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## Hybrid Model of Increasing Consumers Activities on Private Universities at Jakarta

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### Abstract

The model inquiry for an effect of marketing mix and the best service quality on perception of image and the implacations of consumer activities in private universities. The structural equation modelling techniques was conducted applied in survey research method to analysis from 224 respondents in higher education at Jakarta. The resulted indicated that marketing mix variables positively have influenced but not significant on image and consumer activites. The best service quality variable have positively impact and significant leads on image with standardized reggression weights  $\text{value} = .706$  and  $P \text{ value} = .001$ . Furthumore service quality and image variables were indicated that positively impact and significant on consumer activites, with standardized reggression weights  $\text{value} = .474$  and  $.393$  than  $P \text{ value} = .001$ . The research structural equation model have the marjinal fit on hybrid model with  $\chi^2 \text{ value} = 802.07$ ,  $P \text{ value} = .000$ , RMSEA = .101, GFI = .794 and CFI = .849.

**Keywords:** Service Quality, Image, Consumer Activities

### Introduction

The role of higher education in the graduate program of strategic and meaningful customer value for the students in building intellectual community in Indonesia in the future, so institution graduate programs have a high role in the effort to build the competitiveness of Institutional and competitive advantage. Furthermore, according to Kotler and Keller (2016) for the success of future marketing should be holistic, build stronger brands through performance rather than through the promotion and leads electronically as well as through building information and communication systems are superior. The philosophy of the marketing concept (Limakrisna and Susilo, 2012) aims to provide satisfaction to the desires and needs of consumers, so that the concept can be applied marketing is a business philosophy that states that the satisfaction of customer needs is a prerequisite for the economic and social viability of the institution, in order to make a profit.

#### 1.1. Marketing Mix and Service Quality

In the service of educational institutions should pay attention to stakeholders/stakeholder potentially consist of 16 (sixteen) "major publics", individuals and groups are very influential in the university (Kotler et al, 1995). Alma (2005) states the elements of the marketing mix strategy in education services consist of traditional 4P and 7P namely 3P again in marketing services. Furthermore, marketing a successful future must be more holistic and has a slim departments (Kotler and Keller, 2016). The role of marketing is not just relying on the promotion and advertising of various kinds and in large numbers, but the performance marketing is becoming a main stay of superior. Then, according to research findings, Viacava (2010) in higher education management in complex human characteristics needed perspective and potentials that develop in human thinking as logically automatic data processor for logic that can be developed to take into account the interaction between emotion and cognition and the environment. Marketing orientation of higher education institutions according to Wright (2012), the marketing literature describes the four types of marketing orientation, colleges and universities should be fully aware of the potential benefits and costs of each type of orientation. On the marketing orientation of a college or university can have a significant impact on all aspects of the marketing strategy.

To create good quality care requires a planning framework and strategic analysis and to achieve that the dimensions of service quality, there are five dimensions service quality by Lovelock (2012), quality of care consists of five dimensions of service quality known as: 1) Reliability, the ability to carry out the promised service reliably and accurately. 2) Responsiveness, willingness to help customers and provide services quickly, 3) Assurance, knowledge and courtesy and their ability to convey trust and confidence. 4) Empathy, willingness to provide depth and special attention to each customer. 5) Tangibles, physical appearance, equipment, and employee communication materials. Then the good quality

of service will have a positive impact as follows; established a long-term mutually beneficial relationships, opening up opportunities business growth through repeat purchases, the formation of customer loyalty, the impression of positive word of mouth to attract new customers to the increase in the number of graduate students, and the public perception of the customers who were positive for higher education institutions and increasing competitiveness globally. Then the quality of services is a reflection of updating programs on the four Ps, stated by Kotler and Keller (2016) in the renewal of the marketing mix idea. Furthermore, according to Lovelock and Wright (2005) the quality of services is a cognitive evaluation of long-term delivery of services to the customers of a company. The main objective in improving the quality of services is to reduce the gap that is the overall value customer. On the theory of five (5) most important dimension of quality of services includes, Faganel & Macur (2006): 1. Reliability. 2. Responsiveness., 3. Assurance., 4. Empathy., 5. Tangibles.

## 1.2. Image of the Institution and Consumers Activities

The consumers buy something, not just a need that stuff, but there is something else to be expected. According to Kotler and Keller (2016), Buyer decides an offer with the delivery of the most superior value. Value is the center of the marketing concept which mainly comes from a combination of quality, service and price. The image can be reflected through brand equity, value-added services provided by the institutions, and consumers is reflected through thoughts, feelings and activities of consumers in respect of the institution, the appropriate level of good perception of price, market share and the level of benefits provided. Furthermore, something else was in accordance with the image formed in him. Therefore, it is important to inform the public organizations in order to establish a good image (Alma, 2005). Sutojo (2004) says that the company has a good image and strong benefits; (1). Strong competitiveness in the medium and long term, (2). Provide protection during the crisis, (3). Being reliable attractiveness executive, (4). Improve the effectiveness of marketing strategies, (5). Operational cost savings. Dimensions which is the focus of marketers to consumers' desire for the purchasing actions include: (1). The concept of products and services delivered to consumers. (2). Situations that may affect the purchase by the consumer. (3). Impulse purchases by consumers. (4). Its purchasing actions by consumers. (Bennett, 2010). Furthermore, according to Indrajit & Djokopranoto (2006) is a customer of the university students who study at the university, where students follow a very intense process that occurs at universities in the manufacture of the product, whether the product is a student himself, learning, mastery of knowledge or education. Students participate in the process, so it affects the quality of the product.

### Problem Formulation and Research Objective

Based on the above, this study in addition to reconfirm the results of previous studies (Yulius, 2004) on the effect of marketing mix of education on the image of private universities and the implications for the number of active students, also test the service quality variables (developed by; Lovelock & Wright (2005), Lupiyoadi & Hamdani (2006), Faganel & Macur (2006), and Alma (2005) on the image of the institution and its implications on the activities of students in the Department of Architecture Faculty of Engineering Private Universities in Jakarta. For this study will try to answer the problems as follows; how does the marketing mix, best service qualities influences to the image of the institution and impact on consumer activities in the Department of Architecture Faculty of Engineering Private Universities in Jakarta?

