedging properties favorable to stocks and bonds (Greer 2000, Busken 2004, Kat and Oomen 2007, Fabozzi, Füss and Kaiser 2008, Koutsoftas, Ross and Fila 2010). Some studies also find that adding commodities to a traditional stock and bonds portfolio can enhance returns and decrease volatility (Bodie and Rozansky 1980, Anson 2008, You and Daigler 2012, Bessler and Wolff 2015).

The growing popularity of commodity investing has been followed by a great number of new investment vehicles that make commodity investments available to a wider audience. Thus, investors based on their risk-return criteria and individual requirements may select from a broad range of commodity-linked financial instruments. Generally, methods of investing in commodities are divided into direct investments, such as direct purchase of commodities in the cash market or forward contracts, and into indirect investments, e.g. futures contracts and options on futures, commodity-based equities, mutual funds, exchange-traded funds (ETFs), investable commodity indexes (Geman 2007, Schofield 2007, Engelke and Yuen 2008). According to Ackworth (2005), investing through a commodity index is especially attractive to institutional investors that are familiar with index investing in equities world and like the idea of "buying the market" in a single transaction. Most

of commodity indexes have publicly traded commodity futures index contracts, which can be purchased and rolled. One may also enter into an over-the-counter (OTC) swap with a counterparty to gain direct participation in these indexes. There are also mutual fund managers who offer funds tied to various indexes by investing in structured notes or swaps that receive the index total return in exchange for paying the Treasury bill component of the index plus fees (Engelke and Yuen 2008).

In theory, commodity indexes share a similar goal: to create a broad indicator of commodity price movements, though in practice portfolio weightings, construction, and calculation methodology vary significantly from one index to another. There are three primary methodologies used to construct commodity indexes, that include production weighting, optimized weighting, and equal weighting. Production weighting involves assigning weights based on a moving average of world production. A production-weighted index will have a heavier weighting in sectors that may be more important in the economy, for example crude oil. These allocations will have a disproportionate impact on the performance of the index. An optimized-weighted index includes specific constraints and objectives such as correlation with inflation, negative correlation to equities and fixed income, a focus on liquidity, and the sectors that are most relevant. Finally, an equal-weighted index keeps price fluctuations in any one sector from disproportionately impacting the index, but does not over- or underweight sectors that may be more important in the economy (Busken 2004).

A dramatic increase in the number of indexes being published worldwide has come along with growing investors' interest in commodity investments. These indexes are widely used as price indicators for economists and investors. However, they are also rapidly assuming the role of comparison benchmarks in portfolio management, as well as acting as underlying instruments for certain derivative structures (Füss, Hoppe and Kaiser 2008). Currently, there are several large commodity indexes offered by different providers. The most important are: the Thomson Reuters/Core Commodity CRB Index (TR/CC CRB), the S&P Goldman Sachs Commodity Index, the Bloomberg Commodity Index (former Dow-Jones AIG Commodity Index), and the Deutsche Bank Liquid Commodity Index. The present paper is aimed at assessing return and risk characteristics of these indexes and at providing a comparative analysis of their performance in comparison to the most important equity indexes, such as S&P500, FTSE100, CAC40, DAX, WIG, BUX, IBovespa, Nikkei, Shanghai Composite (SSE), TSE300 (current S&P/TSX Composite Index), and AOI (colloquially called All Ords). The paper is organized as follows. The next two sections present the data, methodology, and the results obtained. Finally, the last section provides a brief discussion and conclusions.

Data and methodology

Empirical data covers daily quotes of four commodity indexes and eleven equity indexes representing European, American, Asian and Australian stock markets from January 5, 2009 to December 30, 2015. The commodity indexes under consideration are the following:

- the Thomson Reuters/Core Commodity CRB Index,
- the S&P Goldman Sachs Commodity Index,
- the Bloomberg Commodity Index (former Dow-Jones AIG Commodity Index),
- and the Deutsche Bank Liquid Commodity Index.

The CRB Index is the oldest of the indexes. It was first calculated by the CRB in 1957 and made its inaugural in the 1958 CRB Commodity Year Book. The index, originally composed of 28 commodities, currently is made up of 19 commodities: aluminum, cocoa, coffee, copper, corn, cotton, crude oil, gold, heating oil, lean hogs, live cattle, natural gas, nickel, orange juice, silver, soybeans, sugar, unleaded gas, wheat. The tenth revision of the index renamed it the Thomson Reuters/Core Commodity CRB Index (TR/CC CRB). The index was originally designed to provide dynamic representation of broad trends in overall commodity prices, hence the periodic adjustments in order to reflect changes in market structure and activity.

The Goldman Sachs Commodity Index was created in 1991. It is a world-production-weighted index that is based on the average quantity of production of each commodity in the index, over last five years of available data. This allows the index to be a measure of investment performance as well as serve an economic indicator. It comprises 24 commodities from all commodity sectors (energy products, industrial metals, agricultural products, livestock products and precious metals). The wide range of constituent commodities provides the index with a high level of diversification across subsectors and within

each subsector. In 2007, index ownership was transferred to Standard&Poor's, who currently own and publish it as S&P GSCI.

The Dow-Jones AIG Commodity Index, originally launched in 1998, was renamed to Dow Jones-USB Commodity Index, when UBS acquired it from AIG in 2009. On July 1, 2014 the index was rebranded under its current name – the Bloomberg Commodity Index (BCOM). It tracks prices of futures contracts on physical commodities on the commodity markets. The index is designed to minimize concentration in any one commodity or sector. It currently has 22 commodity futures in seven sectors. No one commodity can compose less than 2% or more than 15% of the index, and no sector can represent more than 33% of the index. The weightings are calculated in accordance with rules that ensure that the relative proportion of each of the underlying individual commodities reflects its global economic significance and market liquidity.

The Deutsche Bank Liquid Commodity Index is composed of only 6 commodities all of each are among the most liquid in their sectors: sweet light crude oil (WTI), heating oil, aluminum, gold, wheat, and corn. These cover the biggest commodity sectors and are held in fixed notional amounts that reflect world production and inventories in these sectors. Notional weights refer to the US dollar weights of the various assets at the inception of the index in 1988. The index value is calculated daily using the closing prices of listed instruments on each of the commodities. The DBLCI has constant weightings for each of the 6 commodities (the index is rebalanced annually to reset weights back to fixed levels), however during the course of the year the weights fluctuate according to the price movement of the underlying commodity futures.

The stock indexes under consideration represent different stock markets. The representatives of European markets are:

BUX that is a blue chip stock market index consisting of the 25 major Hungarian companies trading on the Budapest Stock Exchange. It was launched in 1991.

CAC 40, created in 1987, is a benchmark French stock market index. The index represents a capitalization-weighted measure of the 40 most significant values among the 100 highest market caps on the Euronext Paris (formerly the Paris Bourse). It is one of the main national indexes of the pan-European stock exchange group Euronext.

DAX (*Deutscher Aktienindex*) has been calculated since 1988. It is a blue chip stock market index consisting of the 30 major German companies trading on the Frankfurt Stock Exchange.

Financial Times Stock Exchange 100 Index (FTSE 100) founded in 1984 is a share index of the 100 companies listed on the London Stock Exchange with the highest market capitalization.

WIG, originally an acronym for Warszawski Indeks Giełdowy (Warsaw Stock Exchange Index) is the oldest index of the Warsaw Stock Exchange. It was introduced in April 1991. WIG lists 385 companies (as of December 18, 2015).

South and North American stock markets are represented by:

IBOVESPA which is the benchmark index of São Paulo Stock Exchange as it comprises the most representative companies in the market. It is the oldest BOVESPA index, being broadcast since 1968.

Standard & Poor's 500 (S&P 500) is an American stock market index based on the market capitalizations of 500 large companies having common stock listed on the NYSE and NASDAQ. It is one of the most commonly followed equity indexes, and many consider it one of the best representations of the U.S. stock market. It has been calculated since March 1957.

TSE 300 Index was a Canadian stock market index that tracked the prices of 300 influential stocks which were traded on the Toronto Stock Exchange. Since May 1, 2002, it has been replaced by the S&P/TSX Composite Index.

Asian stock markets indexes are:

Nikkei 225, more commonly called the *Nikkei*, is a stock market index for the Tokyo Stock Exchange. It has been calculated daily since 1950. Currently, the Nikkei is the most widely quoted average of Japanese equities.

Shanghai Composite Index (SSE) is a stock market index of all shares that are traded at the Shanghai Stock Exchange. It was established in 1991.

The last of the indexes under consideration is the All Ordinaries Index (AOI) representing Australian stock market. It was established in January 1980 and is the oldest equity index in Australia that is made up of the share prices for 500 of the largest companies listed on the Australian Securities Exchange.

Figures 1 – 3 show the performance of commodity and stock indexes in the period from January 5, 2009 to December 30, 2015. In this period, the quotes of the Thomson Reuters/Core Commodity CRB Index ranged from the minimum of 170.7 (on December 17, 2015) to the maximum of 370.56 (on April 29, 2011). The DBLCI minimum (192.99) was observed on December 30, 2015, whereas its maximum (494.78) was recorded on April 29, 2011. Extreme levels of the Bloomberg Commodity Index were the following: minimum of 378.33 (observed on March 2, 2009) and maximum of 879.48 (on April 25, 2011). The levels of the S&P Goldman Sachs Commodity Index ranged between 305.01 on December 22, 2015 and 760.33 on April 8, 2001. Thus, three out of four commodity indexes reached their lows in December 2015 and all of them reached their highs in April 2011.

The European stock indexes exhibit the following extrema:

BUX: 9461.30 on March 12, 2009 and 25322.96 on April 6, 2010;

CAC40: 2519.29 (March 9, 2009) and 5268.91 (April 27, 2015);

DAX: 3666.41 (March 6, 2009) and 12374.73 (April 10, 2015);

FTSE100: 3512.09 (March 3, 2009) and 7103.98 (April 27, 2015);

WIG: 21274.28 (February 17, 2009) and 57379.45 (May 8, 2015).

Thus, the majority of European indexes reached minimal levels in March 2009, whereas their maximal levels were observed in April 2015.

Other stock indexes exhibited similar performance. Their minima were recorded in March 2009 and their maxima in April 2015. The details are the following:

AOI: 3111.70 on March 6, 2009 and 5954.80 on April 27, 2015;

IBovespa: 36234.69 on March 2, 2009 and 72995.69 on November 4, 2010;

Nikkei: 7054.98 on March 10, 2009 and 20868.03 on June 24, 2015;

Shanghai Composite: 1863.37 on January 13, 2009 and 5166.35 on June 12, 2015,

S&P500: 676.53 on March 9, 2009 and 2130.82 on May 21, 2015;

TSE300: 7566.94 on March 9, 2009 and 15657.63 on September 3, 2014.

In general, most of equity indexes reached their maxima in mid-2015, when commodity indexes exhibiting their counter-cyclic nature, fell down.

The first step to assess return and risk characteristics of the indexes is to estimate their logarithmic returns:

$$r_t = p_t - p_{t-1}, \quad (1)$$

where p_t is the logarithm of the index level at time t and p_{t-1} is the logarithm of the index level in the previous period.

Then, there are calculated descriptive characteristics.

1. Mean return is an indicator for the location of the return distribution. It is:

$$\bar{r} = \frac{r_1 + r_2 + \dots + r_n}{n} . \quad (2)$$

2. Standard deviation:

$$\sigma = \left(\frac{1}{n-1} \sum_{i=1}^n (r_i - \bar{r})^2 \right)^{0,5} . \quad (3)$$

The standard deviation indicates the dispersion of the return distribution. It accounts for both the positive and negative deviations from the average value and is thus a measure for the total risk of an investment.

3. Semideviation:

$$\sigma_s = \left(\frac{\sum_{i=1}^n d_i^2}{n-1} \right)^{0,5} , \quad (4)$$

where:

$$d_i = \begin{cases} r_i - \bar{r} & \text{if } r_i - \bar{r} < 0 \\ 0, & \text{if } r_i - \bar{r} \geq 0 \end{cases} . \quad (5)$$

The semideviation is a downside risk measure as it accounts only for negative deviations from the average, so it is believed to better reflect the real expectations of investors.

4. Skewness:

$$S = \frac{\frac{1}{n} \sum_{i=1}^n (r_i - \bar{r})^3}{\sigma^3} . \quad (6)$$

The skewness describes the asymmetry of a probability distribution. If the distribution has a longer tail on the right (left) side then the distribution is referred to as positively (negatively) skewed. The skewness of a symmetrical probability distribution is equal to zero.

5. Kurtosis:

$$K = \frac{\frac{1}{n} \sum_{i=1}^n (r_i - \bar{r})^4}{\sigma^4} . \quad (7)$$

Kurtosis describes whether a probability distribution is more acute or wider in comparison to normal distribution, which has kurtosis of three. If the probability is more acute (wider) and has more (less) returns at tails than a normal distribution, then the distribution is referred to as leptocurtic (platycurtic). Having thick distribution ends ("fat tails") is referred to as having positive excess kurtosis; having thinner tails when compared to the normal distribution indicates negative excess kurtosis. According to Shore (2008) it would be ideal for an investment to have positive skewness coupled with high kurtosis so that it has a greater potential for positive extreme returns than negative extreme returns.

In order to assess linear dependence between commodity and equity indexes returns, Pearson correlation measure is considered. The Pearson correlation coefficient k_{XY} of indexes X and Y is:

$$k_{XY} = \frac{\sum_{i=1}^n (r_{Xi} - \bar{r}_X)(r_{Yi} - \bar{r}_Y)}{(n-1)S_X S_Y} . \quad (8)$$

Its value ranges between $-1, 1$. The higher the value of its modulus, the stronger the linear dependence between the investigated time-series.

For the purpose of analysis, there is also tested normality of distribution of time series under consideration. The normal distribution can be statistically verified using respective Jarque-Bera test.

The null hypothesis:

H_0 : the returns follow a normal distribution

is tested against the alternative hypothesis

H_1 : the returns do not follow a normal distribution.

The test statistic JB is:

$$JB = \frac{n}{6} \left[S^2 + \frac{1}{4}(K-3)^2 \right] . \quad (9)$$

The statistic follows an asymptotic chi-squared distribution with two degrees of freedom. The hypothesis of normality is rejected at the 5% level if the JB test statistic is greater than 5.99.

The next step of the research uses the nonparametric Mann-Whitney test to verify whether the calculated commodity indexes returns differ significantly from equity indexes returns. The decision to use this nonparametric test is justified by the fact that returns of commodity indexes are generally not normally distributed (Füss, Hoppe and Kaiser 2008). This test, based on ranks, is the most useful in testing equality of means in two populations and is recommended when assumption of distribution normality is not fulfilled as the only assumption demanded is that all observations from both groups are independent to each other and were selected in the random way (Aczel 2000). First, one should arrange all observations into a single ranked series. If there are any equal values, they receive arithmetic averages of their ranks. Then one should add up the ranks for the observations coming from sample 1. The sum of ranks is denoted by R_1 . The test statistic U is given by:

$$U = n_1 n_2 + \frac{n_1(n_1+1)}{2} - R_1 , \quad (10)$$

where n_1 is the sample size for sample 1, and n_2 is the sample size for sample 2.

For large samples, when both n_1 and n_2 are larger than 10, U is approximately normally distributed. In that case, the standardized value Z is given by:

$$Z = \frac{U - \mu_U}{\sigma_U} , \quad (11)$$

where μ_U and σ_U are the mean and standard deviation of U given by:

$$\mu_U = \frac{n_1 n_2}{2}, \quad (12)$$

and

$$\sigma_U = \sqrt{\frac{n_1 n_2 (n_1 + n_2 + 1)}{12}}. \quad (13)$$

It is worth noticing these calculations are not based on values of separate characteristics. They are based on sample sizes (Mynarski 2006).

Results

On the base of 1804 observations for each of the considered indexes, there were calculated their logarithmic returns that are used to evaluate descriptive statistics given in table 1. These are: minimal and maximal observed values, expected rate of return (mean), standard deviation, semideviation, skewness, kurtosis and Jarque-Bera statistics. Almost all commodity indexes are characterized by negative mean returns. The only exception is Bloomberg Commodity Index (BCOM). Its mean return is greater than this of IBovespa which is the stock index that produced the lowest positive return. The highest positive expected rate of return is that of S&P500. In general, equity indexes exhibit positive mean returns. Taken into account both standard and semideviation, the Shanghai Composite (SSE) is the riskiest one among investigated indexes, whereas the least risky is the AOI. All commodity and equity indexes are described by negative skewness, so there is a higher probability of high negative daily returns when compared to the normal distribution. Moreover, kurtosis is higher than 3 for six out of eleven equity indexes whose distributions are leptokurtic, then. These indexes are: BUX, Nikkei, Shanghai Composite, S&P 500, TSE300, and WIG. Negative skewness and positive excess kurtosis are distribution properties, which investors do not appreciate, because they imply more overall large returns (positive and negative) compared to the normal distribution. The larger negative returns are generally not compensated for by larger positive returns. Distributions of other equity indexes and all commodity indexes are platykurtic. The risk-averse investors prefer negative excess kurtosis or in comparison to normal distribution lower probability of extreme values. The Jarque-Bera test statistic (JB) of normality confirms the rejection of null hypothesis at 5% level of significance for all commodity and stock indexes.

To investigate linear dependencies between commodity and equity indexes returns, Pearson correlation coefficients are calculated. Their values are reported in table 2. In general, all indexes are characterized by positive linear correlation (the weakest dependencies are between the commodity indexes and the AOI, the strongest between commodity indexes and the TSE300).

In order to assess profitability of commodity investments in relation to stock investments, the Mann-Whitney test was used to verify the hypothesis:

H_0 : mean values of logarithmic returns series of X index and Y index are equal

against

H_1 : mean values of logarithmic returns series of X index and Y index differ significantly.

At the significance level 0.05, critical value of standardized normal distribution equals ± 1.96 , so critical areas for hypothesis formulated above are the following: $(-\infty, -1.96)$ and $(1.96, +\infty)$. Results of verification (Z statistics), presented in table 3, let us generally conclude that in the considered period mean returns on separate commodity and equity indexes did not differ significantly as in most cases the null hypothesis cannot be rejected. However, there are some exceptions. These are: DAX with TR/CC CRB and with DBLCI, Nikkei with TR/CC CRB and with DBLCI, Shanghai Composite with TR/CC CRB and with DBLCI, S&P500 with TR/CC CRB and BCOM, and TSE300 with TR/CC CRB and with DBLCI. Thus the TR/CC CRB and the DBLCI were the only commodity indexes whose mean returns were significantly different from mean returns of equity indexes.

Apart from the expected rate of return (mean), another basic characteristic of every investment is its level of risk. In the case of commodity investments, it is often believed that their returns are less volatile and thus less risky. In order to verify the hypothesis with regard to indirect commodity investments through commodity indexes, there were calculated absolute values of returns deviations from the mean. Then, the Whitney-Mann test was applied again, but this time observations were ordered in the descendent way (higher absolute deviations received lower rank numbers).

The following hypothesis was verified:

H₀: deviations of X index rates of return from the mean are identical as deviations of Y index rates of return

against

H₁: deviations of X index rates of return from the mean differ significantly from deviations of Y index rates of return.

Results of testing (Z statistics) are reported in table 4. In most cases they indicate rejection of the null hypothesis implying that deviations of separate commodity indexes rates of return from their means differed significantly from the deviations of equity indexes rates of return from their means. More detailed analysis leads to the conclusion that in some cases deviations from means exhibited by stock indexes were higher than those of their commodity counterparties (as for IBovespa, BUX, CAC40, Nikkei, Shanghai Composite.) In other cases they exhibited lower deviations from their means (as for AOI, FSE100, S&P500, TSE300, WIG). The evidence for DAX is not clear as it exhibits lower deviations when compared to TR/CC CRB and higher when compared to BCOM. Thus it is legitimate to conclude that indirect investing in commodities through commodity indexes may be attractive to risk-averse investors due to the lower risk in comparison to investments on Brazilian, Hungarian, French, Japanese and Chinese stock markets. On the contrary, investments on Australian, British, North American and Polish stock markets appear to be less risky in comparison to investments through commodity indexes. Nevertheless, one should be cautious about the conclusions formulated on the base of Mann-Whitney test as commodity and stock indexes returns reveal positive correlation. Thus empirical data used for the purpose of testing may differ from the typical pattern for two simple independent samples extracted from two different populations.

Concluding remarks

In recent years, alternative investments have gained widespread acceptance due to their attractive risk-return characteristics and their low correlations to traditional asset classes, such as stocks and bonds. This paper is focused on commodity indexes and investigates the performance of selected commodity and stock indexes over the 2009 to 2015 period. These indexes are: the Thomson Reuters/Core Commodity CRB Index, the S&P Goldman Sachs Commodity Index, the Bloomberg Commodity Index (former Dow-Jones AIG Commodity Index), the Deutsche Bank Liquid Commodity Index, S&P500, FTSE100, CAC40, DAX, WIG, BUX, IBovespa, Nikkei, Shanghai Composite (SSE), TSE300 (current S&P/TSX Composite Index), and AOI (All Ords). On the base of their logarithmic returns there were calculated descriptive characteristics, such as mean return, standard deviation and semideviation, kurtosis, skewness and correlation. Then the normality of distribution of investigated time-series was tested. In all cases one should reject the hypothesis of distribution normality. Thus in the next step of the research the Mann-Whitney test was used to verify the hypotheses of equality of means and deviations from mean of logarithmic returns of analyzed indexes.

The research revealed that in the considered period majority of stock indexes generated returns no different from the commodity indexes. In some cases stock indexes returns were more volatile and in some other less volatile in comparison to commodity indexes. Nevertheless, one could draw the general conclusion that investments through commodity indexes did not seem much more attractive in comparison to the stock markets. It corresponds with Gilbert's opinion that commodity investments are generally justified more in terms of their contribution to overall portfolio returns than as attractive stand alone investment (Gilbert 2008). Author's earlier research (Krawiec 2011) investigating indirect commodity investments through commodity-based equities listed on the Warsaw Stock Exchange from December 2008 through March 2011 and commodity mutual funds led to the similar conclusion. However it is worth to remember that the current study presented here covers a specific period as in 2015 most commodities fell significantly and commodity indexes suffered losses as well. That is why commodity investments were hit hard and resulting from that equities outperformed commodities. It was Faber who in 2004 cautioned that commodity markets could reach all time highs and subsequently new lows within a brief period of time, and that investors should have been prepared to occasional 50% declines in the prices of commodities (Faber 2004). Moreover, Jodie Gunzberg, global head of commodities at S&P Dow Jones Indices, interviewed by Rajesh Bhayani

in March 2016, observed that 2015 would go down in history as one of the worst years ever for commodities. Nevertheless, she expected 2016 to bring good news for the market (www.business-standard.com).

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Table 1. Descriptive statistics for commodity and stock indexes

Index	Measure							
	Min	Max	Mean	Std. dev.	Semidev.	Skewness	Kurtosis	JB
AOI	-0.04300	0.03437	0.00021	0.00960	0.00699	-0.29180	1.4501	183.559*
IBovespa	-0.08430	0.05746	0.00002	0.01460	0.01032	-0.04387	1.5850	189.310*
BUX	-0.07570	0.10607	0.00035	0.01485	0.01040	0.12885	3.3226	834.333*
CAC40	-0.05635	0.09221	0.00018	0.01402	0.01005	-0.02421	2.6703	535.842*
DAX	-0.05995	0.05895	0.00043	0.01365	0.00986	-0.16146	2.0316	317.904*
FTSE100	-0.05480	0.05032	0.00018	0.01062	0.00769	-0.19895	2.6860	553.910*
Nikkei	-0.11150	0.07426	0.00041	0.01374	0.01011	-0.52206	4.3665	1514.240*
SSE	-0.08873	0.06369	0.00035	0.01510	0.01127	-0.70799	4.7441	1841.440*
S&P500	-0.06896	0.06837	0.00044	0.01106	0.00806	-0.21429	4.4919	1529.580*
TSE300	-0.05511	0.05179	0.00019	0.00967	0.00716	-0.39523	3.1035	770.539*
WIG	-0.06881	0.05799	0.00027	0.01146	0.00835	-0.37869	4.2512	1400.800*
TR/CC CRB	-0.05697	0.05785	-0.00020	0.01058	0.00766	-0.24681	2.9802	686.526*
DBLCI	-0.06021	0.05610	-0.00034	0.01232	0.00884	-0.14115	2.0049	307.943*
BCOM	-0.04912	0.05243	0.00003	0.01023	0.00734	-0.14875	2.1743	361.817*
S&P GSCI	-0.07088	0.05959	-0.00010	0.01331	0.00959	-0.18288	2.6860	552.050*

Source: own calculations

Note: * Indicates rejection of the null hypothesis at 5%.

Table 2. Coefficients of correlation between selected commodity and stock indexes

Index	TR/CC CRB	DBLCI	BCOM	S&P GSCI
AOI	0.190	0.149	0.194	0.172
IBovespa	0.446	0.421	0.441	0.436
BUX	0.322	0.298	0.355	0.326
CAC40	0.441	0.407	0.473	0.434
DAX	0.427	0.393	0.459	0.419
FTSE100	0.467	0.443	0.505	0.470
Nikkei	0.146	0.094	0.126	0.112
SSE	0.183	0.151	0.203	0.150
S&P500	0.474	0.466	0.475	0.485
TSE300	0.556	0.550	0.567	0.564
WIG	0.400	0.374	0.437	0.393

Source: own calculations

Table 3. Man-Whitney test results for commodity and stock indexes mean returns

Pair	Z	Pair	Z	Pair	Z	Pair	Z
AOI-TR/CC CRB	-1.447	BUX-S&P GSCI	-0.623	FTSE100-BCOM	-0.850	S&P500-DBLCI	-2.618*
AOI-DBLCI	-1.748	CAC40-TR/CC CRB	-1.366	FTSE100-S&P	-0.793	S&P500-BCOM	-2.028*

				GSCI			
AOI-BCOM	-0.905	CAC40-DBLCI	-1.625	Nikkei-TR/CC CRB	-2.197*	S&P500-S&P GSCI	-1.744
AOI-S&P GSCI	-0.878	CAC40-BCOM	-0.901	Nikkei-DBLCI	-2.391*	TSE300-TR/CC CRB	-1.823
IBovespa-TR/CC CRB	-0.154	CAC40-S&P GSCI	-0.870	Nikkei-BCOM	-1.723	TSE300-DBLCI	-2.021*
IBovespa-DBLCI	-0.547	DAX-TR/CC CRB	-2.159*	Nikkei-S&P GSCI	-1.651	TSE300-BCOM	-1.319
IBovespa-BCOM	-0.330	DAX-DBLCI	-2.333*	SSE-TR/CC CRB	-2.039*	TSE300-S&P GSCI	-1.119
IBovespa-S&P GSCI	-0.123	DAX-BCOM	-1.694	SSE-DBLCI	-2.318*	WIG-TR/CC CRB	-1.595
BUX-TR/CC CRB	-0.996	DAX-S&P GSCI	-1.561	SSE-BCOM	-1.612	WIG-DBLCI	-1.878
BUX-DBLCI	-1.312	FTSE100-TR/CC CRB	-1.348	SSE-S&P GSCI	-1.518	WIG-BCOM	-1.091
BUX-BCOM	-0.506	FTSE100-DBLCI	-1.646	S&P500-TR/CC CRB	-2.482*	WIG-S&P GSCI	-1.043

Source: own calculations

Note: * Indicates rejection of the null hypothesis at 5% .

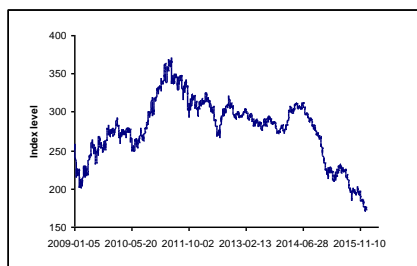
Table 4 Man-Whitney test results for deviations from mean return on commodity and stock indexes

Pair	Z	Pair	Z	Pair	Z	Pair	Z
AOI-TR/CC CRB	-1.518	BUX-S&P GSCI	-3.012*	FTSE100-BCOM	-0.090	S&P500-DBLCI	-7.425*
AOI-DBLCI	-6.721*	CAC40-TR/CC CRB	-7.645*	FTSE100-S&P GSCI	-6.591*	S&P500-BCOM	-2.168*
AOI-BCOM	-1.169	CAC40-DBLCI	-2.619*	Nikkei-TR/CC CRB	-8.038*	S&P500-S&P GSCI	-8.404*
AOI-S&P GSCI	-7.734*	CAC40-BCOM	-8.024*	Nikkei-DBLCI	-2.989*	TSE300-TR/CC CRB	-4.171*
IBovespa-TR/CC CRB	-9.091*	CAC40-S&P GSCI	-1.523	Nikkei-BCOM	-8.429*	TSE300-DBLCI	-9.228*
IBovespa-DBLC	-4.109*	DAX-TR/CC CRB	-50.114*	Nikkei-S&P GSCI	-1.834	TSE300-BCOM	-3.846*
IBovespa-BCOM	-9.521*	DAX-DBLCI	-1.219	SSE-TR/CC CRB	-5.356*	TSE300-S&P GSCI	-10.156*
IBovespa-S&P GSCI	-3.012*	DAX-BCOM	-6.560*	SSE-DBLCI	-0.562	WIG-TR/CC CRB	-0.330
BUX-TR/CC CRB	-9.091*	DAX-S&P GSCI	-0.113	SSE-BCOM	-5.644*	WIG-DBLCI	-4.812*
BUX-DBLCI	-4.109*	FTSE100-TR/CC CRB	-0.463	SSE-S&P GSCI	0.524	WIG-BCOM	-0.727
BUX-BCOM	-9.521*	FTSE100-DBLCI	-5.625*	S&P500-TR/CC CRB	-2.485*	WIG-S&P GSCI	-5.790*

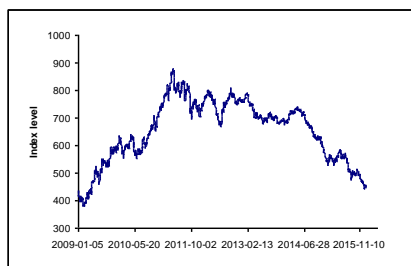
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Note: * Indicates rejection of the null hypothesis at 5% .

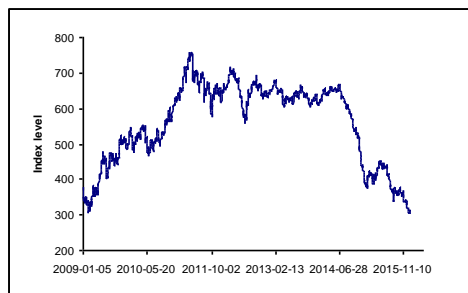
Figure 1. Commodity indexes from January 5, 2009 to December 30, 2015: the Reuters/ Core Commodity CRB Index (a), Bloomberg Commodity Index (b), S&P Goldman Sachs Commodity Index (c), Deutsche Bank Liquid Commodity Index (d).



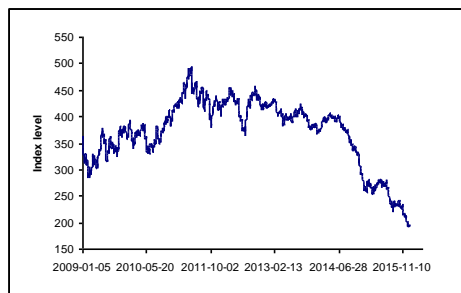
(a)



(b)



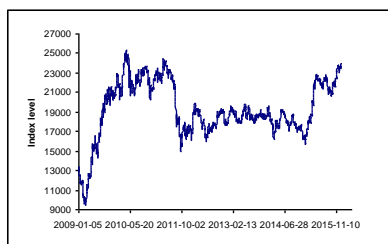
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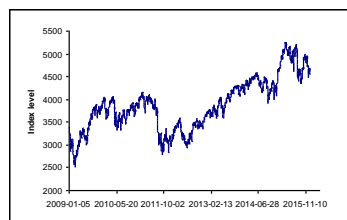
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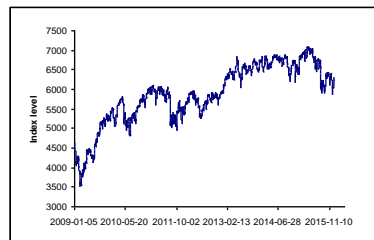
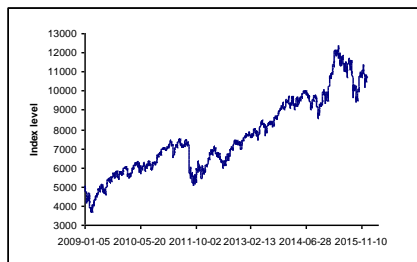
Figure 2. European stock indexes from January 5, 2009 to December 30, 2015: BUX(a), CAC40(b), DAX (c), FTSE100 (d), WIG (e)



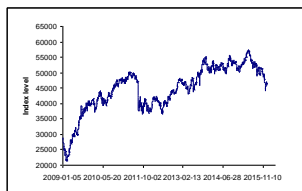
(a)



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(c)

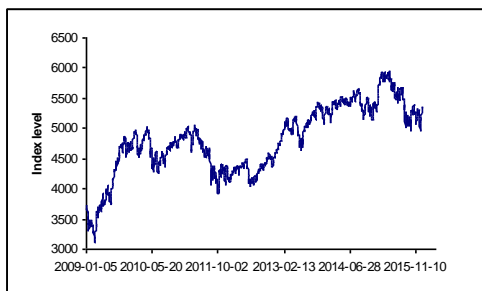


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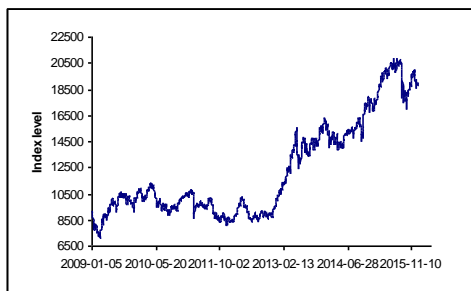
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Source: Own elaboration

Figure 3. Australian, Asian and American stock indexes from January 5, 2009 to December 30, 2015: AOI (a), Nikkei (b), SSE (c), iBovespa (d), S&P500 (e), TSE300 (f)



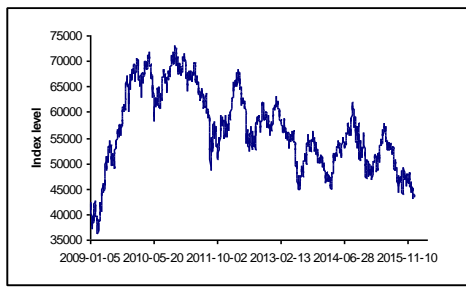
(a)



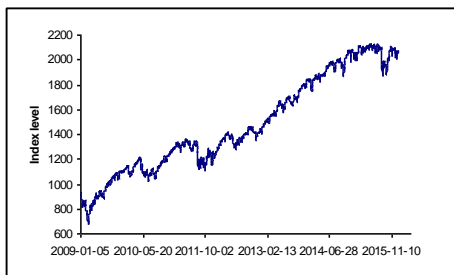
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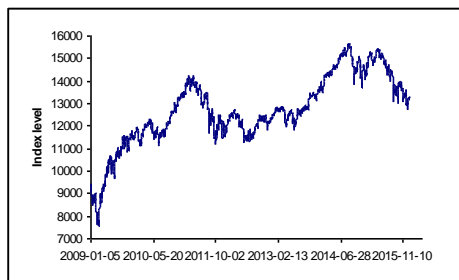
(c)



(d)



(e)



(f)

Source: own elaboration

Extradition as One of the Forms of Transfer of Detainees and Convicts. Albanian Experience

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Abstract

International mobility and migration have been increased due to the world globalization. This situation has affected international judicial cooperation, which has become of a special importance in managing issues linked to the pursuit and conviction of foreign citizens, as well as their extradition before or after a criminal sentence. Transfer of non-nationals convicted of a crime and sentenced to their home country, has become common practice. The transfer contributes to the rehabilitation of the sentenced person. The aim of this paper is to address the legal aspects of how it applies to the Albanian criminal legislation detainee and transfer of inmates, given that the Albanian society, a society in transition, has evolved and changed with quick steps while individual deprived of liberty does not concur with a fundamentally changed reality. Herein lays the purpose of the transfer as an opportunity for more steps towards re-integration of his resocialization.

Keywords: detains transfer, convicted transfer, extradition.

1. Introduction

One of the reasons of transferring the enforcement of a custodial sentence is to make it easier for the sentenced person to re-adjust to a law-abiding life in the country in which he or she will be living after release. There always are conditions during international cooperation in criminal matters and the typical one is that the process must serve only those ends that are described in a request for cooperation. Extradition, where this basic idea is found, as an instrument of the judicial international cooperation, is one form of transfer of convicted and pursued person. This condition, enable the transfer of fugitives and at the same time serve as a guaranty that the person who is going to be extracted is not going to be prosecuting offences that are not specified in the request. Extradition also strictly respect individual terms agreed between the requesting and requested state. That means it serves as a restrictive instrument not to transfer the extradited person onward to a third state..

2. Extradition as another form of transfer

Another form of cooperation between countries to transfer prisoners or detainees is extradited, which it is one of the most successful format implemented in the framework of international cooperation in criminal matters, not only under the OK, but even by the European Council. Central role in the development of this mechanism has played the Council of Europe European Convention on Extradition with two additional protocols.

This convention has been ratified by our state that is in unison on this convention about how treats Extradition¹.

¹ Hoxha, A.: *Extradition by EU legal instruments. Similarities and differences with the instruments of the Council of Europe*, Tirana 2010.

The code of the Penal procedure¹, article 488-504 establishes general rules: Submission of a person to a foreign country for the execution of a prison sentence or an act proving him for a criminal offense can be done only through extradition². Extradition shall be granted only on the basis of a request to the Ministry of Justice.

Demands for extradition are attached:

- a copy of the sentence of imprisonment or the act of proceedings;
- a report on the criminal offense charged to the person whose extradition is requested, indicating the time and place of the offense and its legal qualification;
- the text of the legal provisions to be applied, indicating whether for the offense for which extradition is provided by the law of a foreign state with the death penalty;
- personal data and any other information available which serves to establish the identity and nationality of the person subject to extradition.

When several extradition requests competing, the Ministry of Justice sets forth the order of examination. For this purpose it takes into account all the circumstances of the case and in particular the date of receipt of the request, the importance and place of the offense or nationality and residence of the person sought and the possibility of a re-extradition from the requesting state.

If for a single offense, extradition is requested simultaneously by several countries it is given to the state to which the criminal offense or to the country on whose territory the offense was committed.

Also are specified detailed conditions when can be allowed extradition. "Extradition is permitted provided expressed that the extradited can not be prosecuted, punished and not be handed over to another country for an offense that occurred before the request for extradition and which is different from that for which the extradition is given.

The above-mentioned conditions are not considered:

a) when extraditing side gives express consent to the extradition of prosecuted even for another criminal offense and has no objection to extradition;

b) when the extradited, although there have been opportunities, has not left the territory of the state to which it was delivered after spending forty-five days of his release or after leaving it returned voluntarily. The Ministry of Justice may impose other conditions as it considers appropriate "?

3. The rejection of the extradition request

A state can not always accept extradition, there are cases that the state can not allow the extradition, and this institute is called the rejection of the extradition request. Extradition can not be granted:

- for an offense with political character or if it turns out that he is requested for political purposes;
- when there are reasons to believe that the person sought will be subjected to persecution or discrimination due to race, religion, sex, nationality, language, political beliefs, personal or social status or other cruel punishments, or inhumane or degrading actions that constitute a violation of to fundamental human right;
- when the person sought has committed a criminal offense in Albania;
- when prosecution is initiated or has been tried in Albania even though the offense is committed abroad;
- when the offense is not envisaged as such by the Albanian legislation;
- when for the offense was given amnesty by the Albanian state;
- when the person sought is an Albanian citizen and there is no agreement predicting otherwise;
- when the prosecution is predicted or the punishment under state law that requires him.

¹ Law Nr.9911, dated 05.05.2008 "On Amendments to the Law No. 7905 dated: 03.21.1995" Criminal Procedural Code of the Republic of Albania "after October 2004

² Article 488/489 of the Criminal Procedure Code

Extradition is both active and passive types.

Active extradition or for the overseas it starts with an application that comes to the Justice Ministry, which forwards the request to the competent court when the conditions are completed. To this request are attached a number of documents proving the claim and make us realize that we are within our legal framework.

4. The conditions for extradition

The conditions for active extradition are:

- Rule of specialty.
- The principle of double sentence means the offense must be provided as such by the legislation of the two countries in the relationship.
- Extradition is not permitted when the person sought to be extradited is an Albanian citizen.
- Extradition is not permitted when the fact subject to extradition is a political offense or the person is requested for political reasons.
- Extradition is not permitted when the person to be extradited is subjected to persecution or discrimination.
- It is not given when a person has committed a criminal offense in the execution place of the request.
- The request is rejected and when prosecution, punishment or criminal acts have been prescribed in the requesting country.
- Rejection of extradition and when the subject is a military.

Passive extradition or from abroad, is the case when our country is requesting, not handover like above. We are before of this extradition form in cases where an Albanian citizen commits a crime within the Albanian territory and then leave abroad.

Prosecutor initiates proceedings and when the person finds nonexistence within the Albanian state sends a request to the Ministry of Justice, which after verifying the necessary conditions transmit the application to the competent authority where the person sought is.

Together with the request the Ministry forwards and the necessary documentation.

It may happen that the state executive accepts the request, but with conditions, if we are before this hypothesis the last word is from the Ministry of Justice, and what it decided is mandatory for the judiciary.

In general this is the mechanism of extradition and now we are able to give a definition of it "Delivery of a person to a foreign country for the execution of a sentence of imprisonment or exercise of criminal prosecution."

And can easily determine its legal nature as dualistic because it is regulated both by international law and by the internal law. So, we see that it is a complicated procedure that did not justify itself, not responding to the request for a European area of freedom and security, leaving place to his successor UEN.

5. European Prison Rules

Even the Supplement¹ of Recommendation No. R (87) 3 European Prison Rules, the European revised version of the Rules provides for minimum standards for treatment of prisoners, specifies that²: "In case of death, serious illness or serious injury of a prisoner or sending it to an institution for treatment for mental illness, the director shall immediately inform the spouse, if the prisoner is married, or his nearest cousin and will inform for each event any other person previously assigned by the prisoner.

The prisoner shall be informed immediately of the death or serious illness of his relatives.

¹ Recommendation no. R (87) 3 of the Committee of Ministers to member states on the European Prison Rules

² Notice of death, illness, transfer, etc...

In these cases and whenever that circumstances allow, the prisoner should be authorized, either accompanied or alone, to visit a sick relative or see the deceased. All prisoners shall have the right to immediately inform their families of imprisonment or transfer to another institution. "

Conclusions

System treatment of prisoners is one of the key priorities in terms of consolidating the rule of law and guaranteeing human rights. The main goal is to improve conditions for the treatment of persons sentenced to imprisonment or detainees to ensure respect for their human rights and fundamental freedoms, in accordance with the regulations of the European Union, international treaties in force and internationally accepted standards.

Need of fulfillment of obligations arising from a number of international instruments to which Albania is a party, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Treatment or Punishment Inhuman or Degrading as and fulfillment of EU recommendations.

Strengthening the security in prisons, through a special regime, which decided not only to the internal security of institutions, but also for external security, which aims mainly to prevent further links with criminal world for persons serving prison sentences, for criminal offenses particularly dangerous, thus helping and their final separation from crime, reintegration, rehabilitation and further socialization.

In the criminal justice system, the execution of criminal judgments final and those with immediate execution, aimed at punishing and rehabilitating offenders who have committed offenses, the restoration of the rights of persons proceeded unfairly and rights of legal entities vulnerable to criminal acts, as well as their prevention.

Institutional viewpoint, execution of final criminal decisions is very important, but also complex. Institute of transfer aims to achieve not only a separation between convicted for various crimes in order not only to institutional security, but also social, but above all to give the opportunity of suffering the sentence near the settlement, in an environment known, familiar, to rehabilitate, economy, socialization.

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Differences on Emotional and Behavioral Problems Among 10-12 Years Old Children – Parents' Report

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Abstract

Aim: To explore the differences in age and gender on emotional and behavioral broad band scales of children 10-12 years old. It was hypothesized that there will be differences between girls and boys and between ages.

Methods: We used CBCL (6-18 years) the 2001 edition (Achenbach & Rescorla, 2001) to collect the data. Descriptive statistics, chi-square test, Pearson correlation, T-test, and ANOVA were used to explore and analyse the differences. 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). 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. The parents voluntarily completed the questionnaire. **Results:** There were found no differences on broad band scales of emotional and behavioral problems, regarding the age and gender of children.

Keywords: children, emotional and behavior problems, differences, parent.

Introduction

Behaviour problems are most often defined as internalizing problems, which are expressed through anxiety, depression and withdrawal and externalizing problems, expressed as hyperactivity and aggression (Achenbach, 1991; Achenbach & Rescorla, 2000; Dearing et al, 2006). Externalizing behaviour problems include a group of behaviour problems which children express in the external environment (Campbell, Shaw, & Gilliom, 2000; Eisenberg et al, 2001). In literature, externalizing problems consist of disruptive behaviour, hyperactivity and aggressive behaviour (Hinshaw, 1987), while Campbell (1995, 2002) presents them through aggressive behaviour, noncompliance and hyperactivity.

Referring to the fact that externalizing problems at preschool age are considered as the most widespread mental health disorder, the empirical study of these problems has increased the interest and the attention of researchers (Campbell, 1995). This interest was reinforced by the correlation between the early onset of externalizing problems and behaviour problems in middle childhood and adolescence (Campbell, 1995; Tremblay, Pihl, Vitaro & Dobkin, 1994; Patterson, Reid & Dishion, 1992; Farrington, 1991).

Internalizing problems are considered to include behaviours such as withdrawal, anxiety, refraining and depressive behaviour, i.e. behaviours that affect the child's internal psychological environment more than his/her external world. In other words, this cluster of behaviour problems includes 'neurotic' and 'over controlled' behaviours (Campbell et al, 2000; Eisenberg et al, 2001; Hinshaw, 1987).

Various studies suggest that internalizing problems, although considerably less studied, may emerge during the first years of life (Luby, Hefelfinger, Mrakotsky et al, 2003), and such problems are relatively stable in time (Bongers, Koot, Van der Ende, Verhulst, 2003; Sterba, Prinstein, Cox, 2007). Internalizing problems are usually manifested through anxiety, withdrawal and sadness (Campbell, 1995; 2002)

Our study aimed to: (1) to explore the differences on emotional and behavioral problems [broad band scales] regarding the age and gender of children. It was hypothesized that there will be differences between girls and boys and between ages in several 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 and their employment rates. The parents voluntarily completed the questionnaire.

Table 1

Descriptive data for children by gender, grade, place living and by gender and employment status for parents.

	Valid Nr.	Percentile	Chi-square test
Male	123	52.1	
Female	113	47.9	$\chi^2(1) = .424, p = .515$
Village	7	3.0	
City	229	97.0	$\chi^2(1) = 208.831, p = .000$
Grade 4	86	36.4	
Grade 5	72	30.5	$\chi^2(1) = 1.254, p = .534$
Grade 6	78	33.1	
Fathers	144	61.0	
Mothers	92	39.0	$\chi^2(1) = 11.458, p = .001$
Father employment	173	73.3	
Mother employment	89	37.7	$\chi^2(1) = 9.646, p = .002$

Table 2

Mean and Standard Deviation for family income, member of family, number of children; 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
Family income€	519.87	290.72
Family members	5.49	1.64
Children numbers	2.85	1.15

Instruments and data collection

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. Empirically based syndrome scales scored from the CBCL 6-18, are: Anxious/Depressed, Withdrawn/Depressed, Somatic Complaints, Social Problems, Thought Problems, Attention Problems, Rule-Breaking Behavior, and Aggressive Behavior. The CBCL scales have been shown to have a consistency of .890

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, T-test, and ANOVA were used to explore and analyse the differences, correlations of interest variables in the study on broad band of emotional and behavioural scales.

Results

To characterize the sample population, the outcome variable was stratified by demographic variables. Table 3 shows the difference in number, mean scores and standard deviations by age, gender and parenting style

Table 3

Number, Mean scores and standard deviations for broad band scales by age.

	10 years			11 years			12 years			Total children		
	N	M	SD	N	M	SD	N	M	SD	N	M	SD
Internalizing	86	1.46	.80	72	1.47	.78	78	1.38	.71	236	1.44	.77
Externalizing	86	1.10	.43	72	1.06	.30	78	1.05	.22	236	1.07	.33
Total Problems	86	1.24	.63	72	1.16	.47	78	1.19	.56	236	1.20	.56

Table 4

Number, Mean scores and standard deviations for broad band scales by gender.

	Gender	N	M	SD
Internalizing	F	113	1.45	.75
	M	123	1.43	.78
	F+M	236	1.44	.77
Externalizing	F	113	1.08	.37
	M	123	1.06	.31
	F+M	236	1.07	.33
Total Problems	F	113	1.22	.58
	M	123	1.18	.54
	F+M	236	1.20	.56

Table 5

The inter correlation between broad band scales.

		INTER	EXTER	TOTAL
Internalizing	Pearson Correlation	1		
	Sig. (2-tailed)			
Externalizing	Pearson Correlation	.430**	1	
	Sig. (2-tailed)	.000		
Total problems	Pearson Correlation	.690**	.570**	1
	Sig. (2-tailed)	.000	.000	

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

The t-test analysis did not revealed differences in broad band scales regarding the gender. The results obtained through ANOVA indicated not significant differences. As shown in the Table 3, younger children (10 years old) had a very similar mean in almost all broad band scales as older children (11 and 12 years old), . The results obtained were: for internalizing $F(2) = .311, p = .733$; for externalizing $F(2) = .533, p = .587$; for total problems $F(2) = .393, p = .675$.

Discussion

The study suggests that there will be gender and age differences regarding the broad band scales. Our results did not show statistical differences between boys and girls in none of the scales. There were not found significant different in ages. The results from table 3 and 4, shows that all children gain similar results in almost all scales.

From the results, specifically the correlations obtained, while statistically significant in the direction, were moderate. There were positive and moderate to high relationship between internalizing and total problems, as well as between externalizing and total problems.

The average values of total are not markedly different to those found in other studies. The scores in this study are slightly higher, but consistent with previous research. The lack of significant differences was unexpected.

Although more research is needed to develop a better understanding of the emotional and behavioural problems among 10-12 years old children, the present study is an important endeavour in this direction. The aim is to provide a picture of children's emotional and behavioural problems. This would include investigating emotional and behavioural problems in different contexts as assessed by parents, teachers as well as by self-reports. Moreover, it would also encompass exploring various environmental factors to assess their influence on different types of emotional and behavioural problems. Furthermore, researchers can also obtain urban and rural samples to have a better understanding of the types of problems that children face in different physical environments. Each of these goals will ultimately assist in the development of a broader picture of emotional and behavioural problems among our children in this age group.

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Political Parties in Kosovo, Organizational Structure and Their Internal Democracy

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Abstract

The collapse of communism in the former Eastern bloc, which was followed by the establishment of democracies popular and holding free elections to the parliaments of the countries concerned had its impact in Kosovo, which although occupied accepted among first democracy in the former Yugoslavia, which was followed by the creation of political parties at that time. The role of political parties in the years of occupation there was a genuine character of party activity as a result of the occupation, because the main word on Kosovo was Serbian government, installed after violent suppression of Kosovo's autonomy in 1989. Political parties in general It served as a national movement, some of which joined the Kosovo Albanians by articulating their demands for freedom and independence. This included organizing parties in Kosovo and the Albanian parties in other areas in the former Yugoslavia was organized by the Coordination Council of Albanian Parties. End of the war in 1999 brought a completely new situation, changing political scene with the formation of more political parties, as well as providing more opportunities for a better organization of the political scene. Some of the political parties no longer exist, while others have a very small number of members. The formation of new parties expected profiling of political scene, however, serves only their declarative they are right or left, in most cases a proper profiling has not happened yet. Political parties in Kosovo even after so many years of activity apparently still in the phase of consolidation but also in search of their identity.

Keywords: Kosovo, political parties, internal democracy, occupation

Introduction

A political party in Kosovo originates since the early nineties of the last century, more precisely after the collapse of the party system of government, led by the Communist Party. Knowing that in those years, Kosovo was under severe apartheid, and under occupation classic, certainly cannot speak as to the normal functioning of political parties, much less internal democracy subjects then political, because the activity was almost other semi, since as members also hounded and jailed leaders from the Serbian government in Kosovo installed. Known as the "Kosovo Option", which in itself includes all parties of that time, they managed to hold twice conditions parliamentary and presidential elections in 1992 and 1998 where he was elected Parliament and President of the Republic, bodies which they never made it constituted as a result of repressive measures imposed by the Serbian authorities. Democratic League of Kosovo party was first formed which was followed by the other parties as Peasant Party, the Albanian Christian Democratic Party, the Parliamentary Party and some other smaller parties. We must emphasize illegal entities that operated underground from which later formed the KLA, the Kosovo National Movement and the National Movement for the Liberation of Kosovo.

In such conditions we could not occupation for internal party democracy, because every decision taken by the party chairman. Although held an internal election process, it was all very formal and serves propaganda purposes than genuine internal democracy.

But after the war in 1999, in Kosovo, and the creation of new circumstances were formed many political parties thus enriching the political scene, while in terms of internal organization of particular internal democracy is still a lot to be desired. Political parties are still operating under the old system with a retention assembly or congress, in which the chairman shall propose a list of party organs and which is approved by acclamation by the delegates present. Formally opened an internal election process, but that is not supervised and decisions are prepared and almost become the choice of people loyal to the party leader. Even in other parties the situation is almost identical, because long before the elections, it is known who will be chairman of the party and the team close to him, and in all cases the party chairman has no opposition candidates in case of election, or even if one candidate, more formal candidacy, saying better than for show and meet a point required by statute.

Political organization in Kosovo

Political organization in Kosovo as in any other country is regulated by law. Kosovo is a pluralist parliamentary system of organization and political activity. Political parties in Kosovo operate under Regulation number 01/2013 on the registration and operation of political parties¹.

The political scene in Kosovo is characterized by parties to the ideology declared as the right where you can list the PDK, LDK, AAK, left-wing parties as VV, party center-right and center-left, then party religious character as Albanian Christian Democratic Party - PSHDK, which show the values of the Christian Democratic Party and Justice- PD, which discloses Islamic values and national minority parties that aim are the protection and representation of minorities in parliament. Otherwise, according to the register in Kosovo currently operate 63 political parties be they political party, movement or election list².

All non-Serb minority parties in parliament have their parliamentary group "Six plus" through which participate in government with a ministerial post and some other lower positions. While Serb minority is organized by some parties and a list called "Serbian List" which is led by the Serbian government and the conviction that there is no action taken without prior consultation with Belgrade officials. Otherwise the government represented by three ministerial posts and several government positions lower under the country's constitution and comprehensive plan of President Ahtisaari. Regarding the organizational structure and internal democracy is about the same as other political parties.

It is clear that the political scene is not yet profiled and related coalitions for narrow interests of power and not because the program. Even the voting is still done based on non-program leader of the political party and still presents family voting.

Political parties in Kosovo have not yet been organized elections within the party that will really touch a step forward in the organization as well as in political emancipation but also in terms of internal democracy. With the exception of Vetevendosje Movement, which tried to take a bold step, but unfortunately was only a step, nothing more.



Photo.Logos of some political parties³

The organizational structure of political parties

Political parties in Kosovo have almost similar organizational structure, the parties emerged in the former communist bloc in Eastern Europe. In order to include as many people in the structure, including remote mountain areas, build party structures are such that no one remains outside the organizational structure. The names of the structure are different and distinct from the parties as asset, section, paragraph, center etc, but basically the function is the same. Levels of organization usually look like this:

Asset - session- lower unit of the organization and consists of Assembly and Board

Sub-branch - points -content the assembly and the presidency of the sub - paragraph

Branch - center - consists of assembly and board of branch - center.

Party Assembly - delegates from all branches, including branches of the Diasporas elects the Board and President of the party

Governing Council or General - elect party leadership; The national party; The party leader; Women's Forum; Youth Forum

¹ <http://politike.al/wp-content/uploads/2016/03/Rregullore-per-regjistrimin-e-partive-politike-Kosove.pdf>

² http://www.kqz-ks.org/Uploads/Documents/15-9-2013%20Regjistrimi%20i%20partive%20politike%20ne%20Kosove_dxjexszvvhx.pdf

³ <http://www.albinfo.ch/kosove-partite-politike-pa-demokraci-te-brendshme/>

During elections the electoral process by proposing delegates for central assembly, and at all levels of the organization. After all proposals voted branch delegates who represent the central assembly.

On the other hand the party's central organization is almost the same to all parties, or just changes the name of the body which plays the same role. In central assembly voted for the Governing Council or General of the party, who is obliged to elect party leadership. According to statutory regulation Assembly elects the Chairman of the party.

But what happens with the election of the leadership directly affects internal democracy, because the party president is empowered to propose that the list of members of the presidency are here this straight cut this right to assembly.

Also every political party have formed organizations of women and that of young people, in the form of special forums, which meant they carry values that disclosure of these two categories more vital to society.

Besides AAK, through statute has regulated explicitly the representation of women and youth through quotas in decision making structures of the party¹, in terms of other parties, there is a general conviction that these forums more are as decoration party than to have any impact on the party's policies, not having representation quotas set. All we have managed to "win" is what the respective presidents have automatically secure place in central presidency, so the structure representation is usually over 90 % of men in the leadership as well as in other governing bodies of the party.

Internal democracy in political parties in Kosovo

When we read the programs of political parties and their statutes, an assumption that we are dealing with subjects that in most cases, except for the acronym "democratic", actually have internal democracy, and everything done according to statutory rates.

But when we see actions that occur during daily activity, especially on the eve of election campaigns, the acronym "democratic" loses its meaning. In most cases applies the principle, where the mayor party's own party, because contrary to any norm statutory him above his party and decides on its behalf, especially during the accession of new members during electoral campaigns in many cases members newcomer also appointed deputy chairman of the party, during the press conference specially convened for this activity by violating the party statute which clearly specifies how elected deputy party, or any other function that has to do with the presidency.

This phenomenon is present with all parties without exception and serves as proof of how the party is strengthened. In most cases, the newcomers have just taken the post of deputy, left acting as an independent in parliament, because their condition is included in the list for deputy or ministerial posts, whether minister or deputy minister.

In some examples to see how it works in real internal democracy of the main political parties.

Since the establishment of the first political parties in Kosovo, forms of organizing elections within the party has remained the same, marking a standstill in relation to the region and comparison with established democratic countries as doable. In almost all cases contested assembly election - Congress political parties in all Albanian political geography.

In this paper we will focus on some of the major political parties that are simultaneously parliamentary party, and more specifically - PDK Democratic Party of Kosovo, the Democratic League of Kosovo - LDK, Vetevendosje Movement - LVV, and see how they work especially as they respect internal democracy, based on conventions - assemblies their party conventions. To gain a clearer picture as to make a comparison with the main political parties operating in the Republic of Albania, namely three main parties, the Socialist Party - PS - PD Democratic Party and the Socialist Movement for Integration, LSI.

Regarding the electoral conventions of political parties in Kosovo, excluding assembly of LDK, known as "Assembly chair" during which ran two candidates from two sets to take over the party, but that escalated into violence between the two groups rival.

¹ <http://www.aak-ks.org/?id=18>

The outcome was fatal for the group as it usually occurs won the Albanian political spectrum, entirely removed; leaving the other group outside the party structures that resulted in the formation of another party, the Democratic League of Dardania - LDD.

This division also contributed to the division of the electorate and also divided into two groups, once the first party in the country's general elections was defeated by second-ranked political entity.

So rather than this moment be used for further deepening of internal democracy of the party, through the legalization of factions within the party as political parties in countries with democracy more advanced, there was quite the opposite and the party was closed on itself by guided by a narrow group of people that led to inevitable defeat in national election.

There is no party that has installed the principle of one member one vote, where election commissions will rise and will vote secretly on ballot boxes, which will be the result of an election campaign in party and numerous meetings with party membership. It is worth mentioning that the ethnic Albanian lands the first to have applied the system one member one vote, is the Socialist Movement for Integration in the Republic of Albania, which was later followed by the Socialist Party, and lately also from the Democratic Party, after losing she suffered in national elections. But, unfortunately, these elections were contested by candidates for President of the Party, as happened in the case of DP raising contentious issues in the election process in the Democratic Party. So we are dealing with phenomena that select the outgoing President of its successor, and prepared the same field that also solved. This is explained by the fact that the outgoing president still wants to maintain influence in the party.

Contests were recently in elections organized by the Socialist Party to hold a referendum on the election of the party chairman, which was impossible with a campaign equal to good arguments, members of the Socialist Party, and as usually happens, the parties Albanian land he lost the party chairmanship after the end of the congress. We must mention that the perpetrator list compiled for the party chairman and the same has proposed and is endorsed by the party.

Tradition of denial of internal democracy joined the Democratic Party of Kosovo - PDK, which recent convention attended the same operations as other political parties regarding the election of the party leader who was elected by acclamation by delegates assembly. Also a list for party leadership which was proposed by the chairman was adopted without objection. At the last congress delegates it is interesting that with their vote have determined the party's ideological character by declaring party as right, though this should not be party oriented programming decision, not assembly. The same operations were done again for president of their party convention VII PDK, in which there were no opposition candidates and there was no secret ballot, but the mayor was elected by open ballot which is inconsistent with the Party Statute.

Contestations made in the last Assembly election the Democratic League of Kosovo - LDK for a point in the statute requires that a candidate for the post of party president needed the signatures of 51 % of the delegates to the convention, which actually prevented running Vjosa Osmani fact logically and mathematically only one candidate can reach this number, which in this case is the chairman of the current party's re-election which was not voted into the assembly after being elected by acclamation by eliminating the democratic procedure of election of the President through secret ballot determined by the statute. As in the case with other parties, LDK was not immune and did the same, approving the list of members of the leadership which the proposed chairman of the party at which inevitably lack the name Vjosa Osmani and several supporters of her, remaining outside the party leadership.

Vetevendosje Movement is the only person who tried through ballot boxes organizes internal elections by inviting the membership to vote on the day of voting, but it is the general impression that the current chairman of the selected founder of the Movement, which is explained by the fact of conservation the impact on the Movement. VV is the only entity which puts in place a disciplinary commission¹ which in some cases has taken a decision to exclude members. Committees such de - jure remove those members who have run afoul of the charter party but de - facto eliminate political dissent in a political party, although in VV there is a group called "faction plus" consisting precisely of members excluded from the disciplinary commission.

¹ http://www.vetevendosje.org/wp-content/uploads/2013/09/Statuti_i_Levizjes_VETEVENDOSJE_mars_2012.pdf

Conclusions

Political parties step up their activities normally in the eve of the election campaign at any level whether elections where new arrivals start bypassing party for democracy and internal rules for party chairman makes their cooptation without no preliminary proceedings and outside the party apparatus makes appointment to important positions in the party and appointment to a senior ministerial post or choice for deputy in Parliament. Usually targeted by these flows are journalists and members of civil society who are critics of the party and thus vanish even as opposition voices are few in society. Independent intellectuals were targeted political parties, but the practice has shown that in these cases, this action served more as decoration than supposedly intellectuals are politically engaged than he has had any positive impact on their engagement.

Compiling lists for national elections and the candidates for mayor formally made through branches of political parties, but the last word usually is the party chairman who often defy the opinion of branches and list which it also approves the list becomes official party to participate in elections.

Never in Kosovo has no political party internal election process step through its branches with two or more candidates who will be running the first election in the party programs and then in municipal elections for mayor.

Participation of women in political life is very small and is usually organized through the forum of women who like the forum of youth have no impact on party politics and simply serve only as numbers and to meet obligations arising from statute. The 30 % who serves on the participation of women in Parliament and in Municipal Councils does not apply to their representation in the party and as a result of all municipalities is the only female president of the municipality and two women ministers in the Government of Kosovo. Therefore, women's organizations and youth it rather than be the partner organizations with political parties that operate them usually are dependent on them and this affects their activity is limited to party frameworks.