In connection with the problems that have been formulated, the purpose of this study is:  
determine the influence of marketing mix, best service qualities to the image of the institution and impact on consumer activities in the Department of Architecture Faculty of Engineering Private Universities in Jakarta.

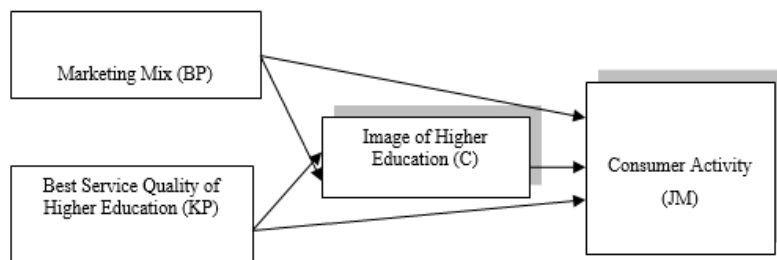
## Conceptual framework and literature

### 2.1. Hybrid Model

The development of a theoretical model by conducting a series of scientific exploration through literature review in order to obtain a theoretical justification to be developed, it could be seen in figure 1 below:

Figure 1. Theoretical Hybrid Model Development of Consumer Activity Through the Image of Institutions from Best Service Quality and Marketing Mix in Private Universities in Jakarta





## 2.2. Research Hypothesis

By paying attention to the study of theory and literature as well as reviewing the research framework diagram generated research hypotheses as follows:

### 2.2.1. Marketing Mix Influence of Institutional Image

According to Cetin (2004) university in the face of diverse issues and challenges of the present, must provide quality higher education to the existence of image quality/good reputation of the university. Meanwhile, according to Kotler (2001) that the marketing mix variables are determinants of corporate image. While the research results Yulius (2004) of the results of empirical research found that the marketing mix affects the image of education in total PTS and the most dominant element is the element of human resources and infrastructure elements of the research materials. Chattananon, Lawley, Trimetsoontorn (2007) indicate the build image company through social marketing programs and communications companies by creating a positive consumer attitude. Further research findings of Li & Hung (2009) showed a significant selective marketing tactics and predictable with very significant on the school's image. Promotion Tactics is a strategy that is most effective prediction of the behavior of parents. Finally the image of the school as a mediator of the relationship between parent and loyalty marketing tactics. Based on these descriptions, the hypothesis can be formulated as follows:

H1: services marketing mix affects the image of the institution in the Department of Architecture Faculty of Engineering at Private University in Jakarta.

### 2.2.2. Effect on Image Quality Service Institution.

According Lupiyoadi and Hamdani (2006), where gaps in services exist or are not perceived perception of perceived customer and customers expect the same proven, then the company will acquire the image and positive impact. Meanwhile, according Ruyter and Wetzels (2000), in experimental studies show long-term care better affect the image. Then according Gronroos (1984) dimensions of service quality related and an important feature of an image. A review of Nguyen & LeBlanc (1998) indicated a positive influence on the quality of services to the formation citra. Selanjutnya according Gurbuz (2008) service quality affects the product image. Based on these descriptions, the hypothesis can be formulated as follows:

H2: service quality affects the image of the institution in the Department of Architecture Faculty of Engineering at Private Universities in Jakarta.

### 2.2.3. Marketing Mix Influence of Consumer Activities

In the model of supply of higher education services according to Alma (2005) and the results of research Yulius (2004), shows the marketing mix affects the increase in the number of applicants, ie applicants service users. Meanwhile, according to Bennett (1997), there is a relationship between the marketing mix with the purchase process. Later testing of Ndubisi (2007) showed a significant effect on the relationship between marketing strategy customer loyalty. Further arguments from Harvey (1996) on marketing in schools and educational institutions are expected to attract college students. According to Rosenberg & Czepiel (1984) Marketers arrange special marketing mix and marketing organizations modifications and create a balance between the marketing performance of new and old customers to

improve profit growth. Then, according to Judd (2003) marketing mix can help in consumer-oriented institutions to produce a competitiveness through differentiation and provide value to the customer. While the research results Eusebio et al., (2006), found that an effective marketing strategy occurs in the orientation towards customers. Based on these descriptions, the hypothesis can be formulated as follows:

H.3: Marketing mix affects the activity of students in the Department of Architecture Faculty of Engineering at Private Universities in Jakarta

#### 2.2.4. Effect of Service Quality of Consumer Activities

According to Alma (2005) on the model of supply of higher education services, required quality of service for customer satisfaction that will increase the number of applicants. Furthermore, according to Bloemer, Ruyter and Peeters (1998) were an important influence on the reliability dimension or dimensions of quality to customer loyalty. Also according Gurbuz (2008) states in its findings that a positive perception of service quality effect on the loyalty costumers. Furthermore, according Li et al., (2009) empirical research results, indicating a positive effect of the quality of services to customers. Based on these descriptions, the hypothesis can be formulated as follows:

H.4: service quality affect the activity of students in the Department of Architecture Faculty of Engineering at Private Universities in Jakarta.

#### 2.2.5. Effect of Image Institution of Student Activities

According to Nguyen & LeBlanck (1998) image of a strong positive impact on trust costumers. According to Bloemer, Ruyter and Peeters (1998) dimensions of the image affects customer loyalty. In accordance with the opinion from Andreassen and linstad (1998) that the direct effect of the image on customer loyalty. Furthermore, the opinion of Russell (2005), the image becomes the most important consideration for the consideration of decision making by students for course selection and learning place. Based on these descriptions, the hypothesis can be formulated as follows:

H.5: The image of the institution influence the activity of students in the Department of Architecture Faculty of Engineering at Private Universities in Jakarta.

### Data and Methodolgy

An analysis hybrid model conducted in this study is Structural Equation Modeling (SEM). SEM used in this study because it has the ability to confirm the dimensions or indicators of a concept of latent variables, as well as to measure the relationship between variables that have been supported by theory and empirical research (Hasnawati, 2005). Structural equation modeling using latent variables by the number of indicators that many theoretical terms it is better because it will be able to explain the measurement error in the model be better. (Ghozali, 2008). Given in this study the number of indicators a lot of the questions are: 1. Variable of services marketing mix has 49 indicators, 2. Variable of quality of service has 86 indicators, 3. Variable of image of the institution has 18 indicators and 4. Variable of activity students have 12 indicators. So one way to overcome this is to estimate the model with a single indicator composite SEM with AMOS 16.0. (Ghozali, 2008). Structural equation formulated to express causality between different constructs as below in equation 1 and 2:

$$C = \gamma.1 BP + \gamma.2 KP + \zeta.1 \quad (1)$$

$$JM = \gamma.3 BP + \gamma.4 KP + \beta.1 C + \zeta.2 \quad (2)$$

Equation specification measurement model: a variable that measures the constructs defined and define a set of matrices that show the correlation between the hypothesized constructs or variables. Evaluate structural components hypothesized causal relationships among latent variables in a causal model and show an entire hypothesis testing of the model as a whole.

### Structural Equation Specification Notation:

Num	Notation	Spesification
1	BP	Exogenous Variables / Superior Marketing Mix
2	KP	Exogenous Variables / latent Best Quality Service
3	C	Endogenous Variables / Latent Well Image of Institutions
4	JM	Endogenous Variables / Latent Harder Consumer Activities
5	$\Gamma$ (gamma)	Direct link exogenous variables on endogenous variables.
6	B (Beta)	Direct link endogenous variables on endogenous variables.
7	Z (ZETA)	An error in the equation is between exogenous and / or endogenous on endogenous variables
8	$\Lambda$ (Lamda)	The relationship between exogenous or endogenous latent variables to indi- indicator.
9	E	Error

## Results

### 4.1. Normality Evaluation Data and Data Outliers

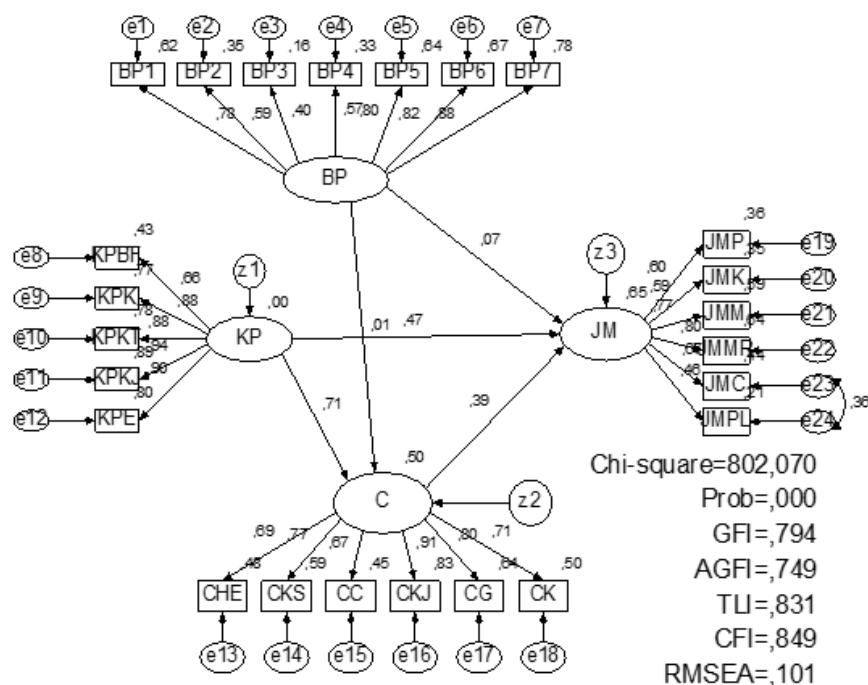
According Ghozali (2008) method of maximum likelihood (ML) calls for the assumptions that must be met, namely the distribution of observed variables is multivariate normal. In multivariate value 177.927 is the coefficient of multivariate kurtosis with 37.690 critical value whose value is above 2.58, so the data are not multivariate normal. For that were estimated by a bootstrap procedure. In the original model without bootstrap value of chi-square = 562.888, with a probability of 000. While the results of the probability value Bollen-Stine bootstrap  $p = .000$  is significant that these results remain consistent.

Evaluation of multivariate outliers is necessary because although the data were analyzed showed no outliers in univariate level, but it can be observasi- observation outliers. Distance mahalanobis to among variables could be calculated and will show a variable distance from the mean of all variables (Ferdinand, 2005). Mahalanobis distance calculation is based on the value of the chi-square distribution table  $\chi^2$  the degrees of freedom by 24 (the number of sub-variables) at the level of  $p < 0.001$  ie = 42.980. Therefore, data with Mahalanobis distance is less than 42,980 are considered multivariate outliers occur. Based on multivariate outliers evaluation, there are 25 observations have a value greater from Mahalanobis Distance value of 42.980, but in this study the observations are not excluded from the model, because in the analysis of the results of the study, if there is a specific reason to remove the case indicates the presence of outliers, then the case must still be included in the subsequent analysis.