Knowing that internal democracy means participation of citizens in politics and internal party through which I express their concerns and being organized in various working groups that practice there are no political parties in Kosovo comes into disinterest of citizens especially the middle class to join the party, so no political party in Kosovo do not know the exact number of its members and usually confused by the mixed here with the number of voters or supporters.

Another characteristic is that all parties in Kosovo are therefore belonging to a national group lacking national minorities when entering the Albanian parties or even the opposite. This is a precedent for countries in the region are frequent cases where political parties have more character represented all citizens and ethnic groups.

Women's organizations and youth it rather than be the partner organizations with political parties that operate them usually are dependent on them and this affects their activity is limited to party frameworks.

Disciplinary Commissions although serving in principle for maintaining statutory violations at a party although de - jure remove those members who have run afoul of the statute of the party, there is a general conviction that de - facto eliminate political dissent in a political entity.

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Regional Security Complex: The Macedonian Context

Fatmir M. Xheladini

Abstract

The traditional concepts of security analysis addresses concerns that deal with security at the state level leaving ample room for the concerns regarding security aspects that are not addressed through these lenses appropriately. The challenges that international system of security is facing range in variety from ones that are different in form to the time sequence that they appear in a different space and geographical location. These may include factors that are objective and subjective and as such they characterize the nature of relationships between states. Behavior of the states may at times include an action that conceptualizes within a geographical framework based on attributes that states poses. Given this, Buzan has presented the idea of security complex that is defined as a group of states in which perceptions and key concerns over security are interrelated. In this context the security complex is tied together through geographical, political, historical economic and cultural issues amongst others. Hence regional issues have an important role in the building of security logic for countries individually or in a group and may impact the formulation of policies internally or externally. Based on these considerations in this article we analyze the security issues of Macedonia and how they reflect upon the wider security agenda of the countries in the region in a two-way reflection.

Keywords: Regional Security, Macedonia, Security.

Introduction

Since it started the process of seeking its independence from the Yugoslav Federation, Macedonia has undertaken some essential transformation that have had two way implications in terms of its security paradigms. In its quest for independence the potential fears of security impact have been both internal as well as regional.

The regional implications have played an important role in consolidation of the statehood as its potential internal destabilization may have had an impact on regional stability. On the other hand, the volatility in the region may have had an impact on its internal security as well.

Each of these challenging transformations constituted strategic and fundamental opportunities that have taken Macedonia on the brink of membership in NATO and the European Union. These achievements have reduced the dilemma of its ability not only to constitute a proper functioning democracy but also through these important memberships to provide a larger umbrella for its security challenges and economic performance. Both of these processes can be considered threats if the state institutions are unable to respond, and as opportunities if the state institutions and the political elite find the courage and means to move forward through the given framework to become members in the aforementioned organizations.

The importance of gaining membership in the aforementioned institutions becomes evident due to the perceived external security dilemmas that it faced in the early 1990's. These dilemmas were seen as important segment of policy choice in the establishment of the country in the international and regional organizations. The path that Macedonia underwent in achieving its international recognition was impacted by issues that at times were generating enmity and amity amongst the surrounding countries. Different issues were regarded differently from the regional countries based on the historical perceptions of each not excluding Macedonia itself. AS result of these issues Macedonia failed to gain a membership in the United Nations and subsequently other international organizations due to the veto by Greece. Although Bulgaria recognized the existence of the state it failed to make recognition of the Macedonian language and a distinct ethnic group. These challenges pressed the leaders of the country in direction of policy making that external security issues it faced to become domestic as well. The inclusion of all citizens in the building of state security is necessary, especially in a multiethnic state as Macedonia.

Theoretical aspects

Security Complex Theory has a special significance because it tends to apply a medium level of analysis, linking together two other levels, micro and macro level. The combination of the two would provide a more comprehensive and suitable analytical approach for certain countries or regions based on their historical experience or geographical location. In this regard it can be stated that between levels there is a mutual interaction where local security concerns can be transformed into international ones and vice versa. At times when international system becomes decentralized new actors and issues generate influences into the system.

These changing dynamics have given rise to the debate of widening and broadening the security concepts as opposed to what they were known in a more traditional or classical concepts. As the debate ranged so the approaches that sought to give an analytical tool to the concerns and issues that needed to be analyzed in a changing international environment of the post-cold war era.

In its initial stages, Security Complex Theory, or what is known in a more classical manner focuses on the state as the main actor of the international system. But as a result of the intensification and broadening of the concept of security, this theory was reprocessed again by its creators, creating two categories; homogeneous and heterogeneous complexes. Homogeneous complexes - formed while maintaining the basic logic of classical theory. While heterogeneous complexes - go beyond the logic of classical theory and argued that regional logic can integrate different types of actors who interact in two or more sectors (Buzan, Waever, & Wilde, 1998, pp. 16-17).

Regional Security Complexes allow us to focus upon groupings of states whose actions dominate the security considerations of other member states. To further enhance this approach, Buzan and Waever in their work define a regional security complex as "...a set of units whose major processes of securitization, de-securitization, or both are so interlinked that their security problems cannot reasonably be analyzed or resolved apart from one another" (Buzan & Weaver, 2003, p. 44).

For the purposes of our paper we further expand on the above definition to better understand the dynamics of impact of each of the members or actor by having the focus on the external factors determine the actions of the other with the description that is given by Lake and Morgan that drives the regional security complex in a way that "...the members are so interrelated in terms of their security that actions by any member, and significant security-related developments inside any member, have a major impact on the others." (Lake & Morgan, 1997, p. 12)

Regional Security complex theory as such has a variation of approaches that have blended together to form a multidimensional inputs between a more neorealist and constructivist composition. While the structural approach has a neorealist approach it indicates the beginning of a regional motivation to the global structure. The geographical implication to constructing the global level approach still maintains a sense of regionalism in getting the actions higher up. On the other hand, the constructivist approach has a tendency to shift its focus on the process that may affect the character of security relations. Thus the political process that constitutes the security issues essentially has subjective aspects that determine the potential relations between the actors. (Buzan & Weaver, 2003, p. 4)

To have a better understanding of the regional security complex it is valuable to look at the variety of the states that constitute the group of states and what dynamics of interplay between those states is occurring. The democratic peace theory contends that democratic states do not tend to go to war rather solve their problems in peaceful means gives another window to the approach that needs to be viewed. Hence the political culture of the region may affect the means through which security concerns of each state are constructed. Hence Regional security complex theory makes a distinction from stable developed countries and unstable underdeveloped ones (Buzan & Weaver, 2003, p. 21).

For the purposes of the paper the concept of collective security becomes evident. The concept first highlighted by Deutsch, incorporates the fact that the disagreements and the choice to solving them is by excluding violence and use of force. As suggested the Concept of collective security provides that the group of subjects who integrate to the extent that between them is mutual conviction that members of one or another society-group will not impose their interests by force, but in other ways. Hence the concept of security community means that in the international arena, states may share similar values, norms and symbols with which they still retain their separate identity. In addition to this conclusion goes the fact that in international relations, states are linked through interactions of different sectors including security, and can share common interests, reciprocity to build trust or otherwise constantly deal with mutual fear and mistrust (Deutsch, 1957).

As in earlier statements regions are an important segment of international system and further from the classical theories the Regional security complex considers the regions not only in geographical and material terms but also as interlinked to the degree that the fear of one state affects the other one through a web of issues that may not be considered separate.

The region, in contrast, refers to the level where states or other units link together sufficiently closely that their securities cannot be considered separate from each other. This degree of interdependence differs from one region to the other and the nature of political system that dominates in the region. The impact and influence of global politics in the regional context makes the complex an important security structure in which the action of a unit within the region may spur fear in another unit. The crossing of the global and the state unit interplay creates a level worthy of analysis. This intersection of security dynamics requires additional outlook on the reasons and sources that create the interdependence in terms of security between these units (Buzan & Weaver, 2003, p. 43).

The paper has in consideration that Macedonia as such falls further into a sub complex. The concept goes further in the extension of the regional security complex where the security interdependence is intensive from the inside. A sub complex is engaged from within but also has a segment which constitutes a security complex larger than what can be understood from the interactions of the subgroup (Buzan & Weaver, 2003, p. 51).

Macedonian Context

The perceived external security dilemmas that it faced in the early 1990's, served as a justification for the leadership of the country to undertake actions that incorporated policies that were having influence not only in the foreign- regional relations but also those of internal actors.

Macedonia failed to gain a membership in the United Nations and subsequently other international organizations due to the veto by Greece. Although Bulgaria recognized the existence of the state it failed to make recognition of the Macedonian language and a distinct ethnic group. The issues pertaining to the succession with Serbia included a range of segments but most pressing from a regional contexts being that with the Church. On the other hand the large Albanian community was feeling not completely included in the new shaping of the state and as such posing a range of concerns from inside. These challenges pressed the leaders of the country in direction of policy making that external security issues it faced to become domestic as well.

From the moment of its independence the row has extended to include not only the denomination of the country but also the symbols that initially Macedonia used to strengthen its national identity. The contest is not new and it has resurfaced continuously since the end of 19th century as a contented issue of resurgent nationalisms in the Balkans when the demise of Turkish rule was coming to a close. When Macedonia proclaimed its independence and was applying for membership in International Organizations the problem resurfaced as the opposition to its membership in these organizations was blocked (Craven, 1996).

The identity security dilemma for Macedonia has derived from the dispute of the existence of identity of Macedonian ethnic group as a separate identity. The contest with Greece over the name Macedonia which is also a major region in northern Greece has touched upon the neighborly relations of Macedonia with almost all of its bordering neighbors. Although the name issue that is contested by Greece is well known as a state problem, the disputed existence of Macedonian language by Bulgaria is equally exerting pressure to the Macedonian ethnic political elite. The Bulgarian and Serbian perception are connected to the context of the ethnic origin of Macedonians and its church. The Bulgarian and Serbian claims to the origins and belonging of the Macedonian identity has exerted considerable pressure on internal stability of the country whereas the name issue with Greece has kept Macedonia away from important memberships in NATO and EU. (Engstrom, March 2002, vol.1 nr 3).

These segments of external pressure from the regional context have exerted pressure to the Macedonian political actors to take a course that in effect generate policies impacting internal stability of Macedonia. The origin of the problem has been from the external factors but the political elite in its quest to consolidate the state from inside has taken measures that have regenerated resentments from the groups inside the country. The pressure is visible when it comes to making decisions at domestic level as well as when those pertain to foreign policies. As consequence independence of Macedonia was based around the construction of single ethno cultural state through which civic liberties were pushed aside and ethnic resentment was evident throughout (Ragaru, January 2008).

Conclusions

From what has been presented above we can see that in the case of Macedonia security concerns of one state are becoming issues of another one. Issues that concern one country at times generate political moves of securitization or de-securitization that cannot be analyzed or solved separately. From this perspective we may say that regional security sub-complex as in the case of Macedonia is so much interrelated in terms of security between the various members that important security issues in one country can have impact on the other country.

We can see that regional implications for Macedonia have played an important role in its quest for independence and after it. These implications have played a role be that in social or cultural issues that are interrelated between the countries in question. The political choices that have been made by the Macedonian political elite have played an important role in constituting the opportunities of gaining a membership in larger regional organizations but as well in its economic performance.

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The Evolution of the Role of the National Parliaments in the Treaties of the European Union

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Abstract

This paper elaborates the evolving role of national parliaments in the different stages of the European integration process. The Review begins with the first stage (the foundation of the European Union) where national parliaments showed no or little interest in the matters of Community, and then the impact of Single European Act, following the first changes in the Maastricht Treaty, through the two Declarations attached to it and then the Protocol to the Treaty of Amsterdam. Finally the paper focuses on the changes and innovations presented in the Lisbon Treaty which will enhance the role of national parliaments in the European Union governance. For this purpose, the paper analyzes chronologically the rights that national parliaments had before the Lisbon Treaty and the new role of national parliaments after the Lisbon Treaty came into force.

Keywords: *treaties, Lisbon Treaty, role, national parliaments*

1. Introduction

The national parliament's involvement in the European Union (EU) governance has been a long debated issue in the different stages of the European integration, especially the extent to which national parliaments should be more involved.

The gradual expansion of powers has been reflected in the scholarly debate. Following accounts of how parliaments were the "victims" of European integration due to a process of "deparliamentarization" (Moravcsik, 1995; Norton, 1996; Weber-Panariello, 1995) in the 1990s, national parliaments have been portrayed as more active players in the context of EU integration after the Treaty of Amsterdam (e.g. Auel and Benz, 2005; O'Brennan and Raunio, 2007), although some still raise the question as to whether national parliaments are "losers or late-comers" (Maurer and Wessels, 2001) or indeed whether they are "destined for irrelevance" (Raunio, 2010).¹

During the first stage, national parliaments showed little interest in the Community affairs. According to Norton, initially, their stance was that of non-engagement.² Within national parliaments no significant structural or procedural changes were made. This is mainly explained by the nature of the European Community. Following the so-called Luxembourg compromise in 1966, Council law-making was based on unanimity, and thus each government could veto initiatives. The Community had competence only in commercial and agricultural policies. The Community was thus mainly an intergovernmental organisation and as such a matter for the governments. National legislatures felt that their sovereignty was not under threat.³

2. National parliaments before the Maastricht Treaty

Since the 1980s, the marginalization of national parliaments in the domain of EU affairs has not seemed irreversible, as domestic chambers started to exhibit greater specialization in EU matters, became more active and attempted to establish stronger contacts with members of the European Parliament (Norton 1995). A number of factors can explain this change in parliamentary attitude to the EU. First, as a number of authors argue, this was a direct consequence of the accession of the Eurosceptic United Kingdom and Denmark (Norton 1995, Raunio 1999). Both countries joined the EU in 1973, but

¹ Arribas, G.V., Bourdin, D. What Does the Lisbon Treaty Change Regarding Subsidiarity within the EU Institutional Framework?, pg. 4

² Lord Norton (2011). National Parliaments and the Lisbon Treaty, <https://nortonview.wordpress.com>

³ Rituzzo, F. (2003). National Parliament and the European Union: Part of the Problem or Part of the Solution to the Democratic Deficit in the European Constitutional Settlement, pg. 103 (as cited in Daukšienė, I. Matijošaitytė, S. (2012). The Role Of National Parliaments In The European Union After Treaty Of Lisbon, pg. 32

by the first half of the 1980s other national parliaments had started to adopt some elements of their scrutiny systems or at least acquaint themselves with the stringent Danish and British procedures for dealing with EU affairs. ¹

Second, the adoption of the Single European Act (SEA) brought profound changes in the stance of the national parliaments in the Community affairs. Following the White Paper on Completion of the Single Market and the Single European Act, engagement – at least at national level – became the norm. Having a European Affairs Committee, for example, became a standard. ²

From national parliament's point of view, the SEA brought four profound changes. Each of them strengthened the supranational character of the European Community. First, it resulted in an extension of the policy competence of the European Community into sectors previously preserved for national governments. Second, as a consequence of the extension of its policy reach and the need to put in place the legal framework for the completion of the single market there was a significant increase in the regulations and directives emanating from the European Community which increased the workload of national parliaments and alerted them to third major change. The third change was that not only had policy-making power flowed upwards to the European level, but that the SEA also affected a shift in the power relationship between the national institutions of the Member States and the institution of the Community, the latter being given much greater power. The extensive use of qualified majority voting in the Council meant that national governments could no longer block Council decisions. Finally, the SEA strengthened the legislative powers of the directly elected European Parliament. This change was yet another signal that national parliaments ran the risk of being increasingly sidelined in the law-making process. ³

3. The changing role after the Maastricht Treaty

The development of the political and the economic and monetary union (EMU) with the Treaty of Maastricht brought new powers to the EU level. This was accompanied by an increasing role of the European Parliament in the legislative process with the introduction of the co-decision procedure. The European Parliament gained equal status with the Council in certain policy areas by increasing its power in law-making process. Although this could have resulted in a further marginalization of national parliaments, the Maastricht Treaty for the first time explicitly recognized the role of national parliaments in the European integration, also due to the deeper discussion on the issue of the democratic deficit in the EU at this stage.

Two declarations, Declaration 13 and 14 were attached to the Maastricht Treaty.

Declaration No.13 is the first European Document that in particular treats the role of national parliaments. ⁴ It encourages greater involvement of national parliaments in the activities of the European Union". According to the Declaration which was set up following proposals by the UK and France, the governments should ensure that "national parliaments receive Commission proposals for legislation in good time for information and possible examination". Though not being legally binding, the Declaration had political consequences. Above all it intensified the debate between national parliaments and European Parliaments on the effectiveness of parliamentary accountability in EU affairs. ⁵

The Declaration No.14 regulates the Conference of the Parliaments⁶ as "the Conference of the Parliaments will be consulted on the main features of the European Union, without prejudice to the powers of the European Parliament and the rights of the national Parliaments. The President of the European Council and the President of the Commission will report to each session of the Conference of the Parliaments on the state of the Union". The need for enhanced contacts between the European Parliament and national parliaments was also mentioned, a topic that was further addressed in Declaration No.14, which dealt with the recommendations of the Assizes. The key idea was to develop the Assizes as a parliamentary forum for discussing EU issues of relevance to the European Parliament and national parliaments, with

¹ Strelkov, A. (2015), National Parliaments in the Aftermath of the Lisbon Treaty Adaptation to the 'New Opportunity Structure', pg.58

² Lord Norton (2011). National Parliaments and the Lisbon Treaty, <https://nortonview.wordpress.com>

³ Rituzzo, F. (2003). National Parliament and the European Union: Part of the Problem or Part of the Solution to the Democratic Deficit in the European Constitutional Settlement, pg. 103 (as cited in Daukšienė, I. Matijošaitytė, S. (2012). The Role Of National Parliaments In The European Union After Treaty Of Lisbon, pg. 35

⁴ Krekelberg, A. (2001), The Reluctant Acknowledgement of National Parliaments in the European Treaties: A Documentation, pg. 477

⁵ Ibid

⁶ Assizes

reports from the heads of the European Council and the European Commission providing the necessary input. This format for cooperation, however, has not been used since.¹

The role of national parliaments in the Amsterdam Treaty was discussed under the necessity for democratization of European decision making procedures. After several proposals from different national actors, a protocol was inserted in the Treaty of Amsterdam: the Protocol on the role of National Parliaments in the European Union.

The protocol on the role of national parliaments annexed to the Treaty of Amsterdam encouraged greater involvement of national parliaments in the activities of the EU and required consultation documents and proposals to be forwarded promptly so the NPs could examine them before the Council took a decision.

Declaration No.13 annexed to the Maastricht Treaty and Protocol 13 annexed to the 1997 Treaty of Amsterdam both purported to involve national parliaments to a greater extent in EU matters. The Amsterdam Treaty changed the subsidiarity article number from 3b to Article 5, but not the text of the article, and included a new, legally binding protocol to the Treaty setting out the principles of subsidiarity and proportionality. This Protocol obliged the Commission to "consult widely before proposing legislation and, wherever appropriate, publish consultation documents", and to justify the relevance of its proposals with regard to the principle of subsidiarity. Separate justification was required for the financing of Community action in whole or in part from the Community budget. The Commission was also required to submit annual reports to the European Council, the Council of Ministers and the European Parliament on the application of Article 5. The new Protocol required that the reasons for concluding that a Community objective could be better achieved by the Community be substantiated by qualitative or, wherever possible, quantitative indicators.²

Declaration No.23 annexed to the 2001 Treaty of Nice invited national parliaments to participate in the debate on the future of the Union and the Laeken Declaration of 2001 proposed specific questions about the role of national parliaments that the Convention on the Future of Europe, launched in February 2002, should tackle. The Convention Working Group on the role of national parliaments identified some basic factors influencing the effectiveness of scrutiny and acknowledged that national parliaments did not always make use of the powers they had to scrutinise their governments.³

Since the Treaty of Amsterdam, a six-week time period between the publication of an EU legislative proposal and the setting of the item on the Council agenda is in force, so as to allow national parliaments some time to scrutinize it *ex ante*.⁴

The Nice Declaration and specifically, the section 23 of the text - dealing with the future of the Union- listed the role of the national parliaments among the priority to be faced "for improving and monitoring the democratic legitimacy of the Union and its institutions in order to bring them closer to the citizens". Again in this direction, the Laeken declaration provided us with further insights about the role of the national legislators, which were called to contribute in strengthening the legitimacy of the European project.⁵

As a result of concerns about a 'democratic deficit' of the EU, the issue of national parliaments was included in the Laeken Declaration⁶ as one of the key priorities to be considered by the Convention on the Future of Europe (European Council, 2001). Following the negotiations in both the Convention and the subsequent Intergovernmental Conferences, stipulations on enhancing the role of national parliaments were first enshrined in the Constitutional Treaty and later taken over virtually unchanged into the Lisbon Treaty (Raunio, 2007; Kiiver, 2012: 20).⁷ An early warning subsidiarity mechanism was included in the Protocol on Subsidiarity and Proportionality attached to the 2004 Treaty Establishing a Constitution for Europe, which never came into force following its rejection by France and the Netherlands in negative referendums in 2005.

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¹Strelkov, A. (2015), National Parliaments in the Aftermath of the Lisbon Treaty Adaptation to the 'New Opportunity Structur, pg. 60

²Miller, V. (2012), National Parliaments and EU law-making: how is the 'yellow card' system working?, pg. 3-4

³Ibid, pg. 4

⁴Article 3 of the Amsterdam Protocol

⁵Romaniello, M. (2012), Empowerment of National Parliaments and the European Democratic Disconnect, pg.4

⁶European Council (2001), Laeken Declaration on the Future of the European Union, <http://european-convention.eu.int/pdf/knen.pdf>.

⁷Christiansen, T., Högenauer, A., Neuhold, C. (2012) National Parliaments in the post-Lisbon European Union: Bureaucratization rather than Democratization?, pg. 6

⁸Miller, V. (2012), National Parliaments and EU law-making: how is the 'yellow card' system working?, pg. 5

4. National Parliaments in the Lisbon Treaty

The Lisbon Treaty, which came into force in December 2009, contained many of the Constitutional Treaty provisions and it was the first time that national parliaments are mentioned in the actual main text of the EU's "constitution" – as opposed to Protocols and Declarations attached to previous Treaties¹ and are also provided with wider opportunities to participate in the activities of the European Union and influence the European legislative process.² Also, two Protocols attached to the Lisbon Treaty, refers more explicitly to the powers that are given to the national parliaments.

The Treaty of the European Union (TEU) states that national parliaments ensure compliance of the EU with the principle of subsidiarity (Art.5) and hold their governments accountable for their actions in the Council (Art.10). They can also contribute to the good functioning of the Union (Art.12) by taking part in the evaluation mechanisms for the implementation of the Union policies in the area of freedom, security and justice in accordance with Art. 70 of the Treaty on the Functioning of the European Union (TFEU); in the political monitoring of Europol and the evaluation of Eurojust's activities in accordance with Articles 85 and 88 of TFEU; in the revision procedures of the treaties in accordance with Art. 48 TEU and in the inter-parliamentary cooperation between national parliaments and the European Parliament. They will also be notified of applications for accession to the Union in accordance with Art.49 TEU.³

Thus, after the Lisbon Treaty, four main spheres can be relatively identified where national parliaments can participate in the EU activities: (1) the role of national parliaments in ratification and revision process of EU primary law; (2) the rights that national parliament has in the area of freedom, security and justice; (3) activities in exercising interparliamentary cooperation; (4) the role of national parliaments in EU legislation.⁴

Considering the role of national parliaments in ratification and revision process of EU primary law it must be said that the Treaty of Lisbon involves national parliaments into Treaty revision procedures. This way, national parliaments get important rights not only in ratifying amendments of the EU founding Treaties and bargaining for new provisions of the Treaties. Article 48 of the TEU distinguishes two kinds of treaty revision procedures: (i) ordinary revision procedure and (ii) simplified revision procedure. According to the first procedure, representatives of national parliaments are not only informed about proposals for the amendment of the Treaties, but also together with the Heads of State or Government of the Member States, members of the European Parliament and the Commission participate in the Convention where these proposals are discussed. In the simplified Treaty revision procedure, national parliaments have more binding rights. An individual veto right is stipulated for any one parliament or chamber to veto the application of the simplified Treaty revision procedure.⁵

Policy implementation in a number of areas has come under more direct control of the national parliaments, which have acquired the right to evaluate policy implementation in the area of freedom, security and justice and to monitor the activities of Europol and Eurojust,⁶ as required in Articles 70, 85 and 88 of the TFEU.

The role of inter-parliamentary cooperation was enhanced. Protocol on the Role of National Parliaments in the European Union (No.1) in its Articles 9 and 10 refers to the interparliamentary cooperation. The European Parliament and national Parliaments shall together determine the organisation and promotion of effective and regular interparliamentary cooperation within the Union; and a conference of Parliamentary Committees for Union Affairs may submit any contribution it deems appropriate for the attention of the European Parliament, the Council and the Commission. That conference shall in addition promote the exchange of information and best practice between national Parliaments and the European Parliament, including their special committees. It may also organize interparliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy, including common security and defence policy. Contributions from the conference shall not bind national Parliaments and shall not prejudge their position.

¹Tapio, R. (2009), National Parliaments and European Integration What we know and what we should know, pg. 3

² Tronchetti, F. (2010). National parliaments as guardians of subsidiarity: A feasible task or an utopist chimera? Pg. 15 (as cited in Daukšienė, I. Matijošaitytė, S. (2012). The Role Of National Parliaments In The European Union After Treaty Of Lisbon, pg. 38

³ Piedrafitá, S. (2013), EU Democratic Legitimacy and National Parliaments, pg. 3

⁴ Daukšienė, I. Matijošaitytė, S. (2012). The Role Of National Parliaments In The European Union After Treaty Of Lisbon, pg. 38

⁵ Ibid

⁶ Strelkov, A. (2015), National Parliaments in the Aftermath of the Lisbon Treaty Adaptation to the 'New Opportunity Structur, pg.63

But the main novelty of the Lisbon Treaty is the "early warning system", with the national legislatures assigned the right to monitor whether initiatives for EU decisions comply with the principle of subsidiarity.¹ This power² is regulated by the Protocol on the Application of the Principles of Subsidiarity and Proportionality (No.2) annexed to the Treaty of Lisbon.

According to Article 7 of Protocol No.2, which describes the process of the so-called early warning system, a draft European legislative act must be reviewed within the eight-week time limit if one third – or one quarter in the area of freedom, security and justice – of the national parliaments oppose its subsidiarity arguments. The Commission, a group of Member States or the European institution from which the draft originates, may decide to maintain, amend or withdraw the draft and reasons must be given for each decision. This is the 'yellow card' procedure.³

Furthermore, the Lisbon Treaty – contrary to the Treaty establishing a Constitution for Europe (2003) – establishes another procedure called the 'orange card'⁴ which applies only to the draft European legislative acts falling under the ordinary legislative procedure (the former co-decision procedure). If more than half of the national parliaments oppose such an act on the grounds of subsidiarity arguments, the latter must be reviewed. The European Commission may then decide to maintain, amend or withdraw the proposal. If the European Commission decides to maintain its proposal, then it has to provide a reasoned opinion justifying why the Commission considers the proposal to be in compliance with the subsidiarity principle. On the basis of this reasoned opinion, and that of the national parliaments, the European legislator, by a majority of 55 per cent of the members of the Council or a majority of the votes cast in the European Parliament, shall decide whether or not to block the European Commission proposal.⁵

As mentioned above, the Treaty of Lisbon also contained a Protocol on the Role of National Parliaments which enshrined EU commitments on the provision of documentation directly to national parliaments, the right to submit a reasoned opinion on conformity with subsidiarity and proportionality, an eight-week period for national parliaments to scrutinise proposals before consideration by the Council, and to better inter-parliamentary cooperation between national parliaments and the European Parliament.⁶

This Protocol broadens the scope of the documents to be forwarded to the national parliaments to include all draft legislative acts, consultation documents, the annual legislative programme and any other instrument of legislative planning of the Commission, the Council's agendas and minutes and the Annual Report of the Court of Auditors. "An eight-week period shall elapse between a draft legislative act being made available (by the EU institutions) to national parliaments in the official languages of the Union and the date when it is placed on a provisional agenda for the Council for its adoption or for adoption of a position under a legislative procedure".

However, the expansion of the number of acts to be submitted to the national Parliaments fosters a greater potential for intervention by national Parliaments. At the same time, this expansion gives rise to the risk of inundating their structures with an enormous amount of documents. Complete and comprehensive information can therefore not always achieve effective parliamentary control of European policies and could produce an information overload.⁷ But, selection and anticipation are possible.

5. Conclusions

As it is stated in the Art. 12 of the TEU, national parliaments can contribute actively to the good functioning of the EU. But before the Lisbon Treaty came into force, previous Union's treaties hardly recognised the role and participation of national parliaments in the EU governance. The role of national parliaments in the Maastricht treaty was only mentioned in the Declarations attached to it, thus not legally binding. While in the Treaty of Amsterdam their role was sanctioned in a specific Protocol.

¹ Raunio, T. (2009), National Parliaments and European Integration What we know and what we should know, pg. 4

² (Article 5(3) and Article 12(b) of the TEU)

³ Arribas, G.V., Bourdin, D. What Does the Lisbon Treaty Change Regarding Subsidiarity within the EU Institutional Framework?, pg. 2 - 3

⁴ Art 7(3) of prot nr 2

⁵ Arribas, G.V., Bourdin, D. What Does the Lisbon Treaty Change Regarding Subsidiarity within the EU Institutional Framework?, pg. 3

⁶ Miller, V. (2012), National Parliaments and EU law-making: how is the 'yellow card' system working?, pg. 5

⁷ Casalena, P. G. (2013) in Blanke/Mandianeli (eds), The Treaty of the European Union – a Commentary, pg. 33

With the Lisbon Treaty it was the first time that national parliaments were mentioned in the actual main text of the EU's "constitution" – as opposed to Protocols and Declarations attached to previous Treaties¹ and are also provided with wider opportunities to participate in the activities of the European Union and influence the European legislative process.² And for this reason the Treaty of Lisbon, leading to the strengthening of the role of national parliaments in the process of European integration, was due to innovative procedural changes referred to in the literature as the "treaty of national parliaments".

The Lisbon Treaty made significant changes, including setting out the right of national parliaments to be kept informed by the institutions of the EU; to co-operate with other national parliaments and the European Parliament; to ensure respect for the principle of subsidiarity; and to take part in the evaluation of justice and home affairs policies.³ National parliaments can now uphold the principle of subsidiarity, under Protocol No. 1 to the TEU, by submitting a reasoned opinion to the EU institution which instigated the proposal, if they believe that the proposal breaches the principle. However, the final decision on whether or not a Commission proposal violates the principle of subsidiarity is taken by the European Parliament and the Council, and not by the national parliaments.⁴

Strengthening the role of national parliaments has since Laeken been seen as one of the ways of addressing the EU's fragile democratic legitimacy, and the reforms contained in the Lisbon Treaty have provided a number of measures towards this aim.⁵ And this should be considered positively.

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Parents Perception About the Correlation of Emotional Intelligence Trait and Empirical Scales of Emotional and Behavior Problems Scales of Children 10-12 Years Old

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Abstract

Aim: To explore the parent perception about the correlation of emotional intelligence trait and empirical scales of emotional and behavior problems scales of children 10-12 years old. It was hypothesized that there will be positive relationship between scales. **Methods:** We used two questionnaires for collecting the data, the TEIQue-Child Form questionnaire for the emotional intelligence and CBCL (6-18 years) the 2001 edition (Achenbach & Rescorla, 2001). Pearson correlation was used to explore the correlation between scales. The sample included 185 children (98 or 53% boys and 87 or 47 % girls), with a mean age of 11 years (SD .83). 62 of them (33.5%) were 10 years old; 57 of them (30.8%) were 11 years old and 66 or 35.7 % from the total number of children were 12 years old. From 185 parents participated in the study, 92 of them or 49.7 % were mothers, while 93 of them or 50.03 % were fathers. The chi-square test, reported no important differences neither for children nor for parents. **Results:** Correlation analysis mostly indicated low and negative but non-significant relationship between EI and EB empirical scales, for all children and by gender and age. There was low positive correlation only between empirical scales themselves.

Keywords: relationship, children, emotional intelligence, empirical emotional and problem behavior scale, parent.

Introduction

Mayer et al. (1999) defined emotional intelligence using a theoretical model focusing on emotional skills that can be developed through learning and experience, 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.). The construct of emotional intelligence (EI) - the ability to identify, process, and manage emotions, in both oneself and others (Goleman, 2001; Mayer & Salovey, 1997) - has received widespread attention, both within popular press and scholarly journals, ever since its inception in the 1990's.

Mayer & Salovey (1999) carried out a study which aimed at identifying the dimensional Emotional Intelligence as it represents a scalable capacity for individuals by applying a multi factor Emotional Intelligence standard, tested on 290 high school students, aging 11 to 18 years old. The findings were: girls exceeded boys in EI scores, elder adolescents (boy, girls) exceeded younger counterparts in the study.

Emotionally intelligent individuals, are less likely to experience negative emotions, and concomitantly, more likely to experience positive emotions (Mikolajczak, Nelis, Hansenne, & Quoidbach, 2008), they are more adept at directing their thoughts away from negative emotions and are less likely to engage in dysfunctional worry and excessive rumination (Salovey et al., 2000) and they engage in more active coping responses to stressful situations (Zeidner & Saklofske, 1996).

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). Epidemiological data indicate that 15–20% of school age children suffer relatively serious behavioural and emotional problems which significantly compromise their everyday functioning in multiple domains. A review of various epidemiological studies of emotional and behavioral problems of children and adolescents (Angold & Costello, 1993) suggests that the problems are on the rise. In one interesting study Robert, Attkinson and Rosenblatt (1998) reviewed 52 epidemiological studies to estimate the prevalence of emotional and behavioral problems of children and adolescents concluded that a great deal of variation exists in the prevalence rates.

Problems result from interactions between characteristics of the child and situations within the family, peer group, school and community.

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 explore the relationships of emotional intelligence and empirical emotional and problems behavior scales. It was hypothesized that there will be positive relationship between scales.

Methodology

The study sample

The sample included 185 children (98 or 53% boys and 87 or 47 % girls), with a mean age of 11 years (SD .83). 62 of them (33.5%) were 10 years old; 57 of them (30.8%) were 11 years old and 66 or 35.7 % from the total number of children were 12 years old. Only 7 out of 185 children lived in the village. The chi-square test, reported no important differences in the distribution of the percentages of gender and age representation in this study, while there were statistical differences between children living in city with those living in the village.

From 185 parents participated in the study, 92 of them or 49.7 % were mothers, while 93 of them or 50.03 % were fathers. In the chi-square test, there were not 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, age and place of living.

	<i>Valid Nr.</i>	<i>Percentile</i>	<i>Chi-square test</i>
Male	98	53	
Female	87	47	$\chi^2(1) = .654, p = .659$
10 years old	62	33.5	
11 years old	57	30.8	$\chi^2(2) = .659, p = .719$
12 years old	66	35.7	
Living in village	7	3.8	$\chi^2(1) = 158.06, p = .00$
Living in city	178	96.2	

Table 2

Number and percentile of parents by gender, and mean and standard deviation for age, education level and family outcomes

	<i>Mean</i>	<i>SD</i>
Children Age	11.02	.83
Parents age	39.86	5.98
Fathers education level in years	12.61	2.39
Mothers education level in years	11.52	2.88
Family outcome living in city	518.52	301.94
Family outcome living in village	478.57	221.47
	<i>Number</i>	<i>Percentile</i>
Father	93	50.3
Mother	92	49.7
	$\chi^2(1) = .654, p = .659$	

Instruments and data collection

We used two questionnaires for collecting the data, the TEIQue-Child Form questionnaire for the emotional intelligence and CBCL (6-18 years) the 2001 edition (Achenbach & Rescorla, 2001).

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 .718. 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. Empirically based syndrome scales scored from the CBCL 6-18, are: Anxious/Depressed, Withdrawn/Depressed, Somatic Complaints, Social Problems, Thought Problems, Attention Problems, Rule-Breaking Behavior, and Aggressive Behavior. The CBCL scales have been shown to have a consistency of .730

The procedure of data analysis

A specific code was used for the identification of information for each child and parent. Descriptive statistics, chi-square test, and Pearson correlation, were used to explore and analyse the correlations of interest variables in the study on total EI and empirically based syndrome scales. The statistical package SPSS for Windows, version 21 was used.

Results

To characterize the sample population, the outcome variable was stratified by demographic variable. Table 3 and 4 shows the mean scores and standard deviations by gender, age and for all children.

Table 3

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

	Gender	Total children		
		N	Mean	SD
Anxious/Depressed	F	87	1.14	.44
	M	98	1.14	.43
	F+M	185	1.14	.43
Withdrawn/Depressed	F	87	1.08	.31
	M	98	1.14	.41
	F+M	185	1.11	.37
Somatic Complaints	F	87	1.13	.45
	M	98	1.09	.38
	F+M	185	1.11	.42
Social Problems,	F	87	1.05	.26
	M	98	1.10	.36
	F+M	185	1.08	.32
Thought Problems,	F	87	1.09	.39
	M	98	1.04	.25
	F+M	185	1.06	.32
Attention Problems,	F	87	1.08	.35
	M	98	1.03	.26
	F+M	185	1.05	.29
Rule-Breaking Behavior	F	87	1.00	.00
	M	98	1.01	.10
	F+M	185	1.01	.07
Aggressive Behavior	F	87	1.07	.29
	M	98	1.03	.17
	F+M	185	1.05	.24
	F	87	2.01	.77

Total EI	M	98	2.09	.79
	F+M	185	2.04	.78

Table 4

Number, Mean scores and Standard deviations for EI and EB empirical scales by age.

	Gender	Total children		
		N	Mean	SD
Anxious/Depressed	10 years	62	1.19	.54
	11 years	57	1.07	.26
	12 years	66	1.15	.44
Withdrawn/Depressed	10 years	62	1.10	.35
	11 years	57	1.16	.41
	12 years	66	1.09	.34
Somatic Complaints	10 years	62	1.15	.47
	11 years	57	1.12	.46
	12 years	66	1.06	.29
Social Problems,	10 years	62	1.06	.36
	11 years	57	1.02	.13
	12 years	66	1.14	.39
Thought Problems,	10 years	62	1.10	.39
	11 years	57	1.02	.13
	12 years	66	1.08	.36
Attention Problems,	10 years	62	1.10	.43
	11 years	57	1.05	.22
	12 years	66	1.02	.12
Rule-Breaking Behavior	10 years	62	1.02	.13
	11 years	57	1.00	.00
	12 years	66	1.00	.00
Aggressive Behavior	10 years	62	1.08	.33
	11 years	57	1.04	.19
	12 years	66	1.03	.17
Total EI	10 years	62	1.94	.67
	11 years	57	2.18	.76
	12 years	66	2.03	.88

Table 5

The correlation between EI and EB empirical scales.

		1	2	3	4	5	6	7	8
EI-1	Pearson Correlation	1							
	Sig. (2-tailed)								
SOMAT-2	Pearson Correlation	-.048	1						
	Sig. (2-tailed)	.516							
SOCIAL-3	Pearson Correlation	.052	.183 ¹	1					
	Sig. (2-tailed)	.481	.013						

THOUGHT-4	Pearson Correlation	-.011	-.052.162*1
	Sig. (2-tailed)	.880	.478 .028
ATTENTION-5	Pearson Correlation	-.010	-.049.306*.542*1
	Sig. (2-tailed)	.888	.510 .000 .000
RULE-6	Pearson Correlation	-.004	-.019-.017-.015-.0141
	Sig. (2-tailed)	.956	.795 .814 .841 .852
AGGRESS-7	Pearson Correlation	.105	.056 .376*.450*.431*.294*1
	Sig. (2-tailed)	.154	.449 .000 .000 .000 .000
ANX-8	Pearson Correlation	-.018	.248*.550*.401*.460*.147*.406*1
	Sig. (2-tailed)	.806	.001 .000 .000 .000 .046 .000
WITHDRAWN-9	Pearson Correlation	.059	.133 .575*.213*.352*-.023.371*.483*1
	Sig. (2-tailed)	.425	.071 .000 .004 .000 .757 .000 .000

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

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

The Pearson correlations analysis did not revealed significant relationships between in EI and EB empirical scales. The results obtained indicated low and positive relationships only between empirical scales themselves.

Discussion

The main aim of this study was to explore the relationships of emotional intelligence total score and empirical emotional and problems behavior scales, according to parents perception. It was hypothesized that there will be differences between girls and boys and there will be positive relationships between scales.

From the results obtained from the correlations analyses, there was no statistical significance. The results obtained indicated low and positive relationships only between empirical scales themselves.

It was expected that the variables of emotional intelligence and behavior problems have a correlation on each other. These results are inconsistent with the significant number of studies that revealed that EI is negatively related to several indices of psychopathology (Malterer, Glass, & Newman, 2008) such as frustration or distress (Epstein, 1998); managing emotions (Karim, 2011); dysfunctional worry and excessive rumination (Salovey et al., 2000)

Our results are also inconsistent with the findings of Taghavi et al. (1999); Cicchetti & Toth (1998); Schmidt & Andrykowski (2004); Brackett, Mayer, & Warner, (2004).

These results showed that there is a need for further studies involving cultural variables in order to explore more in depth the issue.

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Raising Awareness for Gender Equality in Hindu Marriage

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Abstract

The Hindu marriage has been one of the controversial issues among activities. Marriage in Hindu community is considered as holy and very significant social institution. In real, it is a commercial exchange and at large a marketplace populated by high demanding groom family. The paper aims to give a comprehensive account of problems that Hindu girls encounter during their marriage and within their marriage life. Apparently, Hindu marriage is between two families rather two people. More or less girls have no right to object. As a result girls mostly get married at earliest opportunity and they are forced into relationship as such most of marriage is based on parent's decision rather than mutuality of sentiment or emotional attachment. Therefore, prepubescent girls are often oppressed by bridegroom and his family members. In this sort of relationship, girls are financially dependent which develop their suppression. Data for this paper has drawn from in-depth interviews conducted with 120 married women of aged 12-20 years living in two Indian states who got married since 2005. Participants were randomly selected for interview if the woman was married before the ages of 15 years. Findings underscore the need to raise awareness of the negative outcomes of child marriage and to build support among girls and their families for delaying marriage, to enforce existing laws on the minimum age at marriage and to encourage other authorities to support young women in negotiating with their parents to delay marriage and eliminate child marriage.

Keywords: Child marriage, Women, Culture, Family, Society, Gender, India

Introduction

To Mytheli Sreenivas, in Indian society daughters are viewed as a "burden that they were eager to shove off onto groom's family" (104).

Child marriage is still rampant all around the world, particularly in countries with deep cultural and religious values and beliefs around marriage like India. Generally, Hindus arrange a marriage based on horoscopes read by pundits. It has been seen propose sustained just due to non-matching horoscope. Marriage is a very severe decision to be taken by individuals who have to be ready to spend the rest of their lives with someone of their choice. Of course, children are not that one as such children do not have a choice in this matter and mostly they are being forced, or else they are too young to realize what marriage means.

Yet, it mostly is cultural and religious tradition in many places and consequently problematic to change due to people cultural and religious beliefs in which tradition is considered valuable and should not be touched, particularly religious tradition, since changing it means asking people stop practicing religion, ritual ceremony which are a ultimate principle of democracy. The advantage of child marriages to lower cast is that child marriages are economical. Considering being protected or unavailable to other men also is one the cruxes bring about child marriage.

Notwithstanding, "harmful traditional customary practices such as early and forced marriage" is really a matter of concern (1). As such governments and civil society organizations are demanding to get laws against child marriage which is not working presently.

Child Marriage under Indian Law

Child marriage is complex subject under Indian law. The Child Marriage is set the minimum age of marriage for men as 18, and women as 15 by Restraint Act in 1929, which is revised several times after India independence, especially in 1978

when the marriage age was upstretched by 3 years each for men and women. However, according to The Prohibition of Child Marriage Act of 2006, the definition of child marriage updated by India which claims that

(a) to Hindus, Christians, Jains, Buddhists and those who are non-Muslims of India, and (b) outside the state of Jammu and Kashmir. For non-Muslim, The Prohibition of Child Marriage Act of 2006, "child marriage" is defined based on gender of the person - if a male; it is 21 years of age, and if a female, 18 years of age.

Hindu society has been always dealt with many problems regarding marriage which are due to different issue they encounter in their life. Mostly they cannot afford their children as such they would rather get rid of them and her expenditure. Therefore child marriage is customary in most Indian communities. As Rajendra Kumar Sharma in his book entitled *Social Problems and Welfare* (1998) argues that "The reasons behind child marriage in Hindu society were religious conservation, endogamy, sati custom, the custom of dowry and the joint family" (49-50). It means that there are several reasons behind child marriage. More, poverty is one of the significant issues that is ignored by Sharma. Even B. Suresh Lal in *Child India* "remains rooted in a complex matrix of religious traditions, social practices, economic factors and deeply rooted prejudices" (2993). As usual, children are victim of their societies. The other issue which is deal with child marriage is protecting the girl's sexuality, as Pierre Tristram in his article *Child Marriage Facts, Causes and Consequences* mentioned that "In certain cultures, marriage a girl's family's honor on girl's individuality, in essence robbing the girl of her honor and dignity, undermines the credibility of family honor and instead underscores the presumed protection's actual aim: to control the girl. It means girls in this kind of family are victim of their close mind families and culture" (9). But what the concern is that girls are not matured physically or mentally and they are not able to provide binding commitment. Strong social and cultural standards also drive the practice regardless of legislation in place.

"Child marriages are accepted by and large in the society" (Tripurana Venkataratnam 5) and it has been occurred because of a diversity of various elements such as; poverty, absence of education, religion, culture, custom and tradition, etc. This paper aims to investigate whether ethic and economy has more significant role in making girls to marriage?

Poverty is the main motivation of child marriage, child brides are mostly likely to be poor and remain poor, when poverty is sharp, parents are encouraged to married their daughter to detract family cost. Where family can't afford a proper dowry or bride's price is mostly a welcome income for this kind of families. As Anju malhotra in *The Causes and Consequence and Solution to Forced Child Marriage in the Developing World* claims that "For many poor families, marring their daughter at an early age essentially is a strategy for economic survival, it means one less person to feed, cloth and educate" (3) which means how families meet their problems.

Tradition, culture, religion and ethic are others issues that should be taken to the consideration. In many families, parents are under compression to get marry their daughters as early as possible for pull up her from sexuality energetic before marriage, because they believe this kind of relationship before marriage can bring shame for families and marriage often defines a woman's condition in Hindu society, parents are worry that if their girls not married according to social prospect cannot be able to get a good husband at all.

Materials and Methods

Materials: Data for this paper has drawn from in-depth interviews conducted with

120 married women of aged 12-20 years living in two Indian states who got married since 2005. Participants have been randomly selected for interview if the woman was married before the ages of 18 years.

Methods: Based on the interview, most of the cases hailed from poor and lower background which means they are from Dalit cast who are not illiterate except few (16 women). These women often suppressed by husband and his family members. They are mostly involved in domestic violence. The effect of age on involving violence cannot be ignored. Accordingly, women has been beaten by their husband and groom family and forced to work even during their pregnancy and doing hard work which is dangerous for them and their babies. The worse come worse when they deliver baby girls because none of the cultures are immune to predatory manners. Girls and women are still dealing with entrenched hostile attitudes towards them on a shocking scale. The callous behavior toward girls and women of lower casts in Hindu community is startling, not just in comparison with the men but also when paralleled to other women typically in India.

The discrimination never ends there. Girls are more expected not to be properly concerned while the higher mortality rate goes to boys. A girl experiences much higher risk of malnutrition, illiteracy, child marriage and child labor than a boy. And very notably, a girl is unlikely to be able to choose when and whom to marry and more likely to have a say in domestic matters. Having to raise a daughter and expected to go in debt to pay the massive dowry which is the oppressive patriarchal culture of India means that many mothers are forced to abort as soon as they learn the baby is female. Hindu mothers who raise a fight or make too excessive fuss about getting rid of their daughter may be raped or beaten within an inch of their life (Of the total sample of 120 women were beaten at least once). Remarkably, all of them have been harassed both physically and verbally. The offender has been using knife or metal pipe which lead to victim injury and medical treatment (45 of the total sample of 120 women were victimized). Most of these women completely financially dependent and their incomes have been taken by their husband (103 of the total sample of women were dependent). All of them are staying in joint family. Unfortunately most of them are living in one room with in laws and their children that provided by the landlord who Result Child marriage and issues related to that was assessed using ten questions developed for the study and validated through rational and cognitive interviewing, none of them actually has aware being domesticated by their parents, husband or groom family. A typical issue has been "Have you had right to say no to your family for your marriage?" The questions in addition asked about their ethnic background or have been forced to marry or you married to consent your family, having problem with their husband or husband family. Women disclose that they have been not asked at the time of marriage whether they are happy with marriage or not. Further, their educational background has been asked to understand to what extent they are conscious about their right on marriage. They also asked about participating chore activities or its part of their responsibilities even when they work outside which reveals that most of them are maid or construction worker. Women have been then asked some more questions about the number of children and their husband family reaction toward the newborn baby sexuality and how their husband respond and adjust to their newborn baby in different ways. In addition how they spend their pregnancy whether they have been working or they were on leave for sometimes. Apart from this, whether they have any right over their salary or not? are working for. Most domestic violence occurred at victim's home and in front of their children. Domestic violence between parents has a deep and lasting impact on children. The majority of domestic violence has been committed against females compared to males. To some victims, intimate relationships with offenders may not be restricted to their husband rather they are harassed by their male in their families especially their son or father in law.

In this paper, it is considered the age of marriage which is child marriage in real and its consequences if it indicates in any of the ten questions about child marriage. The interview shows that child marriage and women involved in answered a series of questions on marriage issues and the causes of being victims and her age at the time.

These have been derived from qualitative research and interview. Each has presented as a statement and they have been asked to respond the questions (most of participants have been under legal age at the time of marriage) which indicating why their marriage is considered as child marriage and an explanation for why they did it. A typical item has been their family wanted to get rid of them or it has been societal and cultural forces item. These declarations have been asked separately for each of them or circumstance and some of differences between them explored and explained. Variables have been derived to groups to investigate the causes in motivation categories for those are into child marriage. Gender equality included responses to causes about being suppressed. The table 1 represents the number of participants in this study who have been engaged in child marriage.

The questions have been asked in interview included categorical variables that measuring age, ethnical background, employment, income, oppression, position and frequency of literacy. Questions on the number of children and their sexuality included items on whether and how husband or husband family treated her and her children at the time of pregnancy and delivery. Scales have measured husband and husband family kindness and behavior (Of the total sample of 120 women). A typical item has been their literacy "no, I did not go to school, because my father could not afford it. The frequency of literacy represents (Of the total sample of 120 women have not even attended the school).

Discussion:

Expanding the samples, the paper summarized sociodemographic characteristics for all women those have been interviewed. Of the total sample of 120 women, they have been selected only those who were married 2005 onward and at the time of the survey for statistical analysis, leaving an analytical model of 120 individuals. Then, in order to study the relationship between individual, household and domestic violence sociodemographic elements, being aware of their right by law, background and literacy, marital type, neighborhood, background, literacy, number of children, husband and groom family treatment, their assets, their children sexuality and others reaction and composite scores as the independent variables, and Subject characteristics

Women in both states had similar ethnicity, religion, illiteracy, offspring and they were labors as well. Women in both states have been more often child, having less literacy, and unaware of their own rights in marriage

Marital Factors

Approximately all of the women have been married before the age of reproductively, with 100% of marriages consisting of all were below 15 years, and 12 of the total sample of 120 women reporting being asked whether they are interested in their husbands while others have not been asked even. Women who are engaged in child marriage conception, reported domestic violence and social support as the outcome variables. The paper incorporated data on all women living in two Indian States Telangana and Andhra Pradesh in two ways. First, the researcher compared sociodemographic characteristics of women. Because samples for predetermined age categories with the intention of increasing the number of domestic violence and child marriage, the age distribution has been purposefully different from a participants who are representative of a continuous of child marriage trend. Second, for outcomes pertaining to literacy, regression analyses have been conducted in both States Andhra Pradesh and Telangana. which likely reflects the age-based sampling in this paper designed to include women behind their reproductive years. As with data analysis, women tended to be younger than other women. more often born in lower cast family, less literate, also they had fewer years of schooling, and had more children. They more often lived in a house that was owned by the household head and that had more inhabitants overall.

The outcome of this interview shows the women who got married in low age mostly they are involved in domestic violence rather than other women and they considered as others which Simone de Beauvoir heighten "One is not born, but rather becomes, a woman"(301). This kind of women are mostly being oppressed by their groom family, most of them are just maid for their family and even they have to work outside as a maid or as construction workers. It's so hard to believe even during their pregnancy they have to work. More or less they suffer from lack of self-confidence and they are depending on their husband. It's worst because they are working but they don't have any right over their outcome. Their outcome is often taken by husbands while mostly they don't do anything.

In this paper, the primary goal has been to examine whether marriage is a commercial exchange and comprehensive account of problems that Hindu girls encounter during their marriage and within their marriage life and trajectories of this women living in Urban in India. In order to paint a nuanced picture of familial and social context that may influence their life related to outcomes, the paper has been based on interviewed sources of social and support in their community. In addition, it has examined the effect of some familial or social factors such as age, education, ethnical background, employment, income and frequency of literacy which are the key elements in women's life. It demonstrates that these variables do significantly capture variability in during marriage or within marriage life. Local setting applied to their choices such as ethnics or social forces. Among the factors it is supposed that education, ethnical background are apparently heightened which may have significant implication for communication about marriage, family planning. Interestingly, an increase in even very less represent that they got familiar with their rights perhaps reflecting either aspects of familial or social life.

To make it clear, the interview represents that all women in this research are illiterate, from poor family and lower cast, low paid workers and unconscious about their right as human being or wife and they are victims of their poverty and attitude of their family. It demonstrates that ethnic group is one of the reasons of child marriage and a kind of a commercial exchange. And at large market, Indian marriage is populated by high demanding groom family. Hindu marriage is between to families rather than two people and mostly girls have no right to object and have to married at earliest opportunity which is mostly on parents' decisions. It also shows reproduction, these women at least have 2 or 3 children; the severity of deliver is undeniable, no healthy foods, clothing and etc.

Unfortunately, all of them are more likely to engage in sexual intercourse at a young age, which in turn puts them at greater risk of teenage pregnancy. Pregnancy at young age can result in serious consequences, and it is dangerous and sometimes. It's worst when it meet children, they do not know how to behave their children well which causes so problems because they cannot support their children very well and children are sacrifice ignorance of their families. It is sign of a sexual discrimination, but the reaction of father and groom family is really different when the baby is girl and even the mother occurred in a very different environment.

Conclusion

Our findings about child marriage echo the concept of being girl in Hindu community they have highlighted (a) reluctance on the part of parents ethnics to endorse being opposed societal convention, because of keeping girls or iterating them it cost them legs and arm which seen as an indicator of being female; (b) significant misconceptions and in particular fears of the social consequences of side effects such as spinster; and (c) girls' willingness to get marry which it supports social and cultural notions that women should get married in the early years, eventually menstruation is considered as puberty.

With respect to marital status, child marriage is not support by the movement and even opposed activist struggles still is going on in Hindu community and ethnic is important in regulating social and labor dynamics within households and the power of groom family in affecting women's facing violence. However, women after marriage is not considered as part of their own family so their family are just a significant source of financial support. Furthermore, husbands and sons played great roles in their mother's marriage and life which pointing to a gendered division of male and female and social support.

Concerning on women situation it has showed those years of social progress with respect to female education and employment opportunities. However, some major mediators of social structure, such as child marriage, persist despite broad social changes is seems impossible. Poverty persists; child marriage remains normative; female education remains low, and violence remains a facet of life in these women.

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Appendix

How old did you get married?

Which kind of family are you from ?

Have you gone to school?

How did you get familiar with your husband?

Have you had right to say no to your family for your marriage?

Do you live with your husband family? 6) Do they have good behavior with you ?

Did you work in your pregnancy like before?

What did you face when you born baby girls ?

Do you work out?

The Principle of Indemnity in Valued Marine Policies

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Abstract

To consider people are encountering many perils that threat their health, life and property as such people interested to insure their belonging and get rid of risk and danger to live and work tranquility. As stated that marine insurance is the oldest branch of insurance and now days most of trade is by sea transportation and economic of countries are rely on export and import which are strongly depend on marine insurance, because the marine insurance plays an important role in the world and has high position. And how marine insurance includes the loss and which losses are not included considering one of the most important subjects for that person who wants to insure their life and property. The paper intends to give a wide-ranging account of the principal of indemnity in a marine insurance and analyses which losses are not included by a marine insurance contract. A policy of assurance has long held is not perfect contract of indemnity. This paper attempt is to examine this truism in the context of value policies.

Keywords: Marine insurance, Indemnity, Marine policy

Introduction

The fundamental principles of insurance law are a distinctive admixture of contract, law and practice. The base of marine insurance shows how the contract embodied in the policy of assurance is privileged and is advanced by the Marine Insurance Act 1906 and market practice. The parties to the policy, the assured and the insured, are given comparative freedom to case of the agreement to their particularity. Yet, this freedom is not without restriction and constrain. Compulsory rules of public policy have significant roles. These rules work for binding this freedom and bring a sense of homogeneity to what could if not be a many different kinds of contracts. In insurance practice conspicuous public policy concerns against take advantage of centered on the forbiddance of gaming and wagering, illegal adventure and cheating act prevent any policy arrangements which are regarded too illicit to be certified.

In a context which signally notifies that it is overseen by the concept of indemnity, public policy efforts are servants to this governance generating clashes with the independence of the parties to contract. The theorist and practitioner are and so demonstrated with different microcosms in which this battle between the contracting parties and public policy is functional in this article the conflict between the marine insurance law's broader concern of join to the concept of indemnity as rely on public policy and the freedom to contract assumed in the appreciated policies will be defined and studied. In the context of appreciated policies, where the parties reach agreement the indemnity to be paid between themselves faith often false is gratuity of their agreement on this matter. The law offers to support such agreements so long as they do not approach any of the public policy stimulant set forth above. Hence, the principle of indemnity takes a backseat in attribute of the parties' freedom of contract. Given the main concern in which the concept is regarded seemingly surprising. Yet, the law of marine insurance has a situation toward sensibility and in this meaning it is documented that the objective to strictly append to the indemnity principle is incongruous with the urgency of practice. The result has been that the assurance policy is regarded as an incomplete contract of indemnity (D Rose 783).

Marine insurance is an episode of insurance with a long history. The purpose of insurance is not just ship, cargoes and other ambulatory property on the sea, but also the freight, rate, commission, estimated interests and third party liabilities because of the maritime perils.

Marine insurance began early in Western countries, but its contents changed fast along with its appliance. The studies of marine insurance commonly concern its juristic perspective (Martine Remond-Gouilloud 2).

History of Marianne Insurance:

Marine Insurance is not a new concept. Its existence can be traced back to more than a few centuries. Demands concerning it have naturally been about to happen for many years and the law in relation to it had taken a definite form much prior to 1906 when the English Marine Insurance Act was passed with an observation to codify that law.

Opposing to general opinion, Lloyds' of London was not considered the first group of people to propose insurance for maritime commerce. The first kind of marine insurance goes back to the year 3000 BC when Chinese merchants send out their shipments amongst quite a lot of ships in order that to abridge the risk of damage to the products. The most basic account of insurance came in the form of "bottomry", a monetary payment that watch over merchants from dues if merchandise is lost or damaged.

Another form of initial insurance was the "general average". Throughout cargo shipments in 916 BC, a merchant would go along with his cargo to understand that it was not jettisoned, or voluntarily thrown overboard by the sailor in times of a storm or sink age. To protect against this mutual interest of safety and quarreling among merchants, the Rhodium's began the 'general average', which in theory signify that a person would be reimbursed throughout pro rata contributions of other merchants if their goods were jettisoned during shipment.

From the 11th century to 18th century, a few more breakthroughs happened in marine insurance. In 1132, the Danish began to reimburse those who practiced loss at sea. In 1255, 'insurance premiums' were practiced for the first time as the Merchant State of Venice coalesce these premiums to indemnify loss because of portray, spoilage, or pillage. The prime marine insurance policy was commenced in 1384 in an effort to include bales of fabric traveling to Savona from Pisa, Italy. Within the next century, merchants from Lombard started the first insurance operation in London. Finally, in 1688, Lloyd's of London, named after Edward Lloyd, initiated the risky business of insurance underwriting. From a Coffee house in London, it has currently grown to become the main marine insurance underwriters in the world (3).

Marine insurance:

Marine insurance include the loss or damage of ships, cargo, terminals, and any transport or cargo by which property is transported, obtain or held between the points of origin and ultimate objective. Cargo insurance —argued here is a subbranch of marine insurance, even though Marine also involves Onshore and Offshore exposed property, (container terminals, ports, oil platforms, pipelines), Hull, Marine Calamity, and Marine Liability, When post or nuncio transports goods, shipping insurance is practiced instead (Franklin 273-278).

Marine insurance contract:

A number of the law of marine insurance is in nature pure commentary of the contract included in the usual form of marine policy. The basic norm of a contract of insurance is that the indemnity recoverable from the insurer is the monetary loss suffered by the assured under the contract. Hence, as per the approval, a contract of marine insurance is a contract whereby the insurer pledges to indemnify the assured, in style and to a degree thus agreed, against marine losses, that is to say, the losses event to marine adventure (Cases and Materials on Marine Insurance Law By Susan Hodges).

A contract of marine insurance mv. by its express terms, or by use of trade, be expanded so as to protect the assured against losses on inland waters or any land risk that may be accidental to any sea voyage. Where a ship in period of building, or the commissioning of a ship, or any adventure resembling a marine adventure, is included by a policy in the shape of a marine policy, the provisions of this Act, in so far as enforceable, shall apply thereto; but, except as by this section arranged, nothing in this Act shall moderate or influence any rule of law enforceable to any contract of insurance other than a contract of marine insurance as defined, by the Act (Cases and Materials on Marine Insurance Law By Susan Hodges).

The formal instrument incorporating the contract of marine insurance is called "the policy"; and "the slid" or "covering note", is the informal memo that is settle when the contract is got involved. The subject insured and the consideration for the insurance are in that order identified as "the interest insured" and "the premium". The one who is covered is "the assured" and the other party is called "the insurer" or "the underwriter" so called since he pledge or underwrites the policy.

"Loss" comprises damage or detriment along with actual loss of property gets up from maritime perils. "Maritime perils" indicates the perils consequent on, or incidental to, the avigation of the sea, that is, perils of the sea, fire, war perils, pirates, rovers, thieves, captures, usurpation, restraints, and detentions of princes and peoples, jettisons, barratry, and any other perils (War, Terror and Carriage by Sea By Keith Michel 105).

Marine insurance losses will be included as follow:

General average: Concerning on The law of General Average shows it is relevant to a legal principle of maritime law to all parties in a sea venture, relatively share any losses bring about a voluntary victim of part of the ship cargo to protect the whole in an emergency. The fundamental principles of General Average is that a party who has suffered some huge expenses or loss to save property belonging to others has the right of compensation for its loss from all parties to the voyage who have profited from it.

Marine Insurance Considerations:

Total Loss

Within marine insurance a total loss can take one of two forms, either actual total loss or constructive total loss. In both situations the subject matter insured is regarded completely lost to the assured and over that loss the assured is authorized to the full-agreed value under the policy. As indicated the agreed value in the policy is representative of the insurable value of the subject matter under the policy. It is this to which the assured is authorized in face of a total loss regardless of whether the policy is valued or unvalued. The conclusiveness of the agreed value in this situation estops the assured or insurer from disputing ([Jonathan Gilman](#), [Robert Merkin](#), [Claire Blanchard](#), [Mark Templeman](#)) said value. So long as the value agreed has been paid to the assured in this condition it cannot be denied that a full indemnity has been given under the policy (Gilman, John, Robert Merkin and Claire Blanchard)

Particular Loss

Marine insurance supply under which damages or expenditure incurred by a shipper (whose cargo is uncovered to a danger) are borne by that shipper only. Such damages or expenditures happen by direct hurt to the ship and/or cargo, or in a course of action to avoid primary or further hurt to them. Specific average, like general-average is independent of the insurance cover bought for the cargo. In its place, it sets up out of the contract between the cargo-owner and the ship-owner. Nowadays, greatly is substituted by the linked institute cargo clause.