### Analysis of Hybrid Model

An output of the hybrid model in this study can be seen in figure 2 below:

**Figure 2.** Hybrid Model Outcomes of Consumer Activity (JM) Through the Image of Institutions (C) from Best Service Quality (KP) and Marketing Mix (BP) in Higher Education



Source: Primary data processed

Furthermore an evaluation criteria of empirical research of level of the fitting hybrid models, could be seen in table 1 empirical model evaluation criteria below:

**Table 1.** Empirical Model Evaluation Criteria

Num	Criteria	Cut-of Value	Result of Model	Model of Evaluation
1	Chi-square	Be hope of small (0= value of fit complete)	802.070	It is not v ery good fit model
2	Probability	$\geq 0.05$	,000	Covariance matrix difference between the population and the ex ample is significant.
3	GFI	$\geq 0.90$	0.794	Marjinal
4	AGFI	$\geq 0.90$	0.749	Marjinal
5	TLI	$\geq 0.90$	0.831	Marjinal
6	CFI	$\geq 0.90$	0.849	Marjinal
7	RMSEA	$0.05 \leq x \leq 0.08$	0.101	Closed good fit model

Source: Output Model conducted by AMOS (primary data processed)

Estimates of the criteria (Absolute Fit Measure) and evaluation of influence coefficients between variables on path. Chi-Square ( $\chi^2$ ), chi-square value of 802.07 and is significant at the 0.000 probability. The significance level was below the criteria for .05. The information indicated that the difference between the covariance matrix of the sample population is significant. Chi-square values are high relative to the degree of freedom (246), shows that the covariance or correlation matrix of the observed with the predicted differ significantly and this results in the probability ( $p = 0.000$ ) less than the level of significance, therefore, test the accuracy of the model with a value based on Chi-Square categorized excluding

very good fit. GFI - Goodness Fit Index, a measure of non-statistical value ranging from 0 (poor fit) until 1 (perfect fit). GFI values generated in this study is .749, the value of GFI is below the acceptance criteria is  $GFI \geq .90$ . The magnitude of this value shows only marginal support to the theoretical model.

Path coefficients (standardized regression) Effect of inter-variable, to test the hypothesis presented that show the influence of the path coefficients between variables, can be seen in Table 2 below:

**Table 2.** Coefficient of Path (Standardized Regression) Effect of inter-variable and P value

Num	Path	Estimate (Standardized Regression Weights)	P. value
1	BP → C	,007	,939 (not significant at .05)
2	KP → C	,706	*** (significant at .001)
3	BP → JM	,068	,456 (not significant at .05)
4	KP → JM	,474	*** (significant at .001)
5	C → JM	,393	*** (significant at .001)

Source: Output AMOS 16.0 (Primary Data processed)

## 5. Discussion and conclusion

### 5.1. Empirical Model Hypothesis Testing

This research study would be proposed five hypotheses of four variables, namely; superior marketing mix (BP), best quality of service (KP), the well image of the institution (C) and harder consumer activities (JM) in the Architecture Faculty of Engineering at Private Universities in Jakarta. This hypothesis is estimated by the maximum likelihood estimates in the structural model, the path coefficients (standardized regression) between variables and the effect of the P value.

#### 5.1.1. Empirical Model Hypothesis Testing.

Hypothesis 1 is proposed marketing mix affects the image of the institution in the Architecture Faculty of Engineering programs willing private university in Jakarta. Marketing mix variables constructed by seven dimensions pertains: (1) Product service (BP1), (2) Cost of services (BP2), (3) The location of services (BP3), (4) Promotion of services (BP4), (5) Officer services (BP5), (6) Infrastructure services (BP6), (7) Process services (BP7). While the well image of the institution in a variable environment of Architecture Faculty of Engineering courses in private universities in Jakarta built by six dimensions which include: (1) The perception of trust (CK), (2) Ideas (CG), (3) perceptions of performance (CKJ), (4) image Perception (CC), (5) perception of the impression (CKS), (6) emotional relationship (CHE). The effect of superior marketing mix variables on the well image of the institution is positive with a value of estimate (standardized regression weights) of .007 and not significant at P value = value .939 (the value is far above the significant level at .05), so the hypothesis 1 can not be confirmed.

Hypothesis two proposed is the best service quality affects the well image of the institution in the study program of Architecture, Faculty of engineering, private university in Jakarta. Variable of quality of service built by five measurement dimensions which include: (1) Dimensions of physical evidence (KJBF), (2) Dimensions Reliability (KJK), (3) responsiveness dimension (KJKT), (4) Dimensions assuredness (KJKJ), (5) Dimensions of Empathy (KJE). While the well image of the institution in a variable of environment of Architecture Faculty of Engineering at Private Universities in Jakarta built by six indicators of measurement include: (1) The perception of trust (CK), (2) Ideas (CG), (3) perceptions of performance (CKJ), (4) image Perception (CC), (5) perception of the impression (CKS), (6) emotional relationship (CHE). The effect of the variable of services quality is a positive well image of the institution with a value estimate (standardized regression weights) of .706 and significant at a P value value = \*\*\* (significant at the .001 value) thus hypothesis 2 can be confirmed.

Hypothesis three is proposed superior marketing mix affects the harder activity of students in the Architecture Faculty of Engineering courses, private university in Jakarta. Marketing mix variables constructed by seven dimensions include: (1) Product service (BP1), (2) Cost of services (BP2), (3) The location of services (BP3), (4) Promotion of services (BP4), (5)

Officer services (BP5), (6) Infrastructure services (BP6), (7) Process services (BP7). While the student activity variables in the environment of Architecture Faculty of Engineering courses in private universities in Jakarta built by six indicators of measurement include: (1) Academic activities (AMP), (2) non-academic activities (MCA), (3) The recommended (AMM), (4) Assess the reputation (AMMR), (5) customer intelligence level (AMC), (6) environmental influences (AMPL). The effect of marketing mix variables on the activity of the students is positive with a value of estimate (standardized regression weights) of .069 and not significant at P value = value .456 (the value is far above the significant level at .05), so the hypothesis 3 can not be confirmed.

Hypothesis four proposed is superior service quality affects the student activities in the Architecture Faculty of Engineering courses, private university in Jakarta. Variable quality of services in the Architecture Faculty of Engineering courses in private universities in Jakarta built by five measurement dimensions which include: (1) The dimensions of physical evidence (KJBF), (2) Dimensions Reliability (KJK), (3) responsiveness dimension (KJKT), (4) Dimensions assuredness (KJKJ), (5) Empathy Dimension (KJE). While the student activity variables in the environment of Architecture Faculty of Engineering at Private universities in Jakarta built by six indicators of measurement include: (1) Academic activities (AMP), (2) non-academic activities (MCA), (3) The recommended (AMM), (4) Assess the reputation (AMMR), (5) customer intelligence level (AMC), (6) environmental influences (AMPL). The effect of service quality variables on the activity of the students is positive with a value of estimate (standardized regression weights) of .474 and significant at a P value = \*\*\* (significant at the .001 value), thus hypothesis 4 can be confirmed.

Hypothesis five proposed is the well image of the institution influence the harder activity of the students in the courses of Architecture, FT, Private Universities in Jakarta. Variabel Image institutions built by the six dimensions of measurement include: (1) The perception of trust (CK), (2) Ideas (CG), (3) Perceptions of performance (CKJ), (4) Perception of image (CC), (5) Perception of the impression (CKS), (6) Emotional relationship (CHE). While the student activity variables in the environment of Architecture Faculty of Engineering at Private universities in Jakarta built by six dimensions of measurement include: (1) Academic activities (AMP), (2) Non-academic activities (MCA), (3) The recommended (AMM), (4) Assess the reputation (AMMR), (5) Customer intelligence level (AMC), (6) Environmental influences (AMPL). The well image of the institution variable influence on the activity of the students is positive with a value of estimate (standardized regression weights) of .393 and significant at a P value value = \*\*\* (significant at the .001 value) thus hypothesis 5 can be confirmed.

Further statistical conclusions on the research hypothesis can be seen in table 3 below:

**Table 3.** Conclusions of Statistics Value on Hypothesis

No	Hypothesis	Nilai estimate (standardized regression weights)	P Value	conclusion Statistics
1	The hypothesis proposed is a marketing mix affects the image of the institution in the Architecture Faculty of Engineering programs willing private university in Jakarta.	.007	.939	Positive and not significant
2	Hypothesis two proposed is an effect on the image quality of the services in the study program of Architecture, Faculty of engineering, PTS in Jakarta.	.706	*** (significant at .001)	Positive and significant
3	Hypothesis three is proposed marketing mix affects the activity of students in the Architecture Faculty of Engineering courses, private university in Jakarta	.069	.456	Positive and not significant
4	Hypothesis four proposed is service quality affects the student activities in the Architecture Faculty of Engineering courses, private university in Jakarta.	.474	*** (significant at .001)	Positif and signifikan
5	Hypothesis five proposed is the image of the institution influence the activity of the students in the courses of Architecture, FT, PTS in Jakarta.	.393	*** (Significant at .001)	significant and positive

(Source: processed primary data)

## 5.5.2. Discussion of Research Model

Based on the test results and test the suitability of statistical, empirical models in this study as a whole can not be said to be a very good fit model but not a very good fit model. This happens because the results of the reference values and criteria in conformance testing and statistical test models are: Chi-square value evaluation model that does not produce a very good fit model and the probability value (P value) which is the covariance matrix between populations and sample is significant. Values of GFI, AGFI values, values TLI and CFI values produce marginal evaluation model. While the RMSEA value is the evaluation of the model is not a very good fit model. The model is a very good fit can not be presented in this research model is none other than because the data generated in this study are very diverse, both data between variables or data in a variable itself.

Results of this study was known that the superior marketing mix and not a significant positive effect on the well image of the institution in the Architecture Faculty of Engineering at Private Universities in Jakarta, so the first hypothesis failed to be confirmed (rejected). According to Cetin (2004) university in the face of a multitude of issues and challenges in today's era of applying high quality education, university image and marketing system and with regard to relevant stakeholders. Furthermore, according to Kotler (2001) that the marketing mix variables are determinants of corporate image. Results of testing hypothesis 1 does not support the results of research conducted by Yulius (2004) of the results of empirical research found that the marketing mix affects the image of education in total Private Universities and the most dominant element is the element of human resources and physical infrastructure elements. The results of this study do not support the findings; of research Chattananon et al., (2007) indicates build corporate image through social marketing programs and communications companies by creating a positive consumer attitude. Further research findings of Li & Hung (2009) showed a significant selective marketing tactics and predictable with very significant on the school's image. Promotion Tactics is a strategy that is most effective prediction of the behavior of parents. Finally, the image of the school as a mediator of the relationship between parent and loyalty marketing tactics. There is consistency in the results of this study with previous research studies showed that the application of the marketing mix does not contribute directly to the institution's image in the Architecture Faculty of Engineering Private Universities in Jakarta.

Hypothesis 2 can be confirmed that the best quality of services and significant positive effect on the well image of the institution in the Architecture Faculty of Engineering at Private Universities in Jakarta. The results are consistent with the opinion according Lupiyoadi and Hamdani (2006), where the gaps in service provision does not exist, then the company will acquire the image and positive impact. The results of this study support previous studies in which the results of the study indicated that the best service quality positively and significantly related to the well image of the institution. The best quality of service is found a positive effect on the image of the banking institution (Nguyen & LeBlanc, 1998). Furthermore, according Gronross (1984) dimensions of quality-related and very important in the image. Meanwhile, according Ruyter and Wetzels (2000), in experimental studies show long-term care better affect the image. The results of this study also support the research of Gurbuz (2008) service quality affects the product image. Consistency in the results of this study with the results of previous studies showed that the application of the best quality services contribute directly to the institution's well image in the Architecture Faculty of Engineering at Private Universities in Jakarta.