Particular average loss

A specific average loss is a partial loss of the subject-matter insured, led by a risk insured against, and which is not a general average loss.

Expenses incurred by or on regard of the assured for the safety or protection of the subject-matter insured, other than general average and rescue charges, are called certain charges. Specific charges are not involved in specific average ([Francis Rose](#) 345).

Actual total loss

Actual total Loss is clarified in section 57(1) of the Marine Insurance Act 1906. This provides: Where the subject-matter insured is demolished, or so damaged as to stop to be a thing of the type insured, or where the assured is irretrievably divested thereof, there is an actual total loss. Templeman on Marine Insurance (Lambent 1986) arranges for different examples, involving destruction by fire, sinking in a storm by sea, and sinking in deep water after a collision. With continuous developments in technology, it turns out to be ever more problematic to state with certainty that, in the lack of complete and absolute destruction, a subject-matter does indeed constitute an actual total loss; it has turned into more problematic to distinguish between an actual and a constructive total loss in cases where the subject-matter is demolished but there is a technical risk of rebuilding. The example of irretrievable privation is almost certainly even more problematic. Templeman (Lambent 1986) states that "irretrievable deprivation involves capture or usurpation, and connote that although the subject-matter insured may be actually in existence, the assured will never again recapture possession of it for example, capture

by enemy in time of war and condemnation as lawful reward.” The Court of Appeal in the recent case of *Masefield AG v Amylin Corporate Member* asked whether a loss by piracy could lead to an actual total loss (Gothard Gauci 118)

Constructive total losses: is The introduction to the Marine Insurance Act 1906 gives that the objective of the legislators was to codify the law with regard to marine insurance, and in Section 60 designate a constructive total loss in the following words: (1) Depending on any express provision in the policy, there is a constructive total loss where the subject-matter insured wisely abandoned due to its actual total loss rising to be expected, or since it could not 22 See *Masefield* (John Dunt 566) total losses and risk of piracy in English marine insurance 119 be immune from actual total loss without an expenditure, which would transcend its value when the expenses had been incurred. (2) Specifically, there is a constructive total loss – (i) Where the assured is divested of the possession of his ship or goods by a peril insured against, and (a) it is unseemly that he can recover the ship or goods, as the case may be, or (b) the charge of recovering the ship or goods, as the case may be, would transcend their value when recovered; or (ii) In the case of damage to a ship, where ship is so damaged by a peril insured against, that the charge of repairing the damage would transcend the value of the ship when repair. In calculating the cost of repairs, no fraction is to be made regarding general average share to those repairs payable by other revenues, but account is to be taken of the expenditure of future rescue operations and of any future general average contributions to whom the ship would be pledge if remade; or (iii) concerning damage to goods, where the expense of repairing the damage and transportation of the goods to their endpoint would trespass their value on arrival. Details about the process for claiming a constructive total loss, specially the general obligation of providing a announcement of quit, are given in section 62 of the Marine Insurance Act 1906.27 It is sturdily arguable that the section 60(2)(1)(a) regard to dissonance of recovery [within a reasonable time] does not sit comfortably with the situation of reasonable quit due to an actual total loss appearing to be inevitable. Yet, this view can be avoided by giving the term “unavoidable” an expansive commentary (G Gauci)

In case of total loss of actual loss and constructive loss of the entire sum insured or the insurer is obliged to pay the price completely.

Before talking about F.P.I and W.A that it has to be indicated very significant issue that when insured practice each condition, insurance coverage is not restricted to loss in the marine insurance agreement but insured and insurer by former agreement or placed in the particular conditions of the insurance police, are able to meet their obligation to adjust (lessen, or enhance) them.

Free particular average (F P I)

Marine insurance provision which restricts the liability of an insurance company to only those losses that transcend a designated percentage of the value of the goods. It is similar to the deductible clause involved in other types of insurance, but is not valid where a cover for total loss is in force. FPA conditions are applied where the goods are exceedingly subject to damage, or are rendered in effect worthless from exposure to water or heat (David, P., Stewart)

FPA conditions loss coverage

Harsh weather, lightning, barratry of the mariners or masters, assailing thieves	Cover only for total loss
Stranding, burning, sinking, collision, fire while on deck	Covered
Stranding, burning, collision while under deck	Covered
Explosion or fire	Covered
Stranding, sinking or burning of the ship or the craft	Covered
Collision or crash of a land or air conveyance	Covered
Collision or a marine conveyance with any external object like ice-berg other than water	Covered

Free of particular average (FPA) indicates a marine insurance term meaning that the assurer will not permit payment for partial loss or damage to cargo shipments except in certain position, such as stranding, sinking, collision or fire (Thomas A. Cook 310).

There are two different types of Total Loss defined in the Marine Insurance 1906 Act (16) while it includes only partial losses in some situation. The central issue is whether the policy is a Free of Particular Average—English Conditions policy or a Free of Particular Average—American Conditions policy. Under an American Conditions policy, partial losses are included only if they come directly from a fire, a stranding, a sinking, or a collision. Under an English Conditions policy, the partial losses are included if they occur on the same voyage that a fire, a stranding, a sinking, or a collision happens, without this risk having directly led to the loss (International logistics152).

Damage insurance outside of the commitment of the insurance policy (FPA)

In the FPA insurance some damages are outside and exception of insurance contract such as: particular damages

Deduct or lack of handovers from one pallet, boxes, packages, damage led to the delay in the shipment insurance even though insurance might be postponed because of a risk that is stated in insurance contract, inherent defect goods, for instance compactness weight fraction damages the event of normal ordinary, damages caused by the action of vermin such as mice, insects and damages that overtly are due of war, strikes, riots and civil strife have caused.

With Average or WA coverage:

This policy plays a role of an extension of the FPA to include the damages happened by harsh weather. Eventually in a number of cases the FPA and WA may be expanded to include non-delivery, theft and pilferage.

Comparisons:

LOSSES	FPA	WA	ALL-RISK
Sinking	Covered	Covered	Covered
Stranding	Covered	Covered	Covered
Collision	Covered	Covered	Covered
Burning	Covered	Covered	Covered
Bursting of boilers	Covered	Covered	Covered
Vessel Management Errors	Covered	Covered	Covered
Defects machinery or hull	Covered	Covered	Covered
Jettison	Covered	Covered	Covered
Perils or harsh weather	Covered	Covered	Covered
Seawater	Covered	Covered	Covered
Fresh water	Uncovered	Uncovered	Covered
Mud, grease or hook damage	Uncovered	Uncovered	Covered
Fault storage by the carrier	Uncovered	Uncovered	Covered
Non-delivery of the entire package	Uncovered	Uncovered	Covered
If the entire consignment is stolen	Uncovered	Uncovered	Covered
Leakage	Uncovered	Uncovered	Covered

Pilferage	Uncovered	Uncovered	Covered
Breakage	Uncovered	Uncovered	Covered

* Only total losses and not partial losses -*Certain deprivation and alterations may happen in coverage policies depending upon the nature of the shipment.*

Freight

Freight insurance is a policy that looks after the policyholder from the loss of goods all through shipment. It is also identified as cargo insurance. Freight insurance preserves the owner or consignor of goods for feasible physical loss or damage from outside factors within shipping. The insurer would repay the policyholder for the value of the goods if they incur damage or demolish while in the hands of the shipper. It is often available from the shipping company itself, or it may be bargained from a third party insurer too.

Goods

Under the MIA 1906, partial loss of goods is regulated by section 71. As is the case regarding freight, the indemnity payable to the guaranteed is also dividing respecting to the agreed value. Under the section 71 a modification is made between goods which are to some extent lost due to part of a whole shipment being totally lost or due to apart or the whole of the goods being damaged but not a total loss. Where on earth a part of the goods turns into a total loss, the measure of compensation under a valued policy is identified by taking the insurable value of the part of the goods lost agreed against the insurable value of the whole of the goods. This sum is then contrasted to the agreed value put in the policy and a right proportion of the agreed value turns into the indemnity payable to the assured. Concerning a partial loss incurred by damage to a part or whole of the goods the measure of compensation is worked out by taking a proportion of the agreed value that is harmonious corresponds with sum of the damaged value of the goods decreased from the gross value the goods would have possessed in their undamaged state.

It was held that the assured in such a situation would be legal to the devaluation in value of the ship caused by the damaged incurred. Moreover, in comparison to section 75 of the MIA the assured in this case is not to be legal indemnified beyond the expected charges of repairing the ship. As to be observed with the exclusion of the first condition, the measure of indemnity concerning partial loss of a vessel is estimated in order to the amortization in value of the ship considering the degree of repairs pledged. Depreciation in the context marine insurance is identified by reducing the damaged value of the ship from the sound value of the ship as these figures stood at the end of the risk.

Protection and indemnity insurance. more commonly documented as "P&I" insurance, does a P&I Club give a form of mutual marine insurance (P Anderson).

While a [marine insurance](#) company provides "hull and machinery" include for vessel owners, and cargo include for cargo owners, a P&I Club provides cover for open-ended hazard that traditional insurers are unwilling to insure. Typical P&I cover holds: a carrier's third-party risks for damage lead to cargo during carriage; (John Dunt) war risks; (Michael D Miller) and danger of environmental damage like oil spills and pollution. In the UK, both traditional insurer and P&I clubs are depending on the [Marine Insurance Act 1906](#).

A P&I Club is a [mutual insurance](#) association that provides [risk pooling](#), information and depiction for its members. Contrasting a marine insurance company, which presented to its stockholder, a P&I club reports only to its members. At first, P&I Club members were typically [vessel-owners](#), [ship-operators](#) or [demise charterers](#), but more in recent times bar forwarders and tank operators have been able to unite.

Whiles the assured pays a premium to an insurer for cover, which takes a particular time (say, a year, or a voyage), a P&I Club member instead pays a "call". This is an amount of money that is put into the Club's [pool](#), a type of "kitty". If, at the end of the year, there are still capitals in the pool, each member will pay a decreased call the following year; but if the Club has made a major payout (say, after an oil spillage) club members will at once have to pay a further call to refill the pool.

These Clubs collaborate to give funds in the event of huge claims using a complex system to indicate liability.

War risk insurance is a kind of [insurance](#), which includes damage because of acts of [war](#), that containing [invasion](#), insurgency, revolt and snatch. Some policies also include damage because of weapons. It is most commonly practiced in the [shipping](#) and [aviation](#) industries. War risk insurance generally has two ingredient: War Risk Liability, which includes people and items inside the craft and is computed relv on the indemnity amount and War Risk Hull, which includes the craft itself and is computed based on the value of the craft. The premium differs rely on the expected stability of the countries to which the ship will travel.

Private war risk insurance policies for aircraft were in the short term made void following the attacks and later reinstated with substantially lower compensations. Following this cancellation, the US federal government starts a terror insurance plan to include commercial airlines. The [International Air Transport Association](#) has claimed that airlines operating in states that do not arranged for war risk insurance are at a competitive disadvantage in this ground.

Breaking Down 'War Risk Insurance

War risk insurance marks the furthestmost sense for entities that are mostly depending on the risk of abrupt and violent political changes. For instance, companies operational in politically fickle parts of the world are opened to a high risk of loss from acts of war. War risk insurance can include perils like kidnapping and ransom, emergency discharge, worker hurt, long-term disability and loss or damage of property and cargo. Some war insurance policies also include acts of terrorism, but others consider terrorism and war to be two separate categories of danger.

The insurance does not include:

(A) Insolvency

(B) Perils included by the RACE II clause which are as following:

Ionizing radiations from or contamination with radioactivity from any nuclear fuel or from any nuclear waste or from the combustion of nuclear fuel,

The radioactive, toxic, explosive or other hazardous or contaminating properties of every nuclear installation, reactor or other nuclear assembly or nuclear component thereof,

Every weapon or device employing atomic or nuclear fission and/or fusion or other same as reaction or radioactive force or matter,

The radioactive, toxic, explosive or other hazardous or contaminating properties of any radioactive matter,

Every chemical, biological, bio-chemical, or electromagnetic weapon.

Conclusion

The purpose of marine insurance has been to empower the ship owner and the buyer and seller of goods to drive their individual business while get rid of themselves, at least partly, of the burdensome financial consequences of their property's being lost or damaged due to the various risks of the high seas. Hence, in other words, marine insurance enhances the essential element of financial security so that the risk of an accident occurring during the transport is not an inhibiting issue in the conduct of international trade. The significance of marine insurance, both to assureds, regarding the security it provides and its cost component in the general economics of running a ship or transporting goods, and to countries, mostly developing countries, in its effect on their balance of payments position, cannot be overstated.

The role of providing compensation regards in civil rights issues, mostly remarkable collision of ships. And this instrument comes true in two faces of companies and marine insurance institute and association of protect and compensate.

Insurance business in a certain sense, through insurance companies will be realized. Generally, marine insurance the insurance holder ship (hull and machinery) product insurance, freight and insurance Civil Liability Insurance of ship collisions. Insurance has a dual nature:

In the other hand is insurance compensation so include the loss of ship including actual or constructive total loss or partial loss. Besides, save charges and share of joint damage goods are included. suitable for the provisions rental insurance and how to compute and pay the fee, owner or tenant of ship has substantial benefit insurance and can insure the damage because of waste with the loss of freight insurance

In the compensation insurance, when insurer paid the loss amount to insured insurer will be deputy of insured to repaying back the amount of money that insurer paid. At the present time, the protect and compensation association which is composed of member ship owners and marine law known as mutual insurance institution action which is arranged for insurance cover a diversity of compensation and their responsibilities. For instance, the remaining amount of civil liability that is getting up from accident and not comprised by insurance company will be included by this association.

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The International Company and Tax Avoidance

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Abstract

In combination with sluggish economic development, the financial crisis and the debt crisis that it triggered have contributed to the fact that tax evasion, tax fraud and tax avoidance are recognized as a serious problem. Tax evasion and tax fraud by well-known personalities from politics, sport, the arts and commerce also attract intensive coverage in the media. In the companies sector, internationalization makes it easier for global corporations to shift their profits to low-tax countries and thus to minimize their tax bill. This paper shall discuss also, the measures to combat international tax evasion to be worked out by the OECD and the G20. The fact that multinational corporations are able to reduce their tax burden on profits through tax-saving plans has been known for decades. There are several reasons for the massive increase in this phenomenon in recent years. On the one hand there has been increasing globalisation, on the other corporate structures have also changed massively in recent decades. Tax havens play an important role in this context and there is practically no global player without branches in tax havens.

Keywords: tax evasion, tax avoidance, international corporate, tax heavens, profit shift.

Introduction

Tax is at the centre of the global political and business debate. The consequences of the 2007–8 global financial crisis have increased pressure on governments to fund more with less. Business practices have changed with the rise of globalisation and the digital economy and the question arises as to whether tax rules have kept pace.

Businesses function as more than simply vehicles for generating profit. It is being argued increasingly, with legislation in some cases, that profit maximisation should not be the only goal of companies. There is an increasing drive towards 're-incorporating society into corporate purpose'.

To have a better understanding of how companies are working around the tax system, we first need to understand the different tax systems in several parts of the world. There are many different opinions on the avoidance of taxes by international companies. While companies are trying to reduce their tax expenses, many believe that companies should pay their full fair share of taxes to support their governments.

into this paper we will show what authors say about the subject and the different methods that companies are using. Before getting into how companies decrease their annual tax liability, we first need to have a general idea of how corporate taxes work in different countries. There are two main types of systems implemented in the world today. The first is the transaction based system, which is used in the U.S., Canada, and Germany. In accordance with this system, except for the U.S., taxes on active business income in a foreign country are exempt from their home country corporate taxes such as company sales and service income. The US does tax all active business, income from foreign countries which leads to the taxation of income in the foreign country as well as in the US. The difference is that the U.S. allows a foreign tax credit of income that has already been paid to foreign countries to avoid a double taxation of income. This gives companies with operations in a foreign country a tax break from their US expenses.

The second type of system is used in countries such as France, Japan, and the UK. They have a jurisdiction based approach which taxes all income of foreign subsidiaries. They exempt any active business income with a local connection from home country taxation (Hines Jr., 2009). This encourages foreign investment and allows a tax break for jurisdiction based countries. They do however tax all income of subsidiaries from low tax countries, such as tax havens.

Taxation, like any type of economic regulation, must be seen not merely as a series of more or less functional decisions by

the state and its officials, but as a dynamic and in many ways contradictory process. Business taxation, in particular, is a process primarily of negotiation between tax officials and corporate managers and advisors.

The officials, usually structured in a hierarchic bureaucracy, have the important advantage of access to state power: they can order an audit, issue an assessment to tax, publish regulations and statements of practice, or resort to the courts or legislature to clarify or amend the law. Recourse either to legal adjudication or legislative intervention depends not only on technical legal issues such as the interpretation of statute or the logic of case-law, but a variety of other factors.

The form of state regulation which most closely corresponds to a fully developed market-economy society is liberal regulation. Liberal forms of regulation require the maximum freedom for social actors to engage in economic transactions, within a framework of fixed and settled laws which enable them to choose and plan their transactions (Smith and Kinsey, 1987). Law enforcement is indirect, relying primarily on voluntary compliance, supplemented by inducements, or post facto sanctions on detected lawbreaking. The processes of legal regulation of economic relations are therefore essentially structured by markets and competition. The regulators, on behalf of the state, enforce the laws and seek to implement and develop policy, while the economic actors whose activities are regulated are free to choose and adapt their transactions. They may comply with or breach the law. More importantly, their actions may influence the patterns of development of legal relations as much as do the measures taken by regulators.

Methodology

In this article is used a traditional legal methodology, which means that the hierarchy of the legal sources is followed.

Instead of domestic interpretation principles many states.

I will be looking at several international companies and studying their relationships with corporate tax rates. Companies continuously avoid paying taxes by using various techniques. Looking at the past, records of these companies will show the different methodologies they use to manage their way through tax laws. Governments are losing huge revenues to these tax avoidance schemes. In recent years, governments have started to track down international companies and question their various ways of tax avoidance. In this paper I will be asking the question of what are the different tax avoidance techniques that international companies use and how are different national governments trying to control them?

Besides the fact that many companies are trying to keep up with competition and continuously grow, many need to find ways to gain an advantage over the competition. To increase revenue and expand on profits, companies need to find ways to avoid paying unnecessary expenses. By moving their operations overseas, corporations largely reduce, or avoid paying altogether, corporate taxes. Corporate taxes play a vital role in governmental revenue generation, however, by reducing corporate taxes, multinational companies gain an enormous advantage over their competitors and greatly increase their after tax profits. There are many different ways multinationals do this which we will look at.

Looking at the different tax laws regarding the taxation of multinational companies shows how these companies avoid paying taxes on the international scale. Though they play an important role in government revenue generation, corporate taxes are avoided in many different ways by multinational companies to increase their income and reduce their expenses. Through the examination of company tax payments we will see how much they actually pay in taxes and the various implementations they use to avoid the payment of corporate taxes.

Concepts and Issues of International Tax Evasion and Avoidance

Various features of the globalized economy have enabled an increasing number of individuals and companies to resort to tax evasion or tax avoidance. These features include the ease and rapidity of communications, the progressive elimination of obstacles to the movement of persons and property, the expansion of international economic relations, the differences in national tax systems and hence in the tax burden from country to country, and the growing sophistication and aggressiveness of taxpayers and their advisers in developing legal and illegal techniques for taking advantage of weaknesses in national tax systems.

The terms "tax evasion" and "tax avoidance" (Maurice H. Collins, 1988) have not always been used precisely or with a uniform meaning. Tax evasion is usually associated with the commission of a criminal offense. It can be considered to consist of wilful and conscious non-compliance with the laws of a taxing jurisdiction which can include a deliberate concealment of facts from revenue authorities. Tax evasion is an action by which a taxpayer tries to escape legal obligations by fraudulent or illegal means. It may result from the evasion of tax on income that arises from illegal activities, such as

smuggling, drug trafficking, and moneylaundering. Some examples of tax evasion include:

- The failure to notify the taxing authorities of one's presence in the country if he is carrying on taxable activities;
- The failure to report the full amount of income;
- Deductions of claims for false expenses;
- Falsely claiming relief that is not due;
- The failure to pay over the proper amount of tax due;
- Departing from a country without paying a tax due with no intention of paying them;
- The failure to report items or sources of taxable income, profits or gains where there is an obligation to provide such information or if the taxing authorities have made a request for such information.

Tax avoidance is not tax evasion. In contrast, It involves the attempt to reduce the amount of taxes otherwise owed by employing legal means. According to (Palumbo, 2011), tax avoidance occurs when persons arrange their affairs in such a way as to take advantage of weaknesses or ambiguities in the tax law. Although the means employed are legal and not fraudulent, the results are considered improper or abusive. Because of the subjectivity of the interpretation and application of tax avoidance the borderline between evasion and avoidance in specific cases may be difficult to define. For one thing, the criminal laws of countries differ, so that behaviour that is criminal under the laws of one country may not be criminal under the laws of another. In addition, the definitions of civil and criminal tax fraud may overlap, so that it is within administrative discretion whether or not to pursue a criminal fraud case in a specific instance. In reality, there is a continuum of behaviour, ranging from criminal fraud on one extreme, to civil fraud, to tax avoidance that is not fraudulent but which runs afoul of judicial or statutory anti-avoidance rules and therefore does not succeed in minimizing tax according to law, and finally to tax-planning behaviour which is successful in legal tax reduction.

Tax avoidance is defined as all practices of individuals and organisations which are intended to avoid the payment of taxes, whereby:

- tax laws are not formally contravened, discerning tax avoidance from tax evasion which implies the use of illegal practices;
- the intentions of tax laws are violated, i.e. loopholes in tax laws are used to obtain tax advantages that the government never intended;
- transactions do not follow logically from the economic "substance" (assets, employees, revenues, etc.) of the company but are set up with the purpose to reduce tax liability.

Courts in most countries have consistently recognized the right of taxpayers to avoid taxes by means that are within the law. However, courts in many countries have also found that the tax laws should be interpreted so as to prevent their avoidance by the use of transactions that have no business purpose, although there is considerable variety in the approaches of courts in different countries. Tax avoidance typically involves four basic techniques:

- Deferred payment of tax liability;
- Re-characterization of an item of income or expense to tax at a low rate;
- Permanent elimination of tax liability, and
- Shifting income from a high taxed person to a low taxed person.

These goals can be accomplished through the use of international tax shelters through artificial intermediary companies; excessive use of debt over equity; and non-arm's length transactions.

Depending on the existence of judicial or statutory anti-avoidance rules, tax avoidance may or may not be successful if a case is audited and litigated. To apply antiavoidance rules, the tax authorities typically must discover the relevant transaction in a tax audit and obtain and analyse the information necessary to apply the anti-avoidance rules, that in a cross-border situation, it may be difficult.

Globalization and the removal of impediments to the free movement of capital and exchange controls have promoted

sustainable economic development. However, they have also increased the scope for tax avoidance and evasion with consequential substantial loss of revenue. International tax avoidance and tax evasion cause many problems. Governments lose significant amounts of revenue and hence the honest taxpayers who do not escape their liability to pay tax must bear an additional burden to plug the gap.

Tax authorities in the Member States of the OECD have responded to concerns about avoidance and evasion by taking on new powers to collect information from taxpayers¹.

Tax Avoidance Through Low-Tax Jurisdictions

In general terms, a low-tax jurisdiction can be defined as a jurisdiction which imposes little or no tax on companies, trusts or other entities organized there. By forming a company in such a jurisdiction and arranging for that company to derive income from third countries, a multinational enterprise may be able to shelter income from taxation both at the source and in its residence country. By forming a holding company or a trust in a tax haven, an individual or institution may similarly be able to shelter investment income from taxation. The OECD has distinguished between two types of low-tax jurisdictions – those that simply offer a low-tax environment and those it has identified as “non-cooperative jurisdictions”. The OECD has sought to combat the threat of non-cooperative jurisdictions to the legitimate tax-policy objectives of its Member States by putting economic pressure on those jurisdictions to cooperate in the prevention of tax fraud and evasion.

Non-cooperative jurisdictions may be defined as jurisdictions which do not participate in effective exchange of tax information between tax authorities. A lack of effective exchange of tax information may occur where bank secrecy or other laws prohibit the disclosure of information concerning financial transactions carried out in the country, or where there is inadequate information available regarding the beneficial ownership of accounts, financial instruments and other assets held in the country. A multinational enterprise may be able to shelter income from taxation both at source and in its residence country by forming a company in a non-cooperative jurisdiction which has lower or no tax on relevant income. Similarly, an individual may be able to shelter income by forming a holding company or trust in a noncooperative jurisdiction which has lower or no tax on relevant income. Examples of both tax avoidance and evasion are as follow.

1. Practices resorted to in order to reduce taxes imposed on international income

These practices, fall into four categories: a) practices resorted to in order to reduce income taxes imposed by the country of residence or citizenship; b) practices resorted to in order to evade or avoid taxes imposed by the country of source; c) institutional devices and arrangements that facilitate the evasion or avoidance of taxes imposed on international income; and d) the use of related tax-haven entities to reduce such taxes.

2. Practices resorted to in order to reduce taxes imposed by the country of residence or citizenship

Many countries impose taxes on income received from abroad by residents or nonresident citizens. The practices resorted to in order to reduce payment of these taxes include the following:

Failure to file a return- One of the most common practices resorted to in order to reduce payment of taxes on international income consists in the deliberate failure of resident aliens to file tax returns in the country in which they are residing. Persons who spend a portion of each year in each of two or more jurisdictions often make inconsistent claims of residence. When a country taxes the worldwide income of its citizens, a citizen who is residing abroad may fail to file a return in the country of his citizenship.

Failure to report all income subject to tax- Another important practice in this category is the wilful or negligent failure to report all items of international income that are subject to tax. The items most often omitted are salaries, wages and non-commercial income, interest and dividends, business income, income from real estate, gains on the disposition of property and royalties.

3. Salaries, wages and non-commercial income

¹ Ways of increasing compliance in cross-border financial transactions and on access to bank information for tax purposes are the focus of current work. Additional work will also be carried out to identify and address other barriers to the identification of beneficial ownership and exchange of such information. The OECD Model Convention contains an article on exchange of information. Current work to improve exchange of information includes looking not only at barriers to effective exchange of information but also at how better use of the latest information technology can help. OECD countries have adopted a standard magnetic format for exchange of information.

Persons receiving remuneration from abroad in payment for services, in the form of pensions and annuities frequently fail to report this income in tax returns to their country of residence. Consequently, such income, if not taxed at the source, is apt to escape taxation both in the country where it is acquired and in the country in which the recipient is resident.

4. Interest and dividends

In the view of many tax administrators, tax evasion or avoidance is probably most prevalent in connection with this type of income, since interest and dividends can easily be collected anonymously at a financial institution in a third country where the securities are held in custody. This type of income also lends itself to many fraudulent practices through the skillful use of certain special provisions of domestic laws. Thus, certain institutions whose prime purpose is economic or financial are frequently used to facilitate tax evasion or avoidance.

5. Business income

Taxes on business income are reduced at times by means of deliberate failure to keep accurate books and records within the taxing jurisdiction. A second set of books, which is accurate, may be maintained outside the taxing jurisdiction, and beyond the reach of the authorities of that country. In some instances, the maintenance of false books within the taxing jurisdiction is facilitated by limitations in domestic law on the extent to which the taxpayer's books and records may be examined by the tax authorities. Business profits properly allocable to the source country may be shifted to other countries by such devices as the establishment of artificial transfer prices for imports and exports, the improper allocation of costs, and licensing agreements under which the user of technology is obliged to purchase imported inputs, equipment and spare parts at inflated prices. Such devices, which transnational corporations are particularly well situated to use, are of great concern to developing countries, whose tax officials often lack the time and expertise to challenge effectively the prices set between affiliated companies.

6. Thin capitalization

Many countries allow corporations to take a deduction for interest expenses but do not allow a deduction for the payment of dividends. This differential treatment of interest and dividends creates a bias in favour of debt finance over equity finance. The bias is particularly strong when the dividends or interest would be paid to an affiliated company. For example, if Company A owns all the stock of Company B, it is generally indifferent, aside from tax considerations, as to whether it receives dividends or interest payments from Company B. To prevent corporate taxpayers from distributing their profits to their parent corporation mostly in the form of deductible interest, many countries have adopted so-called "thin capitalization" rules. Under these rules, a corporation that has what is deemed to be an excessive amount of debt capital will be prevented from taking a deduction for payments made with respect to that excessive debt capital. The amount of debt capital of a corporation typically would be characterized as excessive if the ratio of debt to equity exceeded some number.

7. Royalties

Royalties paid abroad for the use of or the right to use patents, trademarks, know-how or other intangible property may be used to shift profits out of high-tax countries into low-tax or into no-tax countries by fixing the royalties at artificially high rates. Such devices are facilitated by difficulties in estimating the arm's length value of monopoly rights. In addition, multinational firms may transfer intangible property to an affiliated corporation under conditions that would not occur between unrelated persons. For example, a multinational corporation might transfer highly profitable know-how that it would never share with an unrelated person to a corporation organized in a tax haven simply for the purpose of generating a deduction in the country where the intangible property is located.

8. Technical assistance

Affiliated corporations may charge improper technical fees as a way of minimizing taxes for the corporate group. In some cases, they may set the fees too high. For example, a corporation engaged in business in a country may pay an excessive technical assistance fee to a related corporation located in a low-tax jurisdiction in order to take an excessive deduction. The source country may have difficulty determining a proper price for technical assistance because those services tend to be unique and difficult to value. In other cases, a corporate group may set the technical assistance fees too low. For example, a foreign corporation making sales of goods into a country may provide technical assistance in conjunction with those sales. Under its tax treaty, the sales income would be exempt if the foreign corporation has no permanent establishment in the country, whereas the fees for technical assistance may be the subject to a withholding tax. To minimize the withholding tax, the foreign corporation may claim that the technical assistance has little value.

9. In a variety of circumstances, a taxpayer may claim fictitious or inflated business expenses as deductions. In employing this tactic, the taxpayer may claim that the purported payment was made to a person located outside the taxing jurisdiction, thereby making an audit of the expenses difficult for the tax authorities. For example, if the taxpayer purchases goods outside the taxing jurisdiction, false invoices may be prepared to show a purchase price greater than the actual amount paid by the taxpayer.

Tax may be reduced by improperly characterizing an income or expense item in order to make use of an exemption or reduced rate. Where taxation is based on a temporary status, tax evasion or avoidance may occur through transactions that take advantage of that temporary status. For example, because a borrower is not liable to tax on the proceeds of a loan, a foreign national may arrange an ostensible loan while he is a resident of the taxing jurisdiction, and then sell the collateral for the alleged loan to the lender following his departure from the taxing jurisdiction (when he is no longer taxable on sales profit within that jurisdiction), with the "loan" being credited against the sale price.

10. Foreign holding companies and trusts

Under the laws of some countries, a resident may legally avoid tax by placing income producing property in a foreign corporation or trust which he controls. Under the laws of other countries, the investment income is taxable by the country of residence whether or not it is actually distributed by the foreign corporation or trust to the resident owner.

11. Artificial bank loans

A major technique for international tax evasion consists of purportedly borrowing funds that are actually owned by the borrower. This practice not only enables the "borrower" to make open use of funds previously concealed in the name of a nominee or in a numbered bank account, but it also gives the borrower a pretext for claiming fictitious interest deductions.

12. Use of related tax-haven entities to reduce taxes

Taxpayers sometimes utilize entities organized in tax-haven countries to reduce taxes legally, the legality of the transactions depending on the laws of the country where taxpayers are located. The presence of tax-haven countries, however, invites tax evasion activities that initiate essentially false or illegal relationships with the tax-haven country. Some of the latter situations are described below.

- i. Transfer of income-producing assets to a tax-haven entity
- ii. Nominal transfer of income-producing functions to a tax-haven entity
- iii. Payment of deductible expenses to a tax-haven entity (such as management fees, technical service fees, or other deductible fees).

Some of the techniques described above may be legal methods of reducing tax, rather than illegal methods of evading tax, depending on the law of the particular countries involved.

Legislative and Judicial Anti-Avoidance Measures

The manner in which tax avoidance can be met can include legislative and judicial response. In some cases a jurisdiction will enact specific provisions that identify the type of transaction to be dealt with and prescribe specific legislative remedies to combat such avoidance.

Another legislative method would be to enact broad types of avoidance practices in specific areas or to control tax avoidance through the discretion of the tax authorities.

Finally requiring related parties treat transaction in the same manner as independent parties can be another response. Most jurisdictions rely on specific anti-avoidance rules in their domestic legislation and judicial case law.

Where the legislative response to tax avoidance has been ineffective court have developed judicial doctrines to counter serious cases of tax avoidance. These judicial decisions tend to be more flexible than statutory rules under the domestic law and often overlap with each other.

Common judicial doctrines are derived from common law and include:

- *Business Purpose Rule*—the business purpose rule attacks avoidance transactions which have no business purpose and

are created to avoid taxes;

- *Substance of Form*- Under the substance over form principle, the facts must be assessed according to *bona fide* substance and not formal content;
 - *Sham Transactions*- a sham transaction conceals the true nature of a transaction that exists in form only;
 - *Doctrine of the Label*- the parties use the wrong label or description to classify or characterize a transaction or relationship for tax purposes;
 - *Step Transaction Doctrine*- in a step transaction, the intermediate steps in a chain of predetermined transactions may be disregarded and several related transactions may be treated as one integrated transaction. Alternatively the transaction may be broken up into its distinct steps to determine their acceptance for tax purposes.
- The step transaction doctrine maintains that “purely formal distinctions cannot obscure the substance of the transaction”.
- *Abuse de droit* (“Abuse of Right”) – An abuse of right is the manipulation of the intention or spirit of the law in such case the court will disregard the legal form where the transaction is undertaken solely or predominantly to avoid tax without a *bona fide* business purpose;
 - *Fraus Legis* (“Abuse of Law”) the *fraus legis* principle allows a court to disregard a transaction entered for tax avoidance purposes and to substitute it by a “normal” transaction. The tax is imposed as if the taxpayer did not carry out the “disregarded” transaction but a similar taxable transaction.
 - *Simulation*- Certain civil law countries apply the doctrine of simulation to ensure “substance over form.”
 - *Mutual administrative assistance*- Tax treaties are stipulating assistance in collecting taxes. Such an article would have two main advantages: it increases the chance of collecting taxes from taxpayers living abroad and it reduces tax evasion possibilities through emigration. It goes without saying that a State has to be sure that the aim of assistance in collection of taxes is suitable and desirable within its treaty policy before it inserts such a provision in a treaty.

A State which wishes to introduce such an article has to consider at least the following issues. In the first place, a State needs to possess a legislative framework which allows the implementation in practice of this provision. Secondly, the tax administration should be capable and able to collect the tax revenues. Furthermore, it should be considered whether the mutual advantages would justify the new obligations between the two Contracting States.

The Multilateral Convention generally requires that each Contracting State provide administrative assistance in tax matters to each other Contracting State. The Convention provides for three basic categories of assistance, with regard to a wide range of taxes: exchange of information, assistance in the collection of taxes, and service of documents.

Conclusions and Recommendations

State taxation begins from the primary purpose of raising money for the treasury. In that sense, it always involves a political choice which affects differently specific individuals or groups, i.e. a collective decision to deprive some of wealth for the benefit of others or for the common good. However, in a society where market relations are dominant, the dominant considerations are those of liberalism: that the tax burden should fall equally on all and that its enforcement should interfere as little as possible with private economic activity. These were classically expressed in Adam Smith's four canons of taxation: equality, certainty, convenience and economy (Smith & Kinsey, 1987).

The notion of equality, however, is clearly problematic, since it involves attempting to treat as equal legal subjects social actors who may be economically quite unequal. Smith's general notion was that citizens should contribute to the treasury in proportion to the revenues they enjoy under the protection of the state. His principle therefore favoured the direct taxation of the incomes of all citizens, rather than specific levies such as stamp duties or window-tax, which were unrelated to ability to pay.

The principle of ability to pay and the view that a uniform rate bears unfairly on those with middle and low incomes justifies progressively higher rates on higher bands of income, sometimes referred to as equity.

Should business or corporate profits be treated as income and taxed on the same principles as individual income, so that the sole trader, the partnership and the company are taxed in the same way? Is there a clear and valid distinction between

income and capital gain? Underlying all these questions is the definition of income itself, the tax base, which is at the heart of the operation of direct taxes. It is also at the heart of the problem of avoidance.

Taxation is not an Abstract exercise in political or economic philosophy, but a practical matter of raising state finance for the public good. The overriding aim is therefore effectiveness, which must be predicted, based on estimations of the patterns of compliance, non-compliance and avoidance. It is in this sense that the question of legitimacy is central to the evaluation of taxation, as well as other types of legal regulation of economic activity. Legitimacy in this sense combines the interrelated issues of equity and effectiveness. To the extent that a regulatory system lacks fairness it fails in political acceptability, and will also tend to fail in effectiveness as enforcement becomes difficult and noncompliance grows. Equally, a system which has problems of enforceability and therefore of effectiveness will tend to lose political acceptability.

Governments need tax payments to stimulate national prosperity, welfare and an equitable economic development. Only through levying taxes they can fund facilities such as infrastructure, education, healthcare and a social safety net. Companies can contribute to these public facilities by paying a fair amount of tax. All countries, but especially developing countries need additional income to realise the mentioned facilities, and it is a heavy burden that companies and wealthy individuals avoid taxes on a large scale.

Tax avoidance is a problem for everyone and provides relatively little benefits. This is the case for both poor and rich countries, and for both citizens and small and medium-sized enterprises. The premise of this study is that companies should pay taxes where their economic activities take place. Taxation should be based on the nature and scope of the economic activities (the *substance*) which companies have in each jurisdiction they are active in, in accordance with the applicable tax regulations in these jurisdictions. Individuals with large financial wealth should also pay their fair share of taxes.

International transactions between companies which are based in different jurisdictions but belong to the same business group, offer many options for tax avoidance schemes. Multinationals can reorganize their financial flows (payments for goods and services, dividends, interest payments, etc.) and set up foreign subsidiaries which undertake no real economic activities, for the sole purpose of utilizing the differences in tax rates and regulations between jurisdictions. With such transactions often no tax laws are violated officially. Nevertheless, the tax regulations and tax rates in one jurisdiction are undermined by making use of more favourable tax regulations in another jurisdiction.

In many international tax avoidance structures tax havens play a prominent role. Tax havens are jurisdictions which have a legislative environment which provides opportunities to individuals and/or companies domiciled elsewhere to evade or avoid taxes due in other jurisdictions. *Classic tax havens* generally offer very low income tax rates and no withholding taxes, in combination with very limited disclosure requirements for companies and limited exchange of fiscal data with other jurisdictions. *Tax-treaty jurisdictions* generally have concluded tax treaties with many countries and have very low withholding tax rates, enabling financial flows to pass through the jurisdiction easily. In these jurisdictions, income taxes usually have a normal level and transparency is higher than in classic tax havens.

The manner in which tax avoidance can be met can include legislative and judicial response. In some cases a jurisdiction will enact specific provisions that identify the type of transaction to be dealt with and prescribe specific legislative remedies to combat such avoidance.

Another legislative method would be to enact broad types of avoidance practices in specific areas or to control tax avoidance through the discretion of the tax authorities.

Companies should be more transparent and act responsibly when making decisions that possibly could lead to forms of international tax avoidance. They should comply to the fullest extent possible to the OECD Guidelines for Multinational Enterprises' chapter about taxation, which says, "Corporate citizenship in the area of taxation implies that enterprises should comply with both the letter and the spirit of the tax laws and regulations in all countries in which they operate, co-operate with authorities and make information that is relevant or required by law available to them," as well as measures following from the ongoing OECD initiative against base erosion and profit shifting (BEPS).+

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The Impact of Multimedia in Teaching and Learning

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Abstract

The innovations that happen in education seek for great leaders and with an outstanding professional background. The innovation managers are very open-minded to the changes that occur in schools, but unfortunately there are many of them who are closed to such changes in schools, the reason to resist is the lack of knowledge towards these educational innovations and of the changes that could be made in the schools and in the classrooms. Avoiding such problems could be made through active participation of the teachers in trainings, because the development of the technology and the improvement of the educational technology influences many changes in teaching methods and forms. Based on previous research it was seen that the role of multimedia in the classroom influences a great interest in participating actively in learning. This research was chosen intentionally with the reason of playing a positive role in raising the awareness of the community, with the argumentation of the hypothesis that multimedia in the learning process has a great role in purifying students with new information. Education, as a rule, slowly accepts any implementation of innovations in comparison with business, producing, transportation etcetera. In addition to it, implementing multimedia systems, distance learning, virtual schools etcetera would definitely increase the activity of the students in advancing their skills in comparison with their former background knowledge.

Keywords: multimedia, innovation, change, managing, educational technology, feedback.

Introduction

Traditional teaching is more dominated by frontal ways because there is a lack of interaction and lack of time for independent students' activities. In these cases, teaching is verbal and not that clear since it reduces the sustainability of knowledge and linking theory with real life.

Recently, teaching is being well-organized in the implementation of didactic media, in increasing the efficiency and effectiveness of the learning process. But, the educational system has not yet been sufficiently modeled as an integrated cognitive system. In the moments when students seek to quickly find the new information, some of the teachers are still not sufficiently prepared concerning the interpretation of new knowledge that students bring from home, this way students do not know what form of injustice new learning content delivers.

One reason for this situation is that teachers do not have sufficient background knowledge in the implementation of the new educational technology, this way teachers must be trained through workshops associated with the implementation and management of teaching media. There was a lack of educational technologies a few years ago but they have done a boom in every aspect of life, then teachers have become somewhat confused regarding the implementation or non-implementation of these tools in the schools.

Alongside of the development of other fields of technology such as in business, manufacturing, medicine, etc., School is unfortunately behind the advancement in the technology compared with the above-mentioned areas. This process must change and schools should be using technology in the same way to other areas of life, because the school is a basic institution by which society expects constant changes in having a better and a more advanced society and economy in general.

Contemporarily, there has been made some significant steps towards school equipment with modern teaching media with information and communication technologies, in order to have an easier and quicker new information achievement. These and other electronic tools offer the ability to create electronic text, pictures, animations, movies, mathematical calculations etc., there is also the possibility of reviewing them anytime there is something unclear. The quality of contents presented by teaching multimedia gives a much richer content to the learning process compared to traditional teaching, the massive

use of ICT and the Internet in general has enabled distance learning to be based on a system resource electronic information.

Furthermore, with the improvements of operational systems of computers by teachers and students, the users performance has begun to be easier, this way the connection among users and teaching technologies is better and there are better results shown so far. The use of cellular communication connections is providing a faster access to every information worldwide, this way the teachers are having an easier and faster approach to the new information.

By using innovative and communicative technologies, education and balance of knowledge with the rest of the contemporary world is enhanced.

Computer at school is a multidimensional strategy and as a technological-didactic and pedagogical-psychological and social project, in the first place should be applied in teaching by even starting at the elementary level of the lower elementary cycle.

The usage of the computer in teaching, which is based on staff background and training as well as of training of students for technical manipulation with these modern tools, it holds many possibilities of communication based on software by developing contemporary forms briefings, and encourages the students to be more prepared for a direct integration into life and work.

All of these high-tech devices and electronics in everyday life create incomparable opportunities in the organization of the lesson in terms of deployment of them into the so called electronic classrooms, which belong to high teaching standards, but also there are necessary requirements for preparation and professional training of the teaching staff.



Fig. 1. Contemporary learning in computer labs.

Electronic boards used in learning, in a modern society of the XXI century, is one of the greatest demands and what schools must be equipped with. There is a need for modern teachers who know, love and succeed through the use of new techniques and learning technologies. By using such contemporary techniques the learning process would be in a more elevated level, with a higher quality and in a very sophisticated way.

The electronic board is connected to the internet and is very efficient, fast and very specific in giving appropriate answers. Electronic boards as new multimedia strategies have a positive impact in encouraging students' activity and interest in the classroom. With the use of such boards there is an easier way in checking and assessing students academic performance even when there are large classes with more than 30 students. It also stores the previous teaching methods that were shown as successful.

The advantages of this board are:

It can be searched quickly and easily for every material that might be useful for the class (dependent on the distance once there is access to the internet).

In various situations there are chances to revise on previous materials so that students comprehend anything that they might have missed, there are opportunities to look at the visuals, films and they create favorable space in experimental collaboration.

The presence of the electronic board in the classroom makes other tools unusable which means that all of other tools are substituted or can be found in only one place (in the electronic board).

Electronic boards are multimedia tools that possess general and daily school preparations. All the data can be received quickly and easily by just typing with a finger or using a special pen for such boards, by minimizing and maximizing the figures, modifying or changing anything. In overall every request by a teacher or a student can be materialized as quickly and easily as possible.

The use of electronic board in our schools, provides numerous opportunities for educational enrichment of our culture, so first of all, it must be taken into account the professional skills of teachers in the manipulation of this new educational technology. Teachers according to some psychological tests, firstly define problematic situations that may be encountered when working with electronic boards, taking into account the compatibility of learning content with the searched material in electronic board. There should be suitable brightness of the classroom when using such boards and a proper formulation of the learning process.

In this case, the teacher organizes the lesson in accordance with suitable methods, by collecting didactic tasks, creates concrete strategies for the lesson as well as prepares questions and particular assignments which are given to the students before ending a lesson.



Fig. 2. A visual image of an electronic board.

During a survey conducted in some schools where electronic boards were present, it was obvious that the students were monitored during their presentation. It was claimed that they found such boards very interesting and very attractive as well. Students have proven that by the use of such boards they tend to remember longer. There is a possibility of repeating the material explained by multimedia and participate actively in the process of learning new content.

Acquiring knowledge through multimedia, offer the students the opportunity to think, analyze and seek new information, this means that students cannot learn only in schools. If they have retained enough information associated with the manipulation of these tools, they can even use them at home which would help in gaining new skills that are related to the school curriculum and beyond.

Programs for interactive learning enable students to monitor exposures, to ask questions, provide answers and communicate with one another with all those schools which have installed cameras, so that communication can be performed in real time by exchanging experiences among them.

Didactic media can help a teacher especially when there is no possibility to take objects, phenomena, any plants or species to be presented to the students in regards to any specific subject. This way due to the lack of such conditions, didactic media can help in presenting them through images and videos.

In relation to this issue, it should be mentioned that didactic media are not always powerful to give us information without putting any effort on using them by anyone, that is why there should always be a need for a teacher to solve any problem that might be faced when obtaining a new information.

A good teacher can successfully adjust students' background knowledge, their interests, learning styles, their skills and pace of work by applying them on individual bases and encourages students to be active in every phase of teaching and learning. Additionally, simultaneously can be provided new information in the classroom allowing two-way communication to the students.

The conditions for having active students in the classroom in each phase such as organization, implementation, verification of knowledge can be created by didactic media through them innovative teachers can:

Enhance active attention of students in the classroom,

have a clear picture of the explained material,

encourage different activities and use different sources of knowledge both from within and outside the school,

enable students to understand more deeply the lesson contents and to correct and repeat anytime they want all issues that students might have difficulties with.

- Didactic media will not only contribute to the methods of oral presentation, discussions and work with the text, but they will also contribute to methods such as demonstrations, laboratory work, exploration and discovery, project work and also there will no longer be a domination of frontal forms, but it will be adjusted depending on the situation that may arise such as: organizing group work, individual work, pair work etcetera.

- Didactic media are an important factor in the process of design, realization and in having a successful conclusion of the teaching process.

- The future of innovative schools cannot be imagined without the presence of didactic media. The school and the society in general would be 'illiterate' if not using such media. That is why there is a need in having a closer approach to such media in very early stages of school.



Fig. 3. An image of a smart board in the classroom.

The appropriate usage of didactic media:

Encourages the students to work independently and to expand the already acquired knowledge in the classroom.

Encourages the students to discover and solve problems and to make decisions.

Allows them to develop their critical thinking

Active state towards the living and learning environment

Allows the students some movement in having interaction and active relations in the classroom.

Gives the students the ability to learn better when they are aware of the aim of learning.

Raises students' awareness that they are learning the appropriate content in having a better personality etcetera.

- The function of the teacher can be changed if using didactic media, so there will not be the teacher centeredness, the teacher will be less on the role of a lectures or examiner, his/her role would be much more of a researcher, developer, strategist of teaching and learning, organizer of teaching and learning, counselor and educator of new generations.

- Due to the enrichment functions of teachers with new teaching technology, teachers' commitment to teaching is in a better position to develop its sensitivity to education problems, to their personal problems, questions of their life, education in general etcetera.

- In better circumstances, didactic media can meet the needs, interests and desires of students, can also enhance more enthusiasm and creativity to do their work so that they feel happier due to the media to bring more meaning in their learning process.

- Didactic media have an impact in activating many senses in the learning process, they encourage students to learn by doing things.
- Universal didactic media correspond on the way people want to be connected to the reality, they support and adjust his desire to learn something that could be useful in everyday activities.
- Some of the most important media that could be used and practiced at school and at home would be: multimedia systems, computer, smart phones, electronic boards, cable and satellite TV, VCR, etc.
- The use of didactic media during educational activities enable an organizational learning by establishing teaching at a higher level, by motivating students in their learning activities and making the student to succeed more in the learning process.

Conclusion

There are many didactic rules and convincing evidence of what has been achieved if applying didactic media in innovative schools. The educational value of using such media was evidenced through the school results which showed that through their use students feel much more determined, more sophisticated, and show great academic performances.

It has been seen from the teachers, students and from the students' parents that didactic media has an important role in harmonizing what was learnt at school with the real life, the theoretical part with practice as well as making some connections with previous knowledge background, advancing them even quicker with the main purpose of having an advanced knowledge.

Additionally, it is important that the function of this media enhances the activity of many senses showing curiosity towards retaining new knowledge and desire for an active participation in learning and its development. Independent work, transfer of knowledge and the application of them in a didactic way is allowed by multimedia.

Based on the research done, it is obvious that there is a need in using didactic media. In addition to it, 93% of the students claimed that they are pro using didactic media and only 7% stated to be against such multimedia. It has been proved that students feel really interested in methodologies of this kind, because the lessons are well-understood, are more satisfied when learning and that what they learn remains as a long term memory.

Nowadays, there has been a great development of technology, which has led in developing in many other social fields as well, this way didactic media are such methods which have a great role in helping the students to manage their classes better and to make the school environment even more adorable for the students.

Real situations are connected through interactive systems in a way that students show more interest in learning. Students are educated in various subjects and show interest, are more motivated and this way even the teaching is more effective.

Recommendations

Students, teachers, parents and the community, all together should be coordinated and motivated in implementing didactic media into learning, as great factors of achieving better results in the school and in the overall society.

A teacher should know how to work with such didactic media in the classroom-school.

Students should be informed about the objectives of using such media in the classes by their teachers.

Teachers should show the students about the positive effects that these media play on students' academic performance.

Children should be allowed by their parents to use such techniques even at their home.

Students must be informed for the pros and cons of using such media by the professionals.

The schools which express an interest on having didactic media in their educational processes should be supported by state institutions.

The schools which lack on having multimedia systems should try to have such media in enhancing some particular data and systems for distance learning in the service of the students who might have health problems and for those who cannot go to schools and vice versa.

Students should be offered a variety of learning methodologies rather than still continuing with the traditional system of both teaching and learning.

The school which has been advanced from the society, for its particular interests must seek for innovations continuously with the main purpose of advancing students' essential needs. On the other hand, there should be a systematic support and help by the institutions about choosing the activities for students, the type of teaching, and they should offer many new technologies in maintaining a better and a more attractive learning environment.

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Geopolitics of Energy

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Abstract

At the beginning of my paper I will explain the concept of "Geopolitics of Energy", this will be done for a quite simple reason, because I want everyone who can sit to read this article to understand more clearly what is at stake, therefore allow them the comprehension of what is being elaborated below at first sight. Geopolitics of energy is a concept that relates to policies choosing exporters to implement on importers, is the policy that has an impact on energy consumption, which includes consumer's choice in the geopolitical context, taking into account the economy, foreign policy, the safety of energy, environmental consequences and priorities that carries the energy exporter. This concept permits the understanding of how works the politics that undertakes this initiative taking into account natural resources such as: natural gas and oil. Natural gas and oil are two main resources that produce energy but also two main elements on which arises all the topic in the energetics game. For this paper is used qualitative methodology, through which we were able to accomplish this work. I focused on scientific literature, official publications and reports on energy geopolitics. The main aim has been to show how in this decade, energy security is at the center of geopolitical agenda and has become the focus of numerous political debates. Regarding this point of view, Europe is taking the initiative to create a common energy market within the continent by creating projects, in which Albania appears as a new regional energy potential. Russia, which is aiming to play a role in the international arena, is seeking to position itself geopolitically in "its political weapon", hydrocarbon resources, in particular natural gas resources.

"Therefore, to any quality, on any process, to any country, on any street and to any field, we should not be dependent. Safety and security in the scope of oil lie in variety and variety alone. "

Winston Churchill (Parliament 1913)

Methodology

Review of the literature of the field and matter.

This study is built on an extensive literature study by different authors competent in international affairs and security policy. For this study were used known research centers for scientific research, professional and objective in their publications. Problems in this study required a wide knowledge of the energy sector, a detailed study on the importance of energy, in-depth knowledge on security issues and natural gas supply. As much as is necessary the agreement among states in this field as well as complex are the rules of the game on which these agreements are established and built. A number of compilations analysis are used by a two-week publication "Analytical Summary for Russia" to know better and deeper political, economic, and social developments in Russia and its regions, and the role of Russia in international relations, its goals and constant attitudes, its evolution as an important factor in the region and the world.

Using the experience and closely following the problems of the authors of the Research Centre for European Studies (Forschungsstelle Osteuropa) at the University of Bremen¹ and the Centre for Security Studies (CSS) at the Swiss Federal

¹www.forschungsstelle.uni-bremen.de

Institute of Technology in Zurich, and the Institute of history at the University of Basel¹, who have a wide range of issues tracking in Russia and Eurasia. In this respect are used and the Russian regional reports, which are provided by especially concrete statistics and data to support the analysis and conclusions.

In "Energetic Security of Europe and Balkan: A great battlefield of USA-Russia war for the geostrategic control of Eurasia" the author Thrassy N Marketos, dictates and analyzes the role of USA in Eurasia according the control of natural resources. The author explains US policy goals including breaking Russia's monopoly over transportation routes of oil and gas by promoting US energetic security by diversifying supply and encourage numerous pipeline projects from US control. In the "Corridors of natural gas to Eastern Europe and European energetic security", the author Ioannis N Grigoriadis, is reflected the strategic meaning of Eastern Europe as a channel for the transport of natural gas and guarantor of energetic security in Europe. Authors agree that, to achieve growth of natural gas demand across Europe and reduce energy dependence on Russia, European authorities should promote the realization of diversified gas projects, while simultaneously improving relations with Russia.

Energy, a vital global importance

The energy sector is one of the main areas of cooperation between states. Energy is what ensures the smooth running of the world. In the entire world history, in all places and at all times, energy has been the "engine" of economic growth, military power source, power and wealth. Energy has determined the degree of success of a civilization or state, which seems to have flourished in countries with favorable environment and water, translated into the availability of energy. Countries hang their well-being and survival in energy availability.

Energy as a security matter

Energy security is ensuring the availability of energy in sufficient quantities and at reasonable prices. Its components are: the level of dependence on particular sources of energy; imports to internal resources; diversification of supplies, security of physical infrastructure and distribution routes; state and economic impact; non-interruption. Energy security policy has impacts on national energy security, which are: current and projected/provided needs; levels of self-sufficiency; energy sources and levels of diversification-internal; energy sources and levels of diversification-external; legislative and acceptable standard for the environment; risk levels -acceptable.

From an economic perspective energy and related issues are viewed as a topic that should be subject of the rules of the single market, leaving aside political power; according to this view markets are the ones who decide the rules of the game, governments intervene when markets do not provide solutions. Given this perspective there is no reason for countries to be concerned about any risk of energy security, as interference, coercion, and even military confrontations. From a political standpoint, analysts treat energy as a matter of national security, based on the assessment of nationalization of energy resources and politicization of their management. (Yergin, 2000). Energy is a growing challenge and safety issues and its supply in a globalized world are increasingly complex. Most of the principles of energy producers are not the same to the principles of customer. Different views and perspectives share estimates on security of energy supply. In less than a decade of this century, security issues and supply of gas and oil have been validated and are increasingly important. The idea of using hydrocarbons as a political tool is supported by a number of indications such as decisions of national governments to the intersection manufacturing shipments due to certain political goals, different conflicts up even armed; producing countries do not operate in a competitive energy market framework, the interventions of governments and their policies dictate them; instability in export due to unstable and in conflicts countries. Thus, the dependence on imports of oil and gas represents real political and security issues, not just national but also international, for many countries.

Usage of energy as a political tool: preoccupations of US and Europe

In the US, within a week of taking office President Barack Obama said: "Dependence on oil is one of the most serious threats that our nation has faced," while British Prime Minister Gordon Brown and other leaders of the EU have estimated the risk posed by the dependence of energy provision. Since the last decade issues dealing with insurance and gas supplies have raised numerous debates in the political and security, this paper will provide an analysis of the views of countries affected directly or indirectly on their political and strategic interests, and specifically the US, EU and Russia. In the United

¹ <http://histsem.unibas.ch/seminar/>

States, European Union and Asia, fear of dependence on imports of gas and oil from unstable regions or those who seek to use it as a "weapon" has become the main topic of political debate. The US has repeatedly criticized what was seen as an attempt by Russia to use its part of energy as a political weapon, thus affecting its allies, though not the US itself. Repeatedly, the Bush administration and its successor, various analysts, etc., have reacted to the dependence of European countries on Russian gas. Russian politics increasingly more secure has caused concern in some respects, intrusion in old and close alliances between Europe and the US, into strong relations and of vital interest among countries of the EU and NATO, at the dissension of unity countries within the EU itself, as well as limitation of sovereignty and pro-western orientation of the neighboring countries of the former satellite such as Georgia, Moldova and mainly Ukraine. So America's political interests in Europe include its interests in NATO unity, preservation of close relationships and cooperation with European countries, individually and collectively, and maintaining US influence in Europe.

Russia's operation mode-gas pipelines

Until now, in its policy Moscow has followed several objectives: Russia has been trying to buy a controlling stake in pipelines, ports, storage facilities and other important assets of the energy in Central and Eastern Europe, providing not only the fulfillment of needs for export but also for maintaining control in domestic markets; Russian firms have attempted to buy energy infrastructure in western Europe, causing reactions and concerns in the EU; it has established close relationships with countries such as Germany and Italy, creating the possibility of supply and investment in Russian realistic and surreal energy projects.

In this context, follows a strong debate and it is expected to become increasingly more important in the future of the transit gas pipelines. Indicators of a strong debate are also projects supported by Russia and those supported by the US. The US has strongly supported the creation of multiple pipelines of supply from Central Asia and Azerbaijan to Europe while it has criticized Russian projects, the northern and southern streams, that these projects not only reduce dependence, but they intend to oppose European projects, especially Nabucco, and any other project that aims at diversifying their energy supply, and to bypass the countries of Central and Eastern Europe. Oil and gas reserves are often found together and concentrated in the same places. These cases have certain features such as relatively high fixed costs of transportation and physical obstacles to reach the consumer countries. Gas is transported mainly via pipelines overland or through underwater pipelines determined in a short distance to a maximum water depth of no more than 2000-3000 meters; when it comes to transport by pipeline should be taken into account that this is done not for very large distances. Pipeline as physical connection creates a natural bilateral dependence / interdependence.

Russia's energetic politics and National Security Strategy

Prime Minister Putin stated in early 2009 that "Russia has immense and rich mineral and energy resources, which serve as the base of the development of its economy; as an instrument to implement domestic policy and foreign policy. The country's role on the international energy markets determines, in some ways, its geopolitical influence"¹ "The new leadership of the Russian Federation, Vladimir Putin, shortly after coming to power sought to turn his country into the club of global players.

In late August 2009, Moscow launched a new energy strategy². On August 28, the Russian newspaper Kommersant wrote that Moscow was aiming to invest 1.8-2.1 trillion dollars in oil and gas business up by 2030 to increase production in order to keep up with demand in Europe and Asia projects for the export of Russian hydrocarbons and the increase of Russian domestic consumption³. On May 12, 2009, President Medvedev approved the latest version of the "National Security Strategy of the Russian Federation until 2020"⁴. This doctrine opened a window making political elite to think about an important issue such as natural resources-above all-hydrocarbon reserves as a foreign policy tool. A prominent perspective of the Russian leadership was included in the security doctrine in indirect ways, but still opened⁵.

¹ Quoted in Jamestown Foundation, "Euroasia Daily Monitor", Vol.6, Case 95, May 18, 2009

² Minenergo.gov.ru/news/min-news/1189.html

³ www.kommersant.ru/doc.aspx?DocsID=1227148

⁴ <http://www.scrf.gov.ru/document/99.html>

⁵ Jamestown Foundation, "Euroasia Daily Monitor", Vol.6, Case 95, May 18, 2009

Paragraph 9¹ of the doctrine states: Changing the block confrontation on the principles of multidirectional diplomacy and potential natural resources of Russia, along with pragmatic policies of their use has expanded the possibilities of the Russian Federation to strengthen its influence in the global arena. " So, Russia's energy resources were formally recognized once again to be instruments of foreign policy of Russia. Paragraph 11 lists geopolitical battleground where Russia believes that conflicts for energy in the future will grow and where, by definition, its national interests lie: "The attention of international politics in the long term will focus on the control of energy resources in the Middle East, the Barents sea shelf and other parts of the Arctic, in Caspian basin and Central Asia ". The document presents a scenario of future conflicts war over energy resources. Paragraph 12 states: "In case of a competitive struggle for resources is not possible to reduce this probably could be solved by using military force. The existence of balanced forces on the borders of the Russian Federation and its allies may vary ". But who is going to apparently change balances? According to the strategy are the US with the Ballistic Missile Defense Program or NATO itself.

Paragraph 47 continues the connection between energy and national security Russian "risk sources to national security may be factors such as crises in the world and regional banking and financial systems, to intensify the fight over natural resources, including those of energy, water and goods consumer ". The National Security Strategy of Russia does not differ substantially from the previous doctrine. Also, Russia's security policy seems to be a big bet on the nationalization of resources in order to strengthen "sympathetic" control of Russia's gas supplies through gas markets of Central and Eastern Europe.

2. Gazprom.

2.1. Russian state monopoly-promoter of Russian interests

The way Russian government has operated in energetic sector has been a continuous debate topic. In 2000 Russian authorities, had officially promoted various policies in relation to the energetic sector, including privatization, liberalization and international integration of Russian energetic sector. In 2000-2001, they presented plans for price liberalization and privatization of major assets in energy production, oil and gas companies. At the same time, privatization, reforms and commitment of foreign investors on a massive scale, which were the main points of economic policy during the first presidential term of Vladimir Putin, were exchanged with the new policy in the energy sector was clearly led by the state. The state had accumulated a strong control in the energy sector and had begun to show a willingness to use it for political purposes, both at home and internationally.

2.2. Kremlin's control on Russian energetic companies, especially Gazprom

Meanwhile in the years 2003-2004, they started the first state intervention in the energy sector, in oil industry, in June-October 2003 on the matter of Yukos. The arrest of the head of Yukos, Khodorkovsky was commented as President Putin's movement. This one believed that the chief of Yukos demonstrated signs of unacceptable political independence from the Kremlin. Whereas restructuring integrated vertical market monopoly of Gazprom, which was on the agenda of reformers in the early years of Putin's presidency, was officially banned by President Putin himself. It was replaced with almost the opposite goal in order to officially buy state control in Gazprom. Strong sector reforms that would include liberalization and privatization plans clearly slowed. The state was officially reacquired control of Gazprom share in December 2005, and now effectively controlled over 50% of the company. It is worth mentioning that, since the fall of the Soviet Union in 1991, the largest monopoly firm on natural gas in Russia, Gazprom, has been controlled by the state. It has a monopoly of gas pipelines in Russia and controls about 90% of the production of Russian gas and more than 1/4 of the world, being responsible for 20% of the global production. By the end of 2005, Russia set a surrounding wall to stop foreigners to possess shares of Gazprom. The only external partner of Gazprom with low value shares is the German firm E.ON with 6% ².