The results of this study are three known hypothesis can not be confirmed (rejected) is the superior marketing mix and not a significant positive effect on the harder student activity programs within the Department of Architecture Faculty of Engineering Private Universities in Jakarta. The results of this study do not support the results of previous studies that the total marketing mix affects the number of the harder active students (Julius, 2004). Furthermore, according to Alma (2005) on the model of supply of higher education services, in which the marketing mix affect the number of applicants are university students service users. Then according to Bennett (1997) the marketing mix affects the buying process and Harvey (1996) argues methods and ideology of the commercial marketing is very appropriate to be applied by a professional role in educational institution/University which is expected to attract students. Later testing of Ndubisi (2007) showed a significant effect on the relationship between marketing strategy customer loyalty. Besides, this study does not support the thesis according to Rosenberg & Czepiel (1984) Marketers arrange special marketing mix and marketing organizations modifications and create a balance between the marketing performance of new and old customers to improve profit growth. The results of this study do not support previous studies by Judd (2003) marketing mix can help in a consumer-oriented institution to produce a competitiveness through differentiation and provide value to the customer. While the research results Eusebio et al., (2006), found that an effective marketing strategy occurs in the orientation

towards customers. With the results of this study do not support previous studies of the marketing mix does not contribute directly to the activities of students in the Architecture Faculty of Engineering Private Universities in Jakarta

Four hypotheses can be confirmed that the best quality of services and significant positive effect on the harder student activities in the Architecture Faculty of Engineering at Private Universities in Jakarta.

These findings imply the existence and improvement of quality of service (dimensions of physical evidence, the dimensions of reliability, responsiveness, and empathy assuredness) will be able to increase the harder activity of students (lecture, non-academic activities, recommend, assess the reputation of the institution, "the customer becoming harder to please" and environmental influences) in the Architecture Faculty of Engineering at Private Universities in Jakarta. This study supports the notions according to; Alma (2005) on the model of supply of higher education services, quality of service to customer satisfaction will increase the number of applicants that prospective service users as of output. Meanwhile, the opinion of Russell (2005) In evaluating the perception of quality of service on international students, the university requests to adopt marketing strategies to increase the number of international student population and increase revenue. In line with the thinking of Bennett (2010), marketers must understand the process that consumers make purchases of goods or services in relation to the use of marketing mix strategy successfully. The marketing mix is up to date to cover; people, processes, programs and performance Institution. Furthermore, according to Kotler and Keller (2016) who stated marketing will work well if personnel in the organization has a strong commitment and also reflects marketers to understand consumers better and more widely, not just the purchase of goods and services. According Stimac and Simic (2012) strategy that can be applied to institutions of higher education; form a marketing department, marketing tools that should be used to promote the institution: publicity, web marketing, public relations, direct marketing aimed at students of potential current and former students to enhance the image and reputation of higher education institutions.

Furthermore, according to Bloemer, Ruyter and Peeters (1998) were an important influence on the reliability dimension or dimensions of quality to customer loyalty. In addition, this study also supports research by Gurbuz (2008) states in its findings that a positive perception of service quality effect on customer loyalty. Furthermore, the results of this study support the research conducted by Li et al., (2009) empirical research results, indicate a positive influence of the quality of customer service. With the inconsistency of the results of this study with previous research studies, the quality of the services contribute directly to student activities in the Architecture Faculty of Engineering at Private Universities in Jakarta. Consumers have the intention to buy will be very subjective, uncertain and have alternative choices of goods and services. Based on research and internal and external influences, marketers often ask consumers about buying intentions of consumers to be able to predict sales. Dimension which is the focus of marketers to consumers' desire for the purchasing actions include: (1). The concept of products and services delivered to consumers. (2). Situations that may affect the purchase by the consumer. (3). Impulse purchases by consumers. (4). Its purchasing actions by consumers. (Bennett, 2010)

Five hypotheses can be confirmed that the image of the institution positive and significant effect on the activity of the students in the Architecture Faculty of Engineering at Private Universities in Jakarta. These findings indicate the existence and the increase in the institution's well image FT Private Universities Architecture courses in Jakarta will be able to increase the more harder activity of students in the Architecture Faculty of Engineering at Private Universities in Jakarta. The results of this study support previous studies of Julius (2004) image of the Private Universities affects the number of active students, but the effect is relatively small. Besides, the results of this study also support the notions according to; Russell (2005) the reputation of Bournemouth University tourism courses is very important for students to take the decision to choose a course. Then Bloomer opinion, Ruyter and Peeters (1998) Dimensions of the image on the market positioning is very important relative to control retail banking customer loyalty. Furthermore, according to Andreassen & Lindestad (1998) corporate image affects directly to the customer loyalty. According to Nguyen & LeBlanc (1998) image of a strong positive impact on customer confidence. With the inconsistency of the results of this study with the results of previous research studies, the well image of the institution directly contribute to the more harder student activities in the Architecture Faculty of Engineering at Private Universities in Jakarta.

#### 5.5.4. Conclusions

Based on the analysis and discussion that has been described, it can be concluded that; superior marketing mix and not a significant positive effect on the well image of the institution in the Architecture Faculty of Engineering at Private Universities in Jakarta, so the first hypothesis failed to be confirmed (rejected) and the findings of these results, the



findings of this debilitating mix theory services marketing. Based on these findings mean marketing mix but the positive effect is relatively small so it does not significantly influence the image of the institution that needs to improve and optimize the dimensions of the superior marketing mix variables which include; process of educational services, physical infrastructure, education services officer, product education services, the cost of education, location services education and promotion services.

The best quality of service and significant positive effect on the well image of the institution in the Architecture Faculty of Engineering Private Universities in Jakarta, so the second hypothesis can be confirmed, and the findings of this study, these findings reinforce the theory of service quality. Based on these findings mean the best service quality can be improved by optimizing the well image of the institution. Marketing mix and not a significant positive effect on the more harder student activity programs within the Department of Architecture Faculty of Engineering Private Universities in Jakarta, so hypothesis 3 confirmed failure (rejected) and the findings of this study, these findings undermine theories marketing services mix. Based on these findings mean marketing mix but the positive effect is relatively small so it does not significantly influence the more harder activity of the students, so it needs to improve and optimize the dimensions of the marketing mix variables which include; process of educational services, physical infrastructure, education services officer, product education services, the cost of education, location services education and promotion services.

The best quality of services and significant positive effect on the more harder activity of the students in the study program Architecture FT Private Universities in Jakarta, so hypothesis 4 can be confirmed and the findings of this study, these findings reinforce the theory of service quality. Based on these findings mean the best of service quality can be improved by optimizing the more harder activity of students. The well image of the institution positive and significant effect on the more harder activity of the students in the Architecture Faculty of Engineering courses in private universities in Jakarta, so hypothesis 5 can be confirmed and based on the findings of this research, these findings reinforce the image of the institution theory. Based on these findings provide the well image of the institution can be improved by optimizing the more harder activity of students. To be able to improve significantly the purchaser at an educational institution, it can improve the best quality of services with consideration; assuredness, empathy, responsiveness, reliability and physical evidence.

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## Modern Teaching Versus Traditional Teaching- Albanian Teachers Between Challenges and Choices

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### Abstract

Education lies in the foundations of the nation. Providing knowledge to generations, consolidating their future, inspiring them to incarnate benevolence and esteem splendor, valor and good principles has been one of the oldest professions of mankind, the noblest and the most difficult tasks. It is very significant that Albania and its schools have been subject of this paper. The 25-year period of the country's transition and the opening of the Albanian society to the Western World Modernization brought profound changes to the Albanian education institutions, in terms of the curricula, management and the teaching processes. The greatest part of teachers in Albania was educated during the communist period, where pedant and traditional teaching prevailed, mainly deriving from the Russian Academics. Traditional methods consider teachers as the center of the teaching process; as well as managers and the main and referential source of the scientific information. Novelities in the teaching-learning methods applied by Western Schools focus on student centered teaching; they create a variety of situations in which students evolve critical thinking. These methods have been acquired by teachers but, in the conclusions of our paper we noticed that, occasionally, they applied traditional teaching methods (especially in the scientific subjects). There is still space and worth for discussion regarding traditional teaching methods versus the modern ones. Various scholars have considered traditional teaching as the method developing theoretical thinking, whereas modern teaching develops practical skills, pragmatist and able to be oriented to the frenetic development of the world. Teachers, especially those teaching subjects like mathematics, physics and chemistry, consider traditional teaching to be more serious since students achieve better results in these subjects when outdated teaching methods have been applied. This paper and its conclusions can be considered interesting since confrontation of ideas regarding teaching methods remains a challenge for all teachers.

**Keywords:** modern teaching, traditional teaching, teachers, methods, school

### Introduction

This writing aims to deal with traditional and modern teaching methods and is based on our twenty and odd years of experience in education. In the course of our relatively long experience and our attempts to do the best in teaching, we have often been faced with two alternatives in terms of selecting teaching methodologies; using the traditional or modern methods of teaching. Teaching is art, perhaps one of the most difficult processes since, providing cognition which remains in the students' consciousness and serves (as a useful means during the whole course of their life, is a real challenge. During these years of transition, when the Albanian education system has been leaping forward to approaching European education, we have been enjoying the progress results; however, we cannot say that every single phase of the progress was as successful as the others. Education is a progressive process, going hand in hand with human development in general as well as with its cultural, technological and social progress; education should be as much coherent and updated as possible, it should be based on effective curricula and be conveyed by people with deep scientific, pedagogical, methodological and ethical knowledge.

Means available to present-day teachers to realize effective teaching processes are endless. This freedom in choosing teaching methods, releases a great number of ideas to be used in our classrooms. The time of our students is priceless so it is very important for teachers to compare, analyze and evaluate methods they are using to motivate students and realize a qualitative teaching. In our research we were focused in teaching methods that have been widely used recently. In the theoretical study of these methods we are presenting our observations and experience as well as that of some other

colleagues of ours, related to the work with students. However, by reading this work or any other studies over teaching methods, nobody can say which method is the most successful or the least successful; Regarding this issue (Kenneth T. Henson claims; *"Methods are better for some purpose, (but there is no method simply the best for everything"*).

We agree with the opinion many teachers hold that, the main factor to be considered in selecting teaching methods are the students with their needs and characters since methods working properly for some students seem to be ineffective for the others; this is crucial especially when we intend to involve them all. In this writing we have been trying to present a variety of methods as well as the ways to make them as effective as possible.

### **Teaching is both art and science**

Thirty years ago, the psychologist Silberman stated the following; "To be sure – *teaching like the practice of medicine* – is very much an *art* as far as it requires the use of one's talent and creativity; just like medicine, it is, or, should be science. This is why it involves a repertoire of techniques, procedures and wants to be described, conveyed and improved. Teachers, just like doctors, become great only when they manage to add their creativity and inspiration to this basic repertoire".

In his work, Flinders states;

"The art teaching entails various compound aspects of traditional teaching". It is; (

Communication

Perception

Collaboration

Objectivity in evaluation

Procedures similar to those used by scientists in their scientific work have been used in teaching, too. In many classes, the teachers' performance has been analyzed in four steps as in the following; (

Problem identification,

Setting objectives

Formulating a series of logical steps useful to reach the aims.

Data collection.

Therefore, teachers decide what kind of students' conduct to measure and later on they use the most suitable method to measure it.

### **The importance of method selection**

It is not sufficient that teachers know only the end result to be achieved; they should also know the ways to reach their aims, that is, what teaching methods to use. Therefore, which is the best method? In the last decades of the past century, the Albanian school and the teaching processes have been noticed for the use of the traditional methods used. This kind of teaching features into conveying facts, rules and application of exercises to help knowledge acquisition. However, nowadays teaching processes require conveying concepts, models and abstractions, using strategies that aim to emphasize problem solution. Both types of methods should be combined in the teaching process by using various strategies to make students capable of resolving problems as well as of thinking critically and working together.