2.3. Connections of Gazprom with the Russian government and its interests

Gazprom is the third largest corporation in the world and the largest source of income for Russia. Many executives of Gazprom already have / recently keep high-level positions in the Russian government. Russian government policies and

¹<http://www.scrf.gov.ru/document/99.html>

² Reuters News Agency, October 10th 2007

projects of Gazprom are combined at best. Indicators of this are the facts that the former chairman of Gazprom, Dmitry Medvedev, was moved to the post of the President of Kremlin, one of his main dependents is Konstantin Chychenko, executive director of RosUkrEnergo (mediator for the sale of Turkmen gas to Ukraine) and head of Gazprom's legal department. Gazprom's new chairman is former Prime Minister Viktor Zubkov. Another fact is the discovery of a "revolving door" between Gazprom and the Russian Government. Gazprom has become one of the promoters of Russian interests in the world. In support of these interests, between the Ministry of Foreign Affairs of Russia and Gazprom was signed an agreement where diplomats and state monopoly headed by Kremlin agree to assist each other in promoting the interests of each other in international arena¹. Such cooperation generally is not new and is more than necessary for foreign service officers to be particularly involved in promoting national economic interests. It is quite impressive that, in the case of Russia are not diplomats but Gazprom, which is promoting the foreign policy goals.

2.4. The extent of Gazprom in Europe

By entering into joint ventures with energy firms and public services in the EU, Gazprom has established close and important trade relations with those entities that often are very strong in domestic politics. In this connection Gazprom seeks to have more control shares. Gazprom has moved forward aggressively, buying every available energy assets in Central and Eastern Europe and developing realistic and surreal projects, in attempt to establish a priority position as the largest supplier in Europe. strongly supported by the Russian government, Gazprom succeeded in Germany, France, Italy, Austria, Belgium, Bulgaria, the Netherlands, Romania, the Balkans, Belarus and possibly in Turkey. Gazprom could not succeed in the UK and Ukraine. Gazprom has a dominant position as a supplier of natural gas, mostly in Central and Eastern Europe, and the Balkans. Likewise they also hold the largest share of gas in the Baltic countries (Lithuania and Estonia). According to figures of Gazprom, the biggest buyer of Russian gas in 2008 were: - Germany (38 bcm) - Turkey (23.8 bcm), - Italy (22.4 bcm) - Belarus (21.1 bcm). Russia also acts as a mediator in gas exports from post-Soviet states of Central Asia to Europe. Gas purchased from Gazprom is transmitted via Russian gas pipelines (owned by Gazprom), and the state controls all gas transit. Before the end of 2008, the company Ros-Ukrenergo (RUE, in which Gazprom holds 50% and the share of Ukraine is held by businessman Dmytro Firtash with 45%) played an important role in the trade of the Central Asian gas. Gazprom is co-owner and / or cooperates in all gas pipelines in the Baltic states and Moldova, all the Yamal gas pipeline, 37.5% of gas pipelines in Belarus and gas pipelines in Finland (through its 25% stake in GasumOy). It also holds shares of Yamal gas pipeline in Poland (48.64%), several gas pipelines in Germany (50% less 1 part in gas pipeline network to Wingas, and 5.26% in VNG's network in Eastern Germany), through Wingas it will also hold shares of OPAL gas pipeline currently under construction. Taking 50% of the gas distributors Austrian Baumgarten. In other European countries, Gazprom is planning to invest only in gas transmission systems. It is also involved in gas sales for consumers indirectly through third companies, with whom has less transparent relationships. They have been increasingly active in the EU, although limited by national legislation or the entire EU.

3. Russia's energetic politic and its neighbours

3.1. Russian energy policy goals in the post-Soviet space

Post-Soviet area is the focus of Russian energy policy, both in terms of post-imperial syndrome of elites and natural economic causes, as critical dependence on Russian energy supplies. Recently, Western countries in the post-Soviet Baltic countries, Ukraine, Belarus, Moldova, Georgia have made highly visible the goal of Russian energy diplomacy. Energy has been considered as a mean of restoring the Russian economic domination in the post-Soviet countries (through the purchase of energy assets), encouraging pro-Russian policy through subsidized prices, and as a tool for political pressure². Her behavior is really quite unpredictable.

3.2. gas conflicts and crisis

The best illustrating cases are the conflicts about energy with Ukraine in 2005-2006, and Belarus in 2003-2004, and mostly in 2009 when they led to the interruption of gas supply. Initially, these conflicts started with the continuous efforts of Moscow to take control over the Ukrainian pipelines and Belorussian gas transit, which together constitute 95% of the overall capacity of Russian transportation corridors to export. In this conflict the ones who got damaged were the European

¹www.mid.ru/ns-dipecon.nsf/

²Keith C Smith "Russian energy pressure fails to unite Europe," CSIS Euro-Focus, January 24, 2007

consumers in dozens of countries, including Germany and Italy. Both cases seem to prove that Russia is fairly ready to use supply interruption as an instrument for achieving certain political goals. Eastern European countries themselves are concerned that Russia itself could use in their energy dependence to intervene in the internal affairs or force them to make concessions to foreign policy. By controlling their energy infrastructure, Russia is able to manipulate the internal political situation, favoring the participation of Gazprom in the local business and manipulation of some local politicians to make it possible to use them as lobbyists to Russian interests. Through interruption of gas supplies, Russia is likely to demonstrate its skills to where they go and then achieve political goals. Six Eastern European countries are 100% dependent on Russia for their imports of natural gas. They are even tougher about the need of EU to diversify gas supplies away from Russia, because unlike others they know very well what Russia is capable of (closure of gas supplies in Latvia 2003 Lithuania, 2006, Czech Republic 2008).

3.4. Europe and gas crisis

In various conflicts for gas, EU has been divided in its attitudes and evaluations. Even in these cases, Russia has been able to provide and maintain its reputation in Western Europe as a leading and reliable supplier and in turn to consider the rest of Eastern Europe "its backyard." Russia's goal is quite clear to punish countries that do not obey its authority, cut the supply or to bypass them in their projects, and reward countries that cooperate with it. Thanks to its impact on European foreign policy with the strategy of "divide and possess" Russia prevented NATO members to reach a consensus to provide a MAP (Membership Action Plan) for Georgia and Ukraine. Most European countries agreed with the US position to offer MPA to Georgia and Ukraine, while Western European countries, especially France and Germany opposed the extension, in order not to anger Russia.

4. Energetic security in Europe

4.1. Asymmetric dependence of European countries on Russian gas

Europe depends significantly on gas to ensure its energy. Within the European Union, one fifth of the electricity is generated from gas. Europe is really dependent on Russian energy, especially on Russian gas. The dependence of the European countries is not uniform, but European governments have asymmetrical and very different policies towards Russia. There is a considerable gap between Western Europe on one side and Central and Eastern on the other side on their level of dependence on Russian energy imports. Europe itself has very limited possibilities in developing alternative sources of natural gas due to the current distribution of reserves and production capacity. Russia and Iran are the two main potential sources of additional gas on a global basis. Gas consumption in the European Union has doubled over the past 25 years, and will be 40 percent higher by 2020 and 60 percent higher by 2030 than current levels. But European production is declining, and 60 percent of the gas it consumes is imported. During the next 25 years, European gas imports are projected to double from the current level of 300 billion cubic meters per year. Much of Europe's imported gas comes from Russia via pipelines that have been operating for decades. Finland, Estonia, Latvia, Lithuania, Slovakia, Hungary, Bulgaria, Romania, Ukraine and Belarus are 100 percent dependent on Russian gas. Dependence of Austria, the Czech Republic, Poland and Greece from Russian gas is 80 percent, 40 percent of Germany (likely to go up to 60 per cent), Italy and France 30 per cent each. The scale of Europe's dependence on Russian natural gas appeared sensitive to the interruption of gas supplies from Ukraine, which affected a good part of the country. As a consequence, Europe is now trying to reduce its dependence on Russian gas trying to get gas from other sources such as Central Asia. Recognizing the risk depending on gas, the European Commission has made the diversification of supply a priority of its energy policy, developed in the Strategic Energy Review of the European Commission, published on January 10, 2007, and confirmed by the European Council in March 2007¹. Despite discussions to develop a common foreign policy of energy within the EU to diversify sources and routes of supply, 27 countries have not been able to reach consensus, due to different priorities.

EU's mechanical mechanisms about energy

In energetic politics, the European Union policy interacts via several political mechanisms. Characteristics and challenges of security of energy supply in Europe are addressed first by the European Commission Green Paper in 2000 "Safety of Energy Supply" (European Commission, 2000). The document brought three main concerns of energy for Europe: high

¹Communication from the Commission to the European Council and the European Parliament: The Energy Policy for Europe COM (2007) 10 January 2007, the Presidency Conclusions of the Brussels European Council of 8 to 9 March 2007.

dependence on energy imports, the EU limited impact on supply, and difficulties in fulfilling the requirements of the Kyoto Protocol.

On March 8, 2006, the European Commission issued a second document, the Green Paper "A European Strategy for sustainability, competitiveness and Energetic security" (European Commission, 2006a). The European Commission presented a major package of energy policy, on January 10, 2007, entitled "Energy Policy for Europe" (EPE), which was accompanied by a number of sectorial policies to implement the overall strategy. EPE contained a chapter dedicated explicitly to increase security of supply, which calls for a spirit of "solidarity" between member states, especially in the event of a supply crisis. A similar idea was included in the Treaty of Lisbon.

Strategic Energetic Technology Plan, November 2007. Meanwhile, the Commission on the Second Strategic Review of Energy, published on November 13, 2008. The focus of the document is security of supply and fossil fuels. Priority issues were: the need of infrastructure and diversification of energy supplies, external energy relations, reserves of oil and gas and crisis response mechanisms; energy efficiency, etc.

Including energy as a security matter in NATO

Meanwhile the issue of NATO involvement in the issue of energy security has become a subject of debate inside and outside the Alliance, during the last three years¹. Caused by the recent crisis in Ukraine, the issue of energy was also brought to the attention of NATO. Former Secretary General Jaap de Hoop Scheffer explicitly stated in the 60th anniversary of NATO that "disrupting the energy supply of a country can break the economic structure and social status of it in a way similar to the consequences of a war without even any shot of weapon²". According to these debates, there are several different areas where NATO should be included: the development of a common policy, military preparation and securing transit routes are among them.

The performance of EU-Russia cooperation

EU and Russia definitely need a new international legal framework to address the issues of energy supply and transit, especially to fix the reliability of long-term energy supply. The only international legal act that includes Europe and Russia has been the Energy Community Treaty (ECT) which was ratified by most countries in the Eurasian community - with the exception of Russia and Belarus. Many European officials and experts are still calling for the ratification of the treaty as a way for Russia's involvement in an international commitment in the field of energy. However, at this stage, ECT seems to have lost all its attractiveness in terms of being a universal statute of energy in the Eurasian space: it was signed in 1994. Damage in the ratification process was triggered by the Europeans, the EU introduced a draft of Transit Protocol, which states that the transit facilities are open to all competitors.

Russia refused to sign the Transit Protocol in December 2003, and since then ECT has lost its meaning, mainly to Russia. Given this, it is worth mentioning a little known fact that the Secretary of State and Deputy Minister of Industry and Energy of the Russian Federation and vice chairman of the Conference of the Energy Charter and the Deputy Secretary General of the Secretariat of the Energy Charter in Brussels, is a high position of the Russian Ambassador Vladimir Rakhmanin, who previously worked as Head of protocol of the Presidency with President of the Russian Federation. His task is to develop the Energy Charter process and direct negotiations on the Transit Protocol, considered by ECT member states as an important tool of law applicable in transit countries. Russia does not like the protocol. It will not allow all competitors in the Russian territory, only in cases where it excludes itself. Prime Minister Putin has signed an appropriate legislation deciding that Russia will not be part of this Charter.

Similarly, the efforts of the EU to include the main components of ECT on a new Partnership and Cooperation Agreement between the EU and Russia (PCA) were also broken. The EU Commission has proposed a policy that would prohibit EU energy producing companies from possessing dissemination networks. It also prevents foreign companies to invest in the distribution networks of the EU, unless the relevant country allows such an investment. Russia has strongly criticized the proposal.

¹ Monaghan, A. Energy Security: Limits of NATO, Rome 2008

² Hurriet Daily News, April 2nd 2009

Energetic collaboration Europe-Russia

While the EU should have a close cooperation with Russia in securing gas, it has failed to develop and follow a common energy policy. Thus Russia has rejected the request for ratification of the Energy Charter Treaty 1994, which embodies principles such as: Russia must open its pipelines to western firms and provide stronger protection for foreign investments in Russia, etc. There arrangements have also failed to include key components of the Energy Charter in a new Partnership and Russia-EU Cooperation Agreement (PCA). Russia also opposed to the EU Commission's demand to build an energy policy that prohibits energy producing companies from distribution networks possessions and deter foreign companies invest in the distribution networks of the EU, unless the relevant country allows it. However, EU countries are non-unified in their positions based on the fact that their dependence on Russian gas is different, so it is unclear whether there will be an effective common policy on the Russian energy case.

During his visit to Helsinki in April 2009, President Medvedev reiterated Moscow's calls for a new security order (Helsinki Plus), reflecting the substantially changed realities and multipolar international political system, as Russia sees it; and secondly for "a modern system of global energy supply" based on "Conceptual approach for a new Legal Scheme for Energetic Cooperation", introduced in Europe as a new substantial vision, as a legal accurate international system is necessary to be established. This intended to replace the "inadequate" and "inefficient" energy charter treaty with a new "comprehensive" document. The main purpose of this "Conceptual approach" is to reflect and accept unconditionally the current conditions on which Russia is and will continue to strive to remain a primary source, manufacturer and exporter of energy, more visible and prominent in natural gas. In other words, if Russia does not like the Energy Charter Treaty, it should be changed or replaced with what Russia likes and approves. All other countries are forced to accept. This is simple. The present document is designed to avoid the attention and efforts of the world community, especially the EU, the real work on a comprehensive approach / detailed, to discuss the concept of energy security, which has nothing to do with reality. While the answer to "Conceptual Approach" was deaf even at the close circle of steadfast allies such as Germany and Italy, the Russian leadership moved forward. On May 12, 2009, President Medvedev approved the latest version of the "National Security Strategy of the Russian Federation until 2020", which defines the place and the role of energy resources in Russia's geopolitical position in the international arena.

This report will begin with a discussion on the main actor in the debate Russia, where they will be given a talk about the current strategy of security of Russian gas industry, the Kremlin's efforts to take full control, energy policies of Russia and its origin, Russia and neighboring countries, the debate about real dependence of Europe on Russian gas, the debate about a common policy of energy, attitudes of US, "diplomacy of pipelines", European projects supported by the USA aiming the reduction of European dependence on Russia, the Russian pipeline Projects, North and South Stream, Conclusions and recommendations.

Europe and energetic cooperation within the continent

Energy policies of pipelines represents the main role in the market because through it we understand the intentions of everyone, the whole game power rises on Russia and the Middle East, in order to concretize this paragraph I will argue convincingly importance of energy policy and why Europa is looking for energy resources within the continent.

Europe requires oil and gas resources in order to be independent from Russia and the Middle East and to not allow Russia to come up again as a global superpower, while the Middle East shows no security elements for the supply of gas for Europe. For these reasons Europe is looking for cooperation within the continent.

Albania in another dimension

When it comes to Albania everyone imagines a country that is developing and where there are many other phenomena, which do not work well. I will stop to analyze these phenomena that do not function properly, because my goal is to analyze Albania as a new potential that is born in the heart of Europe. As a country that is trying to move forward with time and adapt to Western European countries. Being a new potential in Europe thanks to its ample resources of natural gas and

¹<http://www.scrf.gov.ru/document/99.html>

oil, it is trying to exploit them in economic terms being cooperative in the pipeline that are being implemented to supply the continent with energy.

For Albania this is a new phase of positive development, creating a new dimension of economic and energy in our country. A new dimension for the country's economy will have a development and consequently will open new jobs, incomes of the population will increase, but not only that. Except there will be economic growth also will be a general development that will allocate throughout Albania's land space. Albanian development in this regard is not only development but also economic and political stability for Albania, as such it has become a factor of stability of the region.

TAP- A pipeline for Europe and the impact it will have in Albania

On June 28, 2013, Shah Deniz consortium announced the selection of the Trans Adriatic Pipeline (Trans Adriatic Pipeline - TAP) as the last link in the chain of platforms, pumping stations and pipelines that will bring gas to Europe from the giant Shah Deniz field in Azerbaijan. The building of pipeline in the Balkan region is also known as the Southern Corridor. Southern Corridor concept was born from the need of the European Union for the diversification of natural gas supply, the expansion of energy cooperation with neighboring countries and creating an integrated energy market and competitive.



The Southern Corridor and Shah Deniz field

TAP aims to bring great benefits Europe and Albania as well, as part of the Southern Corridor. Benefits arising from the realization of TAP, can be categorized as follows:

Diversification of natural gas supplies

TAP provides a unique opportunity for Albania to develop its gas industry and in the future to achieve a higher efficiency in the production of electricity using natural gas. TAP continues to support the Albanian government in its mission to use gas as a significant energy source.

Expansion of market integration

TAP aims to expand market integration in Europe by creating gas transport connection between Eastern and Western Europe via Italy. With existing networks, as well as their planned expansion, Italy offers great potential for the transportation of natural gas further into Western Europe. Albania, being the linking point between Italy and Eastern Europe, is an important factor on this market expansion.

The support of purer energy

Operators Southern Corridor gas pipeline aim at high environmental standards internationally recognized construction and operation. Over the decades, pipelines have proved to be safe methods, stillness and sometimes almost invisible for the

transport of gas, as they come across the seas, climb the mountains or deep covered under the soles of towns and villages. They also emit less carbon than other forms of transport of gas, pipeline generally require less energy intensive than liquefied natural gas, which represents the main alternative for the transportation of gas.

Encouraging economic development

TAP aims to bring substantial new investments in Albania, Greece and Italy and _ create new jobs in construction in these countries. Maintenance and operation of the pipeline will need financial and human resources for decades.

TAP is thought to be the investor of the largest direct foreign figures ever in Albania. This project is expected to stimulate economic activity by creating jobs and developing skills and opportunities in the country. With the start of operation, TAP can also create an annual income stable and predictable. We also hope that the pipeline will help Albania in the process of integration in Europe through its evolving role of regional and geo-strategic and continuous promotion of stability.

Conclusions

The main purpose of the report was to show how, in this decade, energy security is at the center of geopolitical agenda and has become the focus of numerous political debates. Security issues and energy supply can not be handled without political involvement. Risks that cause relationships to those exporting importing countries, highlighting the ability to: damage to the economies of importing countries, through suspension, his physical absence; significant adverse impacts on the economies of importing countries; demolition /impact on political relations between the two countries or regions, are indicative of a "fierce" where necessary and where the influence. Thus ensuring gas supply in Europe has a number of risks associated with dependence on imports from outside suppliers, including investment risks, transit and safety. Treated as a single market, from an economic standpoint, it requires the establishment of a set of rules governing economic relations among the countries importing and exporting power, but that could not be done without a common political approach.

In its energy system are evidenced some limitations such as:

restrictions on certain upstream production, particularly in the gas sector; export restrictions of the infrastructure (traditionally, Russian oil and infrastructure of gas export is destination only in the European market, and to diversify directions of export needed massive capital investment), which make Russia much more a regional supplier, the European energy supplier, rather than a global supplier;

Russia is characterized by internal heavy and not very efficient energy consumption, which makes the country primarily a consumer of energy, much more than an energy exporter;

structural and investment restrictions: despite high energy potential accumulated under their control, Russian authorities still lack many specific mechanisms of influence on the actions of energy companies due to corruption and lack of discipline.

The challenge of future investment is also very important, since in both gas and oil, Russia is reaching an expiring period of potential matured oil and gas fields, and new investments are necessary to introduce new green areas in remote areas. As corporations associated with the state, as the Russian financial system, which is still very weak and being reformed, they are not willing to finance such projects.

But all this does not seem to have prevented Russia to build and implement its energy policy. So where can you achieve it is another flexible question. Until now, Russia has shown more than once that in the international arena is intended to be a gamer to play with its rules and not conditioned by others. It seems that it is against a common approach in Europe, and more than direct confrontation with Western governments, it aims to maintain European foreign policy of wandering, she played with its strategy of "divide and conquer".

Regarding from this standpoint, Europe is taking the initiative to create a common energy market within the continent by creating projects, which will make it less dependent on regions that produce energy. In this moment search for energy, Albania comes as a new regional energy potential and wider thanks to its natural resources. This opportunity brings Albania closer to Europe as a partner that evokes reliability.

An Overview of the Constructivist Theories and Their Possible Implications in the Design of the ESP Digital Learning Environment

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Abstract

This paper provides a brief overview of the constructivist learning theories and explains their significance in the design of the ESP digital learning environment. Constructivism provides a unique and challenging learning environment, and coupled with modern technology shows the potential for great advancement in learning practices. Together they provide the opportunity for new possibilities in the learning process. In other words, they allow ESP students to learn to their fullest potential. Complete understanding of ESP needs an increasing research input, including social interaction and intercultural communication competence. The purpose of ESP is to prepare a student (future specialist) to communicate effectively in the professional field and real-life situations. The ultimate goal is to become operational in any learning situation.

Keywords: constructivist theories, ESP, digital learning environment

Introduction

Due to the world being interconnected and English being associated with globalization, it is necessary to transform the traditional paradigm of teaching and learning, and to improve the quality and effectiveness of education. Addressing these challenges, we encounter constructivism as a new approach in order to provide innovative way of education, both theoretical and practical.

In order to define constructivism, Fosnot (1989) proposes four principles: learning, in an important way, depends on what we already know; new ideas occur as we adapt and change our old ideas; learning involves inventing ideas rather than mechanically accumulating facts; meaningful learning occurs through rethinking old ideas and coming to new conclusions about new ideas which conflict with our old ideas. It means that constructivism focuses on activities such as problem solving, decision making, creative and critical thinking, active and reflective application of knowledge (Driscoll, 2000). Moreover, constructivist learning encourages critical thinking and creates active and motivated learners. It involves inventing and constructing new ideas (Gray, 2007).

What is more, technologies within the constructivist ESP course facilitate the process of teaching and learning, they stimulate students to be active and cooperative which contributes to increasing learning outcomes.

Constructivist theories

To begin with, constructivist learning theory argues that knowledge is considered to be individually (Piaget, 1968) and socially (Vygotsky, 1962) constructed. Much research has been done by Piaget, who underlines the active role of the individual in the learning process. Piaget's constructivist classroom provides a variety of activities which increase students' readiness to learn. It is of great significance to produce a technology-mediated learning environment that encourages knowledge construction. Technology support (videodisks, CD-ROMs, DVD) in the effective ESP learning environment (Živković, 2016a) encourages innovative teaching and learning approach based on interaction and collaboration (Vygotsky's social constructivism).

It is worth mentioning that the constructivist approach acknowledges learning in context (Duffy and Jonassen, 1991). For effective ESP learning Duffy & Jonassen (1991) state that construction of knowledge happens in a social context, such as classrooms and language laboratories, "where students join in manipulating materials and, thus, create a community of learners who built their knowledge together" (Dewey, 1966).

Much research has been done by Vygotsky who stresses the importance of collaborative learning. As for technology-supported learning environment, students are encouraged to share their knowledge and ideas with their classmates.

According to Bruner (1986) language learning is supported by dialogue (Socratic method of learning) as the most effective way of communication. Students are engaged to answer questions in a way that forces them to regard how they think and respond about related topics. "Individuals make meaning in dialogues and activities about shared problems or tasks" (Helland, 2004).

Regarding Situated Learning Theory (Lave & Wenger, 1991), knowledge, learning and cognition are socially constructed. As Brown et al. (1989) point out, knowledge, learning and cognition are fundamentally situated in activity, context, culture and situations. In the constructivist learning environment students learn by actively participating in their learning by connecting previous knowledge with to new contexts.

Considering contemporary constructivist theories, Jonassen (2000) uses Activity Theory which "provides an alternative lens for analyzing learning processes and outcomes that capture more of the complexity and interrelatedness with the context and community that surround and support it".

To sum up, in order to take a specific method or approach, the main aspect to consider is its practicality (Richards & Rogers, 2001). The pedagogic significance of an ESP perspective is that it shifts "the focus of attention to the learner and the learning process" (Seidhofer, 2011).

Educational technology

With the beginning of new millennium, the use of technologies in the ESP learning environment presents a great challenge to consider current issues in education, such as students' motivation, autonomy, creativity, collaboration, and thinking skills. As Perkins (1991) claims, the central thing in the learning process is to activate students and to support the construction of new knowledge on the basis of the existing one.

The fact is that new technology is an example of digital mediating technology (O'Neill, 2008) whose role is perceived as an instructional tool for providing a richer and more exciting learning environment (Duffy & Cunningham, 1996).

Furthermore, at an educational level the Internet concretely, is a good source of information, offering authentic materials that can be used in the classroom related to responding to students' needs. "Internet-generated materials can be flexibly arrayed to engage students with topics and cognitive tasks relevant to students' professional futures" (Kimball, 1998). Technologies engage students in meaningful and authentic activities with open-ended software and the Internet (Jonassen, 2000).

In view of this, 'Mindtools' (Jonassen, 1994; Jonassen & Reeves, 1996) "Mindtools" engage students in constructivist activities that support critical thinking and problem solving instead of teaching for memorization. Mindtools allow the student "to think harder about the subject matter domain being studied while generating thoughts that would be impossible without the tool" (Jonassen et al, 2003).

As we have seen, there are many advantages of modern technologies. For instance, computer programs simulate independent learning, increase interactivity, and force student-centered learning.

In view of what has so far been discussed, it is clear that the integration of constructivist principles and technology shows the potential for great progress in the learning process. "They provide the opportunity to make and remake the concept of ESP learning, and have brought new possibilities for learning. In other words, they can allow ESP students to learn to their fullest potential" (Živković, 2016b).

A rising trend in ESP learning

Constructivism as a new paradigm in teaching and learning has brought transformation within the classroom. A rising trend in ESP education is to create such a learning environment where students' knowledge is facilitated (Živković, 2013; Živković, 2014). Such an environment is a place where students are not frustrated, and in which they are focused on intentional learning (Jonassen, 1994).

Wilson (1995) suggests a definition of a constructivist learning environment as "a place where learners may work together and support each other as they use a variety of tools and information resources in their pursuit of learning goals and problem-solving activities". It is the environment that forces student-centredness in order to develop creative and critical thinking skills. In the learning environment "students join in manipulating materials and, thus, create a community of learners who built their knowledge together" (Dewey, 1966).

Contemporary conception of the ESP constructivist learning environment is that it is technology-supported in which student can concentrate in meaningful learning. The constructivist environment creates content-relevant experiences by utilizing technologies and resources to support unique learning goals and knowledge construction (Young, 2003). Further, the construction of technology-supported learning environments is based on the need to embed learning into authentic and meaningful contexts (Brown et al., 1989). In this context, the use of technology contributes to the realization of meaningful, authentic, active, interactive and problem-based learning (Živković, 2011).

It is with this in mind that "the richness of the technology permits us to provide a richer and more exciting learning environment...our concern is the new understandings and new capabilities that are possible through the use of technology" (Duffy & Cunningham, 1996).

A constructivist teacher

In this new era of information and communication teaching is facing challenges from traditional ways of learning towards more innovative ones. Along with all mentioned, the role of teachers has to be reconsidered. Teaching students implies exposing them to construct their own knowledge and understanding, and to acquire relevant practical experience for their career development.

In the constructivist technology-supported classroom becoming an effective teacher adds great demands and carries great transformation. It is worth mentioning that the teacher is no longer regarded as the dispenser of knowledge and decision maker. Instead, the teacher has become a facilitator and a guide who helps students become active in the learning process and "make meaningful connections between prior knowledge, new knowledge, and the processes involved in learning" (Copley, 1992) that results in achieving outcomes.

Implementing pedagogy-technology integration in the ESP constructivist learning environment is one of the most demanding tasks. So, the main challenge facing ESP teachers is to acquire a new approach, and to efficiently incorporate computer and the Internet technology into the educational process.

To be prepared for this globalized and interconnected world, the teacher can be able to recognize and maximize the potential of the technology by using it effectively for practical work. It is needed to design courses and to meet specific needs and interests of the students (Hutchinson and Waters, 1987).

In this new globalized and interconnected world, the teacher should encourage the development of creative and critical thinking skills. The final goal is to enhance the quality of teaching and learning, and produce a positive, an authentic, fostering and productive learning environment that allows students the construction of new knowledge based on the previous one.

Considering this issue, it means that constructivism requires a teacher "whose main function is to help students become active participants in their learning and make meaningful connections between prior knowledge, new knowledge, and the processes involved in learning" (Copley, 1992).

The student-centeredness

As English has become "the primary means of communication at workplaces both within and across boundaries" (Purpura & King, 2003), there is an increasing demand for learning English for Specific Purposes (ESP). The purpose of ESP is to

prepare students to effectively communicate in real-life situations and collaborate with business colleagues in professional areas. More specifically, the focus is on the practical experience and direct activity of students. Student-centered learning requires students to set their own goals for learning, and determine resources and activities that will help them meet those goals (Jonassen, 2000).

As stated by Jonassen (1994) learners must be given opportunities to be active in ways that will promote self-direction, creativity and the critical analysis of problems requiring a solution. In this sense, "Learning becomes a continuous, life-long process which results from acting in situations" (Brown et al., 1989).

As far as technologies are concerned, will "engage the learners more and result in more meaningful and transferable knowledge...Learners function as designers using the technology as tools for analyzing the world, accessing information, interpreting and organizing their personal knowledge, and representing what they know to others" (Jonassen, 1994).

It is clear that technologies have transformed the learning process in that they foster meaningful learning experiences (Jonassen, 1994), in fact, they are regarded as an integral part of cognitive activity (Duffy & Cunningham, 1996) which enhance learning and help the student examine the problem and make decision. Powerful capabilities of computers make it possible to access, represent, process and communicate information in new ways (Kozma, 1991). In this sense, modern technologies provide students with information that support knowledge creation, communication and collaboration.

When considering an ESP perspective, it can be noted that it is founded on the idea that students learn language in collaborative learning settings. In this sense, through collaboration with their classmates, students are engaged in learning that is challenging and effective.

Taking all this into account, in the constructivist ESP digital environment the high-speed expansion of technology motivate constructivist innovations and provide the realization of active learning that challenges students to 'learn how to learn'.

With regard to the role of the student, computers and the Internet support cognitive processes which expand the learning process, and by helping students to explore, collaborate, and solve a problem.

Conclusion

This paper has strived to describe both a theoretical and empirically based study of the ESP education within technology-supported context. As it has been observed, it considers the constructivist theories and explains their significance in the design of the ESP digital learning environment that is "learner-centered, knowledge-centered, community centered and assessment-centered" (Bransford et al., 2000).

The constructivist learning environment together with modern technologies stimulates students' communication, and foster their activity. Moreover, technology in the education process requires the use of meaningful and authentic activities, to give the learning situation a purpose (Reeves et al., 2002). "Learning to think critically and to analyze and synthesize information in order to solve technical, social, economic, political and scientific problems are crucial for successful and fulfilling participation" (Dunlap & Grabinger, 1996).

To sum up, with the beginning of new millennium the emphasis is on the interdisciplinary nature of the classroom which needs students to access knowledge resources, develop the skills they will need in the workplace, collaborate with classmates, communicate effectively. The goal of the 21st century classroom is to prepare students to become productive members of the workplace. In such classroom students become designers of knowledge, efficient communicators, successful teammates, competent thinkers, problem solvers and career experts.

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The Civil War in Greece and Relations with Albania According to the Communist Press During 1948 – 1949

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Abstract

During 1948-1949 relations with Greece were very tense in the postwar period of World War II. The positioning of the two countries in two different camps, respectively Albania in the Socialist Camp and Greece in the Western Camp, lead to even more severe relations between these two countries. The Greek Civil War, fought between two Greek groups, the democratic and the communist one, also involved Albania in the propaganda as supporting the right wing of the Communist Greek. Such a propaganda was retaliated by the Greeks in the Albanian territory, for a few days in the Albanian land. The Albanian press of that time was very much involved by mainly giving information of the propaganda oriented towards Moscow, rather than about the immediate risk the country was directly facing. In many cases, the war and the threat it imposed was transformed and far away from reality. The press of that time mostly transmitted what Stalinist Moscow directed, rather than the truth. It was Stalinist Moscow the place which Enver Hoxha held as the orienting point, especially after breaking relations a few months ago with the Communist Yugoslavian state. The Communist press of that time was more preoccupied about the advancement of the Greek communist forces, rather than the threat the democratic wing imposed by approaching the Albanian border. This showed that the Albanian State was displaying itself since the first steps as being indoctrinated and related to the ideology and not to the threat imposed to the Albanian nation. The communist press of that time varied in numbers and kinds, displayed in every newspaper or magazine the success of the Greek communism. Such a problem is also presented in the British parliament as an unfair action from the Albanian state.

Keywords: Civil War, Greece, Albania, propaganda, communist press.

The Albanian State after the phase of liberation from the Nazi-fascist invaders, by the end of 1944, finds itself completely ruled by the communist regime. For a period of 15 years, up to the beginning of the 1960s, the communist ideology, seen from the today perspective, would be somewhere between a rigid communist doctrine and naivety. The first phase of the World War II, found the Balkans in a severe instability. This was due to an impact that the collision of the two doctrines caused, in this very important geopolitical zone.

On one side, it is Yugoslavia, which after World War II started its life under the satellite soviet doctrine, but within 5 years, moved its eyes upon the democratic west. On the other side, it is Greece, which was trying at any cost, with all its forces and with the help of the western democratic states not to fall into the clutches of the soviet communism.

Meanwhile, Albania, which had a weak diplomacy, presented itself as calm and as having no doubts within the radical soviet doctrine, the Stalinist one.

The Civil War in Greece, through national Greek forces and the communist ones, had an impact upon both the above mentioned states. The biggest impact was on Albania. The war on its start, had a small impact on the Albanian territory. However, since 1948, we started positioning ourselves on the side of the Greek Democratic Army, the communist group inside Greece. The press of the time, was one of the best ways to spread propaganda. The newspapers and magazines of the time played an important law in the widespread of propaganda all over the place. Even though the number of the newspapers and magazines was not significant, it played its role till the end.

In some cases it is presented as very important the description on detail of all the declarations and winning of the Greek Democratic Army, against the national one. Several big successes were declared from the GDA, for its increase in number,

and that it already numbered thousands attacks.¹ In addition to this, there are several other articles where it is stated that the communists in Greece seek to set peace, and their hearts hurt when innocent Greeks are killed.²

Such articles are contrary to each other. This due to the fact that, first they talk about the success that the GDA has achieved through its attacks, and on the other side they were hurt from the death of the Greeks. If this was true, and they were really touched from the deaths of innocent Greeks, then there would not be any attacks from them and no pride, as the communist army had increased to 20 000 soldiers. Such declarations were published to show to the people that communism was compassionate, that communism was for the people, but the capitalist attacks made it lose itself.

The worst of all came from the collaboration that existed with the western imperials, Athens.³ Actually, this ideology and propaganda was with the purpose of frightening the common people, that part of the society that did not understand anything about the foreign policy, by presenting the West in its most terrifying form. The appreciation for the communist group reach such a peak as to state that their fight was for independence.⁴ However, the Albanian press, strictly controlled from the politics of the time, never had the purpose or courage to tell the Albanian people that when a grouping of a country fights against another grouping of the same country is called a civil war. The interference of Albania in such a war was not acceptable.

However, the press of the time acted the other way round. It published articles about a certain support that was given from different groups around the world to the Greek communism. Such articles were written from student groups in London who protested in the Greek Embassy there,⁵ up to the American Council of the Greek War, which sent to the UNO a petition, to stop the supply with weaponry the National Greek Army.⁶ Such propaganda articles had a special impact on our country, supporting communism in Greece, for the fact that the ones to blame for this war were the USA and Great Britain. This meant that people, common people, just like the terminology of the time, was pro communism, that is why we were on the right track to support it, as the whole world was doing so.⁷ Belarus,⁸ as part of the democratic popular camp, had even demanded the termination of attacks on the Greek communists, a fact that enforced the idea that the entire communist camp was with the Greek communism.

Greek communism was seen as victorious against the Americans, who were supplying with weaponry the monarch-fascist army, known as the Greek National Army. They were even opposed from the American people. At the same time, they were suffering losses from the Greek Democratic Army, which not rarely shot the airplanes,⁹ that is why the Americans had a difficult time in dealing with the Greek communism.¹⁰ However, despite the sporadic success of the Greek communism, at the start of 1949, it couldn't compare with the Americans, as there was a big difference in the strategic zones that each held. If communists held under control lot of villages but poor villages, the American army in collaboration with the Greek national army, they possessed the most important cities, including Athens.¹¹

This war was seen as very important in Albania, especially during these two years. Strikes were frequently held from social groupings in different places, supporting Greek communism. Such rallies organized from women,¹² or the youth, were more like a propaganda as to connect our country with this war. This due to the fact that such rallies, in such a small place like our Albania, and not part of the UNO, had an almost zero impact. This support, that actually was not just a moral but for real, was causing problems with Greece. These problems tend to aggravate to such a point as causing delays in predicting the end of the war, during 1948-1949. Accusations that the Albanians were helping the Greek Democratic Army, tend to

¹ Viti që kaloi ka qenë plot me suksese dhe fitore për popullin heroik grek, in *Zëri i Popullit*, 02 Shkurt 1949

² Ushtarët monarko – fashistë refuzojnë të luftojnë kundër Ushtrisë Demokratike, in *Bashkimi*, 01 Maj 1949

³ Qev erija Demokratike Provizore Greke i drejtoi Asamblesë së Përgjithshme të UNO – s një mesazh për paqen in Greqi, in *Zëri i Popullit*, 30 gusht 1949

⁴ Sot populli heroik grek është i vendosur më tepër se kurrë në Luftën për liri, pavarësi e demokraci, in *Luftëtari*, 1 Janar 1948

⁵ Organizatat e rinisë dhe të studentëve të Londrës protestojnë kundra terrorit monarko – fashist grek, in *Bashkimi*, 11 Mars 1949

⁶ Për vendosjen e paqes në Greqi, in *Bashkimi*, 29 Shtator 1949

⁷ V. Sotiriadhi, Luftën heroike të popullit grek e përshëndesin gjithë popujt demokratik të botës, *Shqiptaria e Re*, Nr. 5, fq. 3 – 4

⁸ Të merren masa për t'i dhënë fund terrorit monarko – fashist në Greqi, in *Bashkimi*, 08 Gusht 1949

⁹ Manevrat e imperializmit nuk munt të fshehin ndërhyrjet e tyre direkte në luftë kundër popullit grek, in *Zëri i Popullit*, 26 Janar 1949

¹⁰ Ofensivat e reja të imperializmit Amerikan nuk do ta shkatërrojnë kurrë Ushtrinë Demokratike Greke, in *Luftëtari*, 21 mars 1948

¹¹ Ofensivat e reja të imperializmit Amerikan nuk do ta shkatërrojnë kurrë Ushtrinë Demokratike Greke, in *Luftëtari*, 21 mars 1948

¹² Kryesia e B. G. SH. Prej datës 25 – 30 prill organizonj "javën për popullin grek", in *Bashkimi*, 17 prill 1949

increase,¹ a fact that led to the prolongation of the war. It was frequently revealed the fact that rebel groups, known as GDA in West, entered the Albanian territory, got remobilized and started the war again.² Albanian was presented as very interested in supporting the establishment of the Greek communism,³ and this was used for two reasons. Firstly, to have an open path to communism, especially after 1949, a time when the separation from Yugoslavia was finalized. Secondly, to eliminate a part of the political opponents, who could no longer be called filo-Yugoslavian but were now called filo-Greek.⁴

Because of the fact that we were inside the civil war, and at the same time the communist doctrine considered war as an important means to achieve victory, a special importance was also given to the propaganda supporting the Greek Democratic Army. The thing you can easily notice is the idea that this army is invincible, which was seen under the eye of victory and never defeat. The important thing for us was to tell about it, its anniversaries,⁵ as well as its six months balance sheets, and present them as successes.⁶ Such achievements which were presented from the surveys of the local civil activities, that actually damages Greece, up to the killing of 50 000 Greeks, for us were complete successes. In fact, this was a way to justify ourselves within our country, in front of all the accusations from the world during these two years. Since mid-1948, The Department of the American State, accused Albania as being the supplier with weaponry of the GDA.⁷ This had started to change the plans of the Americans for the war in Greece, up to the point that they had started to plan a small intervention, but without putting at risk the Albanian zone of Prespa.⁸ The same thing continued even in the following year, when the supply was intensified and it was assumed that 11 000 Greeks were helped from Albania and Bulgaria, where the biggest part was covered from Albania.⁹ Hence, the presentation of GDA as victorious in the Albanian press, was an excuse in front of the Albanian headquarters as well as a part of the people who were aware of it.

Everything was done based on the framework of the communist ideology, a hybrid ideology in between naivety and Stalinism. Enver Hoxha, head of the Albanian Communist Party, during a meeting of reconciliation between the Greek communists and the Albanian ones, in 1950, accused the Greek communist leadership that had sabotaged the communist doctrine, creating in this way a truce with the monarch-fascist.¹⁰ Such act was also supported from Stalin. This tells us a lot about the differences between the two forms of communism, the Greek and the Albanian one, where the former under the pressure of the outsiders and not willing to destroy its country, was retreated, whereas the latter one, for the sake of the ideology, "advised" the destruction of its country.

A much used form in the Albanian press, to spread propaganda on the humane side of the Greek communism, was the presentation of crimes and injustices that were committed against it. In many articles during these two years, was presented the great concern that the Greek communists had, because the so-called monarch-fascists, that meant Athens government and army, were destroying the country. However, the people accepted anything, except deprivation of freedom.¹¹ Likewise, massacres were huge in number, like in Peloponnese where 5000 people were imprisoned,¹² or the turning of the agricultural lands into deserts as in Karadievi.¹³

¹ Amikam Nachmani, *International Intervention in the Greek Civil War: The United Nations Special Committee On the Balkans, 1947-1952*, (London: Greenood Publishing Group, 1990), 18.

² V. R., Albania: A Balkan Bridgehead, në *The World Today*, Vol. 6, No. 2 (Feb., 1950), (London: Royal Institute of International Affairs, 1950),

³ N. K., The Troubled Outlook in Greece, in *The World Today*, Vol. 4, No. 11 (Nov., 1948), (London: Royal Institute of International Affairs, 1948), 464

⁴ Beqir Meta, *Tensioni greko – Shqiptar (1939 – 1949)*, (Tiranë: GEER, 2002), 328.

⁵ Me 28 tetor Ushtria Demokratike greke feston përvjetorin e dytë të formimit të shtabit të përgjithshëm, in *Puna*, 2 tetor 1948

⁶ Radio "Greqija e Lirë" bën bilancin e aktivitetit të Ushtrisë demokratike në gjashtëmuajt e parë të vitit 1949, in *Zëri i Popullit*, 20 korrik 1949

⁷ *Foreign Relations of the United States*, 1948, Volume IV, Eastern Europe; The Soviet Union, eds. Ralph R. Goodwin, (Washington: Government Printing Office, 2010), Document 104.

⁸ *Foreign Relations of the United States*, 1948, Volume IV, Eastern Europe; The Soviet Union, eds. Ralph R. Goodwin, (Washington: Government Printing Office, 2010), Document 105.

⁹ Chandler, Greece: Relapse or Recovery?, in *International Affairs*, Vol. 26, No. 2 (Apr., 1950), (London: The Royal Institute of International Affairs, 1950), 180.

¹⁰ Haris Vliavianos, *Greece, 1941 – 1949: From Resistance to Civil War*, (New York: Palgrave Macmillan, 1992), 62.

¹¹ Ofensiv at monarko – fashiste nuk mund ta shuajnë luftën e popullit grek për liri, *Luftëtari*, 17 korrik 1948

¹² Terori e masakrat monarko – fashiste kundër popullsisë së pajajshme greke kanë arritur kulmin, in *Zëri i Popullit*, 15 Janar 1949

¹³ Trupat monarko fashiste kanë transformuar luginën pjellore të Karadievi në një shkretirë, *Zëri i Popullit*, 11 Shkurt 1949

During these war, there occurred huge destructions in lands, buildings, and people, and this was noticed worldwide. With the consent of the Americans, Napalm was used from the Greek National Army, in Gramoz, during the fighting.¹ Still, what you can notice is that you cannot be that subjective, besides in cases of a damaging propaganda. It was never mentioned the number of the massacres committed from the Greek communists, the number of the casualties or destructions. However, these were not left unsaid, but they were seen from another point of view. Each destruction and murder from the communists, was a victory to communisms, as I mentioned above.

Another element that was seen as unfair from the Athens activities, were the trials and imprisonments against the syndicalist and communists. The inclusion of both these categories into one, meant indirectly that syndicalism in Greece had been turned into a communist tool. However, our propaganda talked about cruel sentences, medieval treatments to the prisoners as well as in trials.² Such actions, is needed to be emphasized, were condemned from the entire world.³ Nevertheless, it was never mentioned which states were they, as the world was divided into two separate blocks from the ideological fence, and all the states of that time were separated and supported the two camps mentioned above. But a part of the accusations from our propaganda, were true, for the fact that Greece while trying to avoid the spread of communism, exercised terror against the accused by trying to make an example out of them, an example of fear in the part that was not involved in the Greek communism. This action was not humane, but considering that communists were Machiavellian, this action was the same side of the coin, but on the opponents wing.

In addition to this, huge propaganda was published in the press of the time about the murder of Manolis Gleso, chief editor of the Rizospastis newspaper, a left newspaper in Greece. He had been involved, since the first years of the Italian invasion, in the communist groups,⁴ and is held as a symbol of Greek communism in Greece from the Greek communists. Likewise, the sentence to death of the 38 syndicalist made big news in our press. There was also published a letter that was sent to Stalin from the relatives of the sentenced syndicalist, requesting to intervene in the UNO,⁵ but they were still executed. In fact, the idea of publishing it was for a support that Stalin was assumed to give to Greek communism, but this never happened. This told a lot about the Greek communists, but above all about the Albanian ones, as the latter saw Stalin as the inspiration of the Balkans communism. However, the important thing was the distraction from the truth, and the accusation that the Greek courts were in the hands of the Americans, who ordered the death of the communists.⁶

The Albanian press propaganda was not just a support or protection of the Greek communism, as it often held the offensive position, mainly towards the Greek government. The Greek government was accused of not being able to create its own government,⁷ and in most of the cases this came as a result of not being able to divide the posts and profits from ministry posts.⁸ All of this came as a result of the articles that were presented, from the collaboration it had with the foreigners. The ones who have blocked the Greeks from creating a government, were the Americans.⁹ Based on this press, most English people were accusing USA as well as Britain itself for the massacres that were happening in Greece. The purpose of this propaganda was to show the country the need for an internal collaboration, especially with the communists, and not with foreign states, in particular if they were imperialists. Such a policy was to tell the Albanians how bad the American policy was, if they were searching for a collaboration with it. That kind of mentality would cause more problems to our country, which turned into an isolated one, rather than to Greece which had collaborated with the West before.

It is very noticeable the terminology used by the Albanian press of the time, in relation to the Athens government, which was supported from the Anglo-Americans. If for the West, this government and its army were known as the Greek National Army, for the communist press of our country, it was known as monarch-fascist. By using this style, they were aiming at creating two elements. First, the idea of monarchism in Greece, which as a concept, even though Communism was an

¹ James Pettifer, *Grekët...*, 23.

² Në gjithë botën vazhdojnë protestat kundër barbarisë mesjetare të monarko – fashistëve grekë, in *Bashkimi* 18 Maj 1948.

³ Jehona e persekutimeve të demokratëve grek vazhdon të ngjalli protesta në opinionin publik të vendeve të ndryshme, in *Luftëtari*, 19 maj 1948.

⁴ Xhelatët monarko – fashistë duan t'a vrasin me çdokusht Manolis Glezos, in *Zëri i Popullit*, 15 mars 1949.

⁵ Mesazh dërguar Gjeneralissimit Stalin nga afërmit e demokratëve grekë të dënuar me vdekje, in *Bashkimi*, 23 tetor 1949.

⁶ Terror i pashembullt në Greqi, in *Zëri i Popullit*, 05. Tetor 1949

⁷ Përpjekjet e Tsaldaris për të formuar qeverinë e re gjër tani kanë dështuar, in *Zëri i Popullit*, 18 nëntor 1948

⁸ Në parlamentin grek lindin mos marrëveshje ndërmjet partive të ndryshme, in *Bashkimi*, 6 shkurt 1949

⁹ Tradhëtarët kombëtar të Athinës duke ndenjur indiferent përpara gjakderdhjes ulëritën për gjoja triumfet e tyre, in *Zëri i Popullit*, 03 shtator

absolute monarchy, it did not accept governance from one king. Whereas, the fascist idea, was an accusation towards the Greek government of the time. A lot of articles talk about collaboration, or freedom of a lot of fascist collaborators. Collaborators of fascism were freed,¹ at the same time, laws were passed to set free the quisling ministers during the German invasion², and during this time reporters who were pro communism were killed and the people tortured. However, the target of the Albanian communist state of the time, was also somewhere else. For as long as Greece accused us as collaborators of the Italians during the invasion of Greece, and had the law of War with us, this exactly was our purpose, by accusing Greeks as fascists, we were creating a counterattack towards them, by telling them that they are the fascists. And secondly, by calling bad names to the Greek fascist phenomenon, was made clear the idea that the Albanian communism had nothing to do with fascism, it even hated it and was distanced.

We tried to present our ideas as being in the same lineage with the articles of the foreign press, which saw the Athens political situation as a threat to Balkans. But these were weak articles to be able to change the psychology of the Balkan people.

However, our press was not always offensive, as there were several times when it turned defensive. This mainly for the fact that Greece, in its press, accused Albania for defending and supporting communism. The interesting thing is that Albania never had the courage, not even indirectly, to admit that it was defending and helping Greek communism. On the contrary, in the official declarations of the Albanian Telegraphic Agency, it was declared that this was just defamation, that each and every element that entered our country was neutralized, sent to the collection areas, after being disarmed.³

It was not only the Greek press that expressed itself in this way, but UNSCOB, the British Parliament, and the Foreign Affairs Department of USA, talked about the same thing. In the Albanian press, there were articles in the form of research, where declarations such as Greece had intended to attack Albania, as seeing them with the same political style for decades towards the Albanian State.⁴ Such elements, cannot be taken as accurate, but the chosen way in between the influence and help of the communist side, did not mean that attacking was the right choice to defend yourself. First of all, because you didn't show credibility, due to the facts, and second, attacks with the purpose to defend, were not necessary in that period of instability.

On the other side, the Albanian communism knew that Athens didn't want or better say, was not allowed to invade Albania. This gave much security to Enver Hoxha, and allowed him freedom of speech to spread propaganda, without being in turn attacked from Greeks. He admitted that the Greek attacks during August 1949, were with a tactic purpose. Such a tactic which was aiming at using the Albanian land, in Gramoz Mountain, and attacking the Greek communists from behind.⁵ It is also admitted that the people who stopped this from happening were the Anglo-Americans. In a press where the censorship control was very high, this declaration was very strong. By trying to show that the Greeks had intended to attack, in a naïve way, they admit that it was the Anglo-Americans who saved Albania from the Greek attacks.

A strong and constant accusation from Athens was the fact that Albania helped the Greek communism. This help had become a problem in 1948, in the British Parliament, as well as the American politics, in relation to the civil war in Greece. In Britain, Albania was directly accused as helping the Greek communist, together with Yugoslavia and Bulgaria.⁶ This statement was also supported from the political reports of the Americans, that not only did the Greek communist guerrilla use the territory, but they also were helped in the material aspect.⁷ The British as well as the Americans were not speaking in vain, as since the settlement of UNSCOB in Greece, the first center, from the all five in the Greek territory, was in Epirus, with two zones in Kostur and Janina.⁸ This meant that the observations were fully based since 1948, for this zone, which was seen from the Guerrilla as a replenishment point of primary importance. In the American press frequently appeared

¹ Qeveria greke po përgatit plane për të përkrahur mizoritë fashiste në Greqi, in *Bashkimi*, 5 tetor 1949

² Parlamenti grek falë bashkëpunëtorëve hitlerianë, in *Bashkimi*, 11 tetor 1949.

³ Komunikatë e Agjensisë Telegrafike Shqiptare, in *Bashkimi*, 26 gusht 1949

⁴ Greqija monarko – fashiste / edhe agresioni, in *Zëri i Popullit*, 3 shtator 1949

⁵ Oficera monarko – fashistë të kapur rob deklarojnë se kanë shkelur tokën shqiptare me urdhër të komandës së tyre më të lartë, in *Bashkimi*, 21 gusht 1949

⁶ Mr. Mayhew, GREECE (GUERRILLA FORCES, OUTSIDE AID), 17 March 1948, in http://hansard.millbanksystems.com/commons/1948/mar/17/greece-guerrilla-forces-outside-aid#S5CV0448P0_19480317_HOC_293

⁷ *Foreign Relations of the United States*, 1948, Volume IV, Eastern Europe; The Soviet Union, eds. Ralph R. Goodwin, (Washington: Government Printing Office, 2010),

⁸ Amikam Nachmani, *International Intervention...*, 42.

articles that wrote about the free entrance of the Greek communist soldiers.¹ Likewise, the foreign affairs minister of the Athens government, Tsaldaris, had complained into the UNO via a telegram, by expressing among other things that Albania had reached an unprecedented level of helping the Greek communists.²

But the press at the time, would never accept such an accusation, and would even loan articles from the Free Greek Radio, which declared that there had never been any help from the Albanian side, and that the victories were achieved without the Albanian help.³ In another article was published the confutation of the idea that the Albanian state was not using Chams as it was being accused to throwing them into the Greek communist side.⁴ However, facts from Albania Nowadays, show the contrary. Since 1947, General Markos, leader of the Greek Communists, had requested Enver Hoxha to send him the Chams that were staying as immigrants in Albania because of the Greek Civil War, to help him in attacks.⁵ This was accepted from the regime of the time, as in 1948 the recruitment of the Chams started.⁶ However, Chams disappointed from the Greeks, and I think as well as from the Albanian communism which was betraying them by forcing them into the Greek communism, were not willing to be part of the communist Greek Democratic Army.

The important thing to say is that the Greek communists used the Albanian border and the supply from there as a strategic point. It took great importance, especially when the support from Yugoslavia decreased.⁷ It was often used to move within Albania, to supply with material, or as a rest zone, and there were several reports for this fact. The General Marko was thought to have his headquarters in Albania, and he had also declared the Free Greek Government by the end of 1947, close to the Albanian border.⁸ The help that Albania was giving to Greece, surprised the Americans, and was presented as a problem in the discussions of Greek issues into the British Parliament.⁹ Meanwhile, since mid-August, general Van Fleet, who was the commander of Greek National Army, stated that from Prespa zone, nearly third of the army had fled through the Albanian territory.¹⁰ That is why any propaganda published in the Albanian press, was not based on facts. The bad thing was that sources for the contrary, that Albanian Communist State helped the Greek communists, were a lot and from several sources. Lately, they were even published in the history books of the Albanian historians.

During the middle of 1949, when the accusation to Albania helping communists had reached the highest peak, the Greeks seek from UNO, on 25 June,¹¹ through General Pangalos, so that they intervene in Albania. They were based on an article of the UN Organization Charter, where every state is allowed to be protected from a threatening state. At this time, Albania was accused of having broken UN organization rules, by shooting down a UN airplane, of UNSCOB mission, that was passing close to the Albanian territory. However, the Albanian state did not accept this, and called it severe defamation towards the Albanian state.¹² The article was published in all the newspapers that circulated into the country. But the fact of Albania intervening and breaking laws of UN, was expressed in high institutions as well, or western states, by declaring that the interference of Albania and Bulgaria, was a very severe action against UN.¹³

But despite the accusations, from our part, that the western countries were those who pushed Greece to intervene in our country, that it was Greece who urged the attacks against us, it was actually quite the opposite. Britain as well as USA had

¹ Albert Kotini, *Tre gurët e zes në Prevezë*, Vol. I, (Tiranë: FLLAD, 2000), 687.

² *Chronology of International Events and Documents*, Vol. 5, No. 12 (5 – 12 June 1949), (London: Royal Institute of International Affairs, 1949), 369.

³ Radio "Greqija e Lirë" përgenjështon çpifjet e monarko – fashistëve kundër vendit tonë, in *iZëri i Popullit*, 10 prill 1949

⁴ Monarko – fashistët çpifin edhe për çamët, in *Zëri i Popullit*, 23 prill 1949

⁵ Beqir Meta, *Tragjedia came*, (Tiranë: KLEAN, 2010), 118.

⁶ Beqir Meta, *Ibid*, 119

⁷ N. K., The Troubled Outlook in Greece, in *The World Today*, Vol. 4, No. 11 (Nov., 1948), (London: Royal Institute of International Affairs, 1948), 464

⁸ V. R., Albania: A Balkan Bridgehead, in *The World Today*, Vol. 6, No. 2 (Feb., 1950), (London: Royal Institute of International Affairs, 1950), 78.

⁹ Mr. Mott-Radclyffe, *FOREIGN AFFAIRS*, 10 December 1948, in http://hansard.millbanksystems.com/commons/1948/dec/10/foreign-affairs#S5CV0459P0_19481210_HOC_152

¹⁰ *Chronology of International Events and Documents*, Vol. 5, No. 16 (4 – 17 August 1949), (London: Royal Institute of International Affairs, 1949), 544

¹¹ Beqir Meta, *Tensioni...*, 302.

¹² Përgenjështim i Agjensisë Telegrafike Shqiptare, in *Zëri i Popullit*, 27 korrik 1949.

¹³ Mr. Molson, *GREECE (BRITISH EMBASSY STATEMENT)*, February 1949 in http://hansard.millbanksystems.com/commons/1949/feb/02/greece-british-embassy-statement#S5CV0460P0_19490202_HOC_65

wanted to have a closeness of Greece with its neighboring countries, especially Albania. The main scope was stability in the Balkans. Australia, which was part of the British politics, had declared itself willing that on 5 November 1948¹ to hold a meeting in Paris, between Greece and its neighboring countries with the purpose of reconciliation. At the same time, Britain itself, had set as a condition the restart of the relations between Great Britain and Albania, after a resettlement of friendly relations between Greece and Albania,² at a time when the relations were broken because of the Incident in Corfu Channel, where British destroyers were drowned, in the Albanian waters.

However, none of these happened, the Albanian communist state, remained loyal to the idea that communism should triumph in Greece, and it didn't think at all the profits that the Albanians would have if it distanced itself from this ideology.

Another important problem that is worth to be looked into is the foreign politics aspect of the Greek civil war, and the Albanian press relation with it. Even here, there are some categories of the Albanian press point of view. If the relations with Britain were not difficult to be understood, the same importance had the relation with the French, within this war. French belonged to the western democratic wing, but also had communist parties inside, with a strong influence in the French politics. At the beginning of 1949, a delegation of the French communist party had visited the zone of the Free Greece that was kept under Communists rule. This fact was presented as a triumph of Greek communism, which now was visited from a sister party, from the west.³ This meant that the support was now not only from the eastern countries, but from powerful organizations or parties from the west.

Apparently, western communism, initiated with a mission from the French state, had called for truce, the creation of a government where all the parties would participate, and the exclusion of all the individuals that were pro an extremely harsh politics. This came like a bomb for the Albanian propaganda, which two weeks later, in a second article, criticized the French communist party as having fallen into revisionism.⁴ In fact, France was trying to play the role of the intermediate, without holding the side of any of the parties but further aggravating the relations by doing so. On February 21 1949, the Greek Foreign Affairs Minister, Kalderis, had invited all the countries of the European Mediterranean, among them France, to create an alliance for the protection of Europe, but none of them had accepted.⁵ It had now taken the intermediate role to stop as much as possible the Albanian state from helping the Greek communists, if this role was not done appropriately from the Soviet Union.⁶

In the foreign politics, in the propaganda of the Albanian press, the Soviet Union was the idol and taboo. It was the only place where all the popular democratic places, communist states took an example. Albania, not only did not make an exception, but at the same time, it was the satellite country, most obedient of the Soviet Union. In the articles published in the Albanian press, it is displayed as the only good choice for Greece, is the one set from the Soviet Union, for free election in Greece and settlement of peace.⁷ This actually looked like the most cynic way, as it was completely clear what the Soviet Union meant with the expression "free elections". Such an action was carried out in Netherlands, Poland and Czechoslovakia, during the 1948, where under the idea of "free elections" communism was imposed in these countries. An acceptance of such a condition, meant the same fate to Greece as well. This was known from the Albanian press as well, but was interested in such an imposition. The same thing happened to us as well, when according to the Albanian propaganda, the Soviet Union was our protector from Greece, especially during the attacks in the boundary during the August of 1949. It even took the courage in a soviet article to state that USA was behind Greece, in its attempts to invade Albania.⁸ But which was the main interest that the Soviet Union saw in Albania? The Soviet Union, learning from history, was trying to use Albania like Italy, a trampoline to enter Greece through the Albanian land, especially after breaking

¹Chronology of International Events and Documents, Vol. 4, No. 22 (5 – 18 November 1948), (London: Royal Institute of International Affairs, 1948), 772.

²Mr. Blackburn, FOREIGN AFFAIRS, 21 July 1949, in http://hansard.millbanksystems.com/commons/1949/jul/21/foreign-affairs#S5CV0467P0_19490721_HOC_489

³Një delegacion francez viziton Greqinë e Lirë, in *Zëri i Popullit*, 3 qershor 1949

⁴Propozimet franceze dhe realiteti grek, in *Zëri i Popullit*, 19 qershor 1949.

⁵Jean – Baptiste Duroselle, Andre Kaspi, *Historia e marrëdhënieve ndërkombëtare, Vol. II*, (Tiranë: Lira, 2009), 109

⁶*Foreign Relations of the United States*, 1948, Volume IV, Eastern Europe; The Soviet Union, eds. Ralph R. Goodwin, (Washington: Government Printing Office, 2010), Document 188.

⁷"Pse i kanë frigë paqes?", in *Bashkimi*, 31 maj 1949.

⁸Intrigat imperialiste rreth Shqipërisë, in *Zëri i Popullit*, 8 shtator 1949.

relations with Yugoslavia.¹ However, with the decline of the Greek communism strength, and the end of the Greek Civil War, the interest of the Soviet Union for Albania, as well as the support for it, fell significantly.² Albania was the only satellite of Moscow, which remained faithful, in its naivety, but which was surrounded from opponents of the Soviet Union.³

In the aspect of propaganda in the foreign politics, spread through the press for the events in Greece, a big space was covered from the attack that was done towards USA, as the cause of this situation. A big accusation falls upon the President Truman, who since 1948 kept the monarch-fascist army with high funds.⁴ Likewise, America was seen as the main leader in place, the one who governed, the one who forced king Pavli of Glitsburg, to ask the Americans for help,⁵ in many others it is shown as though it is the Americans who are suffering terrible losses but that are not declared. The truth was that losses were present, but we should keep in mind that the American help in Greece was very big, over 300 million dollars.⁶ Thanks to this help, the major part of the Greece was holding up, the non-communist Greece. But which was the relation between USA, Greece and Albania? This is a relation based on documents, not press propaganda.

Regarding Greece, president Truman, in a report for Congress, admitted by the end of 1948, that a part of the Guerilla warriors, after the Gramoz operations fled to Albania. This postponed their liquidation period.⁷ It was thought that the amount was more than 8 thousand Antara, nearly the third of what were located in Bulgaria.⁸ For this reason, USA allowed the use of Napalms, from the Greek army in the Gramoz area, despite the consequences, still felt nowadays there.⁹ This was more an attempt to stop the Antara from crossing the Albanian border, rather than retaliating against the Albanians.

Facts and documents showed how much USA supported Albania. USA had always called for a retreat of the Albanians from helping the Greek communism. In exchange, it had promised the integration of Albania as a full member of the UN.¹⁰ However, this never happened. A big step backwards for our country and a big loss for the Albanians, who even without this war, were in extreme poverty.

None of them supported Greece, when it sought the annexation of Vorio Epirus.¹¹ It had declared that we do not want to add sufferings to the Albanians, more than those that the communist regime is causing, we seemly wouldn't recognize this regime.¹²

Despite all the facts given, the press and documented ones, we can understand something very important: the Albanian Communist State, was distanced a lot from the national realism, a lot more than the political groupings in Greece. This made Albania blind with its internal problems and thus join the communist ideology, almost challenging the Stalinist one. This policy destroyed the country, and was the first step towards the isolation of the country, not just from Europe, but from the entire Balkans. The Albanian press, the most important and dangerous weapon, was not aimed outside, but inside the country. The press of a small country did not have a big impact outside, but the inside one was huge. The press shows us that since this war, and the following four decades, our country, did not have an iron fence separating us from the West, but a bunker above its head, isolating it from West as well as East.

¹ V. R., Albania: A Balkan Bridgehead, në *The World Today*, Vol. 6, No. 2 (Feb., 1950), (London: Royal Institute of International Affairs, 1950), 77.

² V. R., *Ibid*, 78.

³ Jean – Baptiste Duroselle, Andre Kaspi, *Historia e marrëdhënieve*, 132.

⁴ Përpara sulmeve të ushtrisë demokratike Trumani detyrohet të pranojë se dollarët e tij nuk mund të mposhtin rezistenën e popullit heroik grek, in *Bashkimi*, 8 dhjetor 1948.

⁵ Pa ndihmën e huaj monarko – fashizmi nuk qëndron asnjë /ast në këmbë, in *Bashkimi*, 29 Mars 1949.

⁶ S. Papuli, Terror që s'ka shembull në histori, *Bashkimi*, 7 Maj 1948

⁷ *Chronology of International Events and Documents*, Vol. 4, No. 23 (19 November – 9 December 1948), (London: Royal Institute of International Affairs, 1948), 820.

⁸ Geoffrey Chandler, Greece: Relapse or Recovery?, in *International Affairs*, Vol. 26, No. 2 (Apr., 1950), (London: The Royal Institute of International Affairs, 1950), 193

⁹ Misha Glenny, *Historia e Ballkanit 1804 – 1999*, (Tiranë: Instituti i Dialogut dhe Komunikimit, 2001), 544

¹⁰ *Foreign Relations of the United States*, 1948, Volume IV, Eastern Europe: The Soviet Union, eds. Ralph R. Goodwin, (Washington: Government Printing Office, 2010), Document 169.

¹¹ Amikam Nachmani, *International Intervention*, 102.

¹² Beqir Meta, *Shqipëria dhe Greqia 1949 – 1990 paqja e vështirë*, (Tiranë: Koçi, 2004), 29

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The Challenge of the Trafficked Girls in the Difficult Process of the Reintegration

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Abstract

The reintegration refers to the process of trafficked girls' involvement in social and economic life. This process, which is important for trafficked women's life remains a long process to achieve. This study focuses on its core trafficked girls who are going through the long high of social reintegration. The aim of this study is to analyze the significance of experiences, emotions, social and economic difficulties that need trafficked girls face during reintegration into society. The specific objective of this study is the importance of the reintegration process and the factors that influence the success of this process in the social life of victims of trafficking. The methodology used in this study is qualitative, as an efficient method that provides a sense of depth to the exploration of subjects, giving us much more detailed and specific information. The tools that have been used are the focus group, organized in collaboration with girls' victims of trafficking which are secured in the Centre "Vatra".

Keywords: *victim of trafficking, reintegration process, assessment.*

Literature review for the provision of social model in assisting victims of trafficking

Reintegration refers to the process of recovery and socio-economic inclusion of individuals following a trafficking experience. Reintegration includes placement in a secure environment, access to a reasonable standard of living, opportunities for personal and economic development, and access to social and emotional support. In many cases, reintegration includes the return of the victim in the original family / community of origin. However, it can also include integration into a new country, depending on the needs and interests of the victim¹. The services that are offered to the girls victims of trafficking in Albania are divided into two categories:

Residential centers

Community centers (non-residential).

Residential Center

Otherwise known as residential the host centers, where young victims of trafficking will be able to stay for a short time or even for a longer time. Albania residential centers are open or closed (closed center)². Meanwhile centers open and semi-open give you the opportunity to pursue a professional course, go to work accompanied by center staff or only depending on the security problems that could have any individual. The reintegration center in Albania are: "Different and Equal," Psychosocial Centre "Vatra"; "Another vision" These organizations achieve with the support of three phases:

-Phase I - The first phase is the initial phase which includes accommodation in a residential center, which provides services such as accommodation, housing, clothing, food, medical assistance, legal assistance, psychological services, storage and

¹ Surtees, Rebecca.2008. Re/integration of trafficked persons: How can our work more effective. Nexus Institute.

² Closed centers means that girls of trafficking during the accommodation in the center cannot go outside

security 24 hours, vocational training, periodic communication telephone family mediation, family meetings, translation to the foreign beneficiaries transport services, referrals to long-term reintegration alternatives. This first phase of assistance and provide all centers in Albania.

-Phase II - The second phase is the medium phase where the life of the beneficiaries is semi-independent. The organizations like "Hearth", "D & E" and "Another Vision" in addition to supporting the victims of trafficking, they support them even after they go outside from the shelter by finding accommodation in houses (manner realized by "Hearth" and "Another Vision" organization, and the other manner it the payment of house rent this order applied by the organization "Different & Equal". These organizations except the part of housing, provides support services such as employment, familiarity with community resources, counseling, etc., these services empower victims are directed towards an independent life.

-Phase III - the third phase is the long- term phase who has as an objective leads to an independent life. This is the last phase which is achieved when a case can live independently.

Not residential services

Not residential services or community services support the victim of trafficking with their specific programs. These services are provided by day centers that are set up in cities from NGOs and institutions in the state. Day and community services offer several types of services like:

- Legal services and administrative assistance; Ongoing support and monitoring; Psychological services or counseling services; Financial assistance; Professional training; Support to find employment; Medical assistance; Education assistance; Information campaigns; Reintegration into school; Accompaniment during voluntary return ¹

Methodology

The methodology used in this study is qualitative, as an efficient method that provides a sense of depth exploration of subjects, giving us a much more detailed information and specific. The selected method is also suitable for highly sensitive nature and the delicate issues involved in this study, given that there are few studies in this field. During the study is held into consideration the fact that one element that distinguishes qualitative method quantitatively, that is, the first and the second is deductive, qualitative methods, is inductive. A deductive approach is what passes by a theory or hypothesis in empirical observations to conclusions.

Inductive approach follows the inversion that is when preceding observation hypothesis, theory and interpretation². The instruments that were used are focus groups with girls who actually assisted trafficking victims in the shelter "Vatra"

Why applied the qualitative methods in this study?

The qualitative methods assists in this delicate cases. Such, disturbing and witty, is the issue of reintegration of victims of trafficking in Albania, not only in the national level, also in the international level as yet has not found the key for the solution of this problem. Qualitative methods used to deepened the issues that interest us, because it gives the opportunity to see the problem in different ways: in our case the conclusion of the process of reintegration with the institutions that provide services directly to the victim of trafficking,

The drafting of the focus group interview

Focus group interviews may encourage more "the openness" of the respondents and provide information on free and complex. Draft an essential guide is a list of topics or themes to be discussed and that the researcher uses to guide the focus group discussions³. Through it, the interviewer stimulate each other with ideas and thoughts. Focus group offers

¹ Standard 1: Purpose and types of service standards "Social care services for trafficked persons at risk of being trafficked or residential centers" approved by DCM 195, dt 11.4.2007

² Jane Ritchie, Jane Lewis, Qualitative Research Practice: A Guide for Social Science Students and Researchers, Sage, 2003, p. 106

³ Richard A. Krueger, D. L., Morgan, The focus Group Kit. Thousand Oaks, Sage, California, 1998, p. 51

various data, as panelists encourage communication and promote ideas on how to think and to speak¹. Through this instrument can be achieved qualitative data. Focus group had up to 8 people participating, because this compound group generates more ideas².

The women victim of trafficking who has been assisted in the "Vatra" center participated in focus group. In realizing of focus groups, the researchers took into consideration what Wells, said³ about the ideal size of the group, and how participants sit, style and personality of the facilitators of the meeting in respect of the participants.

Collection and analysis of database

For the preparation of questions to respondents (women victims of trafficking) are taken into consideration and examined in detail 10 (ten) principles that guide the ethical issues related to the target group under study⁴. The implementation of the study has used the instrument of audio recording of interviews, which helped us to identify who among the respondents is that more active than the rest, as are expressed providers of services related to the program of the process of reintegration offered by them for women victims trafficking.

This method used has helped researchers be concentrated among persons who participated in the study, almost anytime throughout the interviewing process. Recording talks with service providers during the implementation of the focus group has helped us achieve better management of the interview with them⁵. The way to organizing discussions with participants of the focus groups helps researcher at running and determination of collection of data⁶.

The information collected refers to trafficked victims were identified and assisted in reintegration programs, while The researchers have not been able to analyze the information to victims of trafficking cases and unidentified untreated.

From the focus groups conducted with 8 girls victims of trafficking results that the biggest cases girls under the age of 20-25 years.

Age group information of women victims of trafficking

Age group	15-20 years	20-25 years	25-30 years	30 years
Cases	1	4	2	1

If we return to a time necessary retrospect, all studies refer to the phenomenon of trafficking associated with the age group 20-25 years, which constitute 41% (Study on the socio-economic reintegration of victims of trafficking in Albania, June 2009, p. 30-32). Even in our study age group 20-25 years is the major cases.

Residential information of the victims of trafficking

Birth place	Small town	Urban zone	Rural zone	The foreign
Cases	-	5	3	-

If we refer to studies carried in our country shows that the origin of young trafficking victim belongs to the rural areas that make up 58% (Different and Equal, 2006).

In our study results that large cases (5) young victim of trafficking, belonging to urban areas. This relates to the fact that within these years in Albania has changed the demographic distribution of the population as a result of the migration process. Also, if we refer to the years of the birth of girls, the majority of pregnant women, they give birth at the regional hospital where in were registered.

¹ Morgan, D. L., The Focus Group Guidebook, Sage, London, 1998, p. 65

² Edward F. Fern, The Use of Focus Groups for Idea Generation: The Effects of Group Size, Acquaintanceship, and Moderator on Response Quantity and Quality", Journal of Marketing Research, February, 1982, p. 3

³ William D. Wells, Group Interviewing, Handbook of Marketing Research, 1974, p. 254

⁴ (WHO ethical and safety recommendations for interviewing trafficked women. London School of Hygiene and Tropical Medicine, London: Daphne Program of the EU, 2003).

⁵ Edward F. Fern, The Use of Focus Groups for Idea Generation, p.2

⁶ Guba, E. G. & Lincoln, Y.S., Effective Evaluation, Jossey-Bass Publishers, San Francisco, CA, 1981, p. 26.

Information about the legal status of women victims of trafficking

Legal status	Married	Divorced	Widow	Single	Mother girl
Cases	-	2	-	5	1

From interviews conducted with women victims of trafficking (WVT), it turns out that the legal status of most of the respondents is "single".

This result is consistent with previous studies where the most cases victims of trafficking were single (81% Study on the social-economic reintegration of victims of trafficking in Albania, June 2009, p. 34).

Information about the education of women victim of trafficking:

Education	Without education	Primary school finished	Primary school unfinished	Secondary school	Higher education
Cases	1	4	2	1	-

The interviews show that the average educational level of trafficking victims is primary school (consisting of 4 cases). Even in the studies conducted earlier the highest percentage of the victims of trafficking had only primary school (63% - Different and Equal study, 2009 and 49% in the annual report of "Vatra" center, 2007)

4.3. Factors affecting the successful reintegration of the women victim of trafficking

Based on the focus groups it was found that all the girls interviewed are part of residential services of the center "Vatra". Many of them said they felt safe with strengthened after the services they received from shelters. Below are some pieces of interviews conducted with women victims of trafficking (WvT)

"I'm more empowered to face life only through the support of girls ..." (refers to the employer of Vatra shelter=

"I was helped many services received, I do not know where I would have ended"

"I advise girls like me to be part of the services that will be valid for the future ..."

The staff helped me by giving me a hairdressing salon ... I work and live thanks to their support..."

"I can't imagine how my life would be if I had the girls will not help giving up alcohol"

"I feel more confident, I have no anxiety and fear for my life and my child ... and thanks to the staff."

"If the center would not have helped at that time, maybe today I would be wandering the streets, infected with various diseases, drugged, probably will not live anymore ..."

From interviews conducted with it emerges that the services were offered by the shelters were in full compliance with their needs. They say they feel safer after the services have been stronger to cope with their lives independently. It was rated as important and fundamental reflection of the main components of the reintegration process, including the review in this way and the main challenges faced by victims of trafficking during the process, as:

Employment, economic and professional situation;

Housing safe and convenient for them;

Family and social relations;

Psychological and physical welfare;

Education and professional development.

Employment, professional and economic situation of the victims of trafficking

Based on interviews conducted with victims of trafficking girls in Elbasan the results are:

Information about the employment of WvT

WvT	WvT employed	WvT unemployed
Cases	4	4

From interviews conducted with the girls, 4 of them affirm to be employed in the private sector and 4 of them are not currently employed.

WvT employed	WvT satisfied with their work	WvT not satisfied with their work
Cases	1	3

The girls' opinions about their employment should be seen in different angles. It result that only a girl feel satisfied with her work.

"The work I do makes me feel better ... i am satisfied with the work i do, there i have made new friend and learn how to sew a beautiful dress ... "said WvT employed in beauty salon" Vatra "in Vlora.

During the interviews three girls said they were not satisfied with the work they did. This came as a result of not financial motivation from the work, and e make low wages; feeling discriminated in the work environment; the failure of a proper relationship between the employer and the employee. They said:

"I work 10 hours a day without rest and eventually paid 120,000 Lek (85 euro). Unable to pay the rent and could not cherish children. I will be interested to find another job with higher pay....", said WvT which work as a sanitary in o local city.

"I have two months working in a clothing store and the owner treated me well. Someone had said that i stand in the center. Since that day she requires reasons so i leave work ... "said WvT employed in a boutique," Vatra "in Vlora.

"My boss behaves sometimes good with me, sometimes he yell at me for being late at work... We are human... sometimes we don't want to get out of bed.... than he started...."do this job" without finishing the work that i was doingno let me drink a coffee with friends during work hours I am very upset, I will leave this job just when I find another job" ...said the WvT employed as kitchen helper.

Girls' employment sector was the private sector as they have been unable to find an employment in the public sector. 4 of reasons why girls were not employed are: caring young children, healthy reasons, and safety reasons. All of this related to the failure to find a job due to economic crisis: they said:

"I am searching for a job for two weeks around the city and have not found work yet ... I am very sad"

"I am not searching a job in this moment... I have two month baby and I have no one to hold me or the kindergarten does not accept in this ageah how I would like to work, to earn money for myself and my children", expressed WvT who has two children, a 4 years old son and two-month-old daughter,

"It hurts the body all the time, I have terrible bone pain ... I do every month depending (medicine for rheumatism). I am not able to work ... ".

I am not searching a job in this moment, I have fear (from the pimp) that will kill me", said the women victim of trafficking in "Vatra" center in Vlora.

The study demonstrates the difficult economic situation and social facing girls in their daily life and the huge impact that this situation is in the process of reintegration. Extremely difficult economic situation affects the lives of young victims of trafficking.

Safe and convenient housing for the victims of trafficking

Housing remains one of the most fundamental components in the process of reintegration of WvT. Having a safe shelter and adequate directly linked with positive feelings for the WvT girls themselves have the perception of the future. Housing is considered important as it relates to their own safety as well as their sustainability towards an independent life. When the victim does not fulfill themselves this component, the chances that they become part of trafficking again, are higher compared with its own who meet this component.

Information about the housing of Wvt

Housing of Wvt	Wvt assisted in shelter	WvT assist in the autonomous apartments paid by Shelter
Cases	6	2

Based on interviews conducted with women victims of trafficking emerges that two women lives in the shelter and the other two lives in autonomous apartments paid by shelters. Based on interviews confirmed that the girls who lives in autonomous apartments paid by shelters and are financially supported by shelters have been easier integrate into society. They said:

"Is the center who paid my rent and they are my big supports...." said the women lives in autonomous apartments paid by shelters donators "Vatra" in Vlora.

"I live in an apartment paid by the shelter and i live alone. I am very satisfied, but I know one day this aid will end. I shall find difficult to afford the life by myself with only the monthly income..." said the women assisted by the "Vatra" center.

Based on interviews, it turns out that when their housing is inadequate, there have been cases where girls have fallen prey to trafficking again, being recycled into society. The interviews showed that two of the girls WvT are recycled into society, becoming again a part of human trafficking for sexual exploitation. Woman victim of trafficking recall moments from their lives:

"After a period of 1 year in the center, has came the moment when i needed to leave the shelter, because i had benefited all services that provide the center. With two children i was settled in a rented apartment and payed by myself the rent (70,000 per month). I worked as assistant cook in a restaurant where they paid me 150,000 a month. I could not feed my children neither with bread. I left the job and started in a bar in the periphery of the town as a waitress, but with the same salary. The bar owner promised to help me economically. He began to bring me customers and i worked for. In this way, i returned again in the profession....", Says one women, which is recycled and is currently at the center" Vatra "in Vlora.

"After i stayed tow years in the center e had taken all of the services, i worked as a hairdressing and have raise money to make an independent life. I rent a house that cost 100,000 lek in a month. After two months cause of my bad management, i don't have any money. I was too embarrassed to go to the center and tell them i had no money to pay the rent. Neither to my boss i can not ask money because I woe to him 150.000 lek. Situated in this situation, i met a guy and i explicated to him my situation. He told me he's gone help me. After weeks he rent o house for me and then I realized that I was beginning to work for him. I had no choice, must live ... "said the women WvT, after recycling was assisted "Vatra" to the center in Vlora.

"The center girls was very kind with me, but i was upset sitting all the time with other people. I can't stand the women with their children so i decided to leave the center. I rent o house in the center for 80.000 lek in a month. I could not afford to pay the rent the last months. Two young men offer me a job as a cleaner in one hotel. I doubt for the intentions so I asked for help to the girl of the center, they helped me with the payment of the rent...." said the WvT.

From the interviews conducted emerges that the safe housing is a very important element in the process of a successful reintegration of the women victims of trafficking.

Family and social relations of the victims of trafficking

The relationship with the family is a very important component in the process of reintegration and, if this relationship is healthy and supportive, the victim is more easily reintegrated into society

Information about the family origin of the WvT

WvT	WvT which maintain contact with the family of origin	WvT which doesn't maintain contact with the family of origin
Cases	5	3

Based on interviews conducted with WvT results that 5 cases have decided to keep good relationship with their family of origin. These cases result to have more chance to reintegrate into in society successfully. The family support helps victims of trafficking to be empowered and ready to face the other challenges of this process. Some of the girls have a positive attitude about the relationship they have with their families:

"Establishing contacts with my mother thanks to girl of the shelter _ will help me in the future to return home to get rid of bad road. Today I continue school to pursue my passions (paintings) ... ", says 16-years old girl assisted in "Vatra" center in Vlora.

"During the stay time in the shelter the operators helped me to establish relationships with my family. After leaving the shelter they will receive me home again, although they lived in the village where we see you differently. They will help me to create my new family to outstrip my past.... ", expressed WvT assisted in "Vatra" center in Vlora.

"After exiting the organization will go to my family. The staff of the center will help me and my family to open o small business (bakery) where we will work all together ... ", expressed WvT assisted in "Vatra" center in Vlora.

The interviews show that 3 cases have no relationship with the family of origin

Wvt	WvT rejected by the family of origin	WvT not wanting to keep in touch with the family of origin
Cases	1	2

The girl rejected by their family of origin stated that:

"My family could not accept the fact that i was exploited and ask help and lives in the center. Despite that staff made efforts to establish contacts with them, they refused and refuse even to this day when they spent three years ... ", expressed WvT assisted in "Vatra" center in Vlora.

The interviews showed that the two girls did not wish to maintain the relationship with the family of origin for reasons relating to: family incest.

"My brother, when he was under the influence of alcohol, has tried many times to have sexual relations with me. Bring home and his friends who tried to have intercourse with me ... ", said the

"He (stepfather) raped me when my mother was not at home. When I told my mom, she did not believe me and beat me. He wanted to show that in fact had been a boy from the village. At that time I was only 10 years old ... ", remember the women vicktim of trafficking

The relationship with the family is an important element in the process of reintegration of girls in society. If this relationship is complex and conflicting, as it happens, it is very difficult for the victim to cross the state in which it is located.

The safety of victims of trafficking

Despite traffic victims receive legal assistance from shelters and subsequent monitoring, they still feel vulnerable because traffickers are free and they have no protection from the state. Based on the interviews, one girl said:

"I do not feel safe to live independently. I fear that my tutors are free. If they see me on the street, they will kill me ... ",

This finding shows that these girls are victims of trafficking do not become part of the reintegration process. Albanian state has not developed social policies to assist this target group.

But the study found that the majority of WvT interviewed feel safe to live independently, because they have enough information and know where to turn for help. They feel empowered by the services received. Girls say:

"Thanks to the service I got from the shelter, now know how to protect myself ..." says a girl

"I feel empowered ..." said a girl

"I won instruments to defend himself ..." says a girl

Education and professional development of the victims of trafficking

From the studies and the result of the interviews emerge that the most girl victim of trafficking have only the basic education. This fact makes difficult their process of reintegration in the society. Vocational courses has helped finding a job the women victim of trafficking when they lived in the shelter. Professional courses offered to victims of trafficking services are tailoring, hairdressing, sitter, kitchen, etc. These professions which are equipped girls are professions that do not provide sufficient income in Albania, ranking lower paid sector. This fact has a direct impact on their daily lives. What will ensure a better future is reinsertion into the school system, but again, this fact is related to several factors such as age, years of school-, desire and willingness to return to school, etc. One girl says:

"I do not have any education, only two professional certificate course ... i wish i will find a job".

The study proves that the certification of professional courses during assisting the victim of trafficking in the center, helped the girls to find a job.

Conclusions

The study claims that the factors impede the realization of the process of reintegration in society of women victim of trafficking are social and economic factors;

A finding of this study is the effectiveness of shelters that offer complete packages of quality services, short and long term reintegration in the country;

Deemed important the relationship and the support provided to the family of origin. How friendly are these relationships, more the WvT go toward his positive process. Positive family relationship often serves as motivation WvT to move forward in their lives independently. In cases where families have been part of the process of trafficking them or abusing them in childhood, in these cases they do not want to restore relations with them;

A finding in of this paper is appreciated the establishment of a healthy relationship with society of the girls as an important element of the process of reintegration. The women victim of trafficking who have managed to establish positive social relationships with trustworthy individuals, then the possibility of these girls for recycling is much less than girls who can not establish healthy relationship;

A real challenge to successfully implement the process of reintegration in society, remains their employment. Employment is a significant indicator of its sustainability as an individual. If a WvT finds a suitable job and safe, there are bigger spaces to empower independently. Employment is not always reaching WvT is sufficient to meet the cost of life. Here we refer to low pay, schedules prolonged poor conditions of work;

This study demonstrates that an important element is the provision of vocational training in order to have facilities in finding a job on the basis of exchange with which they are equipped. This serves for the girls as job security in the future. It is important to note that professional course offered must be in accordance with the wishes and personal skills of the WvT;

The study indicates that if the women victim of trafficking have a safety housing, a suitable employment, education and vocational training, are supported by family of origin and friends, then they have bigger premises to achieve a successful reintegration process.

Recommendations

Recommendations to the policy makers:

Should be taken measures to combat and punish the traffickers and the crime organization. If the legislation is implemented the women victim of trafficking feel more safer;

Financial Compensation of WvT. A form of compensation would be that the Albanian government confiscate the property of the tutor and give it to the women victim of trafficking;

Ensuring the physical safety of all victims of trafficking regardless of whether collaborating with the justice system;

Improving national and international bilateral legal, judicial and law enforcement in the fight against human trafficking;

Be implemented the new strategy carefully in Combating Trafficking in Human Beings (2014-2017) and sets up monitoring by the relevant institutions in the implementation of this strategy;

Albanian state, through to the function of municipalities, has introduced the law No.9232, dated 13.05.2004, for the benefit of social housing for families with socio-economic difficulties. Part of the benefit of this law should be and girls victims of trafficking, as one of the most vulnerable categories of society;

Since employment is a crucial element in the process of reintegration and the biggest difficulty remains into the labor market, it is imperative to have an effective collaboration of the Regional Employment Office. This category should be considered one on the highest priority;

The State shall evaluate the possibility through various donors, such as the provision of microcredit as an alternative employment. Since WvT employment market is limited and wages are minimal, this service would help to secure employment with higher incomes;

VoT should have access to health services. In reality there is a law where health services for victims of trafficking are free, but many health workers in the area lack the knowledge of the law. The state should be more involved through meetings, seminars and roundtables to inform the representatives of state institutions connected to his own advantage in the scheme of free health services.

Recommendations for service providers:

Strengthen programs providing assistance to long-term, aiming at the reintegration and social inclusion of young victims of trafficking, in accordance with individual needs;

Ensuring psychosocial legal, health services, and the continued support of victims of trafficking for their reintegration in social life, including services to prevent crises such as to facilitate the use of social services, social assistance, housing, Sharing of Information groups and persons in need, as well as training for life;

Increase public awareness on all forms of trafficking in persons (trafficking for sexual exploitation, labor exploitation, child begging, etc.);

Improve the prevention of trafficking in women through the strengthening of protective systems, creating opportunities other socio-economic and lifestyle opportunities, as well as raising awareness of the wider community;

To ensure continuous monitoring of all the main stakeholders in the Fight Against Trafficking in Human Beings and the measures taken in the country, as well as increased promotion of information exchange between all partner organizations, state and non-state.

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Migration and Social Transformation. the Case of Albania and Greece

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Abstract

Migration has become a very sensitive issue for the society not in Albania, but in Europe and beyond it last twenty years. The development through migration seems to be a political issue, therefore it's still regarded a social problem which needs to be controlled. Migration has played a big role within the social order, bounding societies with high cultural differences and beliefs. The case of Albania and Greece, after 1991, helps me to claim that migration has not only influenced the development of both countries, but it has also transformed the social life. This paper aims to take into account two important issues; social transformation and human mobility and its relationship with migration and development, observing the case of Albania and Greece 1991-2013. The paper will answer the question about the social integration and benefits of both social groups involved; migrants and hosting communities. Globalization (especially after the collapse of the communist regime in Albania), represents an important development in social, economical and political life in both countries, Albania and Greece. The migration of Albanians denied for more than forty years by the communist regime, was reflected with the wave of migration after 1991 initially in Italy and Greece. Within two years, more than 300,000 Albanians emigrated, seeking for a better life, while after 20 years more than 1 million Albanians are living abroad. Albanians are by far the largest groups of foreign workers in Greece, estimated at 650,000 to 800,000. With the economical crises in Greece the situation has changed and many of migrants have decided to return home. What they bring home is not only their money and experience, but they bring most the social transformation. Focusing on the social transformation and human mobility, this research brings into the attention not only benefits of economical developments, but also the social transformation, through exchanging skills and attitude, brain circulation from which benefits both countries.

Keywords: Social transformation, migration, development, brain circulation.

1. Introduction

After 1991, Albania has faced with one of the great emigration of modern times in Western Balkans comparing Macedonia, Serbia and Montenegro. Between 1990 – 2013, roughly 800,000 people have migrated out of Albania, where more than 650,000 of them are settled in Greece, where Albanians make up 60% of immigrants (INSTAT, 2002). After the fall of communism in the early 1990, a large number of economic emigrants arrived in Greece to seek employment. Although our attention is focused on the migration after 1991, we should be aware that migration in Greece is not a new phenomenon for Albanians. The *Arvanites* in Greece, are the historical legacy of such Ottoman migration, and constituted a significant part of the tiny population of Athens at the birth of modern Greek state in 1830. A wave of Albanian migrations started in 1912 after the Balkan Wars and continued until 1945 when the new post-war regime prohibited emigration (Philip & Susan M. and Ferruccio, 2002). Although the initial entry of Albanians in Greece in 1991 until 2000 was through mountains by walk, after this time it seems to have been by visas for those who had relatives in Greece.

This paper, interprets social transformation and human mobility and its relationship with migration and development, focusing not only on economical benefits, but also the social transformation, through exchanging skills and attitude, brain circulation from which benefits both countries. It answers the questions about the benefits of both social groups involved; migrants on one side and hosting communities on the other side.

From the very arrival of Albanian migrants in Greece were stigmatized as "dangerous people" by Greek media. There were repeated claims such as that reported in a leading newspaper, *Kathimerini*, in January 1996 that 60% of all recorded crimes

were committed by foreigners, mostly Albanians (Lazaridis and Wickens, 1999). In fact, as demonstrated in some reports and analyses of immigrants and crime in Greece, the statistics cited that immigrant crime is largely confined to robbery, theft and beggary, whereas serious crimes (murder, rape) are committed overwhelmingly by Greeks (Baldwin-Eduards, 1998). After the first wave of Albanians migration, where most of them were engaged on different sectors of Greek economy, there is evidences that Greeks have increased personal contacts with Albanian immigrants and have changed the negative stereotype.

An important dimension of the relationships between immigrants and Greek families has started to appear after the integration of their children in schools. Both immigrants' children and Greek have studied in same classes, bringing so the culture differences in a setting that young people get over the stereotypes created in the past.

Because of the fact that Greek economy is suffering during last four years, the migration towards Greece is reduced. After 20 years of migration, as it has appeared the Greek crisis in its economy, many of Albanians have been thinking to leave Greece. Some of them are already returned to Albania with their families, while many others have migrated to other developed countries. In the period 1990–2003, an estimated 45% of Albania's academics emigrated to Canada, USA, UK and other EU countries, as did more than 65% of the scholars who received PhDs in the West in the period 1980–1990. 22,395 Albanians live in Canada, while 113,661 is the current Albanian population in United States¹.

In this paper I argue that we need to think more clearly what social transformation and development has happened due to the migration of Albanian in Greece. The reason why the relationship between migration and socio-economic development has attracted so much the public attention is because of the returning back in their home country and the need to adapt with the new environment. One of the questions that I want to raise, is how could we offer a better environment for repatriated emigrants? What are the social transformations that they bring back in Albania, and if we are ready to make them feel at home? What are the skills and attitude they bring back, and the government could develop policies for this group of people? In this context, I think that it is important to recognize the impact that returned migrants will have not only in the economy but also on social life.

Human mobility, is likely to have both positive and negative consequences for both countries, in the social transformation and development, thus it is quite challenging to analyze those.

Recent studies on relation between migration and development are focused mainly on international migration and its impact on economic growth, poverty as well inequality in sending countries. The debate on migration and development has tended to bring different perspectives from the 1950s as a theory of development-alism, moving later during 1980s towards views influenced by the new economics of labour migration, while after 1990s migration theories are focused on a transnational approach. During last four decades, the impact of migration on development in migrant sending countries has been the subject of heated debates. This debate is reflected on recent studies, targeting Albanian migration and immigration towards Greece and other Western countries.

The debate between migration and development has two different approaches, those who are optimists which are inspired by neo-classical theory and others who are pessimists which are drawn by structuralism social theory. Optimists see the migration as a tool that develops the economy and generate remittances and investments as well knowledge and skills to be invested in the economy and directly stimulate the development (Taylor, 1999), while pessimists tend to address migration as a negative phenomenon contributing to the "development of underdevelopment" instead of the reverse (Lipton, 1980, Rubenstein, 1992). Migration pessimists have also argued that remittances were mainly spent on investments such as houses a rarely in productive enterprise (Lipton 1980).

Remittances are considered a vital source for the development of the economy. However the current debate on migration, remittances and development suffers from a number of shortcomings. Sen (1999) offered a more comprehensive approach to development by conceiving it as the process of expanding the real freedom that people enjoy. His understanding of development includes elements such as social well-being, poverty alleviation, income inequality, gender equality and universal access to primary education, health care and meaningful employment.

¹ Migration Policy Institute. <http://www.migrationinformation.org/article/albania-looking-beyond-borders/>

These debates on migration and development seem to be influenced by the paradigm shift in social theory in which social scientists harmonize the debate interaction between migration and development.

2. Methods

The research methodology involves the collection and the analysis of materials relevant to the study. The basic way deals with: data collecting, data analyses and the analyses of the findings from the field work. To answer the main question, the study implies the method of analyzing theories and empirical work. Theoretical work is based on former studies related to immigration and development, and critics towards this perspective, analyzing the experience of migration of Albanians after 1990 in Greece.

The empirical task is focused on the field work, using thirteen interviews with returned and seasonal emigrants. All these data collected are analyzed qualitatively.

3. Migration flow

This paper is mainly focused on the migration after 1991, which is still continuing nowadays. In 2000, the Albanian migration scholar Kostab Bajraba published official of the total number of Albanian emigrants living abroad in 1999. The Albanian Ministry of Labour and Social Affairs estimated 800,000 emigrants with 500,000 in Greece and 200,000 in Italy. Other countries hosting significant numbers of Albanians included Germany (12,000), United States (12,000), United Kingdom (5,000), Canada (5,000), Belgium (2,500), France (2,000), Turkey (2,000), Austria (1,000), Switzerland (1,000) and Australia (1,460). Some of these latter figures are likely to be underestimates, given the mobility of Albanian migrants, especially within Europe, and the rapid evolution of new migration channels and routes in recent years. Indeed, recently the new wave of migration of Albanians is towards the UKs (Bajraba, 2000).

The publication of the results of the 2001 Albanian Census (INSTAT, 2002) enabled new estimates of the scale of emigration during the 1990s to be made. Moreover, some estimates of its regional incidence could also be inferred. The Census revealed an estimated net loss due to emigration of more than 600,000, calculated by the census residual method. This figure is somewhat less than Bajraba's (2000) slightly earlier estimate of 800,000; but again, as noted earlier, the two figures are not incompatible since the census explicitly excluded short-term migration of less than one year's duration.

Whilst most authorities concur that Albanians in Italy number around 200,000, possibly 250,000 (Pittau & Forti, 2004), quantifying the much more fluid movement and presence of Albanians in Greece is more difficult since its cross-border, to-and-fro nature challenges the very meanings of migration and residency. However, the 2001 Greek census figure of 443,550 Albanians tends to confirm previous estimates which were generally in the range 450,000 to 500,000, since the census will probably have missed some Albanians present in Greece (King, 2003).

4. Challenges and barriers of migrants

Migrants from Albania, with a diverse language and cultural background, from the very beginning have faced obstacles to gaining host community acceptance, which limited their ability to participate, contribute and settle in Greece. Some of the barriers faced are related with language, negative stereotypes, discriminatory attitudes, negative and stereotypical reporting by media, which have led directly to the access to employment, education, health and housing.

Living in these new realities, to adapt to these cultures developed or consolidated civilization, as the case of Greece, adaptation it has been undoubtedly necessary; to know the culture, language, habits, to become part of the fast development, competitive and dynamic modern life there. In this respect, Albanians have demonstrated extraordinary vitality, power and energy as a result of long suppression during 45 years of dictatorship, but also as a reflection of the fact that it is a young population with 60% of population under 30 years (Pango, 2013).

With the exception of immigrants from Greek minority of Southern Albania, all other immigrants did not have knowledge of Greek language. This used to be a serious disadvantage in terms of matching the professional skills and experience of them with the available jobs openings. Lack of language courses for immigrants have created the missed opportunities to benefit from high professional qualifications.

The socio-cultural adaptation of emigrants is a matter of cultural differences and their daily contacts.

"New migrants sufficiently motivated to move forward appear aggressive for success at work and in school. They preserve ethnic identity, but also develop strong ties of solidarity and of social groups. In the other side, we must not forget that during the process of adaptation, there is assimilation, but also marginalization. Although many of Albanian migrants with university education, they have worked in common with hosting communities and other migrants without proper education¹.

This is the impression of new comers, as for the rest of the new generation – the children of these families – the life become more interesting. The adaptation of migrants is highly depended on their age. Adaptation of migrants in a very small age is easier, comparing adults, which have their roots on memories, habits, relationships, emotions and everything else is more vivid at present. A typical case for the aforementioned claims is of the family *Sinani* from Kukes, which emigrated to Greece at early 1993.

We have emigrated to Greece on March 1993, following the path of other Albanians and our relatives. By that time, we had two children, our daughter 11 years old and the little son 4 years old. The adoption of our daughter to Greece life was really difficult, while for the boy was easier. After we decided to come back in Albania, we have faced more difficulties than when we went in Greece. Children are feeling foreign and have no affections, or connection. For us as parents, we it is easier, since we have relative and memoirs here, and we were employed and stabilized. Children are looking forward to go back while we never think about this².

For the majority of migrants who arrived in the early 1990, these experiences were unexpected, while for the others arriving later these became normal norms. Many migrants believed these barriers had arisen as a result of a lack of understanding within host communities about the intended outcomes of immigration policies and the mutual benefits for all Greek population. Observation of real social practices shows that Albanian migrants are adapted and integrated in the hosting communities, and have played a key role in the social economical life.

Additionally, migrants are put in difficult situations when faced with the border experience, which include stories of maltreatment, death, rape and destruction of identification documents. Below is a case faced by a migrant crossing the Greek border;

"...crossing the border was the worst experience, full of fear not only from the Greek military, but also from Albanian gangs, that waited to rape or rob migrant people. I was going back for the third time to Greece illegally to work with a friend of mine, and just we crossed the border we faced a band that took us everything we had.³"

Another important issue not mentioned yet is related to the migrants without documents. The majority of migrants were illegal and without proper documents, to work, thus for this reason, most of them have find employment in the informal economy. Despite the missing data regarding undocumented migration, labouris founded in the sectors of construction, agriculture, hotels, restaurants and domestic work. Reports regarding undocumented migrants, assess the undocumented migrant workforce as complementary to the formal economy, but others have notes that settled migrants could be competing with undocumented, as the later are willing to accept more precarious working conditions due to language difficulties, nationality, non recognition of their qualification and general experience of discrimination.

Access to services for illegal migrants, such as health and education has been very difficult from the beginning. The situation has changed over the years, and nowadays children have the right for education and health services. In 1998, an amnesty bill was passed by Greek parliament which intended to regulate illegal migrants in Greece and migration policy in general. This bill intended to regulate illegal migrants that were already living in Greece by application of 'white card' and 'green card'. During 2001, a new migration policy named as Law 2910, "Entry and residence of aliens on Greek territory" was the most important law passed in the Greek parliament regarding regularization of migrants, because for the first time migrants could get citizenship (Castles, 2006).

¹ Interview with Sh. Gashi, 7 February 2014. He has worked and lived with his family in Larissa, Greece for 13 years.

² Interview with S.H. 13 February 2014.

³ Interview with Lulzim, on 12 February 2014, returned migrant from Greece.

5. Economic impact and social transformation of immigrants in Greece

Contemporary trends to global economic and political integration lead to processes of social transformation in all types of society. Social transformation drives emigration from poorer countries, but it is also a process that affects richer countries, shaping the conditions for immigration and incorporation (Castles, 2007). There is a reciprocal effect in economy and social life, based on the intercommunion of migrants and hosting population. Understanding migration as an integral part of social transformation is not possible to be covered in this paper; however, there are evidences and interviews that claim the importance of these relationships.

According the report on Immigration to Greece the immigration flow to Greece after 1990 has been really huge. According this report, 57% of all immigrants come from Albania. Most of the immigrants were male while their average age was approximately 34 years. It is largely accepted that immigrants have had a great contribution to the Gross Domestic Product of Greece, with a net contribution up to 1.5% of GDP (Lianos, 2004).

An important issue with regard to the presence of immigrants in Greece, is the extent to which they causes unemployment of native workers, although it is difficult to prove that immigration has affected in a positive or negative way the level of unemployment of native workers. However there is a common belief that immigration has caused unemployment in disqualified and semi-qualified section of the labour market.

A substantial proportion of incomes earned by immigrants are remitted to their families. In the case of Albania, the development of this country has been highly depended on remittances from Albanians working abroad, playing a great role in its economy. Remittances sent from Albanian emigrants to their origin households have reached record levels: the Bank of Albania reports that Albanian emigrants' remittances have reached \$1,028 million in 2004, which is twice the size of the foreign exchange revenues from export and about 13.7 per cent of official GDP (Castaldo and Reilly, 2007). Recent studies assert that most of the remittances are mainly spent on basic consumption, such as food and consumption or on building and improving housing (Ceruti, 2000).

Regarding Social impacts, one of most evident difficulties remains their integration in the Greek society. The majority of studies analyze the conditions of social exclusion, arguing that the source of this phenomenon is the nationalistic. Immigrants are seen in many cases as the cheap manpower, as well as people whose "inferior" cultural origin necessitates the assistance of more privileged societies (Lianos, 2004). Immigrants' activities and behavior haven't corresponded to the norms of the mainstream society, since Greeks perceive themselves as a cultural homogeneous group, identifying "others" with no potential for creative action and changes. An important issue related the economic impact of immigration is related with the welfare services and other social benefits that immigrants consume. Based on the observation and findings during this study, it is true that seasonal migrants have not benefited from social welfare, while residential emigrants have benefited after three or four years of their settlement. However, concerning the amount of social support received, it is concluded by that immigrants have used less social benefits than natives

Stephen Castles has argued for a social transformation approach to migration. It is simply not plausible to take migration in isolation as though it were not impacted by globalization and development, social and political struggles. For Castles, social transformation would be conscious of the complexity of social relation, interdisciplinary and comparative, always set in the broader context and historically grounded (Castles, 2000). In this perspective, I would rather bring in the attention the social transformation approach to trade unions, allowing us to view them as social movements. Although immigrants unions are not very well organized, they promote social movements, as a part of community, household, gender and cultural relations. Being able to organize different event, they can be seen as potential citizens and bearers of individual rights that can articulate collective grievances.

Among a variety of public portrayals, news representations play a significant role in the way people, culture and social life are represented in the public eye. News coverage is a means for all social groups to make their voice heard and communicate their agendas. Van Dijk, (1991) argued that immigrants were mainly represented in the print media in association with crime, violence, social welfare and problematic immigration, claiming that it is through newspapers that elites may affect what ordinary people think, therefore giving racist views popular currency.

6. Albanians returning from Greek migration

Recently there is a big attention regarding migrants returning from Greece, because of economic crisis they are facing. Their re-integration and broader sustainability has become an important issue last few years. As was previously seen, many of Albanian migrants in Greece have traditionally been temporary in nature of seasonal migration (Azzarru & Carletto, 2009). According recent studies, the returning of immigrants from Greece, particularly of those settled with families and for a long time, has started after the social-economical crises and political situation in Greece.

Many of these returned emigrants, after a long period of working and living in Greece with their family had decided to continue their life in Greece, because their children have started their education there and their language is better than Albanian, while there are also a category of migrants that had planned from the beginning their return to Albania, thus their integration in the Greek society has been very difficult. Some of the reasons found during the interviews with returned migrants are describes as below:

Because of unemployment; problems of integration; poverty and others to start a business; or a few of them who are return after having satisfied their initial ambitions such as saving enough money to buy a home.

Living for a long time abroad, and especially for the new generation, young people who are educated in Greek, the Albanian society and sometimes even the Albanian language is unfamiliar to those young people. Being not prepared to return and having high problems to reintegrate in a country without experience, it has become a social problem for their families and for the community as well. A teacher from the primary school in Kukes, explains the difficulties of integrating a pupil returned from Greek.

"...In my class I have a girl who is eight years old returned from Greece and she speaks not very well Albanian. For me it is very hard to work with this category of pupils, as we are not used to work in the past. They need separated time, and the environment also seems to be very different with what this child is used to have in Greece. There is a lot of difficulty for her and for us both in the integration"¹.

There are other cases of returned migrants, such as of young people, who have studied in Greece. This category, believes that it is easier to penetrate to Albanian labour market than abroad, thinking that the labour market have more opportunities, especially in undeveloped areas. In this regard, many questions could be raised. What happens to a return migrant when they face the new reality? According to media in Albania, there are cases where returned people have become depressed, stressed or frustrated, because of big changes faced either by their children or by adults too. Professor Ylli Pango, explains this phenomenon as the case of their reasons for motivation; relationship between that is earned abroad and what is lost regarding cultural identity, individual personality and the ability to accept the reality (Pango, 2013). Regarding the fact what the migrant gained or lost is related with well-being in general in one side and social relations and contacts in the other side.

"...Economically I was very well, but something else was missing in my life. My relatives, friends and all my life are strongly connected with Albania. Although I was well adapted in Greek society, my mind was to come back in Albania"².

The fact of getting the attention within their friendship circle is likely the main reason for Albanians, particularly for those who migrated in an adult age, to return back. Nostalgia for oriental customs, such as chin or gossip, are typical for most of the people and migrants seems to miss them a lot. In most of the cases, returning back home from the emigration is as difficult as the time when they migrate abroad. Many of returned migrants are still living with their savings, which can produce a real social problem, while there are other cases that they have started new businesses. Their contribution to Albanian economy has been very significant, thus they deserve to be well treated in order to be re-integrated very well in the society.

¹A.D. Teacher of primary school, interviewed on 13 February 2014, Kukes.

²Interview with Gezim, 15 February 2014. He is 45 years old, and he is a musician.

7. Benefits from exchanging skills and attitude, brain circulation

Migrants coming from poorer countries are likely the source of their country development, because money remittances ensure a potential source of the investment. Another important discussion identified by different scholars recently is related with the idea of replacing 'brain drain' with brain circulation. Many migrants from countries in development, like Albania, are enhancing their skills through migration and after some years they are coming back home with more skills.

During the transition period 1991 – 2013, the tendency of migration to Greece has involved in the most cased migration of low level of education, while the migration of education people has been oriented mostly towards Canada or USA. The trend of migration by low educated people to Greece is because of the short distance, traveling without documents and the job market, where most of Albanian migrants are employed in construction, industry, agriculture and farming.

Although the level of education, it appears that both countries, Albanian and Greece have benefited from exchanging skills and attitude. Regarding the hosting country, migration provides a large pool of skilled labour, benefiting especially from the availability of skilled workers without the associated cost of worker training and education. Greek businesses, farming and agricultural families or cooperatives have benefited cheap labour force, getting a very positive impact on their outcomes, while Albania has benefited not only the remittances to its economy, but also brain circulation will be an asset for the development.

Another important element that needs to be mention is the new generation. As aforementioned in this study, many of migrants have already established their families in Greece and it is likely that their children born in Greece will not move back to Albania, since their homeland, unlike from their parants, is not Albania but Greece. In this case Greece is benefiting from the new population.

Arben, a householder migrant in Greece states that his children born in Greece don't like the idea of coming back in Albania. They are born in Greece and educated in these schools, speaking mostly Greek, while Albanian is spoken only at home. Their childhood and memoires will remain of Greek environment.

This case illustrates far better the benefits of the new age, which has derived from the immigration.

The phenomenon of migration has produced also some costs for hosting communities as well for the sending ones. Sending communities have lost their human capital; deterioration of local economy as a result of migration of skilled labour; break up of many families, where many of them are divorced, or in some other cases elder people are living alone. The last concern is often faced on the southern part of Albania, where many villages are with empty housed and only some elder people live there. Another concern for sending countries is related with economic costs. The sending country loses the income tax revenue that they would have received if the workers had stayed in their country. However, this could be justified with the remittances.

Regarding the brain circulation, the discussion has changed in recent years, seeing the migration not only as a brain drain, but more as a brain circulation. Analysts such as Solimano (Solimano, 2006) note that "the emigration of talent can also have a positive effect for the source countries as well in terms of remittance flows, mobilization of fresh capital, accumulated by emigrants when they return home, exposure to new technologies and managerial techniques and contacts abroad...". In the case of Albania, the success of emigrants is not only the remittances, but also the brain circulation, through the results of economic learning and bringing back to Albania. There are many cases and examples of returned migrants from Greece that have started different businesses, based on their previous experience and background they have practiced in Greece. Being in these conditions, the sending country, in this case Albania government has to prepare the social and legal infrastructure for the integration of the returned emigrants with a proper attention to those educated people that aim to invest in the country.

8. Conclusion

Based on our observation and findings, and other studies regarding migration and development, it is obvious that migration has played a big role within the social order, bounding societies with high cultural differences and beliefs. Despite the problems of integration, or other difficulties that migrants face either in hosting communities or sending ones, it is clearly accepted to state that migration still affects very much social changes, bringing social transformation and development for both societies, hosting and sending ones. It is clear that different immigrant groups - depending on their number in a

country – perform very differently in the social life, but in this case where Albanian migrants are the largest number in Greece, it is obvious their impact on the social cohesion. This refers to how migration has affected the hosting communities, their neighbourhoods where they are settled and local policies.

The social transformation is achieved through exchanging skills and attitude, brain circulation from which benefits both countries. The benefits from returned migrants have been underestimated and largely neglected by Albanian authorities and institutions, since the national and local authorities are moving very slowly in seeking ways to use the potential benefits from returned migrants. Most of the studies and reports have been focused on remittances rather than the human capital of returned migrants. Their impact in the economy is also through the transfer of knowledge, market information and sharing best experiences. Returned emigrants should not be seen as a problem for the economy, as it is mostly argued regarding the lost of remittances or if they can affect the rate of unemployment. What they bring back is not only their money and experience, but they bring most the social transformation.

What is it very important about migration and especially for the returned emigrants, it is related with the promotion of programs dealing with brain circulation and preventing the remittance dependence. In order to bring desired social changes, Albanian government should not only prepare appropriated policies and reforms, but it is important to foster the community about the social impact of returned migrants and their re-integration on the society. Social integration of migrants requires active participation and commitment in the communities where they live. Our observation explores that highly skilled migrants are returning in Albania with more human, social and financial capital and will play an important role on establishing businesses. Others who are not able to establish a business will bring a high impact on work environment of smaller companies, as they are experienced in a developed country.

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Bank Contracts in Albanian Legislation, Legal and Practical Issues in this Field

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Abstract

Banks perform an economic activity that is based on principles similar to those of an ordinary business. Banking activity includes the acceptance of deposits of individuals, firms, etc. As a result of the major needs and demands of the economy, household credit, with pertaining high interest rates, the banking sector dynamics experienced a high development. This progress has emerged since the establishment of relations between these banks and individuals by creating a particular system of rights as the law of banking, the focus of which is in the relationship between banks and customers. This kind of relationship is focused on banking contract. Various problems that have emerged from the effect of agreements between parties have brought the need for rating this field of law. Except the provisions provided in the Civil Code about the banking contract, specific laws for the regulation of this relation were approved. As instance could be mentioned the Law on Banks in the Republic of Albania and the normative framework that addresses the whole activity of banks in the territory, upon which the Albanian state has sovereignty. Specific treatment is required about the relations of banks with the customers, where may arise major legal and economic difficulties, because banks are major monetary formations.

Keywords: banking contract, interest, credit institution, loans, deposits, contractual relationship, legal relationship.

I. Introduction

Banks in world history have ancient initiation and many studies have determined their beginnings in Ancient Rome. In 1407 was created the first bank of modern world history, which was named San Giorgio and located in Italy.

During 1913, for the first time in Albania, was created an institution of the Central Bank. This was a result of the first acts in a concession among Banka Commerciale Italiana and Weiner Bank Verein. Due to the problems of the epoch, as well as of the political and socio-economic conditions, this institution did not have a long life. The main reason was the beginning of the First World War. Banking resumed activity in year 1925 and conducts it even today.¹

¹https://www.bankofalbania.org/web/Historik_i_shkurter_i_Bankes_5338_1.php

2Xhavera, A. Robo, M. "Basis of enterprise", "Shtëpia Botuese e Librit Universitar", Tirana, 2012, p. 23

Bank of Albania status enshrined in Article 161 of the Constitution of Albania and Law no. 8269 dated, 27.12.1997 "On the Bank of Albania", which defines the objectives, tasks and relations with the state banking system, organization and management, ownership of capital, financial statements and profit allocation. Another important law is also the law no. 9662, dated, 18.12.2006 "On banks in the Republic of Albania".

Albania has a system of financial institutions, which act as intermediaries between lenders and borrowers. Lenders offer money to the institutions against interest. Borrowers withdraw money from such institutions by paying an even higher interest. The difference between the interest that institutions receive from borrowers with the interest they pay to the lenders serves for the creation and maintenance of profit for these institutions. Due to the nature but also the services they offer, financial institutions in Albania are divided into banking and non-banking institutions.²

Banking Law as well as other branches of law are defined by their object. Generally, the banking law implies a set of rules which are related to banking operations, with which is understood a set of norms that regulate the status, organization and the operation of a credit institution. The theory of banking law divides the banking operations in typical and atypical. All banking operations are complemented by an unspecified number of persons. From this fact derives the requests for legislative intervention to discipline banking activity, protect depositors and also to regulate the money market.

Banking contracts are the contracts with which the bank expects to provide money, put money in circulation and provide other services. Contract Law defines a set of assumptions that apply almost for all the types of contracts, ranging from the parties to participate in, the legal relationship between them, the object, etc.

Banking contracts are provided in the Law "On banks in the Republic of Albania", where these contracts appear as the legal relationship of obligation to deliver a sum of money in exchange for the right for repayment of the amount and interest or other charges.³

3 Law no. 9662, dt.18.12.2006 "On Banks in the Republic of Albania".

In the doctrine are positioned two different theories regarding the need of the bank to enter in a banking contract or not. The first theory is the subjective theory, which considers the presence of a bank necessary to set up a banking contract. The second theory is the objective theory which states that in practice exist norms that make the bank presence necessary in a contract, where these norms also affect the content or object of the contract.

The jurisprudence is focused on various issues which will be addressed within the paper.

II. The function and characteristics of banking contracts.

The norms of banking law are involved in both private and public law because of the importance that they have and the consequences that they directly bring into the economy and the activity of various banks. Regarding the legal nature of banking contracts, there exist several approaches and different ideas, but in general, the civil law considers banking activity as a venture activity, with an emphasis on professional and organized form of this type of activity.

Bank contract is one of the most important sources of different binding agreements under the law of contract. Such contract is a bilateral legal action.

This type of contract is regulated in a diverse manner compared to other common contracts provided by the Civil Code in terms of subject and object. Even though there are several types of similar contracts to bank contracts that include natural or legal non-bank persons, the second contract type is a particular as it is the bank that gives legitimacy to the contract and makes it unique from other contracts.

There are many subjects that may lend or may on deposit an amount of money, but when such contracts are linked to an entity that is involved in professional activities, they are subject to a separate discipline dictated by special laws and the Civil Code.⁴

4 Civil Code of the Republic of Albania, Chapter 18, Banking Contracts.

5 http://www.aab.al/bankieri/3/Bankieri_3_alb.pdf

6 Bontempo, P. "The Diritto Bancario Finanziario", "Giuffrè Editore", Milan, 2014, p. 223.

When it comes to bank contracts, it should be noted that they can be named like that only because they involve a subject as the bank in the legal relation. There are cases – such as in the case of deposits – where the subject is a bank, but the contract is not a typical bank contract. Regarding the legal basis of the bank contract, we will find support in the Civil Code which sanctions this type of contract and its elements. In connection with this type of contract should be mentioned a series of recommendations of the European Commission or the provisions of the Civil Code of the Republic of Albania.

Legal relationships bank - customer have been reconceived in a qualitative way after the changes done by the Bank of Albania, providing customers with essential information in order to enable them taking decisions that are appropriate and valuable for their interests. The emphasis here is on transparency. In this context, transparency of contractual terms of banking products and services has special attention in order to avoid conflicts with different persons and reduction of reputation.⁵

Law no. 9662, dated 18.12.2006 "On banks in the Republic of Albania", stipulates the fact that for every banking product or service offer must be signed a document or a written agreement between the parties. According to the complex nature of these contracts, the law requires the provision of pre-contractual information to be complete and comprehensive, so that

the client can understand thoroughly every detail of the banking transaction, turning the formal part in a condition of validity for the existence of legal relationship.⁶

Bank deposits, on the other side, are contracts with which a subject deposits a sum of money at a bank. The bank subsequently acquires ownership over the sum and has to return the same amount on expiration or request of the depositor, except when there is a period of notice agreed between the parties. Through this instrument, the bank collects the public savings. Bank deposits doctrine has proposed different classifications based on duration, which comprises deposits with specified term and deposits payable against notification, and based on form, according to which there are ordinary and savings deposits. Concerning its legal nature, the emphasis is on the effects of the transfer of ownership of money to the bank and on the obligation to return the money received under contractual terms.⁷ Misha, E. "The Banking Law", "Express", Tirana, 2009, p. 67

Deposits can be considered as an investment that benefits the future or as a loan granted by the bank. Deposits are insured under the provisions of law no. 8873, dated 29.03.2002 "On deposit insurance", amended by law no. 10106, dated 30.03.2009.

III. Legal issues of bank contracts

Bank contracts are generally in favor of one of the parties, that in the most of the cases is the bank. The applied interest rate is one of the most important conditions for this type of contract. Any interest type, be it fixed or variable, should be clearly defined. The basis for calculating the interest rate is the one that the lender has stated or the one defined and calculated by the financial institution. This is a frequent problem in bank loan contracts, as the client does not clearly understand the proportion of principal and interest repayment in the monthly installment. This way, the client is confronted with unforeseen difficulties and this leads to non-correct repayment of the loan. The customer should ensure that the duration of loan repayment will not bring problems and demand before contract signing the right to extend the maturity. The client should also be aware of additional expenses and date of their payment as well as potential legal costs in order to have a clear conclusion of this loan cost.

A borrower often relies more on the commitments provided by the lender. An existing loan may be maturing and the client may have requested and signed a loan for the purchase of another company or land, and the closing date of the acquisition negotiations can be very close. Borrowers may not have assurance that the bank terminates the loan contract and disburses the amounts in time, due to various conditions to be met by the client. This could bring to the client the risk of losing the opportunity to invest. However, there are ways to avoid this risk.

In practice, the right of loan prepayment has brought a number of problems because borrowers generally assume that there is no problem if the terms of the agreement do not mention anything about early repayment. But early repayment can be a real problem for the party in question. Various decisions of the courts have considered it because, as the contract does not mention a specific right for early termination, the lender has the right to obtain the latest version with the highest benefit, which is the payment of all interest for the entire period of loan repayment, regardless of the stage in which the premature closure can be done. In those cases, the solution is left to the customer, who should seek to explicitly clarify the right of early repayment within time, amount and penalties.

The right of sale is another problem encountered in practice. According to this right, which can be expressed as a clause, the lender is allowed to declare the termination of the contract and demand early loan repayment if the client sells the collateral (real estate) to third parties without consent. In order for the legal actions to be valid, they should be expressed in written form. In such cases of credit for real estate, where the property is the only collateral, it is very important that the clause respected.

IV. Conclusions

As a result of the interventions of the Bank of Albania in the formulation of contractual provisions appeared the phenomenon of "uniformization of bank contracts". The banking contracts, as standard contracts, the formulation of which took place unilaterally by the bank, and that allowed the client to accept or reject them in the provided format, are being transformed into contracts, the formulation of which is regulated by the Bank of Albania. Here arises the question: How free are banks in building contractual relations with the client and how much freedom do customers have in accordance with contractual

conditions? At a first sight, it looks like we are dealing with a violation of the principle of free will of contracting, but the quality and comprehensive interpretation concludes that as long as the banking activity is part of a public interest and as such "bound" to be exercised within a defined legal framework, it is the duty of the legislature (in this context, the Bank of Albania) to balance the various principles of law that apply, such as "freedom of contracts" versus the "consumer protection" and further establish a fair balance between them.

In addition to the addressed problems, one of the most acute issues for the banks is the credit risk analysis, which has led to the Bank of Albania's intervention in the nomination of these agreements. So, in the banking system today, we have problem loans that arose mainly: from the young age of the banking system; as a result of abuse and unprofessionalism credit analysts; inappropriate granting of loans aiming at maximizing profit; economic problems of the borrowers, etc. These issues require the intervention of higher authorities to put the functionality and efficiency of these monetary institutions.

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Should Overqualification among Employees be Addressed?

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Abstract

This research paper is aiming to explore the problems deriving to employees from overqualification feelings. Why should we speak about overqualification in times where too much demands for education and qualification are being required to employees in the market? What are the reflections of overqualified employees at work? Could overqualification be reduced if organizations should better hire employees? All these research questions have been part of the study supported from the exploration of the theoretical concepts of psychologists referring as well to the reality of the employees in Albania crossing the poor trade market and experiencing several psycho-social problems such as stress, low self-esteem, lack of job satisfaction and chances of turnover. This research article ends up imposing another research question: Should overqualification be considered a social problem which needs to be addressed and oriented even to organizational and clinical psychologists? Recommendation are given to offer orientation and to intervene in this cause: more overqualified employees would bring more psychological problems to individuals. They should be well treated and oriented from clinical psychologists and even to organizational psychologists dealing with recruitment and hiring of the overqualified, especially when the job market is weak and the people feel less satisfied with their jobs.

Keywords: overqualification, hire people, employees, organizations, psychologists

Introduction

This article is focused on a subject that attracted the interest of the author because of the widely used concept of overqualification among many hiring units in private companies and the dislike for employing the overqualified. Literature has paid serious attention to overqualification too, mostly seeing it as a negative problem in times where the job market is weak and does not really offer too much possibilities of employment and chances of promotion regarding career and payment.

Can we speak about overqualification in a country like Albania running decades of instable job market and at the same time to a crush in education and qualification? Could schooling be considered one of the origins of overqualification because of the raised expectations individuals get at school?

Could overqualification feelings be reduced by having a better recruitment of employees from the start?

What do overqualified employees reflect so that these problems be addressed?

Exploration of theories and other studies related to overqualification has been done in order to put up an orientation for the organizational psychologists regarding recruitment, hiring and even to clinical psychologists regarding the reflections of overqualification.

Is schooling causing effect on overqualification?

It may seem weird somehow to speak about overqualification if we consider the high demands to education that especially young ages are imposed to. For a psychologist it is a matter of interest to analyse if the demands to education and qualification become one day causes of problems deriving of thee. There is a connection and sometimes even a misunderstanding of the education and qualification term. According to Dom, D. Souza-Poza, A. (2010) education is only one of the several individual skill components. We can consider education as the road towards qualification, but sometimes

not really due to wrong or incorrect measurements of the individuals' achievement at school. According to the Oxford Economic Papers (2010) whatever the relationship, both concepts of 'overqualification', or 'overeducation', provide one way of describing and making us clear to understand the trends in the relationship between education and the labour market.

Many times overqualification is seen as overeducation. "In a very recent study, Walker and Zhu (2005), using a very rough measure of graduate overeducation, indicated that, post-expansion, the incidence of overeducation in the UK has risen for both male and female graduates across almost all subject groups" (in McGuinness, S. 2006) and this is particularly consistent among graduates in the background of Social Science, Arts and Humanities who end up overeducated. By stressing out that some subjects of graduation are more prone to produce overqualification than others, at the same time he sees that the impacts of overeducation are potentially seen to be costly to individuals, but not only. The impacts of overqualification are seen to companies and even to the economy. It is not easy to adjust the demand with the supplies in the market and this issue has been estimated as such even for developed countries like Canada. In one study regarding the way how overqualified young adults see themselves towards their jobs, overqualification feelings are seen present in the Canadian youths, and for minimizing these are proposed to be developed more vocational programs compared to the academic programs.

"We need to move away from the idea that a person has to be all "schooled up" in youth and make it easier for people to enter and leave the educational system at different stages of their lives. We need to continue to develop ways to assess and accept the skills acquired outside the formal educational system"¹.

In the research of Russell W. Rumberger (1987) exploring this possible impact showed that surplus education as well as underutilised education are rewarded lower than the education that should be required for a job showing hints of the origins of overqualification problems. For as long as the overqualification is present throughout Europe and even far from there, the impact of overqualification should be seriously analyzed and soon addressed to potentially protect individuals from being harmed from this impact because schooling and education are fueling perceptions of overqualification.

Could overqualification be reduced if organizations hire people fit to the job?

Hiring best candidates fitting to the job is one of the aims of the human resource professionals but when it comes to candidates who have got much more qualification than the job description for the position what does it happen? In one study done in Albania in 2015 regarding the selection of personnel in private companies it was found that private companies HR's did not really prefer overqualified candidates. This approach was typical for big and small enterprises reflecting hesitation to hire those candidates who could have more than described to possess as a potential candidate and even because of the fear of a possible turn over from them. According to Gera Daniel (2016) the increasing attention paid to the issue of overqualification is a result of two recent trends in modern economies referring to the growing number of graduates and to the technological development needing not very qualified personnel reducing the companies cost due to the increase of the artificial intelligence.

Meanwhile Fine (2007) speaks about overqualification from a personal perspective of employees. Overqualification is rather a measure that individuals perceive oneself possessing some qualification and characteristics that overpass the qualifications required for the job. Usually in literature overqualification is considered as a negative phenomena claimed by Erdogan, B. and Bauer Talya N. (2009) because of the various negative consequences it provides to employees regarding issues such as: concept of personal evaluation, (Rosenberg, 1965), job satisfaction (Brayfield dhe Rothe 1951), turnover intentions (SPECTOR 1985), and organizational commitment to the job (Meyer, Allen, & Smith, 1993). All these effects have been literally treated in the research paper under the overqualification dimension of perception. Authors share different approaches towards the overqualification status of an employer because of the absence of real metrics specifying the scale of overqualification. Therefore one possible orientation could be hiring people fit to the job, reducing the chances of overqualification and problems deriving from it. Framework regarding employment procedures in Albania is as young as the country's road towards the European approach. Because employing people is not a simple action: no place and no organization has given thumbs about employing the people just because hiring itself refers to a very complex endeavor. Considered in a psychological approach people are very complex; organizations either public or private are rather complex too. Organizations are made of people ruled by structures, procedures, laws effecting people's actions and even mindset.

¹ Pathways to the Labour Market Series – No8 CPRN Research Report | April 2008

People in a substantial view are formed by their own beliefs, attitudes: schemes of thinking and behaving, and emotions too. It is not quite simple to reframe the human nature, unlike you have to select among people the ones that are alike the profile needed: the best (more qualified) or the ones who most fit to the job.

This is the dilemma of many organizations, recruiters, psychologists and people evaluating their job offers too. Investing one's intellectual capital in an organization is taken for granted by organizations because they pay employees meanwhile on the employees' side it is rather seen as usage of their intellectual capital. In economic terms intellectual capital is easily transformed into profit for the individual, and the message has been reflected very well into people: nowadays we see an enormous interest in learning and gaining qualification, certification, attending online courses, being graduated for the second time, third time, and many other scenarios like this. Is this enormous interest really being converted into value in our job market? Before analyzing the situation in the proper time, the interest is to deeply investigate the way how recruitment of the people for being employed has been done at least during one hundred years when Albania was already an independent country and because by deepening into this scale the culture and philosophy of recruitment can emerge.

Referring to the archives of 100 years of Public Administration, a publication of the Department of Public Administration in 2012, employment of employees has been based on the likelihood of the dependent Director or Minister, which means that the Authority was the key to select the employees. There were some rules considered as criterions during the Albanian Kingdom run by King Ahmet Zogu in the thirties' consisting of good behavior during the job, moral and energy, care and ethics reflected from behavior and oriented towards the good service, key elements seen even for career mobility. During the communist regime starting from 1945 the ideology asked for people who could all contribute for the country, however it was first seen the need to make units taking care for the staff recruitment. Today in the public sector there are specific rules on recruitment and department of human resources running for selection of candidates and assessment of performance. In the meantime, the private sector born in the first 90's which is the least controlled regarding rules of recruitment and selection because of the request oriented towards efficiency and costs gives signs of recruitment and selection based on the profile of the candidate the company requests.

In one study committed on May-June 2015 on the way private companies recruited and selected the new employees it was found that companies selected and contacted through their the human resource unit or person in charge for recruitment and selection declared during in-depth interviews that there is a huge gap in qualification seen among all candidates mentioned by Lahi (2015). There are no qualified people looking for a job in the market and if there were more qualified people companies are ready to increase the number of employees in the market. This study proved from interview data that we cannot speak about qualified or overqualified people in the market, but there is the possibility to adapt the profile of one candidate to fit in the company throughout on the job training and adaption with the philosophy and requirements of the company, just like Campbell et al. (2001) claim about people adapting with the job due to personality characteristics, temperament to adapt with some kind of jobs among other jobs.

On the other hand, personal perception of overqualification is related to the characteristics of the candidate for the job towards the characteristics that could be measured, but from the candidates' point of view there is no place for such a measurement and calculations because they could "easily be adapted to the organization..." Johnsson, R.W & Morrow, C.M. & Johnson, J.G. (2002). The argument whether there should be selected the most qualified or the ones that can easily be adapted with the job and the organizational culture is still discussed. The person-job fit theory as Kristoff et al say (2006) claims that the bigger the combination between the individual and environment, the higher the achievements are, and when we speak about achievements there is no much place to talk about overqualification feelings. On the organizational point of view, overqualified candidates cannot easily be adapted with the job and subsequently are not willingly selected for the job (Edwards 1991) in the research of Finea, S. & Nevob, B. (2008).

What are the reflections of overqualified employees and who should this be addressed?

Generally, literature treats overqualification as a negative phenomenon, mostly because overqualified employees have more negative job attitudes (Maynard, Joseph, & Maynard,

2006) and are more likely to leave (Verhaest & Omeij, 2006). At the same time, the research of Erdogan, B. and Talya N. Bauer (2009) that indicates that employees who feel overqualified perform better

In an article by the European Centre for the Development of Vocational Training it where was analysed the issue of overqualification it has been reported that "overqualified workers are more likely to suffer wage penalties, to have a lower job satisfaction and even higher turnover than people in jobs matched to their qualifications". This happens mostly to female migrants and young workers who in many times underuse their skills and are found in jobs where no other skill could be exploited, but once this happens it frightens the perspective to stay in that job for long term leading to turnover. Even on the recruiting companies there is no such a preference for the employment of the overqualified because of the turnover chances.

"We try not to hire people who are desperate for work. If I run an ad in the paper, I get a great many résumés from overqualified people if the positions are in general service and administration. I send such people a no-interest letter, for once the labor market opens up, they will leave the company (Bewley, 1999, p. 284)."¹

Results of studies suggest that there is a negative relationship between overqualification and affective commitment (Johnson et al., 2002; Lobene & Mead, 2010; Maynard et al., 2006). Naturally employees feeling overqualified have a lower attraction and emotional connection to the job and organization they are working for, making these employees not fit to the job and having a low commitment. That is why we could speak about the attraction-selection framework: because the lower the commitment to an organization and the lower the chances an organization has to employ the overqualified Oki,A.(2013).

Based on data from a sample of full-time employees (Nr = 215), it was found that overqualified incumbents show undesirable counterproductive behaviors at work. According to Luksyte et al (2011) the undesirable counterproductive behavior towards work comes because of the cynism that many overqualified gain from the meaning they give to the activities at work.

The author considers even cynism as a dominant reason why overqualified workers are engaged in counterproductive behaviours Luksyte,A. Spitzmueller, Ch.Maynard,D (2011). One possible reason this happens especially when the job market is weak and the people feel themselves rather overqualified. Meanwhile it is said that overqualified people are not satisfied with their jobs (Johnson & Johnson, 2000; Khan & Morrow, 1991). According to Rosemberg M (1965) overqualification feelings import evaluation of the individuals towards oneself. The lack of satisfaction and the lack of personal evaluation toward oneself make individuals more prone to stress and feelings of burnout.

Conclusions

Overqualification feelings coming out of the subjective reflections of employees from their education and/or qualification in times of weak opportunities in the market have a negative impact on the overqualified by displaying stress, low self-esteem, lack of job satisfaction and chances of turnover. These reflections should be very well addressed to organizational psychologists dealing with recruitment and selection in order to take into consideration the employees feelings and the way that their status as overqualified is treated in organizations. At the same time it could be an orientation to intervene in this cause: more overqualified employees would bring more psychological problems to individuals who should be well treated and oriented from clinical psychologists and even to organizational psychologists dealing with recruitment and hiring of the overqualified.

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Effects and Benefits from ISO Certification in Albanian Businesses

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Abstract

The main purpose of this paper is to examine the influence of ISO standards implementation in Albanian companies, through evidence of expected benefits and the actual ones at the framework of a company. The analysis is based on a theoretical overview of the advantages and results expected to derive from the certification, according to the abundant literature of the last decade. From the other side, the empirical study of a group of Albanian companies ISO certified constitutes the background of the real analysis that indicates the achieved results from the companies' viewpoint. There are done efforts to assess and measure the quantitative and qualitative contribution of standards on the performance of manufacturing and service companies. Further on, the paper verifies that all companies do report benefits from the certification, although they are of variable types. The paper concludes with some suggestions about measuring of certification' effects on the performance of companies, as well as revealing of factors that can contribute to a higher profitability of Albanian companies during the implementation of ISO 9000 normative. The authors intend to bring a modest contribution and encourage further studies on the field, closely related to the characteristics of Albanian businesses.

Keywords: ISO 9000, quality management, benefits from certification, performance.

1. Introduction

Since its introduction in 1987, the ISO 9001 series for quality norms has been propagated in all continents. After several years of preparing the structure and infrastructure necessary for the certification, this process began in 1993, with more than 80% of the certificates during the first year issued in Europe. Currently there is a total of 1.138.155 ISO 9001 certificates issued in the world, 42.5% of which in Europe (ISO Survey 2014). Quality management became a business practice to the benefit of companies, with a gradual positive effect on the respective industry and even further. Nowadays a worldwide trend towards increasing customer's expectations regarding quality can easily be noticed. This tendency goes hand in hand with a growing awareness that continuous quality improvements are often necessary in order to achieve and sustain outstanding economic performance. The competition among companies in a developing market, and even among countries, plays a decisive role in improving quality management system strategies; experience from countries with some history in elaborating strategies is forwarded to countries with developing economies. The current economic-technological scenario imposes the need for continuous changes upon organizations, in the way they operate and manage their business, in order to adjust themselves to newer realities and to remain competitive (Oliveira, Serra, 2010). Albania is among those countries that have denoted advances in terms of involving quality management systems and embracing quality certification procedure while paving the road towards a consolidated market economy. There were 171 companies in Albania that have obtained ISO 9001 certificates by the end of 2014, the first one having been issued in 2000. A considerable increase was seen from 2009, as shown (Fig.1) (ISO Survey 2014).

Evolution of ISO 9001 certificates in Albania

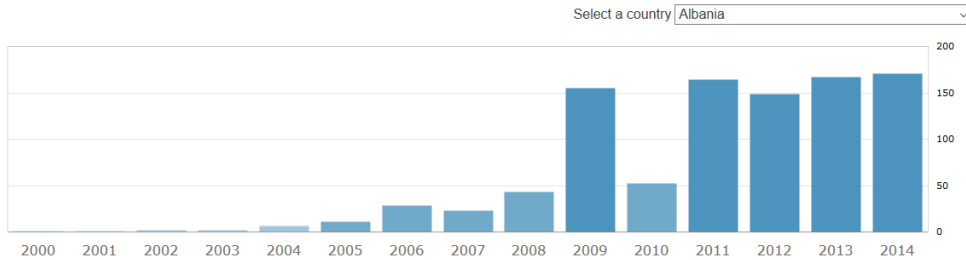


Figure 1 – ISO 9001 certification in Albania. Source: Data from the ISO series (2014)

From a theoretical point of view and due to its intrinsic goal, an ISO 9001 quality management system:

- communicates that the company provides products and services of consistent quality;
- shows that products and services provided by the company meet the customer's requirements, comply with the law and legislation, and meet the organization's own requirements;
- can help the company streamline its business processes and continuously improve them.

Additionally, companies can take advantages of such standard implementation, like:

- ISO 9001 helps increase customer satisfaction;
- ISO 9001 is overall positive for the company image, demonstrating that it complies with internationally recognised quality standards. This is often a requirement for customers and suppliers to do business in a quality oriented entrepreneurial environment.

The ISO 9001 standard is not the only recognized, accepted, and implemented standard in Albania. Other standards the Albanian companies comply with and have been certified accordingly mostly include environmental standards, food safety standards, energy management ones, etc. (Fig.2).

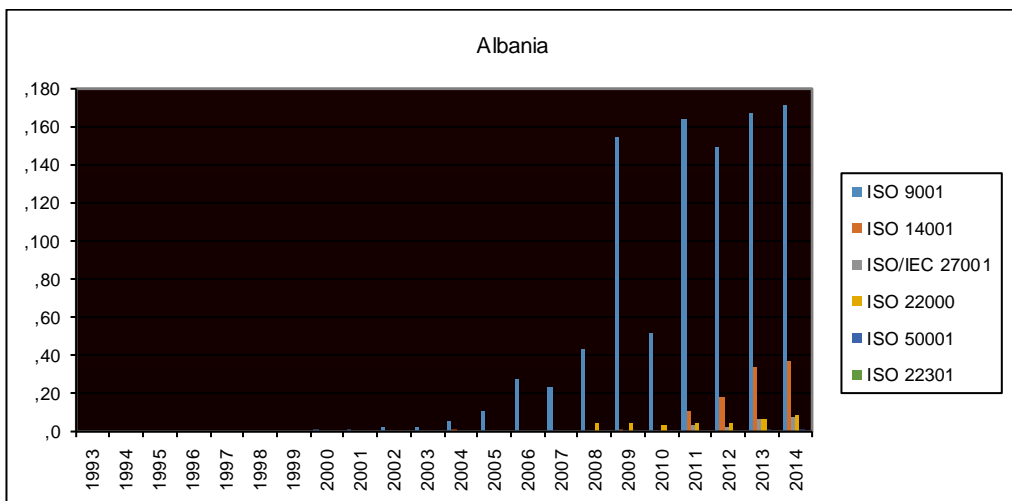


Figure 2 – Trend of ISO certification in Albania. Source: Data from the ISO series (2014)

Considering the number of companies registered and carrying out activity in Albania during the same period of time, as classified by legal forms, there is evidence of a relatively low fraction of companies equipped with an ISO 9001 certificate. Only about 1% of the 29.000 companies registered as juridical persons in Albania are certified by the end of 2015. Meanwhile, an empirical study of Albanian companies regarding their competitive strategies and the utilization of the information on their websites confirms an increased awareness in many companies regarding the role quality management plays and the competitive advantage it provides (Bitzenis, 2005), (Shkurti, 2013). This deviation promotes studying what factors stimulate ISO 9001 certification in Albanian companies, as well as what its benefits are. This analysis is only limited to this standard because: - it is the most well-known and most popular standard in Albania and worldwide; - its implementation is directly linked to company performance, as proved by various studies; - the principles ISO 9001 is based on serve as basis for other standards, and consequently an analysis of the stimulating factors and benefits of ISO 9001 certification may aid similar analyses of other standards in the future.

The large number of publications in academic literature about quality management systems in general and of standards specifically is an indirect sign of the popularity and the interest they have aroused. Some of the more relevant concerns are founded on the following points: (1) analysis of the motivation for certification; (2) analysis of the benefits of certification, the evolution of organizations, perceptions of such benefits, and advantages/ disadvantages of certification; (3) the impact of quality certification on an organization, and company finance; (4) the possibility for integration and/or competition between quality certification and TQM, and (5) analysis and preview of the diffusion of certification (Peixe et al., 2012).

Although dozens of scientific studies on ISO 9001 have been published to date, a confusing picture of the impact of ISO 9001 on financial performance remains. While many have concluded that ISO 9001 implementation and certification had a direct and positive financial impact, others found no significant effect. Beyond the direct link between the QMS and financial success, some studies highlighted other variables that may have an influence (Poksinka, 2010). This work is an effort to identify a relationship between a company's internal forces pushing for the application of quality management systems and external market forces or governmental regulations that oblige such a thing within the Albanian business environment.

2. Purpose and objectives of the study

The use of standards and the benefits of standardization have drawn the attention of researchers, bringing a significant number of studies about these topics. However, as the last publications from International Organization for Standardization emphasize, comparing these studies and reaching overall conclusions is difficult because they were carried out by different organizations, with different objectives and using different methodologies (ISO, 2013). Most of them followed a macroeconomic perspective, trying to evaluate the contribution of standardization to the economic performance of countries, considering indicators such as GDP growth and productivity increase. Those studies made substantial progress in understanding the economic impacts of standards. However, they have not, or have only marginally, addressed the microeconomic perspective, and they have not tried to assess the benefit that standards bring to individual companies. In order to fill this gap, the organization itself has presented the ISO Methodology, which provides a systematic approach for assessing the economic benefits of standards for individual organizations. It supports companies' internal analyses, the development of case studies and the comparison of results from different studies. The primary scope of the ISO Methodology is assessing the economic benefits of standards (i.e. the contribution of standards to the creation of economic value) for a company. The methodology can be applied to the economic impact of standards on an industry sector at national or international level, although this requires particular attention and increased efforts (ISO, 2013).

Small businesses and very small businesses make up 82% of functional companies within the structure of actively functioning companies in the Albanian market (Table 1), and only 18% of them have similar organizational and management characteristics with those competing in the European market. This significantly limits massive use of quality management systems in the Albanian market and is one of the main limiting factors of this study. The ISO certification target group, and subsequently this study's target group, are companies classified as juridical persons. Another difficulty in conducting this study is the lack of previous empirical studies in this field, based on protocols dictated by global experience, and difficulties in employing methodologies suggested by them. These factors, as well as other minor ones, have conditioned our study and have oriented us to determine the main purpose of it as follows:

- investigation of factors that motivate the implementation of ISO standards in Albanian companies;

- assessment of the impact these standards have, through evidence of expected benefits and the actual ones inside companies.

A company typically seeks certification when: (1) it feels compelled to do so for economic reasons or market-based demands; (2) it possesses a high capacity and the necessary competencies to obtain such certification; (3) it possesses adequate knowledge of the norm, of the impacts of its activities (internal and external), and identifies certification to be a strategic action for the company (Melnik et al, 2003)

This attestation pushes toward a comparison, for balancing purposes, between chances the external environment offers and strengths the company itself possesses. However, there is academic consensus concerning motives towards implementing Quality Management System (QMS), which seems motivated among the majority of organizations by external factors such as market pressure and an interest to improving the company's image. Other organizations are especially motivated by internal factors, such as improved products or services, reduced costs associated to a lack of quality and improving the company's internal efficiency (Casadesus, Heras, 2005, Shannon, Robson, Sale, 2001). They are mostly oriented by and trying to take advantage of their strengths and developing them further supported by strategic decisions.

Internal or external motivation might be one of most inspected and influential factors to explain the different outcomes of the various studies, and the differences between the performance improvement companies observe. We share the popular academic idea that motivation and internalization are the two most discussed variables which organizations should take into consideration when implementing ISO 9001.

First of all, the motivation for implementing ISO 9001 can influence its effect on financial performance. Organizations may wish to obtain certification for external reasons such as pressure from customers, markets or governments, or for internal reasons such as improving productivity and efficiency. Those applicants targeting short-term external benefits could expect to gain mainly external benefits, while those aiming at real quality improvement could expect to achieve higher overall benefits. That being said, the first objective of this study and this paper is determining the most influential factors in prompting companies for ISO certification.

Secondly, the degree to which ISO 9001 principles are adopted internally is dependent on the motivation of the organization, and is thought to be critical to successful implementation. Organizations with external motivation tended to implement measures prescribed by the standard as a quick fix to quality problems, while those with internal motivation were more likely to use the standard and the underlying principles in day-to-day decision making to really improve quality (Poksinka, 2010). Internalization of ISO 9001 principles is considered necessary in achieving the most significant performance benefits from the QMS standard. Our study's second objective is identifying companies' expectations about the benefits of certification.

Assessing the advantages companies have had as a result of certification, from their point of view, is the third objective of the study, which, combined with previous objectives, allows for the deduction of some recommendations to help companies for the best use of standards. The emphasis should be on the quality management principles the most recent ISO 9001:2015 standard is constructed around, that are: customer focus, leadership, engagement of people, process approach; improvement; evidence-based decision making; relationship management (ISO 9001:2015).

3. Research question and methodology

The strong relationship between certification motivations and resulting benefits for Albanian companies is at the focus of this paper. When firms are reacting to external pressure for certification, they may face ISO 9001 registration as the prime objective and adopt a minimalist approach to achieving it. Such firms obtain quality certification, but they may not fully value quality management systems, and thus will achieve limited benefits (Sampaio et al., 2009).

The research questions we put forward are:

- What are the main factors that prompt Albanian companies toward ISO 9001 certification?
- Do Albanian companies' actual effects of certification match their expectations?

To answer these question, we took up a research project looking at ISO 9000 set of standards in a more integrated manner using the different research strategies. Both questionnaire surveys and case studies investigating the processes related to

standard implementation and operation in the organizational settings were used. The worth of ISO 9001 differs between organizations and depends on several organizational and external conditions, such as motivation for standards implementation, maturity level of quality management, implementation strategy, certification audits, and involvement of people. Due to this, benefits achieved from ISO 9001 are not the same for every organization.

To carry out this study, we picked 50 companies that had gone through the process of certification at different times between 2005 and 2014. This choice was limited by the fact that most ISO certified Albanian companies have received certification after 2009. The questionnaire survey that was sent to these companies was constructed with the purpose of evaluating the degree of interest Albanian companies have in ISO certifications for their systems by looking at the effects this system's application has had on certified companies that employ it. The companies included in this study conduct their activity in different fields, as the structure of ISO 9001 certified companies by field of activity is also very diverse. Surveyed companies' activities include firms from metal industry, meat processing, food and drinks, wholesale/ retail and services. The limited number and size of certified companies does not allow for an in-depth, discipline-oriented, or size-specific study. The prevalence of medium and small companies in the Albanian economy has oriented our research toward assaying companies with various annual turnovers and numbers of employees.

These are at the same time some of the limitations of our study.

The questionnaire is made in accordance with the formal rules of questionnaire construct and it has been based on implemented, estimated and protocolled elements in studies previously done in different countries. The intention was to avoid confusion and bias, to get the most accurate and not -influenced answer from the respondents.

The questionnaire is composed of three parts. The first one intends to evidence the company profile and potential changes during the years of ISO standard implementation, from the economic aspect and market positioning. The main concern is to collect the information that would permit estimation of the company activity, size and growth during those years, especially on the last ones.

The construct of the second part enables to reveal and assess the factors that stimulate the companies toward certification, as well as expected results from this process. The value of ISO 9000 differs among organizations and depends on several organizational and external conditions, such as motivation for ISO 9000 implementation, maturity level of quality management, implementation strategy, involvement of people, and certification audits.

ISO 9000 is still implemented mostly because of customer requirements and the certificate is the most desired outcome of implementing a quality management system. The certification to ISO 9001:2000 is a must in today's business environment. In fact, the certificate gives no competitive advantages, but gives a competitive disadvantage for organizations which are not certified. With this in mind, we want to reveal and estimate what actually happens in Albanian businesses, that can be done by information this part of questionnaire provides.

The third part is designed to envision directly the implementation of ISO system, from the operational and financial point of view, from the human resource management effects, and to enable the comparison of expected with actual benefits from the system implementation. ISO 9000 offers organizations the capability to develop and implement an effective and dynamic quality management system with a focus on continual improvement, but the certification itself doesn't ensure that an organization achieves sustained competitive advantages. The key to the success is the willingness and the depth to which an organization desires to go in satisfying the standard's requirements or fulfilling their own improvement needs. However, organizations often lack internal motivation to work with the QMS. Those organizations devoting too much attention and placing too much value on the certificate would not be able to realise the full potential of ISO 9000.

The third part of the questionnaire aims to assess how well the system is implemented and how it works in the company, considering the difficulties and limitations the company faces with.

4. Discussion and analysis

The empirical study of a group of Albanian companies ISO 9001 certified forms the basement for the analysis of achieved results. The profile of the sample is characterized as follows:

1. There are included in the study 50 companies that have received the ISO 9001 certificate after 2005 and 45 of them have given valid responses.

2. The sample of the responding companies includes private companies from a variety of sectors: around 35 % are food and beverage manufacturing companies, around 30% from construction, another 30% from wholesale/ distribution & retail, while the difference are service companies (banking/finance, consultancy, communications, insurance). Such structure of the sample implicits similar motivation factors and results from ISO 9001 implementation, unless otherwise clearly evidenced and discussed.

3. After collecting the filled in questionnaire, 12 companies were selected for interviews with the quality managers responsible for the system implementation in the respective companies. The increasing turnover and number of employees during last years were the main criteria for the selection.

4. The most of respondent companies have been doing business for more than 10 years. Only two of companies were established recently, but their development justifies considering them as part of the sample and rely on their responses. All the companies filled in the questionnaires voluntarily and without being influenced.

5. The surveyed companies have their activity throughout the country and some of them are also involved in export.

4.1. Motivation factors and implications

There are companies that have always worked to high standards and they knew that, but they want their clients know and understand it too. From the other side, companies are attempting to gain and work with new and/ or larger clients, that in turn are requesting audited proof of company' methods and standards of practice. This happens when companies became ISO 9001 certified, because these standards not only help them to comply with regulations – in conjunction with third-party certification by an accredited certification body –, they also help companies demonstrate to potential customers and authorities that they are doing things according to the rules and providing quality products or services.

The answers from the Albanian companies in the survey rank the factor “to satisfy the external requirements and the market pressure” in the first place, with around 60% of respondents accepting that they have been driven by such needs. Further discussion of this factor shows that a number of companies have gone through with the certification process in order to extend their activity to foreign markets by adapting to export requirements for their products. This was more typical for companies that manufacture food products, drinks, shoes, etc. The rest of the companies that have given in to market pressure mention ISO certification as a requirement for participation in public procurement procedures. From many companies' point of view, ISO 9001 certification allows them to enter the public market, which in turn helps to maintain good customer relations, increase business confidence, output and profit.

The second-ranked factor by certified companies is “to facilitate procedures and contracting with clients”. About 20% of surveyed companies confirm that ISO 9001 certification was mostly needed in order to facilitate selection procedures from clients and to contract with them. In Albania's case, following years of continuous effort to attract direct foreign investments, this demand is closely tied to the demands foreign companies put forward and the work practices they aim to impose in the business environment during their cooperation with Albanian companies. Some of the less stimulating factors were “to improve productivity, the organization & operation of actual QMS” and “to improve the image and the reputation of the company”. These factors were generally viewed as ISO certification benefits for SMEs, rather than as promoters to undertake the whole process.

Based on the results of the questionnaire surveys and the interviews with managers of respective companies, we can answer the first question posed in this study by confirming that the main certification stimulating factors are external and tied to export demand, participation in public procurement, and facilitation of client contracting. Increased awareness of many companies' leaders regarding quality as one of the most important competitive advantages to be successful in the market is worth noting from the results of the first part of the survey. Nevertheless, taking definite steps towards the establishment of quality management systems and confirming the realization of these systems' requirements, which materializes in the form of the corresponding certificate, is considered unnecessary or difficult. This is considerably due to companies' expected benefits from a certification process, which has its costs, and requires time and organizational commitment.

4.2. ISO 9001 certification and the organization performance

There are evidences that the performance of organizations can be affected by ISO 9001 certification. Without going into details of classifications done for the expected benefits from certification, well discussed in many studies (Tari et al. 2012), we have firstly listed the benefits Albanian companies would expect to achieve from the certification based on their general knowledge, the presentations from consultancy entities and their partner experience. Such benefits include:

help to improve the quality of goods and services; help to drive growth, cut costs and increase profits; sharpen the business processes and increase efficiency; enhance the credibility and secure customer confidence; give a competitive edge to the business; open up export markets for goods and services; open doors to new customers and strengthen existing business; help to compete with bigger enterprises; strengthen your marketing pitch; help to comply with regulations.

Despite being mostly stimulated by external factors, the Albanian companies rank **improving the company's image** first when considering expected effects of the system's implementation. Next are **using the certification as a marketing tool** to give them advantage over competitors, and **sales growth**, on the condition that the added income be able to cover certification expenses as fast as possible.

The results from the third part of the survey allow us to make a qualitative assessment of the factual benefits Albanian companies have attained following certification. Increased participation in public procurement, which means an increase in sales and market expansion to companies, is the most important accepted effect. A quantitative assessment of the benefits of this nature hasn't been possible in the context of this study, as it would require a longitudinal observation of the companies, and the selection of companies with specific characteristics. The increase of exports and cooperation with foreign investors, as well as the improved relationship with authorities and other stakeholders, constitute significant external benefits.

As for internal benefits, various authors' studies have suggested that certified companies can obtain better productivity, have lower defect rates and fewer customer complaints (Sun, 2000). Another study (Nield & Kozak, 1999) has suggested that the standard implementation might have the following benefits: operational benefits (improved operating systems, enhanced operating practices), human resources benefits (gained more committed work force, reduction in staff turnover), and marketing benefits (improved customer satisfaction, gained competitive edge, nation-wide recognition). However, these benefits are less apparent and less perceptible in Albanian companies, at least compared with marketing benefits (improved customer satisfaction, gained competitive edge, nation-wide recognition).

We emphasize the opinion that there is a positive relationship between ISO 9001 certification and performance, but the benefits achieved from ISO 9000 set of standards are not the same for every organization. They depend on the level of ambition and commitment to achieve business excellence. There are only a few external and internal benefits that follow from the standard itself. Most internal benefits require a change in practice and commitment from all organizational members. Our study, through its case-study part, the interviews with the responsible quality managers, proves that the implementation of system requirements is easier and more effective in those companies where top management is committed to engage in and support the certification process. Regardless of this, the concern for the extra cost required and the complaint for the extra documentation/ bureaucracy augmented due to system requirements is one of the most unsatisfactory finding evidenced in the study.

5. Conclusions

This paper highlights and analyses the conditions under which ISO 9001 certification is likely to be implemented and to have positive effects on organizational, marketing and financial performance in Albanian companies. Using the different research strategies and theoretically integrating the results from other related studies, this paper is providing a more comprehensive picture on ISO 9001 motivation factors and standardization advantages.

Some conclusions are drawn at the end of the study work according to the results of the questionnaires and face to face interviews in 12 companies with quality managers. In response to the first research question and fulfilling the first objective of our work is determining the most influential factors in prompting companies for ISO certification, the following points should be mentioned:

- The Albanian companies have been stimulated mainly from external factors to apply for and successfully get the certificate ISO 9001. The internal factors are ranked lower in the list.
- Amongst the external motivation factors, almost at the same level are ranked the certification as a requirement for participation in public procurement procedures, which in turn brings a fast increase of sales and profit; the certification as a need for export, especially for food and beverage manufacturing.
- Implementation of ISO standard derived as a need from the internal factors is mainly related to the improvement of operation, cost reduction and decreasing nonconformities. The image improvement and reputation is the least influential factor, as per Albanian companies viewpoint.

Regarding the 2-nd research question raised and the objectives related - what are the actual benefits of certification and do they match with the companies' expectations – the following points are of importance:

- The companies that have had sales growth due to greater participation in public tenders and due to entry in export markets confirm financial and marketing benefits from certification, as they expected. Measuring such effect and assessing the role of certification in it compared to other factors might be a field of investigation for future studies.
- The companies that have started the process and implemented the ISO system with the expectancies for service quality improvement, for marketing needs and better image of the company, confirm achieving of such benefits, but they don't evidence cost reduction, and/or financial results as expected.
- A few companies have been implementing the system for several years without any obvious result, especially in financial and operational terms. However, these cases might need a detailed analysis, beyond the capability of the mentioned study.

Practical implications for Albanian companies - The internal motivation and design of the QMS based on the real needs of an organization are important conditions to achieve positive effects from the standards implementation. The focus should be on the areas that need to be improved, not only on fulfilling the minimum requirements for obtaining the certificate. The objectives need to reflect the expectations of customers as well as the organization's aims for future success. Consequently, only self-motivation will make improvement sustainable. If the ambition and commitment level are very low and organizations devote too much attention and place too much value on the certification, the focus on real improvements is shifted away by limiting the efforts to the satisfaction of the minimum necessary requirements, just fulfilling the auditors' demands and setting defensive and easy to achieve objectives.

Furthermore, the involvement of people was identified as critical for the successful implementation and operation of a quality management system. The commitment of top management is vital, as well as the engagement of a dedicated and knowledgeable quality manager or facilitator.

This work could have been of value if it would encourage further studies on the field, closely related to the characteristics of Albanian businesses.

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Table 1. **Active enterprises by legal form, end of year 2015.** Source: INSTAT, 2016

Forma ligjore	numër number	Pronare / administratore femra Female owner/ administrator		Legal Forms
		numër number	%	
Gjithsej	152,288	47,706	31.3	Total
Fermerë	19,543	1,564	8.0	Farmers
Persona Fizikë	103,414	40,208	38.9	Physical persons
Persona Juridikë	29,331	5,934	20.2	Juridical persons
Shoqëri me Përgjegjësi të Kufizuar	23,643	4,356	18.4	Limited Liability Companies
Shoqëri Aksionare	911	145	15.9	Joint Stock Companies
Ndërmarrje Shtetërore	935	296	31.6	Public Enterprises
Administrata Publike	498	87	17.5	Public Administration
OJF, Org. ndërkombëtare	2,410	861	35.7	NGO, Intern. Organization
Shoqëri të tjera	934	190	20.3	Other Companies

Poverty, Conflict due to the Young, with Parents

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Abstract

The youth, between conflicts school, in their families and in the society. From the implemented study, it was resulted that one of the main reasons for their conflicts within the families is the economic situation. Poverty and unemployment are reasons which increase stress, anxiety in humans so they are more prone to conflicts. According to the study, it results that 14.2 percent of the girls and 16.5 percent of the boys approve that they conflict with their parents because they cannot meet their economic demands. From the survey data, about 42 percent of the students' mothers are unemployed or retired and 18 percent of them are workers or farmers with minimal incomes and 20 percent of the students' fathers are unemployed or retired, 18.1 percent of them are workers or farmers. Even the young people experience this poverty within their families, but their reaction is sometimes even conflictual.

Keywords: Conflict, poverty, economic, youth, unemployment

Introduction

The study was focused on quantitative methods by being conducted through a survey with students. This study gave us not only a high number of conflicts between the youth and their parents but also the causes of these conflicts. Moreover, the conflicts due to economic reasons constitute an important part to the causes of them. This happens because of the transition that Albania is going through from 1991 and until today when this transition seems it is not ending. Poverty is widespread and people barely survive and most of the families live below the minimum of subsistence. This situation brings a lot of stress to the members of the family where the conflicts can happen easily and they can often end in violence.

Methodology:

The study is conducted at "Aleksander Xhuvani" University in the Faculty of Social Sciences, Faculty of Economics and Nursing. There are surveyed 400 students of these faculties and especially the students who are studying for Philosophy and Sociology, Social Work and Psychology. Special attention was paid to the students' interviews and opinions which are reflected and showed in the interior of the study. Through this study there are reflected the students' opinions corresponding to their age, gender, residence and up to their religion. The survey posed semi structured questions. On the basis of data processing in computer there are formulated combined tables or graphics so synthesized which express the opinions of 400 respondents.

Conflicts for economic reasons.

According to the data of the study it appears that 14.2 percent of the girls and 16.5 percent of the boys say that they conflict with their parents because their economic requirements are not fulfilled. After 1990, Albania experienced a severe economic crisis. Approximately, 50 percent of Albanians live in poverty level or below this level. Unemployment is still increasing, energy crises that are becoming deeper every year, clothing and food prices are rising continuously. We are a country that 25 years are fighting to survive.

Poverty appears in every corner of Albania and under such conditions it is impossible to disappear. It seems that governments which come and go had been submitted to this poverty. "The lack of public awareness of the extent of the poverty probably is seen in the little "visibility" of the poor. Most of those who are part of the privileged layers rarely visit the areas, cities or villages where poverty is concentrated" (Giddens, A., 2004:244). A lot of parents sacrifice their life in order

to give their children a chance to continue their college because it is the only opportunity or way, according to them, to find a job in Albania.

Students who live independently are more likely to be more liberal and they often want to go in discos, bars and they also tend to wear fashionable clothes. Only in the district of Elbasan, where most of the students' family live, there 19.9 % of the urban population and in rural areas and there are 22.5 percent of them that receive the social assistance.

Economic assistance in urban areas

City	Population	Part of the population with economic assistance	The average income per capita per month. from economic assistance (Euro)
Elbasan	87.797	18.7%	4.8
Cerrik	9.427	23.3%	5.1
Peqin	7.242	23.3%	4.5
Gramsh	10.477	21.4%	4.8
Librazhd	7.216	7.5%	4.8
Perrenjas	4.304	18.1%	4.5
gjithsej	126.463	19.9%	4.68

Economic assistance in rural areas

Qyteti	Part of the population with economic assistance	The average income per capita per month. from economic assistance (Euro)
Elbasan	18.3	4.1
Peqin	12.2	3.85
Gramsh	28.3	3.78
Librazhd	33.6	4.03
gjithsej	22.5	3.93

If we see the data of the survey about 42 percent of the students' mothers are unemployed or retired and 18 percent of them is a farmer with the minimal incomes and 20 percent of students' fathers are unemployed or retired, 18 of them are just workers or farmer. "It is said that the man without a role in the society is a being that does not exist" (Dahrendorf, R., 2006:69). This kind of family environment is associated with strife and debate by making the other family members more stressful, therefore they are likely to revert to the family relational conflicts, some of them derive even to violence. According to Izajah Berlin injustice, poverty, slavery, ignorance can disappear through reforms and revolutions. However, the war against the evil cannot end itself. People need positive, individual, collective and diverse goals (1996:114).

For this reason, we do not have an elite politicians economists that for 25 years to get out of this economic collapse. Many Albanians see EU accession as an opportunity to move away from Albania. Anarchy in Albania was brought back to freedom; anti rule was seen as a right for change. It was hit the rule and the institutionalization within state. Public and state properties are robbed by people without any human value. As such situations say Chantal Millon-Delson 'big mistake of materialism is that exceed the value of human. The aim and the means have changed location. Money that was tool becomes a target and tool life. Should be conducted subversion to put new values in place. Before that require structures, society demands a philosophy, because it is' spiritually sick,, "(2000 : 159). Economic-Political reforms in Albania are unsuccessful, they suffered many failures. The national wealth is abused. Lack of industrial and agricultural production. Imports for everything. Services with high fees, almost unbearable. A perverse and uncontrolled market. Insidious business with monopoly size where fair competition does not exist. Society hasn't resolved yet the problem of the property and the owner. Scandals have not finished. About 520 families in Shkoder district are stacked. Macabre crimes within family where the father kills the daughter, husband kills wife. All these factors have increased unemployment and poverty in Albania. Unemployment has led to broad measures of population live in poverty anxiety, and spread about like an epidemic among

younger generations, it has created psychosis in the family, distorted relationship between parents and children, as the cult of "bread winner, that has historically been the parents, it seems crashed (Kabo, P., 2006: 212)

Families from rural areas make the greatest sacrifice to send their children to high school. It is known that to save are forced to narrow its claims to the maximum time for clothing, electrical appliances, and entertainment and cultural activities there is no question. It is this saving levels of desperation that some rural families, having their vision for their children gives them the opportunity to lead universities.

Poverty in family, unemployment of parents seems to be the cause of these contradictions, so the economic upturn and the Albanian families will avoid many of these contradictions from where Albania's economic growth will be accompanied by job opening except parents who will also give students the opportunity to work. Work closely commonly is associated with values such as self-esteem, human dignity and purpose of life. Democracy is threatened and cannot survive in countries where unemployment is present in disfiguring way in society.

Conclusion

For enclosure we can say that economic factors, such as unemployment, poverty, etc. are key factors in conflicts with students and parents. Despite going through the transition to society, we need to focus the attention of state institutions to fight against poverty, and unemployment. Employment needs to be seen not only as an economic condition and instrument of survival. Besides this vital function, employment will be necessary estimated as a civil right, as respect of human dignity, and to the finite as care for the society. For an employee to provide themselves and their families in the area of education, health and civilization.

Economic reforms that need to be done rapidly must be accompanied with a support for these layers. Going out from this transition will also make it possible to increase the level of employment, especially among family heads.

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The Role of Career Self-Efficacy on the Effect of Parental Career Behaviors on Career Exploration: A Study on School of Tourism and Hotel Management' Students

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Abstract

This study aims to investigate the impact of parental career behaviors on undergraduate student's career exploration and the mediating role of career self-efficacy. In the literature it is suggested that some social and individual factors facilitate students' career exploration. Therefore, parental career behaviors and career self-efficacy is considered as predictors of student's career exploration attitudes within the scope of the study. In this respect, data which are collected from 405 undergraduate students having an education on tourism and hotel management field by the survey method are analyzed by using the structural equation modeling. The results of the study indicate that parental career behaviors which are addressed support, interference and lack of engagement have a significant effect on student's career exploration behaviors such as intended-systematic exploration, environment exploration and self-exploration. In addition, it has been found that one of the dimensions of parental career behaviors addressed as a lack of engagement has a significant effect on career self-efficacy levels of students. However, research results indicate that student's career self-efficacy has a significant effect on only the self-exploration dimension. On the other hand, career self-efficacy has a partial mediating role between lack of engagement attitudes of parents and career exploration behaviors of students.

Keywords: Parental Career Behaviors, Career Self-Efficacy, Career Exploration

1. Introduction

During adolescence, the preparation for adulthood includes becoming concerned about and forming plans for the future occupational life. Theories of adolescence regard the process of becoming aware of one's vocational interests and making educational and vocational choices as a major developmental task of adolescence in modern industrialized societies (Kracke, 1997: 341). Several theoretical models view career development as the result of not only intrapersonal processes but also contextually constructed processes and the family context is viewed as being highly significant for adolescents (Ginevra et al., 2015: 2). Research has suggested that the family environment is an important contextual factor that shapes the study-to-work transition or the formative stages of career development. Students seek parents' emotional and instrumental involvement for their personal growth and adaptation to their career. Having parental support provides resources necessary to enable career exploration and the confidence and motivation to pursue their career goals (Guan et al., 2016: 114-115). Career exploration is a critical process for child and adolescent development leading people toward suitable work and meaningful careers. Antecedents that are known to explain variance in career exploration are motivational factors, such as self-efficacy, career interests, and achievement-orientation as well as contextual factors, such as parental behaviors (Lee et al., 2016: 125,126). The exploration stage is a crucial period in career development. During this phase individuals initiate thoughts and behaviors that will likely lead to a future career choice (Bartley and Robitschek, 2000: 63). Parents, as primary sources of social support, influence young people's career-related self-efficacy and outcome

expectations, as well as the development of their career interests, intentions, and goals (Ginevra et al., 2015: 3). Career self-efficacy plays an important role in studying the career objectives of teenagers and young people and the peculiarities of their career choices. The indicator of career self-efficacy helps determining the behavior of an individual in different situations when planning his/her career. Career self-efficacy is confidence in one's ability to perform the actions related to further career choices (Brusokas and Malinauskas, 2014: 212). Previous research has suggested that individuals' career exploration behavior correlates positively with their career self-efficacy and career growth/success (Li et al., 2015: 39). However, research has shown that youths' career development is influenced by parenting styles (Zhao et al., 2012: 620). Furthermore, recent researches have showed that these parental behaviors significantly predicted career exploration and career decision-making difficulties of adolescents, as well as the career self-efficacy of the university students (Guan et al., 2015: 96). In this context, it can be said that parental behaviors are considered as crucial which provide students some information related with their future career and facilitate their career choices and provide them to develop their career. Accordingly, this study aims to investigate the effects of parental career behaviors on student's career exploration and the mediating role of career self-efficacy between parental career behaviors and career exploration. In the literature, there are a few researches that show the relationship between parental career behaviors and career exploration. On the other hand, there is not any research existing in literature yet examining the relationships among parental career behaviors, career self-efficacy and career exploration on university students. Since the parental styles are considered as significant component on undergraduate students' career exploration behaviors and career self-efficacy, this research is conducted on this population. Thus, this study aims to investigate the antecedents of career exploration of undergraduate students so it attempts to add contribution to the literature.

2. The Theoretical Framework and Research Hypotheses

2.1. Career Exploration

Traditionally, career exploration was most commonly associated with the school-to-work transition as a critical stage in an individual's career development. More recently, scholars and practitioners have started to embrace the idea of career exploration as a lifelong pursuit occurring across life roles and as a means to cope with a variety of career transitions (Zikic and Hall, 2009: 181). Career exploration refers to individuals' activities of collecting and analyzing information on their personal characteristics, as well as information on jobs, organizations and occupations. By searching and processing career related information, individuals can better understand existing job opportunities and prepare themselves for the challenges in their career transitions (Li et al., 2015: 39). Career exploration is understood "as a process with critical lifelong and adaptive functions" rather than a stage in career development or decision making, which includes cognitive and attitudinal components, as well as planned and unplanned activities (Cheung and Arnold, 2010: 25). Career exploration is a complex psychological process of exploration of the self and of the external environment that ensures career adaptability and has a particular significance in transitional periods in which individuals are frequently challenged with new roles (Gamboa et al., 2013: 79). Career exploration includes activities of gathering information relevant to the career progress of the individual and contains self and environmental explorations. Self-exploration refers to the exploration of individuals' own interests, values, and experiences in order to reflect on their career choice and to obtain a deeper understanding of them, whereas environmental exploration involves individuals' investigation of various career choices and involves collecting information on jobs, organizations, occupations or industries that correlates with more well-informed career decisions (Sawitria and Dewia, 2015: 106). It has been established that both self-exploration and environment-exploration activities play important roles in helping individuals to identify suitable job opportunities, achieve better employment and cope with the difficulties and challenges in their career transitions (Guan et al., 2015: 96). Adolescence is an important period in the context of career development because it is the time when people prepare themselves for the world of work and develop a vocational identity. In the course of developing a vocational identity, children and adolescents learn about their personal characteristics like interests, values, and capabilities. They also contemplate on what occupations suit their personal characteristics based on direct and indirect search about the outer world, which is altogether regarded as career exploration (Lee et al., 2016: 125). The exploration stage is a crucial period in career development. During this phase individuals initiate thoughts and behaviors that will likely lead to a future career choice. If individuals do not successfully complete the tasks of this stage, they may flounder when it comes time to enter and stabilize in an occupation (Bartley and Robitschek, 2000: 63).

2.2. Parental Career Behaviors and Career Self-Efficacy

Generally, parents' involvement includes several roles such as communication between children, managing and organizing their time, and discussing school matters being active in school functions and etc. (Herlickson et al., 2009: 194). In addition parental behavior related with career is refers to parental support includes encouragement, instrumental assistance, modeling desired behaviors, and emotional backing of children's (Sawitri et al., 2014: 553). Therefore, it can be said that parents are considered as primary sources of social support, young people's career-related self-efficacy and outcome expectations of them, as well as the development of their career interests, intentions, and goals (Ginevra et al., 2015: 3). In other words, parental career behaviors are instrumental in career development, such as concern and encouragement, expectations, interest, aspiration and role modeling (Fisher and Padmawidjaja, 1999: 136). In literature, it is suggested that there are three themes of parenting style over the past 50 years. The first one represent the centrality of parental warmth and caring to children's development, suggesting that the foundation for caregiving is love and affection; second theme is authoritarian parenting style which refers to setting clear and consistent expectations and limit setting to children and provide to internalization of rules thus facilitate development of their self-efficacy levels. A third one is addressed as autonomy support which includes providing freedom of expression or intrinsic motivation of their children's. All of these themes can be traced in various forms across decades of research examining how parents relate to their children from preschool age to late adolescence (Skinner et al., 2005: 175). For example, in this study parenting styles are examined in three different perspectives which are labeled as support, interference and lack of engagement. Support style represents how parents encourage and give advice to their children about career choices, career opportunities and career related activities. Interference refers that parents tend to impose their ideas and thoughts toward to their children which are related with career and vocation choices. However, lack of engagement indicates that parents have uninterested attitudes about their children's career related issues (Dietrich and Kracke, 2009: 113).

Existing research evidence suggests that parental support can bolster career decision-making self-efficacy and mitigate the impact of career-related challenges (Guan et al., 2016: 115). Social cognitive career theory (SCCT), which focuses on the role of parental support, proposes that the environmental support parents provide for their children can have both direct effects on career choice and indirect effects, as mediated through self-efficacy (Ginevra et al., 2015: 3). Youths' career development begins in the family context and parents play a very significant role during this process. Social cognitive career theory argues that external factors, such as parental attitudes, parenting styles and family environment, influence youths' career self-efficacy level (Zhao et al., 2012: 619-620). Career self-efficacy, can be defined as individual's judgments of their abilities to perform career behaviors in relation to career development, choice, and adjustment. In addition, career self-efficacy provides important information relevant to understanding the complex career development process (Nasta, 2007: 5). For example career self-efficacy plays an important role in studying on the career objectives of teenagers and young people and the peculiarities of their career choices. However, career self-efficacy helps determining the behavior of individuals in different situations when planning their careers. That is to say, individual who have high self-efficacy in complex situations it helps them to overcome feelings of doubt, various unpleasant occurrences and conflicts (Brusokas and Malinauskas, 2014: 212). Therefore, it is possible to express that career self-efficacy also has positive correlates with a range of career maturity variables, including career attitude, career exploration and career decidedness and it is considered as an important motivational variable which influences the focus, initiation and persistence of behaviors, including career behaviors (Creed et al., 2007: 378).

3. Research Hypotheses

In recent years, it is seen that the core concepts of the 20th century career theories and vocational support techniques must be reformulated to fit the new working conditions due to the current insufficient approaches. In other words, 21st century theories considered careers as individual scripts rather than conceptualizing careers as a meta-narrative of stages. Accordingly, new theories and techniques emphasize individuals' flexibility, adaptability, life-long learning, personal characteristics and exploration behaviors for the development of career (Tuna et al., 2014: 143). In this context, it can be said that the importance of career exploration has become more valued in recent years as the new directions of theory and researches have become prominent. Career exploration is now viewed as an essential part of career development process, and also it is considered as an important component in career decision-making (Nasta, 2007: 6-7). Due to the career exploration subject came into view as the individuals capacity to self-construct and self-determine their lives, both theorists and practitioners become concerned which factors can inhibit or facilitate career exploration process (Cheung and Arnold,

2010: 25). Therefore, it seen that researchers focus on various social and cultural factors which are expected to influence career exploration behaviors of individuals. It is suggested that from the social and environmental context immediate environment and parents may be effective on the individual career choices. As well as these factors, it is supposed that individual characteristics such as age, gender, specific talents, interests, values and personality types may affect career exploration levels of individuals (Zikic and Hall, 2009: 181). From the scope of antecedents of career exploration attitudes, it seen that there are some researches which have examined different components in the literature. For example, Hirsch et al. (2015) and Li et al. (2015) revealed that personality characteristics which refer to hope and big five personality types can be considered as the sources of career exploration of adolescents. Vignoli et al. (2005) studies asserted that adolescent's anxiety levels and their parents' attachment and parenting styles are significant predictors of the career exploration. However, Cheung and Arnold (2010) have suggested that university students' achievement motivation types and perception of support related with career activities from their parents, teachers and peers can be considered as the antecedents of career exploration. On the other hand, Sawitri and Dewi (2014) found that university student' career exploration levels are affected by the academic fit and congruence with their parents and also Guan et al. (2015) studies predicted that parental career behaviors are the determinant of both career adaptabilities and career exploration. From this point of view, in this research it is expected that from social context parental career behaviors and the scope of the individual antecedents' career self-efficacy have influence on students' career exploration levels and the following hypotheses are proposed:

- H1: Parental support significantly influences intended-systematic exploration levels of students.
- H2: Parental support significantly influences environment exploration levels of students.
- H3: Parental support significantly influences self-exploration levels of students.
- H4: Interference significantly influences intended-systematic exploration levels of students.
- H5: Interference significantly influences environment exploration levels of students.
- H6: Interference significantly influences self-exploration levels of students.
- H7: Lack of engagement significantly influences intended-systematic exploration levels of students.
- H8: Lack of engagement significantly influences environment exploration levels of students.
- H9: Lack of engagement significantly influences self-exploration levels of students.
- H10: Career self-efficacy significantly influences intended-systematic exploration levels of students.
- H11: Career self-efficacy significantly influences environment exploration levels of students.
- H12: Career self-efficacy significantly influences self-exploration levels of students.

In literature, when focusing on the role of parental behaviors for adolescents' career development, it is seen that majority of studies have addressed parent-adolescent relationship, such as attachment, individuation, parenting styles and family climate were linked to more career exploration activities lead to higher career self-efficacy (Dietrich and Kracke, 2009: 110). For example Guan et al. (2016) studies suggested that parental support significant predictors of adolescents career decision making self-efficacy. In addition, Ginevra et al. (2015) indicated that adolescents career self-efficacy levels affected from the perfection of parental support in career development stage. Moreover it is seen that Roach (2010) studies emphasized that parental styles have been found to be associated with career self-efficacy. In this context, it is possible to express that parental career behaviors are considered as the antecedents of career self-efficacy levels of university students. On the other hand, it is expected that career self-efficacy has a mediating role in this study. Thus, following hypotheses are proposed:

- H13: Parental support significantly influences career self-efficacy levels of students.
- H14: Interference significantly influences career self-efficacy levels of students.
- H15: Lack of engagement significantly influences career self-efficacy levels of students.
- H16: Career self-efficacy has a mediating role on the relationship between parental support and career exploration levels of students.
- H17: Career self-efficacy has a mediating role on the relationship between interference and career exploration levels of students.
- H18: Career self-efficacy has a mediating role on the relationship between lack of engagement and career exploration levels of students.

Figure 1: Direct Effects



Figure 2: Mediating Effects



4. Research Method

4.1. Sample and Procedures

The sample of the research was composed of eight tourism faculties and two of the tourism and management school from the different provinces of Turkey. The participants of the study consist of 406 students who have being education as a second class and above students that were determined via convenient sampling method. From the 550 questionnaires that have been sent out, 430 have been returned, representing a response rate of 78%. After elimination of cases having incomplete data and outliers 406 questionnaire (73%) have been accepted as valid and included in the evaluations. However, questionnaire survey method is used for data collection in this study. Questionnaire form contains three different measures related to research variables.

4.2. Measures

Measures used in the questionnaire forms have been adapted from the previous studies in the literature. All measures have been adapted to Turkish by the lecturers and pilot study has been conducted for the validity of these measures. Before the distribution of the survey to the actual sample, a pilot study was conducted in order to determine whether the questions had been understood properly and to check the reliability of the scales. As a result of the pilot study, some corrections have been conducted in the questionnaire forms. A Likert-type metric, that is, expressions with five intervals has been used for answers to the statements of survey. Anchored such; "1- strongly disagree, 2- disagree, 3- agree or not agree, 4- agree, 5- strongly agree". However, 9 demographic questions were asked in the questionnaire form. Firstly, all scales were subjected to the exploratory factor analyses to check the dimensions, and then confirmatory factor analyses were applied to all scales.

- **Parental Career Behavior Scale:** Students' perception of parental career behaviors measured with 14 items which was taken from Dietrich and Kracke (2009) studies. Exploratory factor analysis using principal component analysis with varimax rotation was applied to the adapted scale to check the dimensions. As a result of the exploratory factor analysis data related to the parental career behavior variables, one item were removed from the analysis due to the factor loadings under 0.50 and three factor solutions; (**support, interference and lack of engagement**) were obtained per theoretical structure. Factor loadings of the items ranged from .70 to .87.

- **Career Exploration:** Students career exploration behaviors measured with 28 items which was developed by Stumpf et al., (1983). Exploratory factor analysis using principal component analysis with varimax rotation was applied to the adapted scale to check the dimensions. As a result of the varimax rotation of the data related to the career exploration variables,

twelve items were removed from the analysis due to the factor loadings under 0.50 and three factor solutions; (environment exploration, self-exploration, intended-systematic exploration) were obtained per theoretical structure. Factor loadings of the items ranged from .54 to .80.

• **Career Self-Efficacy Scale:** Students career self-efficacy levels were measured with 11 items which was taken from Kossek et al., (1998) studies. As a result of the exploratory factor analysis of the data related to the career self-efficacy variables, five items were removed from the analysis due to the factor loadings under 0.50 and one factor solution obtained per theoretical structure. Factor loadings of the item ranged from .68 to .86.

Table 1: Results of Exploratory and Reliability Analysis

Parental Career Behaviors (13 items) KMO: .848 Varyans: %68	Cron. Alpha	Career Exploration (16 items) KMO: .935 Varyans: %65	Cron. Alpha	Career Self- Efficacy (11 items) KMO: .864 Varyans: %61	Cron. Alpha
1. Factor: Support	.855	1. Factor: Intended- systematic exploration	.835	1. Factor: Career Self-Efficacy	.871
2. Factor: Interference	.759	2. Factor: Environment ex ploration	.916		
3. Factor: Lack of Engagement	.912	3. Factor: Self-exploration	.821		

After the exploratory factor analyses, the confirmatory factor analysis has been conducted by Lisrel 8.8 for all scales. Goodness of fit indexes is presented in Table 2. It can be seen that all of the fit indexes fall within the acceptable ranges (Schemmelleh-Engel et al., 2003: 52; Meydan and Şeşen, 2011: 35).

Table 2. Goodness of fit indexes of the scales

D Variables	χ^2	df	χ^2/df	GFI	AGFI	CFI	NFI	NNFI	RMSEA
			≤ 5	$\geq .85$	$\geq .80$	$\geq .90$	$\geq .90$	$\geq .90$	≤ 0.08
Parental Career Behaviors	123.74	61	2.02	0.95	0.93	0.98	0.98	0.97	0.050
Career Exploration	233.64	85	2.74	0.93	0.90	0.98	0.97	0.98	0.066
Career Self-Efficacy	18.77	8	2.34	0.98	0.96	0.99	0.99	0.99	0.058

1.3. Data Analysis

SPSS for Windows 20.0 and Lisrel 8.80 programs were used to analyze the obtained data. After the exploratory and confirmatory analysis, descriptive statistics such as means, standard deviations and pearson correlation analysis of the study variables were examined. Following that, structural equation modelling (SEM) was used to conduct a test of the hypotheses in the research model.

5. Research Findings

5.1. Respondent Profile

51% of the students were female and the 49% of them male. Majority of the students (77%) were between the ages 19-23, 23% of them above than 23. 42% of the students have an education in accommodation management programs, 25% of them in gastronomy and culinary arts, 24% of them in travel management, 9% of them in tourist guide bachelor's degree programs. However, majority of the students (80%) indicated that they have chosen tourism and hotel management school and tourism faculties willingly. In addition, most of the students (65%) are planning to work in the tourism industry when they have graduated, whereas 35% of them are not planning to work in the tourism industry. On the other hand, it is seen

that majority of the students (94%) parents are alive and (84%) of them parents are together. 54% of the student's only father working, 27% of them both fathers and mothers are working and 19% of them parents have retired.

5.2.Descriptive Analyses

In the scope of the descriptive analyses means, standard deviations and correlations have been conducted which are related to parental career behaviors, career exploration and career self-efficacy levels of student. The values are given in Table 3.

Table 3. Means, standard deviations and correlations of the study variables

	Mean	S.S	1	2	3	4	5	6	7
Support	3.91	.95	1						
Interference	2.74	.93	-.031	1					
Lack of Engagement	2.10	.94	-.378**	.276**	1				
Intended-systematic Exp.	3.92	.82	.515**	.078	-.200**	1			
Environment Exp.	3.64	.83	.422**	.065	-.065	.626**	1		
Self-Exploration	3.92	.77	.562**	.122*	-.164*	.630**	.610**	1	
Career Self-Efficacy	3.38	.99	.110*	-.220**	-.398**	.178**	-.019	.037	1

** $p < 0.01$

As can be seen in Table 2, parental career behaviors dimension of support was positively related to students intended-systematic exploration ($r=.515$, $p<0.01$); environment exploration ($r=.422$, $p<0.01$) and self-exploration ($r=.562$, $p<0.01$). Interference dimension was positively related to students self-exploration ($r=.122$, $p<0.05$) while lack of engagement dimension were negatively related to students intended-systematic exploration ($r=-.200$, $p<0.01$) and self-exploration levels ($r=-.164$, $p<0.05$). In addition, while parental career behaviors support dimension was positively related to students ($r=.110$, $p<0.05$) career self-efficacy levels; interference ($r=-.220$, $p<0.01$) and lack of engagement ($r=-.398$, $p<0.01$) dimensions were negatively related to students career self-efficacy levels. However, one of the dimension of career exploration which is labeled as an intended-systematic exploration was positively related to students ($r=.178$, $p<0.01$) career self-efficacy levels. On the other hand, it is seen employees' self-exploration and intended-systematic exploration levels and the perception of parental support levels relatively high.

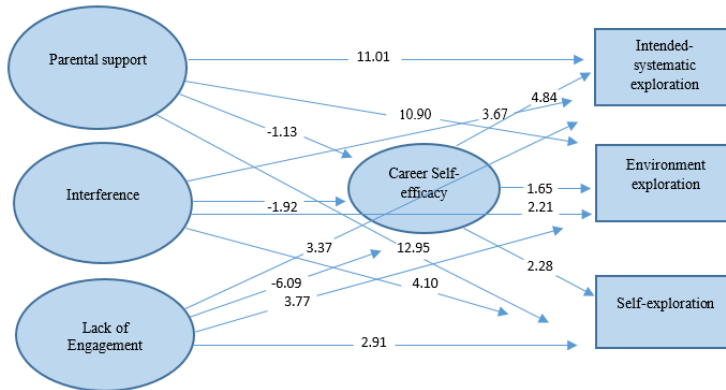
5.3. Measurement Model

For the verification of the model two step approach by Anderson and Gerbing (1988) has been used. According to this approach, prior to testing the hypothesized structural model, first the research model needs to be tested to reach a sufficient goodness of fit indexes. After obtaining acceptable indexes it can be proceed with structural model. As a result of the measurement model, 7 latent and 35 observed variables were found. Observed variables were consist of 14 items related to parental career behaviors, 15 items related to career exploration and 6 items related to career self-efficacy. The results of the measurement model were; χ^2 : 864.23; df: 501; χ^2 /df: 1.72; RMSEA: 0.042; GFI: 0.89; IFI: 0.98; CFI: 0.98; NFI: 0.96; NNFI: 0.98. These values indicate that measurement model has been acceptable (Schermelel-Engel et al., 2003: 52; Meydan and Şeşen, 2011: 37).

5.4. Structural Equation Model

After the measurement model was demonstrated as acceptable, the structural equation model was applied to verify hypotheses for the causal relationships in the research model. The results of the structural equation model were; χ^2 : 1171.38; df: 505; χ^2 /df: 2.31; RMSEA: 0.057; CFI: 0.97; IFI: 0.97; NFI: 0.94; NNFI: 0.96. These results indicate that structural model has been acceptable (Schermelel-Engel et al., 2003: 52; Meydan and Şeşen, 2011: 37).

Figure 2. Structural model and path coefficients



According to the results of structural equation model, the path parameter and significance levels show that parental career behaviors dimensions which are labeled as support ($\gamma=0.77$; $t\text{-value}=11.01$), lack of engagement ($\gamma=0.21$; $t\text{-value}=3.37$) and interference ($\gamma=0.20$; $t\text{-value}=3.67$) have positive and significant effect on students intended-systematic career exploration behaviors; so H₁, H₄ and H₇ hypotheses were supported. However, parental support ($\gamma=0.74$; $t\text{-value}=10.90$), interference ($\gamma=0.12$; $t\text{-value}=2.21$) and lack of engagement ($\gamma=0.24$; $t\text{-value}=3.77$) have positive and significant effect on students environment exploration, thus H₂, H₅ and H₈ hypotheses were supported. In addition, it is found out that parental support ($\gamma=0.80$; $t\text{-value}=12.95$), lack of engagement ($\gamma=0.16$; $t\text{-value}=2.91$) and interference ($\gamma=0.21$; $t\text{-value}=4.10$) have positive and significant effect on self-exploration behaviors of students, so H₃, H₆ and H₉ hypotheses were supported. These results indicated that parental career behaviors such as support, lack of engagement and interference lead students to exhibit intended-systematic and self-exploration career attitudes. In this context, it can be said that supporting parental behaviors represent positive attitude towards to the children and facilitate them to form their career choices, career paths and etc. On the other hand, lack of engagement and interference indicating unfavorable attitudes lead to some positive consequences in terms of career-exploration. Therefore, it is possible to express that even though lack of engagement and interference are unfavorable, they lead students to more interest in their career related activities. Moreover, parental career behaviors dimensions such as support ($\gamma=-0.07$; $t\text{-value}=-1.13$) and interference ($\gamma=-0.12$; $t\text{-value}=-1.92$) have no significant effect on students career self-efficacy levels, so H₁₃ and H₁₄ hypotheses were not supported, while lack of engagement ($\gamma=-0.44$; $t\text{-value}=-6.09$) has negative and significant effect on students career self-efficacy levels, thus H₁₅ hypothesis was supported. In this regard, it is possible to express that only one of the dimension of parental career behaviors which is called as a lack of engagement affects students career self-efficacy levels. In other words, parents lack of engagement towards to the children may lead to their career self-efficacy levels decreased. According to the results, it is found that career self-efficacy levels of students have positive effect ($\gamma=0.29$; $t\text{-value}=4.84$) on intended-systematic and self-exploration ($\gamma=0.11$; $t\text{-value}=2.28$) career behaviors, so H₁₀ and H₁₂ hypotheses were supported but career self-efficacy levels has no significant effects on ($\gamma=0.08$; $t\text{-value}=1.65$) environment exploration of students, H₁₁ hypothesis was not supported. In addition to them, Baron and Kenny (1986) approach was used for testing mediating effect of career self-efficacy. Related to this approach, following conditions were used for the mediation analysis (Baron and Kenny, 1986):

- 1) There is a significant relationship between the independent variable and the dependent variable (parental career behaviors and career exploration)
- 2) There is a significant relationship between the independent variable and the mediator variable (parental career behaviors and career self-efficacy)
- 3) There is a significant relationship between the dependent variable and the mediator variable (career self-efficacy and career exploration)

After the SEM tested in accordance with the Baron and Kenny (1986) approach, structural equation model showed that career self-efficacy has a partially mediator role between the relationships of lack of engagement dimension of parental career behaviors and intended-systematic career exploration behaviors, thus H₁₈ hypothesis was partially supported. In

this context, it is possible to express that student who perceives unfavorable attitudes that shows lack of engagement from their parents, tend to exhibit intended-systematic career exploration behaviors but if they possess a career self-efficacy at the same time, their exhibition levels of intended-systematic career exploration are affected positively. In other words, career self-efficacy increases their intended-systematic career exploration behaviors even though they perceive lack of engagement. However, it is seen that career self-efficacy has a partially mediator role between the relationships of lack of engagement dimension of parental career behaviors and self-exploration behaviors. Therefore, it can be said that students who perceive unfavorable attitudes that shows lack of engagement from their parents, tend to exhibit self-exploration behaviors but if they possesses a career self-efficacy at the same time, their exhibition levels of self-exploration are affected positively. On the other hand, parental support and interference dimensions have no significant effect on career self-efficacy levels of students, the conditions of Baron and Kenny approaches were not provided so career self-efficacy's mediating effect was not questioned, which implies that H₁₆ and H₁₇ hypothesis was not supported.

Table 4. Summary of Hypotheses Results

Hypothesized Path	Results
H ₁ : Parental Support → Intended-systematic exploration	Supported
H ₂ : Parental Support → Environment exploration	Supported
H ₃ : Parental Support → Self exploration	Supported
H ₄ : Interference → Intended-systematic exploration	Supported
H ₅ : Interference → Environment exploration	Supported
H ₆ : Interference → Self exploration	Supported
H ₇ : Lack of Engagement → Intended-systematic exploration	Supported
H ₈ : Lack of Engagement → Environment exploration	Supported
H ₉ : Lack of Engagement → Self exploration	Supported
H ₁₀ : Career self-efficacy → Intended-systematic exploration	Supported
H ₁₁ : Career self-efficacy → Environment exploration	Not Supported
H ₁₂ : Career self-efficacy → Self exploration	Supported
H ₁₃ : Parental Support → Career self-efficacy	Not Supported
H ₁₄ : Interference → Career self-efficacy	Not Supported
H ₁₅ : Lack of Engagement → Career self-efficacy	Supported

Hypothesized Path	Mediator	Results
H ₁₆ : Parental Support → Career Exploration	Career Self-efficacy	Not Supported
H ₁₇ : Interference → Career Exploration	Career Self-efficacy	Not Supported
H ₁₈ : Lack of Engagement → Career Exploration	Career Self-efficacy	Partially Supported

6. Conclusion

In the current era, due to the emerging of social and technological changes in working world, it is seen that the ability of adolescents' to seek career opportunities, to recognize their concerns and interests related with their career have become an important topic. In other words, today's working conditions requires adolescents to have flexibility, adaptability, life-long learning approaches, possess specific personality characteristics and tend to exhibit exploration behaviors for the development of their career. Career exploration considered as one of the important activities which refers to adolescents' collecting and analyzing information on jobs, organizations, occupations and themselves. These activities facilitate adolescents to recognize existing job opportunities, prepare them for the future career transitions and provide their adaptability towards to the unpredictable conditions. In addition, by the career exploration behaviors, adolescents can be aware of their weakness, goals, strengths, interests, desires and opportunities. Therefore, it can be said that career exploration are considered vital component for young adolescents' career planning, career decidedness and career development process. However, there is a growing question about what lead or trigger adolescents to exhibit career exploration behaviors. In literature, it is seen that researchers focus on various individual, social and cultural factors which are expected to influence career exploration behaviors of university students. For example, these studies suggested that adolescent's age, gender, abilities, competencies; interest and personality characteristics can be considered effective factors on their career exploration activities. On the other hand, it is expected that adolescent's immediate environment, parents attitudes and behaviors have significant effect on their career exploration levels. Particularly, it is seen that parental and family factors have become an important component for the adolescent success, academic achievement, academic

engagement, career choices and career development stages. These factors include family characteristics such as socioeconomic status, family structure, parents' demographic traits and parental education, parenting styles etc.

Parenting styles which refers to the attitudes and behaviors of parents towards to the children's are considered as crucial for the university students career development process. Parenting styles shows the role modeling manner of parents that are expected to be effective on students career concern, career interest, career aspiration, and career self-efficacy and career exploration levels. Due to the parenting styles have accepted by the researchers as a social antecedent which is possible to affect or trigger young adult's career exploration attitudes and their career self-efficacy levels, it is seen that investigating these factors role important. Accordingly, this study aims to investigate some individual and social antecedents of university students' career exploration attitudes. From the individual perspective career self-efficacy is examined as one of the specific personality trait which is expected to effect of career exploration levels of university students'. On the other hand, parental career behaviors have been included in this study within the scope of social antecedents. As a result of the research findings, it has been obtained that parental support which indicates the positive dimension of parental career behaviors positively affects the students' intended-systematic career exploration, environment career exploration and self-career exploration levels, thus H₁, H₂, and H₃ hypotheses were supported. In addition, the other dimensions that represent the negative aspect of parental career behaviors which are labeled as interference and lack of engagement have both positive effect on student's intended-systematic career exploration, environment career exploration and self-career exploration levels so; H₄, H₅, H₆, H₇, H₈, H₉ hypotheses were supported. Therefore, all parental career behaviors can be considered as an individual antecedent of career exploration levels of students within the scope of the universities. In this context, it is possible to express that parental career behaviors which includes both positive and negative aspects although facilitates students setting specific career goals for themselves, lead them to recognize career opportunities, aware of their abilities, weakness and strengths and increase of their career decidedness.

According to the results of the study, career self-efficacy was examined as an individual antecedent of career exploration of university students and it has been found that career exploration dimensions of intended-systematic career exploration and self-exploration were affected positively by the career self-efficacy, thus H₁₀ and H₁₂ hypotheses were supported. From these results, it can be inferred that due to the students have possess career self-efficacy, it is expected them to more concerned with the career related activities. However, it can be said that career self-efficacy lead students to explore themselves and the career opportunities effectively. On the other hand, research results revealed that parental career behaviors one of the dimension which is labeled as a lack of engagement affect students career self-efficacy levels negatively, so H₁₅ hypothesis was supported, while interference and parental support dimensions have no significant effect on career exploration thus H₁₃ and H₁₄ hypotheses were not supported. Therefore, students' career self-efficacy levels which represent their confidence, decidedness and having responsibilities related with their future career choices can be affected positively by the parents' negative attitudes within the scope of this research. In this regard, it can be said that parents attitudes like lack of engagement to their children's may lead creating adverse effect on their attitudes related with career activities. For example, due to the ignorance of their parents, students go into the career activities wholeheartedly. Based on the findings, it has been obtained that career self-efficacy mediates the effect of parental career behaviors on students' career exploration so H₁₈ hypotheses partially was supported. According to these results, it is expected that students although perceive lack of engagement from their parents, due to the possess career self-efficacy at the same time, their willingness tend to participate career related activities can be increased. Therefore, career self-efficacy has a partially mediating role which increases the students career exploration levels even though they believe that their parents disregard themselves. Concordantly, the research results indicate that perception of parental career behaviors and the students' career self-efficacy levels which are considered in scope of the antecedents have significant effect on students' career exploration levels.

In the literature, there are some studies related to individual, social and cultural antecedents of students' career exploration. However, it is seen that studies on parental career behaviors and career exploration are relatively scant on the university students. Therefore, this study aims to add several contributions to the theory by exploring the relationships among these variables and determining the antecedents of career exploration. Moreover, this study reveals the importance of career exploration attitudes of the university students and it shows which factors can be considered to provide students to more concern with career related activities. The results of the study are significant for the education of the university students in terms of emphasizing the role of parental career behaviors and career related behaviors. Since the career exploration and career self-efficacy play important roles for students to recognize job and career opportunities, and awake their positive

and negative aspects or what they want to do in the future, it is needed to consider parental effects. In this context, it can be said that parents have to be interested in their child's education and career development process and help them increasing of their self-efficacy levels. This study had some limitations. First, data was gathered only eight faculties and two of the tourism and management school in some of the cities of Turkey. Therefore, the results of this study cannot be judged to be representative of all universities of Turkey. Second, the results are based on the perception of only the students who had a vocational education in tourism field. For future studies, it is recommended that the research model can be tested different samples that have different vocational education. In addition, the research model can be designed by adding some individual variables of students like personality, self-esteem, achievement orientation and some demographic variables such as gender, age, education grade or etc. In addition, from the social and cultural perspective students living place, income status of family, family togetherness and ethical values of family may be examined in the future studies.

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Major Differences Between the Set of Rules of Accounting and Fiscal Policies in Albania

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Abstract

Studying and interacting in dynamic and unstable economic environments of transitory post dictatorial economies makes every previous theory and previous study very often controversial. In this study we aim to bring a comparison between the set of accounting rules and fiscal policies. A specific focus will be on the most used and most practiced terms and voices, without making apart other parts that we rarely find in such economies. The importance of taxes and fiscal policies in non stable economies is a vital factor for the enhancement of the economy and the social development of the entire society. The information will be acquired through a mixed methodology: searching for information in literature, gathering of information from responsible authorities and interviewing key information specialists. This mixed methodology allows to obtain a deeper set of insights into this issue. Interviews were done with three auditors and other five chartered accountants, employed in private and public sector or were partners in large consulting practice

Keywords: Major differences between the set of rules of accounting and fiscal policies in Albania.

The general concern was toward the taxation and how the move toward IFRSs would change the calculation of taxable income.

Methodology

The information was gathered through a mixed methodology: searching for information in literature, gathering of information from responsible authorities and interviewing key information specialists. This mixed methodology allows to obtain a deeper set of insights into this issue.

Interviews were done with three auditors and other five chartered accountants, employed in private and public sector or were partners in large consulting practice.

The results of the findings are provided next

The general concern was toward the taxation and how the move toward IFRSs would change the calculation of taxable income.

Summary of differences between two sets of rules

Assets- Property, plant and equipment

IFRSs: Must be estimated by reporting entity: Revaluation; Amortization, depreciation and depletion; Useful life.

Albanian tax rules: The rate of amortization, depreciation is determined by tax law.

Assets – Intangible assets.

IFRSs: Must be estimated by reporting entity; Useful life; Amortization; Revaluation

Albanian tax rules: The rate of amortization is 15 %, based on straight- line method. Revaluation not permitted for tax

purposes.

Goodwill

IFRSs: To be tested for impairment;

Albanian tax rules: Capitalized and amortized 15 % based on straight –line method.

Grants

IFRSs: Revenue based grants are deferred and matched as expense incurred. Capital grants are amortized as depreciation is recognized.

Albanian tax rules: Revenue is recognized when there is right to receive income upon the earlier of the income being due, paid and earned.

Impairments

IFRSs: IAS 16 and IAS 38 permit fixed assets and certain intangible assets to be carried at revalued amount.

Albanian tax rules: Impairment losses are not permitted for tax purposes.

Inventory

IFRSs: Valuation of inventories of goods could be: FIFO & Average cost; The inventory is stated at the lower cost or net realizable value LCM.

Albanian tax rules: Impairment losses are not permitted for tax purposes.

Profit tax

IFRSs: When certain conditions are met, a deferred tax is recognized and displayed as noncurrent in balance sheet.

Albanian tax rules: The amount reported is the tax payable to tax authorities. Some expenses may not be allowable for tax purposes.

Revenue from Construction Contracts

IFRSs: Use of method of percentage of completion is required. When the final outcome cannot be estimated reliably, a zero-profit method is utilized.

Albanian tax rules: Revenue is recognized when there is right to receive income upon the earlier of the income being due, paid or earned.

The judgment of main areas of differences between two sets of rules is due to the recognition and the measurement criteria. The calculation of taxable profit begins with the profit calculated according to financial reporting rules. The professional accountants believed that the move toward IFRSs will increase the number and the type of adjustments needed to move from calculating accounting profit to the taxable profit.

Because of the large number of adjustments needed to be done, and the niche spaces there can be subjective profits. Maybe that is the reason that accountants spend a lot of time dealing with tax officers to settle their tax liabilities.

Tax liabilities are not the only factor that will change due to the changes of the accounting principles, other changes that will happen in a considerable way are also the financial statements analysis figures such as debt/equity ratio, the return on assets ratio etc.

The changes of the information in financial ratios raises other questions that will be treated below during the study.

Accounting is a discipline that tries to set a static emphasis in the immense and unstoppable dynamism of economy.

One of the most difficult topics to deal with is fair value application and its acceptance with taxation. Mainly IFRSs principles are oriented toward the interest of reporting for investors, and the application of the fair value is applied almost to every principle.

The tax system constructed at a rule basis, because the tax administration and tax officers are there to guarantee the fiscal right of the State including so historic cost accounting, which is compared to fair value. The lack of adequate economic infrastructures in the country leads to difficulties in the application and measurement of fair value.

Theoretically, taxation depends on financial reporting, but at the actual state in Albania it is just the opposite. Because the noncompliance of tax regulations usually results in severe tax penalties and poor IFRSs monitoring mechanisms, most accountants choose to follow tax rules for reporting purposes. For example the valuation of assets is likely determined by taxation, leading to amounts reported on the balance sheet beneath the amounts according to IFRSs.

Accounting and taxation in Albania have come a long way, while experiencing most of the general and specific problems arising for transitional economies. The fact is that the requirements of the tax authorities for accounting information continue to predominate over those of other participants in market activities, such as creditors and investors.

Market operators are mainly concerned about the use of fair value accounting and about the subjectivity of profits under IFRSs reporting.

One of the biggest difficulties in Albania come from the fact that there is little knowledge from the tax authorities over fair value and their reporting and monitoring mechanisms are poor an inexperienced and they do not know how to deal with it.

From the interviews done it was stated that there exist different and sometime opponent opinions about the potential similarities and differences between accounting and taxation.

other aspects of IFRSs and taxation may be thought to be crucial to examine in order to make conclusions about this matter. The relationship between two sets of rules could be improved by:

1) clear guidelines on how to calculate income taxes, simple and explicit; 2) improved accounting disclosure requirements; and

3) continuous training of accountants and tax officials.

The aim of the examinations of the relationship between accounting and taxation is to provide insights for national regulators and policy makers to evaluate the feasibility of any (partial) alignment objective and to make better informed policy decisions. Although there have been major changes in tax accounting and other regulations, the researchers have not fully explored the outcomes and implications of these numerous regulatory and enforcement changes. This area offer interesting setting for future studies.

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Mental Health Protection and Health Policy Towards People with Mental Illnesses. the Case of Poland

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Abstract

The aim of the article is to present basic data on the health policy in Poland for the years 2016-2020 in the context of current standards and developmental goals for mental health promotion in the European Union countries. The article is also aimed at adumbrating standards and directions in mental health protection. It also sets out to present guidelines for helping people with mental illnesses that are based on the results of our research. This work presents selected results of a study which was carried out within the "Diagnosing the aid and social support system for people with mental illnesses in the Mazovia Province" research project. The project was co-financed from the resources of the Human Capital Operational Programme (as part of European Union's European Social Fund).

Keywords: mental health protection, health policy towards people with mental illnesses

Introduction

Mental health protection and the health policy towards Poles that is planned for the upcoming years are closely linked with a need to diagnose the aids and social support system, also for people with mental illnesses.

The aim of the article is to present basic data on health policy in Poland for the years 2016-2020 in the context of current standards and developmental goals for mental health promotion in the European Union countries. The article is also aimed at adumbrating standards and directions in mental health protection. It also sets out to present guidelines for helping people with mental illnesses that are based on the results of our research.

The epidemiological and demographic analyses for Poland that can be found in subject literature indicate that the number of people in the working and pre-working age groups will decrease in the upcoming years, while the number of people in the post-productive age group will systematically increase (2008-2035 population projection for Poland. Central Statistical Office of Poland, 2008; National Strategic Framework. Policy Paper for the protection of health for the period 2014-2020, 2015.) Epidemiological analyses reveal that Polish people's health state is worse than the European Union average. This is true for both males and females. A higher fatality level results from the risks of circulatory diseases and cancer. Incapacity for work is most often linked with diseases such as: circulatory (16.2%), mental and behavioral disorders (15.9%), nervous system diseases (9.5%) and others. The analyses above underline the significance of the development of mental disorders in the future Polish populace.

The cohesion policy that embraces health policy and mental health protection in all European Union states imposes a necessity to support standards that stimulate an all-encompassing and coordinated approach to mental health protection. These standards were listed in the "Europe 2020" strategy. They were also adopted by the Coordinating Committee on Development Policy and approved by the Ministry of Health on 8 July 2015 in the form of the "National Strategic Framework: Policy Paper for the protection of health for the period 2014-2020" document. It was approved by the Ministry of Health on 8 July 2015.

Apart from the mentioned document, the Regulation of the Council of Ministers of 5 January 2015 on the National Programme for the Protection of Mental Health also regulates protecting the rights of people with mental illnesses and the

rules of looking after them. On the grounds of article 2, paragraph 6 of the Act on Mental Health Protection (Polish Journal of Laws 2011, No. 231, item 1375 and Polish Journal of Laws 2015, item 1916), § 1. 1. establishes the National Programme for the Protection of Mental Health for 2016-2020. The National Programme for the Protection of Mental Health outlines basic standards for actions taken in the process of prophylaxis and dealing with people with mental disorders and various emotional difficulties. The program also maps out a strategy for taking actions aimed at providing people with mental disorders with a complex, multisided and publicly available assistance that is fitted for health needs and located near the people's place of residence. Apart from the mentioned documents that protect the rights of patients with mental illnesses, those rights and rules for dealing with people with mental disorders are also outlined in the Act on Mental Health Protection of 1994.

All the documents and programs mentioned in this article point out a necessity to respect developmental goals. In order to enable meeting these goals, specialized psychology professionals, both from the field of adult and child psychology, need to be included in the process of attaining them.

A diagnosis of the aid and social support system for people with mental illnesses: A selection of conclusions from empirical research. The case of Poland.

The study was carried out among representatives of institutions that provide help and social support for people with mental illnesses, namely: medical personnel of mental health protection service providers in the Mazovia Province, heads of communal homes of mutual aid and occupational therapy workshop centers, therapists employed in communal homes of mutual aid and occupational therapy workshop centers who perform tasks related to supporting people with disorders, people with mental illnesses, people from the environments of patients with mental illnesses, psychiatrists employed in hospitals and psychiatric wards, directors and heads of communal homes of mutual aid that provide support to people with mental illnesses as well as therapists employed in communal homes of mutual aid who work directly with people with mental illnesses.

The research employed both qualitative (desk research and 52 individual in-depth interviews) and quantitative methods (369 telephone-based computer-aided interviews).

People with mental illnesses and their families have relatively sufficient possibilities to utilize specialist medical and paramedical support in most provinces. As for the twenty-four-hour and interim (interventional) care service providers for various types and causes of disorders (ranging from decompensated addicts to patients going through disease episodes and people in remission who visit health resorts), they are relatively diverse and numerous, offering a relatively high number of beds available to both current and awaiting patients as well as the presence of collaborating institutions in a given institution's surroundings. Offering such care is a convenience to families of people with mental illnesses—they can expect institutional care for their charges. Institutional care is extended to the family member who suffers from an illness for numerous reasons, among others—to their family's convenience.

Blanket registration of people with mental illnesses, in compliance with DSM IV (ICD 10 in Poland) hinders the possibility to carry out thorough analyses and aggregate data for each county. Introducing an additional system of monitoring the issue of mental disorders should be considered. Such a system would allow obtaining plausible statistic results in compliance with the prerequisite to protect sensitive data. According to most recent statistics, over 70% of the people with mental disorders who are treated within outpatient care are patients of mental health outpatient clinics. In the period between 1997 and 2010 the total number of patients and the number of patients treated for the first time within outpatient care almost doubled (in both cases there was a growth of over 70%) in all Polish provinces. The number of cases diagnosed with mental disorders has been systematically growing in each year from the period of 2010-2012 up to now. The most commonly diagnosed groups among the treated patients are neurotic and schizophrenic disorders, followed by mood disorders and organic mental disorders. Patients treated for alcohol disorders make up the fourth most numerous group.

According to the *Diagnosis of the social support system for people with mental disorders within support and social integration services in Mazovia*, the most prevalent groups of specialist care services for people with mental disorders are, namely: teaching and shaping skills that are essential for unassisted functioning, interventions and help targeted at functioning within a family, helping with official errands, supporting and helping with finding employment, assisting with dealing with money, treating the disordered body functions and housing aid.

The study allowed the identification of most significant barriers and problems for providing social support, including social and vocational support for people with mental illnesses. These barriers can be divided into several domains:

Economic barrier—i.e., a lack of sufficient financial resources, which resources would enable offering more effective support to people with illnesses and their caretakers: limited amounts of time at the support-providers' disposal; few institutions/units that provide environmental support; a lack of supervised apartments; limited access to specialists (e.g., psychotherapists);

Barrier of specialist care providers—i.e., it is related with proper training on behalf of the staff employed in institutions that provide support to people with illnesses and their caretakers; medical and social care staff frequently lack the knowledge, competences or skills of these institutions' employees.

Barrier of social stereotypes—i.e., low level of knowledge about mental illnesses within the population; stereotypical approach to people with illnesses; lack of understanding combined with anxiety and reluctance in the society towards people with illnesses and their caretakers;

Barrier of lacking employment and permanent employee benefits—i.e., lack of job positions for the people with mental illnesses who are able to work;

Barrier of lacking access to information—i.e., lack of informational and educational support for caretakers of people with illnesses (low effectiveness of the system that provides information about possible aid sources and forms available for people with illnesses and their caretakers);

Barriers related with the patients' environment—i.e., caretakers' health problems that hinder looking after their close ones with illnesses and the possibilities to make use of aid; impeded contact with the patients' families; shame and anxiety on behalf of the patients' nearest environment towards making use of aid and a lack of motivation for seeking sources of support;

Barriers related with the patient's current health state—i.e., patients' health state that may hinder social and vocational activities; lack of motivation among people with mental illnesses; problems with communicating with people with diseases; patients' fear of seeking and using help.

Legal and administrative barriers—i.e., limitations resulting from the existing law; difficulties with inter-institutional and inter-organizational collaboration.

Based on the conducted interviews, in order to remove the mentioned barriers we suggest the following measures:

Providing more funding for the mental health protection system, which would lead to offering more effective help to people with illnesses and their caretakers; involving volunteers, interns, apprentices and the patients' environments in actions carried out by the institutions; seeking various forms of funding and subsidizing the services; shortening the time during which patients wait for support; setting up centers that provide help for people with illnesses and their caretakers;

Educating competent employees of the healthcare and social care systems, improving qualifications and providing further training; increasing the access to free trainings for the employees of institutions that provide support for people with illnesses; supervising one's own work and analyzing cases together with other staff members in a given institution;

Carrying out information and awareness campaigns targeted at the whole society: holding events, meetings, exhibitions, cultural outings and visiting nature—i.e., creating opportunities for meeting healthy people;

Organizing actions aimed at informing employers; providing people with illnesses with internship possibilities; holding training sessions on running official errands and preparing application documents; providing people with mental illnesses with support from an assistant or trainer, who would support them in their workplaces; organizing job fairs; holding workshops aimed at developing skills;

Providing information and educating the environments of people with mental illnesses;

Maintaining contact with patients' families, explaining and justifying the need for support and its validity; providing aid from qualified caretakers/assistants for caretakers who are unable to look after the patients themselves

Providing psychological and psychiatric support for people with mental illnesses; organizing collaboration between people with mental illnesses in the form of meetings (group therapy); working with patients on their long-term plans; creating long-term therapeutic programs;

Creating a system of ties between the various institutions and organizations that provide support for people with mental illnesses, thus, expanding the range of services provided in each province; fostering intra-team collaboration within each institution; enabling collaboration between individual specialists and external institutions; improving communication between units.

Establishing task forces that work together to the benefit of people with mental illnesses and their families; this would allow adjusting treatment methods and therapy to patients' social situations. A possibility to consult within a task force allows a more precise and accurate diagnosis and monitoring the progress made by patients and their environment, which translates into a higher treatment effectiveness. Moreover, the interdisciplinary nature of these teams would enable making full use of the potential of various institutions and organizations, whose actions are aimed at people with mental illnesses.

The study also allowed the identification of training needs that were raised by employees of institutions providing support for people with mental illnesses. Those needs concerned trainings aimed at acquiring knowledge and skills with respect to providing support for such people and for their caretakers in order to allow people with mental illnesses function independently within the local community.

People with mental illnesses identified increasing the understanding and awareness in their environments and being provided with more intense therapeutic support as their biggest needs with regard to the social support that is provided to them. People who look after their loved ones pointed to such needs as a possibility to acquire the skills of supporting people with illnesses, receiving help from a third party who would support them with their skills and knowledge, and obtaining psychological and motivational support. As for the needs concerning qualifications improvement with regard to providing support, also in the form of social and professional activation, that are raised by caretakers of people with mental illnesses, the obtained data suggests highest prominence of the following: expanding knowledge on the ailments that people with mental illnesses suffer from, acquiring the skill of communicating with people with illnesses as well as obtaining informational support concerning the available sources and types of help. An equally important factor that enables people with mental illnesses and their families to function properly is being aware of their own rights. The regulations in force are aimed at enabling people with mental illnesses and people from their environments to participate in social life as actively as possible. The implementation of these tenets requires increasing the accessibility of information on the prerogatives of people with mental illnesses and their families. It is a fundamental task in the context of utilizing the already existent forms of support available for the described social group. The prerogatives of people with mental illnesses and their families are often not exercised due to a lack of awareness of their existence.

The presented study has revealed that people with mental illnesses often times hold negative perceptions of their situation with regard to maintaining social relationships due to a low level of acceptance which is faced by people with illnesses within the society. People with mental illnesses frequently feel rejected and misunderstood by their environments. Consequently, they shut themselves and often times begin to withdraw from contacts. The social activity of people with mental illnesses depends on the type and stage of illness. People with illnesses mostly care about maintaining social relationships. However, in most cases those relationships are limited to their closest environments (i.e., family and closest friends). In case of some illnesses people who suffer from them face periods of higher or lower social activity. Subjects of the presented study evaluated interpersonal contacts higher in the situation of being in communal homes of mutual aid due to the fact that it is possible to meet specialists and other people with illnesses there.

The situation is slightly better for caretakers of people with mental illnesses. Those caretakers are usually satisfied with their social relationships. They strive to maintain contacts with others, even though it is often times difficult due to a multitude of obligations. Looking after a person with a mental illness translates in a certain way into the caretaker's social relationships. As a result, these people frequently feel alienated and misunderstood by their environments. They are ashamed of their situation and problems: sometimes they even withdraw from contacts and avoid them. It also happens that caretakers are isolated by their environments.

In order to increase the level of people with mental diseases and their caretakers' satisfaction with their social relationships, the following measures should be taken: increasing the access to healthcare, i.e. diagnostic and therapeutic support; support should be provided by people with proper qualifications and predispositions

the topic of mental illnesses and the living conditions of people who suffer from them should be addressed in widely available media (i.e., increasing the level of knowledge and awareness in the whole society as well as conveying information about aid available to people with mental illnesses;

holding integration meetings and special events that activate people with illnesses and their families, acquaintances and the local community; taking more community measures and establishing community treatment centers; establishing supervised apartments.

The described research has identified that the amount and range of sources and types of support that is offered to people with mental illnesses was evaluated positively by the vast majority of subjects representing all the researched groups. A problematic issue is the low accessibility of professional support, which stems from the mental health protection system being underfunded. This translates into lower effectiveness of health promotion, diagnostics and treatment. The society also represents a very low level of knowledge regarding mental disorders. This hinders social and professional activation of people with illnesses. Another huge problem is the underinformation of caretakers of people with mental illnesses. These people hardly ever seek help. They usually possess very limited knowledge regarding possibilities to obtain help, nor do they usually report training needs. Thus, targeting educational and information activities at this group is essential as it would translate directly into the situation of people with illnesses.

An equally important task that needs to be carried out is increasing the society's awareness with regard to mental illnesses and people who suffer from them as well as their families. Taking actions of this kind enables increasing people's awareness of disease identification and, at the same time, the probability of early diagnosis and treatment onset, which, in turn, inhibits results of the illness. At the same time, informing the society and improving knowledge on mental illnesses allows changing attitudes towards people who suffer from them. This is an action that, in the long term, allows people with mental illnesses and their families to function in a fuller manner. It is especially important in the context of such people's treatment and social rehabilitation. People with mental illnesses often struggle with their problems for a long time, for some illnesses—even their whole lives. Through increasing the awareness of this type of illnesses it is possible to improve the situation of people who suffer from them (with respect to, e.g., labor market). Moreover, people's social environments play a crucial role in identifying mental illnesses. The increase in knowledge regarding illnesses' prevalence and symptoms is a crucial element of prevention, which may enable psychiatric intervention at a very early stage of the illness, and, thus, reduce its' results.

Standards and change directions in mental health protection and guidelines for helping people with mental disorders

Psychiatry and clinical psychology, as applied disciplines of mental health protection that are also concerned with specialist education of psychiatrists and clinical psychologists, need to accommodate the current general developmental goals for mental health protection in European Union countries. Improving psychologists' professional qualifications translates into increasing the quality of services provided to people with mental illnesses. The measures that can be taken by specialist psychiatrists or psychologists support the goals that are pursued in the environments of people with illnesses through non-institutional structures (i.e., non-governmental organizations or local influences in the environments of people with illnesses). The phenomenon of deinstitutionalization points to a necessity of including alternative (environmental) forms of help, along with institutional psychiatry, in the treatment of people with mental disorders.

One of the priorities of health policy towards people with illnesses (not only mental ones) is supporting their social inclusion (as opposed to exclusion). This translates into supporting economy that represents high levels of employment, which ensures social and territorial coherence. It is assumed that by 2020 the number of people facing social risks (i.e., poverty and social exclusion) will have decreased by 20 million, while the employment rate in the EU will have increased, reaching 75%. Poland has posited increasing the employment rate for people aged between 20 and 64 to a level of at least 71% and reducing the number of people at risk of poverty and social exclusion by 1.5 million. Meeting this challenge requires an all-encompassing, coordinated approach to protecting health, also the mental one. Interventions within the area of health

protection are key for reducing the risk of falling into poverty due to professional deactivation caused by loss of health and illnesses (Policy Paper for the protection of health for the period 2014-2020).

In 2014 the Agency for Health Technology Assessment and Tariff System began preparations for working on the valuation of the publicly funded health services. Valuation of psychiatric services was pronounced to be a priority action, obligatory to be taken in 2015. In July 2015 the Coordination Committee for Development Policy adopted the mentioned "National Strategic Framework: Policy Paper for the protection of health for the period 2014-2020". It was approved by the Ministry of Health on 8 July 2015. This document is aimed at fostering the implementation of strategic guidelines for programs co-financed from European Union funds. In its "Health 2020. A European policy framework and strategy for the 21st century", the WHO Regional Office for Europe points out that good health is essential for economic and social growth. The abovementioned documents point to a necessity to provide proper national strategic frameworks for carrying out the topic areas concerned with health protection.

Mental health protection is an important goal within health policy. The basic goals for mental health protection that were defined within the "Policy Paper for the protection of health for the period 2014-2020" (2015) are, namely:

- promoting mental health and preventing mental disorders (developing health prophylaxis, diagnostics and corrective medicine directed towards the main epidemiological problems in Poland; preventing mental disorders, namely: suicides, depression (formulating programs for preventing depression); increasing the social integration of people with mental disorders,
- ensuring all-encompassing and commonly accessible health care and other care and aid forms essential for people with mental disorders in order to function within a family and social environment,
- counteracting negative demographic trends through developing care for mothers, children and elderly people,
- improving the effectiveness and organization of the healthcare system in the context of a changing demographic and epidemiological situation, and providing support for scientific research, technological advances and innovations within healthcare,
- supporting the system of medical personnel education in the context of tailoring resources to changing social needs,
- developing scientific research and the information system on mental health.

The National Programme for the Protection of Mental Health for 2016-2020 also points to a necessity of pursuing the abovementioned goals.

Having analyzed the mentioned documents that confirm the necessity to promote mental health in the Polish population, mutual directions of seeking solutions for health policy can be identified. These areas are adumbrated below.

- (1) Relating the mental health protection oriented measures taken to local communities of a certain territorial level (i.e., region, city, borough, municipality etc.): acknowledging the importance of the manner of perceiving the tasks and obligations of psychiatry and clinical psychology that includes the environments of people with illnesses,
- (2) Introducing joint responsibility through working in teams of differing professional competences and collaborating with various social ecology agents and social support networks,
- (3) Providing all-encompassing services and taking multidirectional measures (diverse methods, different people, various institutions); supporting the establishment of institutional models of professional behaviors that foster implementing the ideas of psychiatry in a so-called "friendly local community"; accommodating the need to educate people who shape public opinion and cultural values,
- (4) Relating the measures taken to the integrated model of solving health problems (i.e., multidirectional and multispecialist effort coordination that ensures continuity of psychiatric and psychological care for people with mental disorders),
- (5) Accommodating the promotion of education and popularization of good therapy and social rehabilitation tools in order to reduce the sense of professional helplessness and passiveness of people with mental illnesses and their environments.

Environmental ideas, systems and methods (including non-institutional ones that provide support for environmental psychiatry and the local community) have a lot in common with regard to carrying out a cohesive health policy towards people with diverse mental disorders. Caring for people who face crises or mental disorders is not solely a task of psychiatry or clinical psychology—it is a task of the whole community in which these people and their families function.

People who face various mental disorders that require medical and social (i.e., school, workplace or other community) interventions have mutual types of social (environmental) bonds. Those are, firstly, family bonds—these people are members of a primary support group. Secondly, bonds tie them with a given state (people with mental illnesses are citizens and members of a law-regulated community of local or supralocal interests.) Thirdly, people with illnesses are participants within a cultural community, i.e. a certain system of beliefs and meanings that denote shared views, behaviors and values (Wciórka, 2000).

Thus, carrying out health policy towards people with mental disorders would require including both therapeutic and social aspects of offering aid within mental health protection.

Summary

Pursuing the aims of health policy should involve the diversity of patients' social bonds. The National Programme for the Protection of Mental Health, the Act on Mental Health Protection and the "National Strategic Framework: Policy Paper for the protection of health for the period 2014-2020" accommodate mutual (similar) goals that imlicate prognoses for improving healthcare for people with mental illnesses. As it is asserted in these documents, prophylaxis and healthcare in the upcoming years will form a system oriented towards a necessity to accommodate living longer in full health and respect the varying psychosocial needs of today's and future people (i.e., clients, patients). All investments in health policy and infrastructure ought to be made with regard to the diagnosed deficits. They should also provide support for improving the effectiveness of the whole health system. Thus, the diagnosis of the aid and social support system for people with mental disorders may constitute a vital element for improving the effectiveness of the health system for this group of people with illnesses.

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The Effect of Workshop Training Method and Electronic Teaching Method on Mathematics Learning

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Abstract

The present study with the aim to investigate the effect of training by using of electronic content and workshop method on math learning of high school students of eighteen region of Tehran has been done. The research method was applied and quasi-experimental with pretest-posttest design and control group. The study population included all girl students studying at second year of high school in public schools of eighteen region of Tehran in the 94-95 school year that by using of sampling method three classes were selected. The first experimental group with electronic content and the second experimental group by using of workshop method were trained that with the control group, who were trained in the traditional way, were compared. To determine the effect of work of education on math learning in the three groups, the analysis of covariance and ANOVA were used. The results showed that math scores in the two experimental groups were higher than the control group. Also, comparing the post test scores of math learning in the two experimental groups showed that the training by using of workshop method more than training with electronic content has effect on math learning.

Keywords: electronic content, workshop method, learning

Introduction

Today, due to the social necessity, education system is one of the big and complex social organizations in every country which has an irrefragable bond with social, cultural and economic growth and development and it has gradually turned into a complicated system. Also, due to developments in human science and experiences and technology development and industrial progress, the increasing development of the education system activities has become a universal issue. Therefore, one of the most important indicators of any society development is the range of the responsibilities of its education system (Safi, 2003).

Educational systems have always been looking for ways to improve teaching methods in different courses; traditional teaching methods have been used in the same way for many years, but in today's world new approaches have been considered for teaching and learning. Since in current methods of teaching math, the students have no opportunity to use imagination and visualization, and experience things, naturally their mental faculties and ideas are not strengthened and they cannot have an active role in this field. In mathematical education there is a need for new approaches. In this regard, on the one hand it is necessary to use the mathematical concepts to teach the students how to live better; for this purpose, the level of general education should be understandable for all of the students and it should also have practical aspects to prepare the students to live a life which is along with technology. On the other hand, the teaching methods that are mostly teacher-centered should turn into student-centered methods, and teachers instead of having a unidirectional transfer of knowledge and information should try to provide a context to let the students produce the concepts themselves (Belski, N, 2004).

Problem statement

According to the fact that mathematics are one of the basic courses and have intangible concepts for the students, traditional teaching methods have made problems for students learning; therefore, a proper teaching method along with an attractive presentation of knowledge and consistency with the latest modern methods can provide a sustainable learning

for the students. The development of mathematical education process due to the scientific complexities and its connection with the students' way of thinking and comprehension, and also its applications in various economic sectors can lead to the development and production of knowledge and self-confidence. Therefore, mathematical education has been always considered as one of the most important objectives of every country education system.

Among the mathematical learning methods, enabling students and involving them in learning and enhancing their motivation by using new teaching – learning methods and educational media are some of the strategies that are confirmed by experts. By the increasing development of science, the traditional teaching methods are no more able to meet the students' needs to learn. In workshop teaching methods due to the availability of key and original situations, the teaching – learning process is enjoyable for the students. Since the workshop environment consists of various educational tools and accessories that sometimes are made by learners or teachers, the students will get involved in the learning process and as a result teaching and learning will happen at the high levels (Hoseini, 2011). On the other hand, in recent years many researches have been conducted on the importance of the role of educational materials and media in the teaching and learning process. A prerequisite for effective learning is using multiple facilities and resources to facilitate learning and academic achievement in various academic fields. One of these facilities is electronic content that changes the learning process and increases the students' interest and motivation for learning, and finally it facilitates learning and makes it interesting (Shoarinezhad, 2004).

By using e-learning, we can provide the optimal learning environment for different people by different characteristics, if this environment is well designed; it can facilitate and strengthen the review process through double coding. It also can timely try to elicit knowledge and help to provide the proper solution by using that elicited knowledge (Alemi, 1998).

Chang, Y and Mao, S, (2010), in their research on the ninth grade students of Taiwan schools in geology lesson have concluded that participation of students along with teacher facilitation can increase learning. Also, the results of the study of Hoopes, M (2009) that has been conducted on a number of students in biology lesson has led to the enhancement of interactions and improvement of learning, and most of the students have preferred the workshop method to the traditional methods.

In another research, Lopez- Morteo, G and Lopez, G (2007) have studied the effect of collaborative e-learning that is a way to motivate students to learn mathematics. In this study, the different aspects of the learning environment have been studied in three short periods of mathematic courses in high school students of Mexico. The results have shown that the use of electronic learning environment will lead to the positive attitude of students towards mathematics. Also, Thurston, A et al, (2010) in a research have concluded that the elementary school students who have learned science lesson with the participatory method are more successful in understanding science lesson. Tran, V and Lewis, R (2012) in their research have studied the effect of cooperative learning on learning math in two groups of students. They have concluded that students who have experienced participatory method had a better learning than the students who have experienced traditional learning.

Babaie (2013) in his research that have been conducted on the effect of software and workshop training on learning and retention of math in third grade middle school students. He has concluded that software and workshop training have affected learning math in the third grade middle school students.

According to the mentioned researches, the study on the effect of "workshop training "that is an active and exploratory method in which the students work by teachers facilitation will discover the mathematical rules; and also "training by using electronic content" method in which information technology is used in teaching - learning process are considered by the researcher of this study. This study is conducted in order to comprehend the importance of active and innovative learning methods, and since there has been few studies on the comparison of these two methods, this research wants to find the answer of this question: Which one of these two types of training methods including electronic content training and workshop training had a greater effect on students learning mathematics?

Despite the development of the application of new educational technologies in the educational system of the country; no deep studies have been conducted on the new teaching methods that are in the form of new technologies and workshop methods for students learning. For this reason, the results of this study can deeply consider the effect of using electronic content and workshop training on the development of students learning, and it will lead to the presentation of effective solutions to improve teaching mathematics in high schools.

This study is conducted in order to compare the effect of using electronic content and workshop training on learning mathematics in high school students.

Research hypothesis

Compared to the electronic content training, workshop training has a greater influence on learning mathematics.

Research method

The research method is practical, and it is the type of quasi-experimental that has pre-test and post-test and control group. The study population has included all the high school female students who are studying in public schools of the eighteen district of Tehran city in the academic years of 2015-2016. Among these high schools, three classes have been selected by convenience sampling method. The first study group has been trained with electronic content training and the second study group has been trained with workshop training, and they have been compared with the control group that has been trained with traditional training. In order to determine the effect of training methods on learning mathematics in these three groups, the covariance analysis and one-way ANOVA have been used.

Research tools

In order to conduct this study, the researcher has used two self-made math tests (pre-test and post-test). One test has been held before the experiment in order to evaluate the knowledge of the students of the two groups (pre-test), and the other test has been held after the experiment (post-test), and finally the differences in the results have been studied. The pre-test and post-test have been designed with 20 multiple questions and based on the chapter of functions from the math book of third grade of high school. Each question had one score, and the minimum score was 0 and the maximum was 20.

For the content validity of the test, in consultation with a group of teachers of mathematics, some multiple questions have been designed. For more reliability, the pre-test-post-test questions have prepared equally. These questions have been reviewed by a group of other teachers and the questions have been approved by them; so these questions have been used as the test questions. In this study, Cronbach's alpha method has been used to calculate reliability coefficient which has been obtained 0.86.

Data analysis method

In this study, the two statistical activities including descriptive and inferential statistics have been used. In the descriptive statistics, the central indexes such as median, mean and dispersion parameters such as standard deviation and variance have been used. In the inferential statistics, given to the pretest-posttest design the covariance analysis has been used, and based on the research hypotheses in order to compare the mean scores of the three groups, one-way ANOVA has been used.

Research findings

After the completion of the training courses, the three groups have given the post-test. In this study, in order to stabilize the effect of pre-test in the three groups, the covariance analysis has been used. The descriptive indicators in the control group and the other two study groups are presented in Table 1. According to the provided data, there is a huge difference between the pre-test and post-test scores.

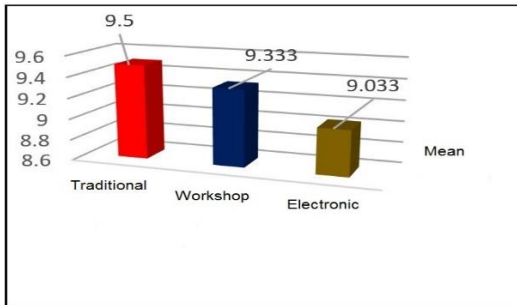
Table 1: descriptive characteristics of the three traditional, workshop and electronic content training methods

		Number	Mean	Standard deviation	variance	range	maximum	minimum	Skewness	Kurtosis
Traditional training	Pre-test	30	9.50	4.377	18.810	17	2	19	0.045	-0.816
	Post-test	30	11.767	3.024	9.151	12	8	20	0.575	-0.046

Workshop training	Pre-test	30	9.333	4.381	19.195	14	2	16	0.131	-1.304
	Post-test	30	15.80	3.213	10.441	10	10	20	-0.320	-0.948
Electronic content training	Pre-test	30	9.033	3.614	13.068	12	2	14	-0.273	-1.032
	Post-test	30	13.766	3.125	9.771	11	9	20	0.297	-0.596

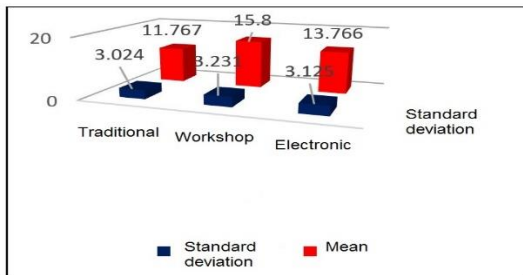
The values that are obtained in the columns of Skewness and kurtosis indicate the normality of data distribution.

Figure 1: Comparison of pre-test scores of the three traditional, workshops and e-learning training methods



Traditional: 9.5, Workshop: 9.333, Electronic: 9.033

Figure 2: Comparison of post-test scores of the three traditional, workshops and e-learning training methods



Traditional: 3.024/ 11.767, Workshop: 3.231/ 15.8, Electronic: 3.125/ 13.766

The achieved significance level from Kolmogorov-Smirnov test in the pre-test of workshop group and the control group has been obtained 0.054 that is greater than 0.05 so the data distribution is normal. Therefore, in the data analysis the parametric test has been used. Due to the significance level of Levine test (0.195) which is greater than 0.05, the data that have been obtained from sampling have the homogeneity of variances. Also, the regression slop with the 0.165 significance level which is greater than 0.05 indicates that the regression slop has been observed.

Covariance analysis results (Table 2) have shown that after removing the effect of pre-test, there has been a significant difference between the mean scores of the two groups in the math post-test; because the significant level has been obtained 0.016 which is lower than 0.05. Therefore, the two workshop training and e-learning methods are significantly different from each other.

Table 2: covariance analysis

Source	sum of squares	Degree of freedom	Mean Square	Fisher	Sig.	ETA
Revised model	119.104	2	59.582	6.420	0.003	0.184
Cutting	1466.209	1	1466.209	157.979	0.000	0.735
Pre-test (control variable)	57.147	1	57.147	6.157	0.016	0.097
The independent variable (Groups)	57.493	1	57.493	6.195	<u>0.016</u>	0.098
Error	529.019	57	15.239			
Total	13761.000	60				
Modification of total	648.183	59				

According to the results of one-way ANOVA (Table 3), the mean difference between the two workshop and electronic groups has been obtained 2.03333 which indicates that the mean score of workshop group is greater than the mean score of electronic group.

Table 3: one-way ANOVA analysis

Group 1	Group 2	The mean difference between groups 1 and 2	standard error	Significance level	95% confidence	
					Lower bound	upper bound
electronic	workshop	-2.03333	0.80778	0.036	-3.9595	-0.1072
	Traditional	2.00000	0.80778	0.040	0.0739	3.9261
Workshop	electronic	<u>2.03333</u>	0.80778	0.036	0.1072	3/9595
	Traditional	4.03333	0.80778	0.000	2.1072	5.9595
Traditional	electronic	-2.00000	0.80778	0.040	-3.9261	-0.0739
	Workshop	-4.03333	0.80778	0.000	-5.9595	-2.1072

Discussion and conclusion

According to the obtained significance level, after removing the effect of pre-test, there has been a significant difference between the mean scores of the two groups in the math post-test. Therefore, workshop training method enhances math learning more than e-learning method. Also, it can be seen that, there is a significant difference between pre-test and post-test of both e-learning and workshop training groups. Given the mean difference of each group, we can conclude that workshop training has the greatest mean difference in the pre-test and post-test scores of the students. A few researches have compared the two electronic and workshop methods. The results of this study are consistent with the research of Babaie (2013) on the evaluation of software and workshop training methods on learning and retention of math lesson in the third grade middle school; he has concluded that workshop training was more effective on learning math lesson in the third grade middle school than e-learning. But this study is not consistent with the results of the study of Hadidi et al, (2015) that has been conducted on the effect of e-learning and workshop training on the enhancement of the knowledge of taking care of pregnant women in Kerman city; because in this study, both of the methods have increased this knowledge equally. The study population, the object of study and the number of samples can be the reasons for the inconsistency between the results. The ideal aim of this study was to compare the effect of using the two workshop training and electronic content training methods on learning mathematics among high school students. In comparison between the two workshop training and electronic content training methods, it has been concluded that there is a significant difference between these two methods in terms of students learning; therefore, we should deeply think about choosing the modern teaching methods. According to the conducted ranking on the differences of learning among students, and according to the fact that workshop training is more effective on learning; it is recommended to use this method as an accurate method in schools to let the students have a better understanding of mathematics. This study was conducted on the context of the math books, so be careful in generalizing the results to other lessons. It is recommended to the schools to hold workshops for all of the lessons. And also, workshop training and electronic content training methods should be taught to the teachers. With the help of consultation and cooperation with educational technologists, specialists in electronic content production and the experts of

math lesson planning in the country should produce strong electronic contents and give them to the specialist teachers. The researchers should study the effect of training by using electronic content and workshop training methods on the level of learning in other subjects.

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Returning and Re-Emigrating Gendered Trajectories of (Re)Integration from Greece

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Abstract

The aim of this research paper is three fold: (1) to shed some light on the struggles Albanian return migrants are facing in their psycho-social, cultural and labor market reintegration in the origin country, looking as well to the gendered trajectories of return and re-emigration(2) to highlight their gendered strategies in transferring back in their home country their financial, social and human capital;(3) to better understand the dynamic paths of their migration trajectories and finally (4) to push policy makers to put with high priority the returnees reintegration plan into the policy agenda. We base our analyze on 42 life stories of Albanian migrants, from which, 12 interviews with return migrants from Greece, 30 migrants that are actually in Greece (from which 50% have at least made an 1 attempt to return in Albania and 5 are circular migrants).The study found that: many Albanian migrants return to Albania to stay either temporary or permanently with the idea of investing in home country, though not all of them who return stay in Albania. Returnees and at a greater degree women, face lot struggles and difficulties in their psycho-social, cultural and economic reintegration upon their return, which make them mentally and psychologically vulnerable. Women experienced a sense of disempowerment, reconfiguration and re-traditionalisation of gender relationships upon their return. Labor market integration seem more problematic especially for returned women who faced a gendered gap in labor force participation¹. Moreover, despite migrant willingness to invest their financial and social remittances in Albania by bringing new ideas in the labor market trend, they experience a sense of disillusion. Therefore, having no support system back home, remaining jobless and in many cases failing in their investment endeavors, make returnees consider further re-emigration as a surviving strategy. This study suggest that it is time for policy makers to compile with high priority and with a gender lens analysis a new National Migration Strategy and Return Reintegration strategy, while developing concrete and coherent measures upon returnees successful reintegration in the home country. This policy research brings at the policy agenda an holistic and multidisciplinary approach to returnee reintegration through better multi- level/stakeholder collaboration and dialogue.

Key words: *return migrants, reintegration policies, gender, human, social and economic capital*

Introduction

Contextualizing Albanian migration

Albania is considered a country of massive emigration and by the end of last decade it was estimated that one million people or one quarter of the country's total population emigrated abroad mainly (Çaro at al. 2012) representing the largest outflow rate in relative to its population size (Castaldo et al,2005). Albanian migration was primarily constructed as a "male project" or a "male -led phenomenon", with men being the first to migrate and women coming latter as followers, unproductive and isolated dependents through family reunification(Zlotnik, 2003;Morokvasic, 1983), assuming in this way a "gender -blindness" in the pattern of migration (King and Zontini, 2000). The majority of Albanians migrated mostly in

¹ Gender gap refers to different opportunities and salary differences in labor market for men and women.

Greece (600,000) and Italy (250,000) (reference). Albanian migration is considered a unique case study for the fact that it has experienced quite a massive migration concentration within a short period of time. King sees Albanian as a 'laboratory for the study of migration and development' (King, 2005), while Carletto et al. use the term 'country on the move' (Vullnetari, 2012). Contemporary Albanian migration is divided into three stages: The first stage correspond to 1990-1993, which correspond with the massive exodus of Albanian after the collapse of communist regime. Such wave of migration was triggered mainly due to loss of jobs, unemployment, poverty and isolation of communist regime. The second episode has been the period of 97, triggered by the collapse of pyramid schemes in Albania. The third episode was triggered by the Kosovo's crises of 1999-2000 (Vullnetari, 2012). Though not yet labeled as a fourth wave of migration, the recent figures of Albanian migrants seeking asylum in the EU Member States in 2015 is estimated to be around 65 935, the fifth after Syrians, Afghanistan, Iraqi and Albanian from Kosovo (Eurostat, 2015). During May 2015, Albanian was the main country of origin among asylum applications in Germany with 4,743 first-time requests (Eurostat, 2015).

The Greek economic downturn coming as a result of economic crises affected Albanian migrants, who by 2013 were assumed to be 47 per cent (INSTAT 2014 p.9; Caro, 2016). However, the burden of the crisis has clearly produced different impacts on Albanian migrants and especially in relation to men and women's lives. Unemployment's rates for migrant men remained much higher than that of migrant women's and that because Albanian men were employed mostly in the construction sector, heavily influenced by the crises, whereas Albanian women were employed mostly in domestic sector, which was affected less from the crises. Left without a job in the host country, men were amongst the first to consider return migration in the origin country. At least in our study the major decision for returning in the migrant couples was that husband lost the job in the host country and the wife followed them again upon their return in the origin country. Albanian 2011 Census data revealed that a substantial number of Albanians residing in Greece, around 139.827 migrant workers have been returned to Albania in the time period 2001-2011 and the majority were males. Amongst the most prominent reason for returning was lack of employment in the destination country. The surprising facts is that in the time period 2009-2013, a total of 133.544 Albanian migrants of the age group 18 years old and above have returned to Albania, of whom 73.7 per cent were males and 26.3 per cent respectively were females (INSTAT 2014, p.9). Albania Strategy on Return Migrants and Reintegration, which has recently expired in December 2015, draws attention to the potential of return migrants and emphasize the involvement of various institutions in the reintegration process of return migrants.

The focus of our analysis are Albanian migrants who have been return as a result of the crises, those who have re-emigrated again in Greece and the ones who are making attempts to further migrate in other countries. We base our analyze on 42 life stories of Albanian migrants, from which, 12 interviews with return migrants from Greece, 30 migrants that are actually in Greece (from which 50% have at least made an 1 attempt to return in Albania and 5 are circular migrants). Duration of the interviews varied from 35 minutes to four hours after which they were transcript and analysed through MAXQDA-data analysis program. The interviews were transcribed preserving the original language, further the transcriptions were analysed using the qualitative data software MAXQDA.

Findings

1. Sense of power and bravery

Migration and return migration patterns are highly gendered and remarkably diverse for women and men. While in one hand, migration served as an empowerment story for many Albanian migrant women, in terms of changing oppressive gender relations and power dynamics within the household, more liberal gender division of labor within home, providing new opportunities, emancipation, more autonomy and social mobility through economic independence, on the other hand, Albanian men experienced a challenge to their traditional role and a threat to the masculinities performed back home were men are still men. It implies a fear of manliness men, which are now becoming voiceless and powerless as their women are gaining access to waged employment, which on the other hand implies they are gaining independence and becoming more powerful (Dushi, 2015; Xhaho and Caro, forthcoming). On the other hand, research on return migration has pinpoint

the fact that while migrant women experience an empowerment in their gender roles with men being threatened upon migration in the host country, the return migration change again the situation in favor of men who experience a re-gained sense of control, while women losing it. These are the experiences of two women who have been returned from Greece, following their husband(Khalid,2011). In this rhetoric, one of the interviewee said : *"I had the idea I was more brave in Greece rather than in Albania. I could move upward there but not here"* (Dafina, 42, returnee, entrepreneur).. Another returned migrant admitted: *"If you are still a housewife, you don't have any opportunity to display your gained knowledge from Greece. I don't know how I could afford staying closed home like that. I am very pessimist"* (Anda, 33, Housewife, return migrant).

Our study found that at least 5 out of 6¹ women have been returned in order to follow their husbands who lost the job due to the crises. In the light of such situation, we found that the decision to return was not completely women's independent choice. They were constrained to follow their husband for the sake of not separating the family, showing again for the 2nd time² their role as passive followers. However, not all our migrant women decided to follow their husband upon return. The story of Meri, 30, who works as an esthetic in Greece, shows her decision to stay in Greece, while her jobless husband moved in Albania with his family.

"I wanted something more. I wanted to be independent from the first moment I came in Greece. There is nothing else better than being independent. The Greek men treat their wives differently, with respect. For the majority of Greek husbands, the wife is not the servant as it is in Albania. At least, in the country where I was raised, the wife was the servant for the majority. The wife was supposed to be exploited. ...Only when women stand by its own, she is the master of herself. She has always been in subordinate position compared to male. She has neither values, nor she feels accomplished...she can not move forward. I. woman should stand on her own feet. It is only than she feels free. I want to move forward, to live alone, not be deepened by anyone, which means to achieve everything by myself, starting from zero. I feel I have better opportunities [here] to do a better life...I don't turn my head back any more. I have my new friendship here and in Albania I don't know anyone. I have my job here and I can't do anything in Albania"

Her life story shows how migration changed her attitudes, making more aware about her rights and gender role expectations of women and men and the same time compare it to the Greek norms. It shows again her strength, empowerment and a sense of "enlighten", in terms of independence and gender equity.

2.Psycho-social & cultural re-integration

Many migrants feel they are abandoned by the "old" friends and sometimes they feel alienated even by their cousins. A circular migrant said "I faced difficulties understanding Albania language in school. I tried to adapt to Albanian friends so they helped me a lot" (Jonida,22, circular student). There is a need for them to be socially reintegrated in the new life. In fact, many other return migrants have experienced the feelings of outsider twice: once when they were in Greece and again when they returned in Albania. Migrants thoughts and fears on return migration are interchanged with many factors that affects their ambiguity on whether they should return or should re-emigrate. Another migrant in Greece said "If I return in Albania after 20 years in Greece I am emigrant in my home country. You don't know anyone, all your friendship that you had.. you are like an owl" (Naim, 50, decorator in Greec). The return decision has been for some migrants a very difficult and painful transitory process. Inability to adapt to such major changes can lead sometimes to nervous breakdown, as Liljana , one of our interviews admits. Women experiencing more emotional problems or at least emphasizing such psychological problems more often than their husbands.

¹ The 6th women was single and in pension

² The first time relate to women's migration in Greece in order to reunite with their husbands, who came before, mainly through illegal ways.

You should know the situation, the people as it is quite difficult to be integrated. Here I feel being a migrant in my country. Though now many things have been changed...people have not changed.. they seems even worse. It jus their outer facade that have been changed. I couldn't manage to overcome my nervous breakdown without medications. The return is terrible. If you decide to go, just go and never return(Bela,38,returnee, entrepreneur of a hairdresser salon)

Cultural reintegration is seen as the process of reintegration of the returnee to the values, way of living, language, moral principles, and traditions of the country of origin's society. Many migrants have left Albania in 90s and now after return they experience enormous challenges in adapting to the new post-communist transformations. They find themselves struggling in inventing new surviving strategies such as relying in their family networks.

3. Labor Market Reintegration Dilemmas of Returnees

The study found that for many return migrants or the ones who want to return the most concerning issue have to do with their labor market integration. From the interviews of our migrants we understood that at least none of them have profited and received any direct support from the Migration services centers. The major needs concerning them were in regard to job placement support and no future perspective in Albania. Their major concerns were : What kind of job they will do? How to utilize the gained skills? Do the gained skills match with the labor market demands? (Elezi,2015).

When you first migrate to Greece, you have big ambitious, I will move up and find something better , a job and a wage but while you return, considering what you left in Greece you are not sure any more. It was very difficult I have to a find a job here .. may be open a business(Bela,38, returnee entrepreneur)

My perspective is to definitely return but we need to integrate here.. I am integrated but I am as a parasite here. I feel people need to be integrated with a job they can do better , and not finding something that you don't know how to do(Pandeli, 59,circular migrant, cheese processor in Greece)

Though, for some return migrants opening a business is seen as a process of reintegration, for others that's not the case as they are challenged by incompatible labor market trends and regimes. In terms of gender differences women are as well more predisposed to be affected by incompatible gender norms in the labor market. For example Anisa , a 37 years old women who worked with her husband in a bar in Greece, found it almost impossible to work again with her husband in a bar they both decided to open in Albania, upon their return. Though, the gender norms made it quite acceptable for women to work in bars in Greece, this was not the case of Albanian patriarchal mentality, were women are supposed to work in domains which are compatible with traditional gender role expectation (Caro at al., forthcoming; Xhaho, 2013; Caro at al 2012)).Left without an employment choice she decided to separate from her husband and her daughter for working again in Greece.

4.Entrepreneurship and investment pathways

Our study found that many Albanian migrants return in Albania to stay permanently with the idea of investing in home country. Both, women and men were most likely to see the perspective of entrepreneurship as the most common solution of economic reintegration. At least around 8 out of 11 returned migrant tried to open a small business. Moreover, around 15 out of 32 migrants in Greece tried to open a business in Albania. The study shows that many return migrants want to invest in Albania, either through financial capital but even their human capital such as skills and knowledge they have taken in the host countries marketplace. Studies have shown that the likelihood of being involved in one's own business is highest among migrants who return considering the emotional/social ties with the home country. Return migrants are considered more skillful and knowledge in terms of modern technology and work ethic, making them a real asset for investment in their home country. The same time the networks that such migrants have created abroad and their capacities to hold relationships across cultures and borders make the full in terms of social capital (Fetahu 2015; Kopliku 2015; Chaloff, 2008) and increase the chances of setting up transnational economic partnerships. Since 2005 almost 2/3 of small business

owners in Albania have a migration history and 70% considered their foreign experience as useful for their business (IMF, 2006). Strategies to navigate in the labor market are: gained skills, economic capital, family networks, prior business plan, adapting Greek culture, market studying (Caro, 2016).

However they experience lots of difficulties when trying to invest their financial capital in their home country. Some of them claim that they have money, but they do not have idea were to invest. Many of them have been living and working abroad for many years, which make their labor market integration a difficult process. Despite the home country ties and their emotional connection to Albania, with what we call "patriotic tourism", they are faced with many integration dilemmas and ambiguity of everyday life and work issues. Considering that the first wave of Albanian, returnees come with the idea to invest and bring some host -country-style in their business but, soon they realize that their master plan have failed, either because they had no previous information on possible investment sectors, step by step orientation or any other kind of support, facility and service tailored particularly to migrant investment in the home country. However, though they bring back elements of host country labor market they do not have any experience and training in investments and business plan management, beside the many problems they experience with institutional and administrative issues for setting their business. The cases below illustrate the ambiguity of migrants were to invest, regardless their eagerness to come back and invest : "We were discussing of opening or own business here, but we need money. Because all my savings were expended for bricks and mortar" (Alda, return migrants and entrepreneur of a bakery shop in Tirana and grill house shop in Himara). Marjola (54, domestic worker) returned from Greece with her partner, with an idea to open a business. Even though they constructed the building and brought all the modern swing machines from Greece and new model ideas (financial & human capital), they were obligated to close it shortly because they could not afford it due to high taxes. Naim, is one of the migrants in Greece who as many other migrants have failed in his attempt to continue the business he opened years ago in Albania. Unfortunately, due to problems he faced with the management of his retail shop, he decided to re-emigrate again in Greece.

Re-emigration

Though the role of returnees in the development of the country is widely confirmed, their potential gains are not so far utilized in the right way, nor are they provided with adequate reintegration programs. Studies on return migration have shown that there is a high percentage of return migrants who have intentions to re-emigrate again either because they have failed to meet their financial goals or (ETF, 2007) or because they are not satisfied with the services offered (INSTAT, 2014).

The same time studies have been shown than return migrants from Albania are more likely than non-migrants to be self-employed, that is a strong indicator for them to invest in a new enterprise (Naude, Siegel & March, 2015). The vast majority of return migrants have the tendency and would like to spend their remittances by business investment, though there is not any concrete study to measure the significance and success rate of business in which return migrants have invested their savings (ETF, 2007). However, the likelihood to start up an enterprise depends and can be enhanced by state policies. The recent figures, provided by the last Albanian CENSUS reveal the fact that the investment rate of returnees in Albania was only 8 per cent, focusing primarily in the retail trade, hotels and restaurant industry and agriculture. The main reason for not investing for around of 81.2 % of returnees from Greece according to the survey conducted by INSTAT was lack of insufficient capital to start up a business. The fact that returnees relied mostly in their savings almost (99 per cent), and just few of them around 15 per cent on bank loans (INSTAT 2014, p.10), might be an indicator for the necessity of economic reintegration of returnees and special financial incentive packages, for the ones willing to invest. Further on, given the fact that almost 61.5% , from the ones who have invested had encountered problems in their business management, in forms of unfair competition, insufficient capital, administrative constrains and managerial challenges (p.46) highlights again the importance of measures that need to be taken to overcome such obstacles.

For some of migrants return in Albania has been a temporary project as they re-emigrate in the host society again within few months. Studies on return migration have shown that there is a high percentage of return migrants who have intentions to re-emigrate again either because they have failed to meet their financial goals or (ETF, 2007) or because they are not satisfied with the services offered (INSTAT, 2014). After accumulating enough financial and human capital, Eglja, (54) and her partner who has worked for several years as a wood specialist in Greece, decided to return in Albania and invest their savings in a wood processing factory. They constructed the building and bought all the materials but they failed to manage their business because of the uncomfortable business environment. They have to pay lot of taxes which they could not afford as a new business. So, they left everything and decided to re-emigrate again in Greece. Her cousin as well returned from Greece in the origin city, Divjaka, and invested all the money in building a marble factory, which resulted a total failure. He was then obligated to move again to Greece with his family, but now without any money left in pocket (Eglja, 54 re-migrant in Greece)

Therefore, not all of them succeed in their endeavor, considering the varieties of challenges they have to face in opening and managing their business. Faced with such constraints and the same failing in their psychological, social and economical reintegration strategies, some of them decide to migrate in another country in order to escape such situation.

Lack of state policies on return migrants

The Ministry of Labour coordinates and implements the National Migration Strategy in Albania and Migration Action plan and Reintegration Strategy for Returning Albanian Citizens (2010-2015) and its Action Plan with other line ministries and dependent institutions which have their responsibilities. The emerging problem is that both strategies have already expired and there is no any other announced strategy yet. The monitoring *results of the National Action Plan implementation on the Migration, and of the National Strategy on the Migration*, from European Institute of Tirana (2007), emphasize the fact that the strategy needs continues monitoring, as it is not a static document, but rather a dynamic one. Though, there was an explicit link between the development and migration policies, the strategy lack better coordination, institutional capacity and financial resources for implementation (EIT, 2007). Implementation of the NSM was hindered by ongoing institutional uncertainty regarding the coordination and fragility of commitments of various institutions involved in the implementation. The striking fact coming from monitoring result is that out of 15 Ministries and state institutions involved in the strategy implementation and in the action plan, 8 of them were not aware for the existence of such strategic documents, 64% of activities and 53% of planned measures in the strategy were not implemented. Moreover, as concerns to return migrants several measures in the strategy were partly or not implemented at all. For example, measure 8. Broaden the reintegration services, in order to guarantee permanent return. Activity 1. "Drafting and implementation of joint employment programmes with small businesses" was not implemented and 2. "Provision of career guidance, job placement and vocational training" was partially implemented. Moreover, in collaboration with the IOM, the Albania launched the Voluntary Assisted Return and Reintegration (VARRP) to encourage return of asylum seekers. The program offered a variety of services such as advice and information and assistance with travel expenses, schooling fees, job placement and training (IOM website). However, as it will be shown a considerable number of returnees have not profit from such services and the majority of them do not have the idea that such services even exist.

Invisibility of Migration Counters

Though the core element in the Reintegration Strategy for Returning Albanian Citizens (2010-2015) and its Action Plan, were the Migration Counters, located at 36 regional and local employment offices throughout, which offered public services, such as health, education employment. Data from the last study by INSTAT reveal the fact that few returnees were aware that such centers exists (INSTAT 2013, P.19). given that only 26.5 % of the interviewees have contacted such centers to receive support (p.52). Our study found that none of the returnees have had the chance to profit from such services. Moreover, such centers were almost invisible in the rural areas. The problem with returnees who return in their villages is

that they can not claim they are unemployed and profits from such service as they are considered as self-employed in agriculture in case they or their family owns a plot of land (INSTAT, 2014)

Conclusion

Although research on Albanian migration has a long been discussed by migration scholars (King and Vullnetari 2003; Carletto, Davis et al. 2006)few studies attempt to grasp in detail the return migration process and reintegration strategies of returnees, especially from a gender perspective. The contribution of this study was to look at the gendered trajectories of return, reintegration and remigration of Albanian returnees. We found that their migratory trajectories are quite diverse, gendered and dynamic, changing overtime depending on a set of structural and socio-economic factors in the host and origin country. Considering the fluidity of migrant pathways it is almost difficult to talk about permanent or temporary return. Migrant are continually moving back and forth, with a set of values, norms and ideas which are constantly shaped, transformed and challenged through their circulatory movements. The study found that returnees face difficulties in their psycho-social, cultural and economic reintegration upon their return. They experience a sense of alienation from the country of origin and find themselves "outsider "in both countries, which makes them, especially at a greater extend women mentally and psychologically vulnerable. Women experienced a sense of disempowerment, reassuming their traditional identity and gender role expectation, while at some degree felt less brave than in Greece. While experiencing a reconfiguration and re-traditionalisation of gender relationships, they were faced as well with incompatible labor market norms, which made them being excluded due to sexist workplace norms. Moreover, a great deal of literature already exists in the potential gain that returnees can bring for the development of their home countries and this not only in terms of sending remittances but through human, social and financial capital (Gibson and McKenzie, 2012). Similarly, both genders employed distinctive and similar coping mechanisms to deal with reintegration dilemmas. Though the majority of returnees came back with an idea of investing their financial capital in their country of origin and brining the same time their social and human capital, they are now facing lot of struggles. Having no support system back home, remaining jobless and in many cases failing in their investment endeavors, make returnees consider further re-emigration as a surviving strategy. This paper highlights the importance of government's officials in building an integrated policy framework that take in consideration with a gender lens analysis returnees' needs.

Policy Recommendations

Holistic gendered approach to reintegration of returnees

It should be developed a comprehensive multi-dimensional reintegration strategy encompassing social, psychological, economic and political reintegration strategies taking in consideration gender lens policies as women and men have different priorities and needs. Furthermore, language and cultural adaptation training should be taken into consideration by the Ministry of Education and Sports. Such services should be coherent and be advertised and made visible to returnees upon their arrival in their home country. Brochures holding information on reintegration plans should be advertised in corresponding embassies, airport info centre and halls, municipality and other institutional halls, different NGOs, health centers and other respective public and local institutions.

Enforce migratory centers

In terms of return migrants infrastructure, there is a need to establish information centers in the municipalities or to strengthen the capacity of Migration counters. The aim would be to disseminate information and guidance on the reintegration programs, work and business investment opportunities. Migration counters should be transformed and provided continuously with technical and financial resources, considering the Administrative Reforms.

Multi level/stakeholder collaboration and dialogue

International organizations, civil society and the government need to coordinate their efforts in order to create a multidisciplinary approach (Psychological, social, cultural, economical) to reintegrate migrants. It is not the role of the state to provide direct services for returnees, but it has the role to formulate politics that could promote and assist organizations working on return migrants and reintegration as well. Such organization might provide special assistance to returned women as well, who might be in a more vulnerable position.

Oriented business development plans- follow up

Making return migrants familiar with local regulations and legislations for starting a business, along with issues relating to local labour market and business practices. Specific trainings books in business managements plans should be provided by Job offices

Two way process in Vocational Educational Qualification

The National Employment Service should works towards capacity building programs, by offering and promoting Vocational training courses addressing the needs of migrants with different skill levels in local communities and the same time make use of returnee's human capital by placing experienced migrants as trainers for many of the VET courses that are provided to other interested persons.

Develop more effective cross-governmental, local and central coordination mechanisms

Increase institutional communication between the local and central level. It is important that services for returnees should not only be localized in the capital city but distributed accordingly to the distribution of migrants. Therefore, closer collaboration, intensified dialogue and flexibility should be considered between local and central power government

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- [27] www.iom.al
- [28] www.sociale.org
- [29] This paper is written in the framework of the project "Industrial Citizenship and Migration from Western Balkans: Case studies from Albania and Kosovo migration towards Greece, Germany and Switzerland". This project is

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Appendix 1.

Table.1 : Migrant Information

Education	Years in Migration	Sector	Gender	Age groups	Return migrants
6 have primary school	18 have migrated from 91 to 94	14 domestic worker	19 men	20-30- 5 migrants	3 returned in the period 2000-2004,.
5 have secondary school	19 during 97-99	2 construction	23 females	31-40-12 migrants	4 in the period 2005 - 2009
6 have university	5 during 2001-2004	3 hairdresser		41-50-11 migrants	4 other returnees in the period 2010-2014
24 have vocational educational training		2 work in agriculture		51-60-9 migrants	
1 have post graduation		1 graphic designer		61-70-1 migrants	
		1 specialist in factory ,			
		2 waiters			
		1 deliver,			
		2 entrepreneur			
		1 seller			
		1 cooker,			
		1 baby sitter			
		11 unemployed			

Consequences of the Totalitarian past on the Albanian Post-Communist Society

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Abstract

Enver Hoxha's communist regime lasted 45 years, leaving unstudied long-term consequences in the Albanian society. Still today, after 26 years of transition, the path of democratization of Albania remains unclear. Albania has been for more than four decades under one of the most isolated communist regimes in Europe. The transition from a communist totalitarian state to a democratic state is still incomplete even after 26 years since the fall of communism. Annual reports carried out by Freedom House noted a delay in the processes of democratic governance in Albania. In these reports, since 2007, based on the democratic indicators, Albania is defined as a hybrid regime. The aim of this paper is to argue that one of the reasons delaying democratization is the missing detachment, or the non-separation from the mentality of communist past. The methodology of this paper is qualitative nature, based on the international philosophical and political science literature. Also the author has studied countries, who have had similar experiences of totalitarian regimes and who later embraced democracy. This paper attempts to explain, that the bad governance is linked to the anti-democratic character of governance in Albania. Throughout Eastern Europe, Albania was the most radical, on the adaptation of Stalinist totalitarianism type, and nevertheless still today, is not seeking punishment of crimes of communism and has not implemented a law on lustration. The past can become an obstacle to the future when is not studied, recognized and confronted with.

Keywords: Communism, Hybrid regime, Democratization, Transitional society

Introduction

Albania experienced for 45 years one of the most brutal totalitarian regimes that were seen in Europe. Also, it was the last country that overthrew the Stalinist totalitarian dictatorship type in Europe. Immediately after the fall of the totalitarian regime in the 90s, Albania began to open up to the world. Being isolated like no other European country and for a relatively long time, Albanian society and the simple Albanian individual practically lived on an island, isolated and without communication with the world, in a reality all of their own and with a worldview very different from the world that surrounded them. Therefore opening to the world meant first, dealing with another mentality, lifestyle, and presentation of concepts which are diametrically opposed to what Albanian people known until that moment. Secondly it meant putting in doubt, weakening and breaking the communist system of values, which were cultivated by the totalitarian system. With the establishment of political pluralism and democracy also began the new social, political and economic challenges for Albania.

This paper is based on one side on the qualitative methodology because addresses theoretical and philosophical concepts, sociological notions and interpretations and on the other hand is taken into consideration also the quantitative methodology with numerical reports, which are used measurements conducted by researchers, local and international as Freedom House, Transparency International, European Commission, Institute of Political Studies etc. The paper reflects interpretations on Albania's path from a totalitarian regime to a democratic one and offers its own explication on the 'delay' of the recent years towards a consolidated democracy. To achieve this, it is necessary to study not only the period of transition, but also the consequences that the Albanian society carried oppression during the totalitarian regime.

In 1944 "Partisans were advancing towards Tirana with the help of the British. In October they formed a provisional government with Hoxha as prime minister." (Abrahams, F. (2015), *The new Albania*). Elections were held in December 1945, Albania was proclaimed "People's Republic", and Enver Hoxha was appointed "prime minister, foreign minister, defense minister and chief commander of the army" (Ibid p33). Tribal and patriarchal organization of society helped cultivate

the image of Hoxha as father of the nation, "it was called 'The Leader', and many Albanians called him 'Uncle Enver' (Ibid p35). Sigmund Freud in his studies analyzes the role of the leader and the chairman of the crowd. According to Freud, the leader is a fierce father, who knows what is good and what is bad for each of his children (Freud, Z. (W.Y) Psychology of crowds). Albanian society organization was that of a closed society, where some of its features are found in the book of Karl Popper (Popper, K, (2012), *The Open Society and its enemies*), according to him a closed society is a tribal society where all are known to all, and have blood ties, and social relations are quite important. Such societies have features of enslaved societies.

History of Albania on the larger part is transition from one occupation to another and from one ruler to another, Romans, Slavs, Ottomans, Italians, and Germans etc. Even when Albania was ruled by Albanians as Ahmet Zogu and later Enver Hoxha Albanian society remained submissive. As the Albanian sociologist and philosopher, Artan Fuga explains: "The individual, perhaps after a period of several centuries, remains alone before its future. Without intermediaries", (Fuga, A, (2008), *Media, politics, society, 1990-2000*). For the first time, the Albanian individual would not have as social mediator another actor in relation to his future. The price of freedom, however, did not come without cost.

Today, more than 26 years Albania has not yet completed successfully its journey to consolidate democracy in the country. Low confidence of citizens in state institutions and the system in general, high levels of corruption and the crisis of representation of citizens are just some of the concerns raised in the public debate in recent years. Freedom House writes about developments in the years 1990- 1991: "Since the Second World War, Albania was the most isolated of Europe under Enver Hoxha's communist leadership. Freedom of expression was forbidden, religion was outlawed, and torture executions were common." ('Period of democratic transition: 1990-1991'- Freedom House.org). Freedom House categorizes Albania as a partly free country, classification that follows since the establishment of political pluralism¹. In the division "Nations in Transit 2016" (the countries in transition 2016), Freedom House lists Albania as a country in transition / hybrid regime (Ibid).

In the book, *Media, Politics, Society, 1990-2000*, Artan Fuga writes that the study of the years 1990-2000 has national significance because we have an amount of events that should be studied as flooding systems and economic models, emigration, exodus, revision of values, social and psychological trauma, liberation of Kosovo etc. (Fuga, A, (2008), *Media, politics, society, 1990-2000*). So, the history of the Albanian transition is filled with rapid changes and these events need specific sociological, historical and political studies. The first decade after the collapse of the totalitarian system in Albania can be summarized under the name of: experimental decade. In Albania, as many of the countries in transition from dictatorship to democracy was applied the so-called 'transition paradigm' (Carothers, Th, (2002), *The end of transition paradigm*, *Journal of democracy* 13:1). During 1990-2000 took place major transformations in the economic, social and political sphere. After the conclusion of the communist stage, many Eastern European countries such as Albania began policies to open the market and to adjust the free economy, which would be based on private entrepreneurship. Albania and its political leaders strictly implemented neoliberal policies proposed by the International Monetary Fund and the situation seemed optimistic until the 1997's where pyramid schemes brought the country's financial collapse and Albania faced a Hobbesian situation, quasi civil war.

According to Nina Bandelj and Bogdan Rady (Bandelj N, Rady, B, (2006), *Consolidation of democracy in post- communist Europe*, Center for the study of democracy, University of California), most scholars who follow political developments in Central and Eastern Europe focus on the fall of communism and democratic transition, but should not be left out of attention the political developments of recent years. In the same paper the two researchers argue that some of the countries in transition are stuck in the gray area, which scholars and political experts refer to the phenomenon with different names as: semi-democracy, electoral democracy, democracy facade, pseudo democracy, poor democracy, partial democracy etc. (Ibid p9-10). In view of Bandelj and Rady: "In the post-communist world, Moldova, Bosnia, Albania and Ukraine have some significant signs" (Ibid p 10-11) of feckless pluralism syndrome.

Societies like Albania, who have features of feckless pluralism (Ibid p 11-12), are described by a deep mistrust of the public to the governing elite, also political elites are seen as corrupted and that do not use their post for the general good, but on personal interest. They are ineffective in the eyes of society. Albanian government's performance is evaluated by the

Government effectiveness index which is measured by the World Bank, it was -0.07, so a negative value ('worldwide governance indicators'- worldbank.org). In a report (Public-opinion poll of confidence in the government '- idmalbania.org) published by the Institute for Democracy and Mediation on the faith (belief) of the citizens in the government confirmed this lack of belief. Highest trust Albanians have in international institutions such as NATO (74%) and EU (72%), while 1 in 3 citizens believes in government. Less trusted are judicial system (80%) and political parties (79%)¹. Over 50% of respondents do not have faith in public institutions ('Albania corruption rank'- Transparency international. org). One of the biggest challenges that Albania must confront is corruption in order to be part of the European Union. Recent measurements carried out by Transparency International, Albania ranks 88th with 36 points (Ibid) remaining in the ranking of most corrupt countries in the region, and not only.

During the communist regime, Albania had all the features of a totalitarian dictatorship, features summarized by the researchers Friedrich and Brzezinski, (Friedrich. C, Brzezinski. Z (1956), Totalitarian dictatorship and autocracy,) an official ideology, a single party of the masses led by the dictator, a control system and police terror, monopoly of technology in the hands of party, monopoly and control of weapons, and finally, the centralized economy. The consequences of a long totalitarian period are present still today. The target of the totalitarian regime was any spontaneous social. Observe that two of the characteristic features of a totalitarian system are still present today, 26 years later, for example still are not condemned the crimes of communism. The importance of the party and the role of the leader are still big in Albanian politics and society. The main parliamentary parties in Albania are governed by authoritarian methods and internal democracy is still weak, decisions are made vertically and the word of the leader is what concludes decisions. At the same time, the Albanian society accustomed to authoritarian leader, strict and charismatic, has been promoting this model, so all Albanian leaders after 1991 'suffer' the syndrome of protagonist, the figure of the party leader should not be overshadowed by any other figure within the party.

Moreover, the high level of unemployment, especially among young people, this brought the pursuing for finding a job and the involvement in party structures becomes a common choice. The communist regime party was "the prerogative" (Lefort, C, (2000), La complicazione: al fondo della questione comunista), even Lefort said that the party was transformed into fetish and as such it "invades the state apparatus and becomes founding conductor of the State that directs all social life" (Ibid p82). There is no other pole of truth and omniscience, "there is no legitimacy except the party" (Ibid p83). The party provided full employment for all citizens and Lefort writes that "faith in socialism is partly undivided from faith in parties" (Ibid). The party was the mechanism through which all the goals of the system were achieved. This mentality is still present in the Albanian society where the party is seen as a mechanism of employment and personal benefits, for a significant part of individuals. Unemployment is high, 33.2% among young people in 15-29 age group, and 12.5% in the 30- 64 age group. The data obtained from INSTAT ('Unemployment rate'- Instat), statistics showed that unemployment is higher among young people, a large part of graduates. The same observations are made from the 2015 progress report, the European Commission for Albania, writes: "The rate of employment and participation in the labor market remain low, and the informal economy is still an important provider of employment" ('Albania 2015 report'- European commission).

Thus, the party is perceived as an "octopus" whose tentacles extend to all state institutions trying to conduct them. Political parties in Albania are mainly parties organized by clienteles that operate through exchanges and fulfillment of favors, using informal environment and pursuing undemocratic mentality. Parties are the best example of how the old mentality of past dictatorial system is present. Institute of Political Studies in a report (Internal democracy in political parties from March to May 2016'- ISP), carried on political parties, from March to May 2016 and stresses the idea that political parties are clienteles parties and as such are not transparent in their operations, so "being a clienteles' party the main source is informality of decision- making and financing" (Ibid). Furthermore, "most parties do not declare their political functionaries, as a large part of the report concluded; they hold both statuses, political and civil, which is contrary to law" (Ibid)

In addition, accountability and transparency to the public and citizens is low, in public places or different media is articulated the opinion of the leader, the party leader, but is not reflected what activities, discussions or thoughts has the party itself with its members. We see at this phenomenon undoubtedly elements of dictatorship mentality, totalitarian party recognizes only thinking and discussion within party structures, criticism is valid only within the structures of the party, while outside this was excluded. Lefort writes that "no one should be subject to the discipline of action, but also think outside the party"

(Ibid 86). In the Albanian society 26 years later, what is discussed, decided and debated within the party remains unclear and hermetic. Citizens do not have the information and the decisions taken are closed nature without consulting the wider public, by remaining so faithful to the old idea that the party is criticized only internally (if is criticized).

According to the Institute for Policy Studies (IPS), in a survey conducted with the Socialist Party congressmen's emerged the conclusion that political parties are not separate from the state "they love (state) power for power and employment" ('The main findings of the survey of ISPs in the Socialist Congress- ISP, politike.al). More than two and a half decades, transition in Albania is categorized from weak state institutions and strong leadership figures. Authoritarianism in Albanian leadership is also seen in the language and vocabulary used in public, the language is outrageous and harsh against political opponents, which often goes to insults, defamation and verbal threats, and they do it front of the cameras in the assembly hall. The political opponent as occurred in Enverist dictatorial system is the source of all the evils of society, whether during the totalitarian system elimination were physical totalitarian system during democracy become political eliminations. The harsh language, in most cases without political and civic ethics has the purpose of public denigration of any other political alternative, its humiliation and political causes, and simultaneously we see the glorification of its own political alternative. The dichotomous reality divided into good and bad, in black and white, communists and revisionists, patriots and traitors is another element of the totalitarian mentality that we see present today.

Democratic regimes are different from undemocratic regimes among other things by the degree of real participation of citizens in decision making processes and also the willingness to reach political consensus when is required for the good of the country. Albanian experience has shown that real civic participation in these processes is minimal and civic awareness is still low and with lacking of mobilization on issues that affect the public. Also, the Albanian citizen as an individual emerged from a totalitarian system has cultivated a highlighted indifference to issues of public and social problems. On the other hand, political consensus and agreements implemented since 1991-2016 have been difficult and always mediated by the international actors.

Naturally the question is: why are still so many present elements of undemocratic culture in Albania? The answer partly is that, in politics after 1991, a large part of the political names are part of the past and therefore they are fed up to an undemocratic culture formation. Secondly, Samuel Huntington writes that "the self-renewal of the democratic systems is realized through elections, new options and new promises" (Huntington, S, (2015), *The third wave of democracy*), this is a condition missing in Albanian politics because despite the change of the ruling power the country mentality and governance mechanisms are the same, it relies on the fact that the Albanian parliamentary parties are directed for years by the same figures, so inside the party itself has no substantial changes in order to be reflected on the socio-political developments, (Krasniqi, A, (2016), "This politics will last until leave the elite that came in 1990" - Javane.ws.al). Thirdly, the Albanian society for more than four decades was formed with an authoritarian culture, and consequently the obedience to the political leaders was naturally and will need a longer time to change this. The legitimacy of the Albanian democratic regime arose over anti-communist position, while all without exception belonged to the communist world. For this reason, the Albanian society today faces a crisis of political representation as simple citizen feels no represented by politics.

Why we face this situation? One answer would be that with the fall of the communist regime the Albanian society's suffered also declining values in society, with the opening up to democracy and free markets profile values of the Albanian individual turned towards materialist (or survival values), (Kocani, A, (2013), *Exploring the value system in Albania in the post-communist period*). However, properly Gene Sharp wrote: "No one should believe that with the fall of the dictatorship an ideal society will immediately appear" (Sharp, G. (2012), *From dictatorship to democracy*). Albanian society has to learn the price of freedom itself because "no external force will come to give to oppressed people the freedom they so much love. People should teach on its own how to get freedom. It's not easy" (Ibid, p91) To conclude, the journey of a state from the dictatorship to democracy is not easy, dictatorial system in Albania has fallen for several (26 years), but not the mentality of undemocratic political culture. Despite this, the greatest hope of Albania is the coming political elite and the young people who have grown up in freedom and know how to protect and maintain it.

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Perspectives of Prison Privatization as a Solution to the Prison System Crisis in Croatia

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Abstract

This paper presents arguments supporting the statement that the Croatian prison system has been in a crisis for years and presents pros and cons of introducing prison privatization as a possible solution/remedy as observed by researchers, journalists, government officials and the prison staff and prisoners themselves in other countries that have previously introduced or still use private prisons as a way of dealing with excess number of prisoners, which, in vast majority of cases, was/is the primary, but not the only incentive for turning to the private sector for help. The initial section of the paper focuses on defining the terms „prison system crisis“ and „prison privatization“ and classifying the possible models of prison privatization based on available research papers and articles published from the late 1980s onward, after which an brief overview of the prison privatization process worldwide since the beginning of the modern prison privatization process is given. The central part of the paper gives: 1) an answer to whether prison privatization is even legally achievable in Croatia, and if not, what changes need to be done in that regard, and 2) an overview of the overall condition of the prison system in Croatia based on several parameters as they change through the years (2005-2014). Parameters presented, defined and analysed include, but not exclusively: available prisons and penitentiaries, prison capacity, prison population, prisoner flow, imprisonment rate, remand prison, misdemeanour prison, supletory prison, recidivism rate, parole, prison violence, suicide attempts, the use of force, staff-to-inmate ratio, staff turnover rates, etc. The final section of the paper is dedicated to presenting arguments for and against prison privatization. In the conclusion the author gives his insight on the current situation with the Croatian prison system and whether Croatia should experiment with prison privatization.

Keywords: prison system crisis, prison privatization, privatization models, pros and cons, parameters

Introduction – Prison system Crisis

As any other part of the state government's public sector, prison system too is prone to crisis. And, just like with any other part of the public sector, the solution chosen to battle the crisis greatly depends on the existence of certain amount of political will to make (from a future political standpoint often risky) decisions, as well as financial constraints that a particular country's given budget presents.

Speaking of prison systems in this context is important because, judging from other countries' experiences, the debate about prison privatization does not arise until a prison system is no longer operating normally, and the question that then immediately arises is – what is prison system crisis and how do I recognize whether a particular prison system is in one?

And, indeed, it is not a question easily answered, but is, nevertheless, one that needs to be answered if one is to know whether something needs to be done and in which direction the changes should head, and, finally, if prison privatization is the way to go – which is the aim of this paper. Based on the literature researched for the purpose of this paper,¹ it would seem that certain guidelines exist that, if present and detected, would lead to the conclusion that the aforementioned question about the occurrence of prison system crisis should be answered affirmatively.

The parameters - as observed on the example of Croatia's prison system - are as follows (not necessarily in the given order):

¹ Research materials included research papers, study reports, various official government and non-government association reports and releases, as well as a number of newspaper articles.

available penitentiaries and prisons – in particular, their size (capacity) and state,

prison occupancy rate – % of total available prison capacities filled,

prisoner flow – the amount of prisoners who pass through the prison system (measured on a yearly basis),

imprisonment rate – prisoners per 100,000 people/citizens (EU average is 80-90)

remand prison – prison in which a person is held prior to being sentenced,

misdemeanour prison – sentence served as a result of committing a minor offence or a misdemeanour; many countries are not familiar with this form of prison sentence,

suppletory prison – prison sentence occurring after a fine for committing an offence has not been paid in a given period,

recidivism rate – the amount of repeat offenders - sentenced twice or more times to serve time in a prison,

parole – conditional release of prisoners prior to serving full length of their sentence,

probation – out-of-prison supervision period of a convicted person used in place of a prison sentence if the prisoner does not repeat the offence or commits a new one,¹ and

various prison discipline and order parameters - prison violence, suicide attempts, the use of force, staff-to-inmate ratio, staff turnover rates, etc.

It is important to note that, as far as research done for this paper goes, it was noticed that a larger number of the listed parameters were present in almost every country affected by prison system crisis, but not necessarily all the parameters, most likely because the severity of a single one can disrupt the normal flow of prison life so much that a prison system would indeed be in a crisis. This is especially the case with prison population, when the number of prisoners greatly exceeds prison capacities. Interestingly, it was also noticed that this parameter (overcrowding) has been a constant in all observed examples.

The eleven listed parameters are used to assess the state of eight key aspects of prison life which Logan² described in his work, and are widely accepted as such in the scientific community: security, safety, order, care, activities, justice, conditions, and management.

Considering the fact that there are so many parameters and aspects to have in mind, hardly anyone has tried to give a definition of prison system crisis, the exception being Cavadino and Dignan, who tried to define it by stating that it is a longer-lasting condition of the prison system in which the prisons are overcrowded, which negatively affects living conditions, hygiene, health care, treatment programmes, which then results in negativity between prisoners and the staff and leads to unrest, riot, crimes, escape and the decline of treatment programme success rate and involvement (if voluntary).³

As we can see, the given definition is basically a sum of all the aspects of prison life, and, because of that, not particularly useful, and it might be prudent not to get involved in trying to establish one too much. For this paper's reach, it is enough to understand of what elements the term is comprised.

¹ In some countries, the supervision activity conducted upon parole (or early release of prisoners) by parole officers is also called probation, which can often lead to confusion.

² Logan, C. H. (1992). Well Kept: Comparing Quality of Confinement in Private and Public Prisons. *The Journal of Criminal Law & Criminology*. Vol. 83, No. 3, pp. 577-613; The idea was later adopted, with minor modifications, by Perrone and Pratt, as well as Makarios and Maahs; cf. Perrone, D., Pratt, T. C. (2003). Comparing the quality of confinement and cost-effectiveness of public versus private prisons: What we know, why we do not know more, and where to go from here. *The Prison Journal*. Vol. 83, No. 3, pp. 301-322, Makarios, M. D., Maahs, J. (2012). Is Private Time Quality Time? A National Private-Public Comparison of Prison Quality. *The Prison Journal*. Vol. 92, No. 3, pp. 336-357

³ Cavadino, M., Dignan, J. (2006). *Penal Systems – A Comparative Approach*. SAGE Publications. London, p. 43

When contemplating about prison system crisis, one must always keep in mind that different areas of public sector are very much influenced by one another, which is particularly important when reviewing the influence of budgetary cuts and changes made to the criminal justice system¹ as a whole on the prison system.

The following section of the paper will focus on defining the term *prison privatization* and classifying different models of prison privatization that have seen the light of day in practice.

Prison Privatization, its Models and Aims

There is no single agreed-upon definition of the term *prison privatization* either, but in order to fully understand the rest of the paper and why it is even researched at all in this context, it is important to give an overview of what the term is used to describe and what models of privatization there are.

Prison privatization is a particular form of public-private partnership (or PPP) in which the state abandons a part of its prerogatives pertaining to building, maintaining and/or managing one or more prisons to a private sector investor: 1) in an attempt to save budgetary funds for other public sector areas and improve the conditions of existing prisons, or 2) in the situation where there is an immediate need of additional prison capacities.² The first situation may not necessarily be strictly in relation to prison system crisis, but often is.

Now, there is a very similar term that needs to be distinguished from prison privatization, and that is the term *prison industry*, which basically represents the involvement of the private sector in the productive aspect of prison life, and is today a standard in most countries' prisons, public or private. Therefore, public prisons with private sector involvement exclusively in production and distribution of prison products shall not be regarded as true private (or privatized) prisons.

Based on the given meaning of prison privatization and the possible degree of private sector involvement (excluding the above mentioned form of involvement), we can see that there are three basic models of prison privatization:

management model – private contractor takes over an already existing public sector prison and continues to manage it for the contracted period, ranging from several years all the way to several decades,

the so-called DCMF (*Design, Construct, Manage and Finance*) contract model – private investors agree to finance the construction of a new prison which is then under their management, for which they are paid a specified sum by the state on a regular (monthly, yearly) basis,³

and the semi-privatization model, also known as *outsourcing* – certain prison functions (such as medical care, prison maintenance or cooking) are performed by the private sector contractor.⁴

There are examples of prisons where a combination of two or all three of these models are used.

The discussion about the possibilities of prison privatization, as stated, usually doesn't start until the parameters show that the prison system is a long-lasting crisis, and that the prison conditions are steadily deteriorating. But even then, prison privatization does not always come up in debates, as there are many other ways (strategies) that, presumably, target

¹ Changes in the legislature (e.g. in the Criminal Code, Prison Act) and the overall prison policy shifts (which usually precede changes in the legislature).

² Roth, L. (2004). Privatisation of Prisons. NSW parliamentary library research service, Background paper, No. 3. [Online] Available: <https://www.parliament.nsw.gov.au/researchpapers/Documents/privatisation-of-prisons/bg03-04.pdf>

(Apr 6, 2014), p. 2.; The proponents of prison privatization believe that private sector can manage prisons much more efficiently, and therefore appease both the contractors (the states) and the prisoners who are, in this context, the contract object (apart from prisons themselves), and will be further discussed in one of the following sections.

³ Genders, E., Player, E. (2007). The commercial context of criminal justice: prison privatisation and the perversion of purpose. *Criminal Law Review*, p. 3

⁴ Miller, D. W. (2010). The Drain of Public Prison Systems and the Role of Privatization: An Analysis of State Correctional Systems. ProQuest Discovery Guides. [Online] Available:

http://www.antoniocasella.eu/nume/miller_2010.pdf (Apr 7, 2014), p. 3; For different classification example see e.g. Chang, T. F. H., Thompson, D. E. (2002). Corporations Go to Prisons: The Expansion of Corporate Power in the Correctional Industry. *Labor Studies Journal*. Vol. 27, No. 1, pp. 45-69 or Cavadino, M., Dignan, J. (2006). *Penal Systems – A Comparative Approach*. SAGE Publications. London, pp. 304-324

specific flaws of the prison system, or try to alleviate the situation before the criminal procedure even reaches the imprisonment stage, such as:

decriminalization and depenalization,

additional restrictions to imprisonment in pre-conviction stages of the procedure,

abandoning or narrowing the usage of mandatory minimum prison sentences for certain offences, as well as the use of relatively short prison sentences,¹

taking the current occupancy rates of prisons in consideration in the sentencing stage,

encouraging compassionate release of elderly and severely ill prisoners,

expanding the use of alternative sanctions (alternatives to prison sentence), an important part of which are the ones known as community sanctions.²

This paper will focus on the first two models of prison privatization for which it is characteristic that the amount paid to the private investor/contractor directly depends on the occupancy rate in prisons, increasing with higher occupancy rates of prisons.³

Prison privatization itself does not include any particular aim or goal. It is simply one of the means with which the government (more concretely, the Ministry of Justice, a part of which is the Bureau of Prisons, and it is a structure commonly found in most countries) is trying to accomplish one of the following:

reduce the costs of managing the prison system (by far the most important in practice),

improve the effects of rehabilitation of prisoners, and

improve order, safety and security in prisons.

The decision to turn to prison privatization as a solution to the prison system crisis is not something to be taken lightly, and therefore, it is very important to assess arguments of both its proponents and critics, and then weigh the possible risks and benefits of prison privatization in relation to other possible methods of relieving the pressure within the prison system, of which primary source is the growing prison population.

But before those arguments are discussed in more detail, the following section will give an overview of the process of prison privatization in countries that are deemed as leading countries in the area, either by being among the first to attempt it, or by how many prisoners are held in private prisons (in absolute numbers or in percentages – some fit both criteria, e.g. United States).

A Comparative Overview of Prison Privatization in the World

The United States of America (USA)

Considering the long historic development of prison privatization,⁴ it is only fitting that the overview starts from *The United States of America (USA)*, as USA are the cradle of prison privatization, both its historic form and the modern prison

¹ It was recognized sometime ago in many European countries that prison sentences up to one year can have more negative than positive effects on prisoners (for example, criminal infection). Therefore, they are slowly being abandoned and replaced by alternative sanctions.

² More on this topic in Atabay, T. (2013). Handbook on Strategies to reduce overcrowding in prisons. UNODC. [Online] Available: https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf (Jul 8, 2015), pp. 39-63, 174-180.

³ This is considered to be an argument against prison privatization, and will also be further discussed as such in one of the following sections.

⁴ The history of prison privatization is so extensive (e.g. convict lease system) that it deserves its own dedicated paper; see: Mason, C. (2013). International Growth Trends in Prison Privatisation. The Sentencing Project. Research and Advocacy for Reform. [Online] Available:

<http://www.sentencingproject.org/wp-content/uploads/2015/12/International-Growth-Trends-in-Prison-Privatization.pdf> (Apr 6, 2014); Miller, D. W. (2010). The Drain of Public Prison Systems and the Role of Privatization: An Analysis of State Correctional Systems. ProQuest Discovery Guides. [Online] Available:

privatization wave, which occurred in the beginning of the 80s. The modern privatization process started out as semi-privatization (involving education, catering, cooking and building maintenance), and then expanded to full control of prisons, but progressing from juvenile detention facilities to adult prisons.

Prison privatization was viewed by many federal and state politicians as the right means to fight the ever-increasing prison population and overcrowding in prisons, which then led to worsening of prison conditions, as a result of which the courts started receiving more and more complaints from prisoners about inhumane conditions in which they were serving their prison sentences. Being respectful to the law, the courts started ruling in favour of prisoners and the states were faced with growing amounts of compensations and damages to pay, as well as with having to release prisoners which they did not deem fit to be released from prisons, simply because they could not meet the demands imposed upon them by court rulings. On top of all that, private lobbies sought to penetrate into more and more areas that were once considered inherent to and only performable by the state due to various constitutional legal and ethical constraints.¹

As it so happens, those were also the first years after the start of a longer period of the so-called *harsh on crime* politics in the USA (which carried on in the UK as well), which started in the period of the conservative government of president Ronald Reagan, which meant that politicians would gain support by publicly blaming crime for literally everything bad that was, at the time, going on with the US economy (e.g. budgetary deficits). Legislation was passed to authorize the new penal policy. More notably, there were *three strikes and you're out* laws which imposed mandatory prison sentences for repeat offenders, and many drug offences started being punished by mandatory minimum sentences which started overcrowding prisons all over the USA very shortly.

Of course, we cannot disregard the fact that the USA have also traditionally been a country in which debates about freedoms in order to score political points have been particularly fierce (even nowadays, e.g. in regard to carrying firearms). It was believed that the private sector will manage prisons more effectively, and that, by using PPP as a means to build new prison capacities, the complex and lengthy public procedure could be somewhat shortened.

The process started slowly, but has since then exploded,² and there are currently over 130,000 prisoners serving their prison sentences in private prisons (federal and state prisons), which amounts to 8,4% of total prison population. If we only take federal prisoners into account, the percentage goes up to 19,1%.³ As of 2014, out of a total of 50 states, 30 states have introduced some form of prison privatization, but percentages of prison populations vary greatly from state to state, ranging from 0,1% in Maryland to 43,6% in New Mexico.⁴ The overall private prison population has been on a slow decrease the last few years (since 2012), but not yet enough to encourage the private prison project rejection hypothesis.

The United Kingdom (UK)

Prison privatization in the United Kingdom lagged about 10 years compared to the USA, but the progression curve has since been quite similar, and the UK was still the first European country to experiment with modern prison privatization models. The then new conservative government of Margaret Thatcher tried to and succeeded in deregulating and transferring many public services to the private sector, as she believed it to be much more efficient.

http://www.antoniasella.eu/nume/miller_2010.pdf (Apr 7, 2014); James, A., Bottomley, K., Liebling, A., Clare, E. (1997). *Privatizing prisons: Rhetoric and Reality*. SAGE Publications; Šeparović, Z. (2003). *Kazneno izvršno pravo i uvod u penologiju*. Pravni fakultet Zagreb, pp. 145-149; Cavadino, M., Dignan, J. (2006). *Penal Systems – A Comparative Approach*. SAGE Publications. London pp. 305-321

¹ See: Lippke, R. L. (1997). *Thinking About Private Prisons*. *Criminal Justice Ethics*, Vol. 16, No. 1, pp. 26-38; Dolovich, S. (2005). *State Punishment and Private Prisons*. *Duke Law Journal*. Vol. 55, No. 3, pp. 438-546;

² Particularly in the 90s, see James, A., Bottomley, K., Liebling, A., Clare, E. (1997). *Privatizing prisons: Rhetoric and Reality*. SAGE Publications, p. 8

³ Carson, E. A. (2015). *Prisoners in 2014*. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (pdf). [Online] Available: <http://www.bjs.gov/content/pub/pdf/p14.pdf> (Nov 11, 2015), p. 1

⁴ Galik, L., Gilroy, L. (2015). *Annual Privatization Report 2015: Criminal Justice and Corrections*. Reason Foundation. [Online] Available: <http://reason.org/files/apr-2015-criminal-justice.pdf> (Nov 12, 2015), p. 4

However, she too hesitated to experiment with privatization within the prison system, that is, until 1987, when, after a British delegation's visit to certain private prisons in the USA, the British Adam Smith Institute suggested prison privatization as a means to make budgetary cuts in the justice department.¹

A year later, in 1988, the Parliamentary Committee recommended building new prisons through PPP, and as a result, the first private prison, HMP Wolds was open in 1992, during John Major's governing period.

It was the initial idea that the progress should be gradual and rational, but then in the same year several more new contracts were signed.

Despite what he claimed during the political campaign process, Tony Blair and his government continued down the same road.

The most used prison privatization model since the beginning of the process has been the DCMF model, although all three models were/are present.

As of 2014, there are 16 private prisons in the UK, of which 2 are in Scotland, which is often examined separately in regard to prison privatization, as it alone holds the highest private prisoner population rate in the whole world (20%).² The overall prison population rate of the UK is about 15%, which places it right behind Australia as the country with the 2nd highest private prisoner population rate in the world.

Some research³ suggests that the contemporary British government's view on private prisons is mixed, as there are reports that suggest that the best private prisons operate better than the best public prisons, but also that the worst private prisons operate far worse than the worst public prisons. Also, there were several failures to comply with contractual obligations noted which then resulted in high fines for the private companies involved. Finally, it was noted that, upon examining daily prison routes, very few differences were found, which may lead to believe that prison privatization is not as effective as was presumed.

Australia

Australia was often used as a release valve for convicts whose numbers started building up in the UK since the late 18th century, and considering the age we live in, that was plenty of time for stable privatization models to develop. And, indeed, it was the case, as Australia is, next to the USA and the UK, the country with the most developed prison privatization system in the world.

The modern prison privatization process started in the late 80s, a few years before it started in the UK. The first private prison opened was the Borallon Prison in the Queensland Territory under great influence from the United States, noticeable by the fact that the key managerial functions in the prison and the prisons opened afterwards were given to Americans.

As of 2014, five of total eight Australian Territories have privatized some of their prisons, which represented a total of 29,000 prisoners and a private prisoner population rate of 19%, which means that Australia is the country with the highest private prisoners population rate in the world.

Developments in the Continental Europe, Asia and South America

Prison privatization was approached with extreme caution in the Continental Europe. Although all the countries initially expressed themselves negatively towards it, there has been some development in that area over the past two decades. One of those examples is France, where the hybrid semi-privatization model has been widely used. Similar processes have been noted in Belgium, the Netherlands and Germany.⁴ There has also been speculation about possible prison privatization

¹ Nossal, K. R., Wood, P. J. (2004). The Raggedness of Prison privatisation: Australia, Britain, Canada, New Zealand and the United States Compared. London University. [Online] Available:

http://www.antonioasella.eu/nume/Nossal_2004.pdf (Apr 6, 2014), p. 9

² Vuletić, I. (2013). Prison privatisation as a solution for overcapacity of prisons in Croatia?. Zbornik z mednarodnej vedeckej konferencie Bratislavske právnické forum 2013, Bratislava, p. 1110

³ Privatisation in Scotland (2006). A Briefing Paper of the Scottish Consortium on Crime and Criminal Justice. Glasgow. [Online] Available:

<http://scccj.org.uk/documents/Prison%20Privatisation%20in%20Scotland.pdf> (Apr 6, 2014), p.4

⁴ See Ibid.; James, A., Bottomley, K., Liebling, A., Clare, E., Privatizing prisons: Rhetoric and Reality, SAGE Publications, 1997, p. 19

in Poland and Greece, but no projects have been put in motion as of yet. There are also countries who do not struggle with overcrowding and have started loaning prison capacities to other countries struggling with it through contracts, e.g. the Netherlands and Sweden.¹

Apart from Japan, in which there are 4 private prisons (as of 2013), but only for first time offenders, other Asian countries have yet to experiment with prison privatization. There were some talks noted about Thailand and even China wanting to experiment, but as far as the author's information goes, nothing concrete has been done yet.²

Unlike Asia, South America has seen a more rapid prison privatization development in the 21st century. The first country to privatize some of its prisons was Chile in 2003, joined by Brazil soon later. Recent data suggest that it is also being seriously considered in Peru and Mexico, as well as in the Caribbean countries Jamaica and the Dominican Republic.³

The following section of the paper will focus on Croatia and will try to give an answer to whether its prison system is in a crisis and, if so, whether prison privatization could be one a valid solution.

Is Croatian Prison System Facing a Crisis?

Reviewing the provisions of the Constitution and the Prison Act, one could not find anything that would directly oppose prison privatization. Namely, it has been the standing point of theory for some time that, in order to legally and formally prevent prison privatization, it is necessary to enact the prohibition, since the lack of provisions would pose too much of a grey area ("wobble room"), because it is highly questionable whether prisoners in public and private prisons are being discriminated/treated differently in any way. In the USA, Illinois has done so specifically to prevent prison privatization.

Moreover, there is even a provision in Article 6. of the Prison Act which states that the Ministry can and does cooperate with other legal persons on improving the conditions in prisons, which, widely interpreted, could give way even for a process such as prison privatization.

To answer the question whether Croatia's prison system is in a crisis, it is important to get a grip on the current situation of the Croatian prison system in general.

For the purpose of this paper the data from 2014⁴ and earlier years will be used only, as the 2015 Report has not yet been published or gone through the necessary parliamentary procedure due to the Parliament dissolving on July 15 this year.

According to the 2014 Report (p. 7) by the Bureau of Prisons of the Justice Ministry of Croatia, there are 12 prisons and 8 penitentiaries in use, most of which were built decades ago in the former Yugoslavian Republic, and were often used to deal with political opponents.

Since the prison system (both types included) became overcrowded in 2004 (maximum security capacities), we can say that the current condition has been ongoing for over a decade now,⁵ with imprisonment rates constantly above EU average (more than 100 as of 2013). Overcrowding reached its peak in 2010 when the overall overcapacity was 54,13%. If we take a closer look at statistical data, we can notice that the overcapacity in maximum security prisons (which represent by far the greatest portion of total prison capacities) in the same year was 68%, and on top of all that, a great number of prisoners who should have been serving their sentences in maximum security conditions were forced to be moved to lower security conditions. In addition, some prisons have very recently (2013) been reported to have had over 100% overcapacity, as was noted by the Constitutional Court in one of its reports.⁶

¹ See ICPS News Digest, 32nd Edition, March-April 2016, p. 13; ICPS News Digest, 18th Edition, November-December 2013, p. 3

² Mason, C. (2013). International Growth Trends in Prison Privatisation. The Sentencing Project. Research and Advocacy for Reform. [Online] Available:

<http://www.sentencingproject.org/wp-content/uploads/2015/12/International-Growth-Trends-in-Prison-Privatization.pdf> (Apr 6, 2014), p. 9

³ Ibid., p. 3

⁴ Izvješće o stanju u radu kaznionica, zatvora i odgojnih zavoda za 2014. godinu, Vlada Republike Hrvatske

⁵ The Constitutional Court of Croatia first warned about this problem in a 2008 decision (8 years ago), and continued warning in 2012 stating that, considering the current state of the prison system, overcrowding would not get resolved for several years to come (which proved to be on point, even though the last available report at the time was the 2012 Report).

⁶ Constitutional Court of the Republic of Croatia, U-X-5464/2012 (Jun 12, 2014), [Online] Available: <http://www.usud.hr/en/case-law>

Mihoci also states that Croatia's additional problem is the lack of educated prison staff and prison guards, which affects safety and security in prisons.¹

The number of ECHR proceedings against Croatia has also been on an increase over the past decade, which has greatly increased public expenditure on equitable relief payments, to which the Ministry was also warned by the Constitutional Court in several decisions and reports.² The Court also pointed out that the Croatian prison system was deemed inadequate by the CPT (Commission for the Prevention of Torture of the Council of Europe) during and after its several visits to Croatia.³

Several indicators of prison system crisis are still present in Croatia, even though a lot has been done in the past 2-3 years to relieve the pressure of the massive amount of prisoners on the whole system, which has seen the prison capacity occupancy rate finally drop beneath 100%⁴ (at least overall) and those are:

the occupancy rate for maximum security prisons is still above 100% , even if only measured on December 31, which opens up opportunities for potential manipulations with numbers for statistical purposes,

the number of released prisoners has declined,

remand prisoners represent 21,57% of total prisoners at the end of the year, but overall the percentage is even higher and sitting at 29,35% , which means that more than every fourth prisoner is imprisoned prior to or without being convicted and sentenced to prison, which indicates a problem earlier in the criminal procedure, and even the possibility of misuse and overuse of an institute involving depraving people of their freedom,

recidivism rate is at a very high 36,7% , indicating that more than every 3rd prisoner is a repeat offender,⁵

supletory and misdemeanour prisons are on decline, but still represent almost 10% of total prisoners passing through the system as of 2014,

2013 and 2014 have shown a big decrease in the number of prisoners involved in educational programmes, as well as their involvement in other treatment programmes, which has decreased from 41,59% in 2010 to 25,1% in 2014,

conditional release numbers are also on decline in 2013 and 2014,

the amount of self-inflicted injuries has risen, but, more importantly, the percentage of the prisoners stating dissatisfaction with the result of the criminal procedure or their treatment in prisons is again on the rise and almost back to the record level from 2009 (30%),

the number of visits has greatly declined in the past three years, which, coupled with the decrease of phone calls made and letters received, could indicate that prisoners are becoming more and more distant from the rest remainder of society, which may have a negative effect on rehabilitation as well as on post-release actions (which then affects recidivism rate),

the Ministry has stated the need for 4004 employees total in the prison system to cover every important aspect of prison life adequately; however, the gap between that provisional and the actual number of employees has seen nothing but increases over the last 10 years, as evidenced from 2005 through 2014 Reports, partly due to the lack of funds, but partly also due to the lack of applicants for job openings (e.g. prison medical staff) as well,⁶

over 60% of all employees (in an already underemployed prison system) pertains to security guards, and

expenditure has been exceeded income in the prison sector since 2005 all the way up to 2012, which caused the budgetary deficit carried on to 2013 to be as high as 56,4 million croatian kuna (over 10% of total prison system income for that year), and even though it was drastically decreased in 2014, it seems that we are still several years away from the prison system being able to reach financial balance; namely, out of total income of just over 534 million kuna in 2014, which was the first

¹ Mihoci, M. (2006) Sigurnost kaznionika i zatvora, Hrvatski ljetopis za kazneno pravo i praksu, No. 2, p. 904

² e.g. Constitutional Court of the Republic of Croatia, U-III-1437/2007 (Apr 23, 2008), Constitutional Court of the Republic of Croatia, U-X-5464/2012 (Jun 12, 2014).

³ Visits were made in 1998, 2003, 2007 and 2012.; Reports are available at <http://cpt.coe.int/en/states/hrv.htm>

⁴ As noted in the 2015 Report (p. 11).

⁵ Reports prior to the 2012 Report did not keep track of this statistical category , but the last three available suggest no improvement in this area.

⁶ The 2014 Report suggest that the prison system is operating on a 32,72% employee deficit.

year to more noticeably decrease the deficit carried on to the next year, 493,7 million kuna was state financed through the state budget, and the total expenditure was 493,35 million kuna.

There are positive parameters, of course, but the amount and severity of some of the listed ones indicate that Croatia is indeed experiencing prison system crisis in several key aspects of prison life, particularly considering the fact that similar state has endured for over 10 years, and has withstood some drastic changes in the legislation, as well as the greatly increased use of probation since passing the Probation Act in 2012.¹

Arguments For and Against Prison Privatization

As was mentioned earlier in the paper, prison privatization debate has been a fierce one for almost 30 years, and it continues to have more and more educated people involved with their own opinions and analyses. Since there is a great number of papers trying to catalogue the for and against arguments, but even more papers who only represent one side of the story, this section will try to give an overview of all the main arguments from both proponents and critics of prison privatization.

Proponents of prison privatization mainly use the following arguments:

the private sector is more successful at management and innovation, so the privately managed prisons will be more cost-effective;² they support the argument by stating that: a) competition promotes ideas and pushes the boundaries of what can be accomplished with a set amount of resources, b) private prison administration is less burdened by bureaucratic procedures, c) private sector management has much more employment flexibility than the public sector prison administration,

since the private subject's profit will directly depend on how the prison operates, prison privatization will strengthen the responsibilities of prison administrators to ensure that prisoners get the necessary treatment and conditions, and that prisoners' rights are respected in every possible way, since the smoother the prison runs, the more profit the private sector subject will retain from the contract; prison privatization will also require of the government to find innovative, better ways to monitor how prisons operate, and it will be easier to perform the monitoring on private sector subjects than on itself,

in connection with the above presented argument, since private prisons will need to operate more efficiently, this will also set new standards for public prisons to follow, pulling the entire prison system forward and raise the standards bar higher.

Prison privatization *critics* usually present the following arguments:

the main argument of the critics is that the act of sentencing, as well as the execution stage of the criminal procedure is an inherent prerogative of the state as part of the social contract between the People who agreed to delegate the authority exclusively to the State; prison policy is an integral part of a wider, criminal policy, which cannot be delegated by the State to any third party, a legal construct different than the State itself, because imprisonment in itself contains limitations to person's fundamental rights and freedoms; simply put - when a person breaks the law, he/she expects to be sanctioned by the State, and his/her mindset is shaped in a way to be prepared to accept the consequences; therefore, the State will, by delegating imprisonment to private sector subjects, deal damage to its authority,³

the motive for profit has never been, and should never be the goal of imprisonment, which, they claim, it clearly is for participating private sector subjects; the goals of punishment⁴ and imprisonment are both well established in legal theory, as well as formalized in fundamental criminal law acts, such as the Criminal Code and the Prison Act (which is the case in Croatia);⁵ critics express concerns that this could mean: a) lowering standards to decrease expenditure, b) hiring less

¹ <http://dalje.com/en-croatia/probation-helps-reduce-the-number-of-prisoners-says-minister/499558>

² Critics warn that this is not the case and quote studies conducted by researchers which suggest the cost reduction to be minimum at best, and not worth the risks of privatization, especially on the safety, security and order aspects of prison life. Most important studies will be discussed in the following section.

³ Proponents claim that, since the authority to imprison did not originate within the State, but was given to the State by the People (is derivative), as long as there is no objection from the People, the State can further delegate this authority to other subjects, as long as it keeps supervisory powers over private subject's activities

⁴ The aims are: retribution, deterrence, incapacitation and rehabilitation/reintegration. See van Zyl Smit, D., Snacken, S. (2009). *Principles of European Prison Law and Policy*. Oxford University Press, pp. 81-83

⁵ Art. 2 of the Prison Act states that the primary purpose of imprisonment is resocialize an individual and prepare one for life according to legal rules and social/ethical principles through humane treatment and respecting one's dignity.

experienced personnel and paying them less, as well as providing them with less job security, which could have a demotivating effect, c) if private sector subjects know they will boost their profit by having more prisoners, i.e. being as close to full capacity as possible, while not exceeding it, it will suit them to keep their prisons filled by promoting lobbying for stricter laws, harsher sentencing practices and deliberately provoking prisoners in order to extend their prison stay by their actions, d) hiding problems within prisons from publicly available records to avoid financial repercussions,¹ and e) accepting only prisoners who require less care and less security, as they are less costly to keep imprisoned,

making profit from imprisonment is unethical,² and even though there are private subjects in other branches of the public sector (e.g. private medical practice), they are aimed at relieving pain, not inflicting it, of which, though mostly not physically, imprisonment is a type.³

Is Prison Privatization Worth the Possible Risks?

To answer this question, it is necessary to point out the possible risks of prison privatization.

Simply put, almost everything that the critics of prison privatization point out as arguments against prison privatization are possible risks associated with it, although there are certain arguments that critics tend to attribute particular characteristics specifically to private prisons, but are, in reality, present in both private and public prisons, albeit for different reasons.

A good example of such a characteristic would be the lack of personnel motivation for prisoner's treatment and overall rehabilitation in prison. On one hand, in private prisons, it would stem from the fact that their employees' jobs are less paid, more insecure, the personnel is often forced to work extra hours, they are often unprepared for the challenges of managing particular aspects of prison life on a day-to-day basis. On the other hand, in public prisons the personnel is less motivated because they do not feel the consequences of the failed treatment and resocialization on their skin since their jobs are usually well-protected, regularly and better paid (in comparison with private prison employees), and their jobs are often much more secure, whether the prison is operating at 50% capacity or 150% capacity. It is unrealistic to expect of them to go as far as to think about that the better the treatments work, the less prisoners will return to prison, and will result in reduced work load for the same "prize."

Hidden in this section's title is another question - are private prisons more cost-effective than public prisons? This is, in vast majority of cases, as stated earlier, the primary reason to privatise prisons. The remaining cases are usually situations in which an urgent expansion of prison capacities is necessary, and the private sector subjects will only invest and contract if they also take over prison administration for a minimum period of time.

Since the early 90s, several authors have published reports on studies they conducted in their countries trying to, on a case-to-case and more generally, compare several representative examples from both private and public prison sides, with the methodology advancing with nearly every comparison attempt. Some studies have approached the matter strictly from a financial perspective, while others have studied both financial benefits and the prison life quality impact. There have also been authors who studied only the qualitative aspects of private prisons.

When it comes to the quality of prison services, it is the opinion of the majority of researchers that the services provided are roughly of the same quality, and will, for that reason, not be discussed further in this paper.

¹Lundahl et al. (2009). Prison Privatization: A Meta-Analysis of Cost-Effectiveness and Quality of Confinement Indicators. Research of Social Work Practice. Vol. 19, No. 4, pp. 383-394, cf. Headley, A., Garcia-Zamor, J. C. (2014). The Privatization of Prisons and its Impact on Transparency and Accountability in Relation to Maladministration. International Journal of Humanities, Social Sciences and Education, Vol. 1, No. 8, pp. 23-34

²More on the ethical dilemma of prison privatization in Reisig, M. D., Pratt, T. C. (2000). The Ethics of Correctional Privatization: Examination of the Delegation of Coercive Authority. The Prison Journal. Vol. 80, No. 2, pp. 210-222, Lippke, R. L. (1997). Thinking About Private Prisons. Criminal Justice Ethics, Vol. 16, No. 1, pp. 26-38, Barak-Erez, D. (2011). The Private Prison Controversy and the Privatization Continuum. Law & Ethics of Human Rights, Vol. 5, No. 1, pp. 138-157

³Roth, L. (2004). Privatisation of Prisons. NSW parliamentary library research service, Background paper, No. 3. [Online] Available: <https://www.parliament.nsw.gov.au/researchpapers/Documents/privatisation-of-prisons/bg03-04.pdf> (Apr 6, 2014), pp. 36-60, cf. Gottfredson, S. D., McConville, S. (1987). America's Correctional Crisis: Prison Populations and Public Policy. Greenwood Press. Westport, Connecticut, pp. 230-232, Dimovski, D. (2014). Privatni zatvori. Zbornik radova Pravnog fakulteta u Nišu, Vol. 53, No. 68, pp. 551-557

The attention here will, therefore, focus on answering, perhaps (opinions may differ here), the more important question - are private prisons more cost-effective? – even though, as it turns out, the comparisons yielded about the same results as the qualitative studies.

It is interesting to note that, as the studies progressed with time, it seems that it became more and more obvious that the differences in cost-effectiveness between private prisons and public prisons may not be as significant as was once believed to be the case. In fact, the only meta-analysis, which aimed to detect if there are differences in cost-effectiveness between private prisons and public prisons, conducted by Praat and Maahs in 1999, suggested that the ownership factor played an insignificant role in determining how well a particular prison would fare in the cost-effectiveness scheme. The determining factors proved to be:

economy of scale - the closer the prison population is to the maximum prison capacity, the lower the costs will be, and vice versa,

the state of prison infrastructure - the newer the prison, the lower the costs were, due to newer technologies used, requiring less maintenance and manpower, and relying more on electronic surveillance, and

security level of the prison - the higher the security level, the higher the costs were of running the prison.¹

The reason why meta-analysis is believed to be the most reliable method for this kind of analysis is the very nature of meta-analysis, which is basically applying statistical methods to already existing research papers selected by criteria that meet certain requirements set in advance, to avoid partiality while reviewing the findings of each paper included individually to reach a general conclusion.²

Should Croatia Turn to Prison Privatization as a Possible Solution to its Prison Crisis?

The purpose of this paper was to signify the prison system crisis Croatia has been dealing with for over 10 years, to try to at least crack the complexity of the term, to explain what prison privatization is and what its place is in resolving a prison system crisis.

While there is a fair amount of evidence to suggest that prison privatization does not nearly meet the cost-effectiveness expectations as we were initially led to believe by certain politicians and early authors, there is still some validity in approving the prison privatization undertaking in situations which involve sudden and sharp increases in prison population. In those types of situations, resorting to the private sector for assistance might sometimes be the only way to relieve the strain on the prison system as a whole, but it is definitely not a permanent solution, as the real reasons for the existence of the need to privatize often lie in earlier stages within the criminal justice system (often it is the legislation or practice that requires adjustments). When the source of the prison crisis is within the prison system itself (reasons other than strict laws and harsh sentencing), e.g. better education of prison staff, investments in improving the monitoring system, delegating the monitoring activity to non-governmental institutions, etc., there are many safer ways to ensure improved prison conditions in public prisons.

Since Croatia traditionally belongs to the group of countries following the trends in Germany when it comes to criminal law, and the only present prison privatization model there is the one that isn't really prison privatization in the full sense of the term, and adding the facts that none of the surrounding countries have experimented with prison privatization yet, the fact that the prison population in Croatia has grown a lot, but steadily, and the fact that things have shown signs of improvement on their own in 2013 and 2014 in the mix, the only possible conclusion at this point can be that prison privatization is not something that would be recommended for Croatia at this time, but should be considered in future calculations when thinking about building new prison capacities, which are already necessary (since the prison infrastructure is mostly old and badly maintained), but will in near future become absolutely mandatory, if we are not to be constantly condemned and fined by the courts, both domestic and supranational (such as the European Court of Human Rights), and other institutions (e.g. CPT), because it does not seem Croatia, nor almost any other country for that matter, will ever have "spare" funds to finance the construction of new prison capacities. Private sector subjects could present a sort of an opportunity to pay the sum we would have to assign anyway over yearly installments with small interests.

¹ Pratt, T. C., Maahs, J. (1999). Are Private Prisons More Cost-Effective Than Public Prisons? A Meta-Analysis of Evaluation Research Studies. *Crime & Delinquency*, Vol. 45, No. 3, pp. 358-371

² More on the criteria used in *Ibid.*, pp. 363-368.

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