The reason is simple; the technologically developed societies require people who are able not only to memorize facts, which is done quite well by computers, but who can understand the information they need easily, are able to apply it effectively and make use of it all their lives. That is why it is necessary for teachers, firstly, to be capable of knowing and comparing models and to build their teaching and learning processes themselves, basing on basic knowledge and wants related to them.

### **Traditional teaching methods**

Three are the main widely-used in the Albanian traditional education, as in the following; (

### ***Lectures and direct guiding;***

In traditional teaching - a method that has been used by many teachers during their long experience in education, the basic scientific information was conveyed by means of direct lecturing and guidelines provided by teachers. This method, having the teacher as the centre of teaching during classes, emphasizes teaching processes are led by teachers. Students expect to listen to lectures and learn by them.

Tests and exams are the best tools to measure students' performance and the main indicator for knowledge acquisition. Students belong to and sit in the same class and they are provided two kinds of separated tests, A and B. Most of the tests have been taken from the fundamental sources suchlike school textbooks relevant to the taught topics.

### ***Listening and observation***

Teachers discuss with their students about the subject, expecting them to learn everything through lecturing during classes.

For thousands of years traditional teaching has been in the centre of activities in schools and has given shape to the minds of (erudite people and artists as well as to the ordinary men and women... In a younger age, people were supposed to sit in formal education involving the teacher and a group of students gathered in a certain classroom. By using the traditional methods of teaching in formal education, students learn what they need to be successful in their lives. Traditional teaching methods have long been judged as positive and has been tested to be successful; however it has some disadvantages, too, especially regarding the present-day scale of development, when technology has greatly improved teaching effectiveness, making teaching -learning processes more attractive and enjoyable by enhancing interactive relations among students as well as by means of the scientific and educative information schools provide.

### ***Modern teaching methods***

Nowadays, the outstanding achievements in all fields of sciences, in technique and technology as well as in other fields of human development, are constantly inflicting more and more profound changes in the organization of the teaching processes, in order to make it perfect as well as to ensure easier ways for students to acquire knowledge, skills and wants. Such changes are aiming to prepare younger generations to be capable of facing 21<sup>st</sup> century challenges as well as to be skilled and competitive to the labour market. In order to make use of the contemporary teaching methods to all levels of education, changes began to take place into the organization of classes, the application of new teaching techniques and interactive methods, etc. However, great changes took place in the forms of organizing the teaching activities. Effective teaching in a certain classroom depends, firstly, on the teachers' skills to maintain and raise the interest of the students in what is being taught. Engagement of communities to bring changes in education is considerable; millions of Euros have been spent to train and qualify teachers in order to further develop their capacities as well as to integrate them in the global currents of education. The fact that, in all societies of the world, education is a challenge requiring approaching and reproaching in order to find the most adequate ways for the education of younger generations who will have the fates of the countries of the globe as a whole in the future, cannot be disputed.

Teachers are maintaining the course to progress being even supported by the curricular changes the Albanian state has foreseen. These changes require adequate application of the New Curricula as well as permanent professional development for teachers in order to contribute into increasing quality in the field of education.

Respectively, they entail changes into the roles of teachers and students by means of participation of the communities into the life of the school as well as the interaction of many other education factors.

Students' creativity is to be detected and made use of by creative teachers who should enhance such values even by getting out of books and traditional methods, by further developing the students' creative imagination and making them understand that there are too many options to resolve a problem, so students should consider them deeply and make use of all the potential choices.

### ***Use of new technologies in teaching increases its quality***

Technological development in the world is progressing with the speed of light compared to the developments in education which are progressing very slowly. The main commitment of education and its compound elements is to get rid of the ignorance and to disperse the light of knowledge. The interest and the involvement of both the society and the individuals should be in a higher level than they actually are. Education in Kosovo is not following the steps of global developments

which are giving the world a new meaning. Initiatives to bring changes and create righteous perceptions about them would never dare to stop. Five hundred years before the new era, the Greek philosopher Heraclitus said to his students; "Everything changes but the law of change". We live in a world which changes constantly. Fullan, one of the most outstanding representatives of the theory and practice of change writes; "This is a world in which change is a journey of unknown destination, where problems are our friends, where seeking assistance is a sign of strength, where simultaneous top down bottom up initiative merge where collegiality and individualism exist in productive tension..."

The giant span of internet would not be possible devoid of advanced technology. It is equivalent with the powerful growth of information which would not be made possible without an advanced technology, too. Information occupies unimaginable spaces and keeps growing every single minute. Without advanced technology even the availability of the slightest piece of information, be it the simplest one, would have been impossible.

### **Comparing direct teaching with indirect teaching**

A genuine teaching method derived from the aims of the subject to be taught. One of its main qualities is the coherence it creates between the subject objectives and teaching activities. However, present-day development require teaching to be focused more on providing concepts, models, and abstractions, using strategies which concentrate more into problem investigation and (solution). Both types of learning should be combined in teaching processes with various strategies to make students capable of resolving problems, to think critically and work together. The reason is simple; the technologically developed societies require people who are able not only to memorize facts, which is done quite well by computers, but who can understand the information they need easily, are able to apply it effectively and make use of it all their lives. That is why it is necessary for teachers, firstly, to be capable of knowing and comparing models and to build their teaching and learning processes themselves, basing on basic knowledge and wants related to them. Learning results are classified in two big categories;

1. Facts, rules and applying actions. Direct teaching
2. Concepts, models and abstractions. Indirect teaching

In most cases, the first category implies a low level and simple conducts in the fields of knowledge as well as the emotional and psycho-motor ones. These include levels of knowing, understanding and applying the respective field cognition, levels of awareness, reactions and evaluation of the emotional fields, levels of imitation, manipulation and the accurateness of the psychomotor fields.

The second category displays higher and more complicated levels of conducts in the respective fields of knowledge. They include objectives in the levels of analysis, synthesis and the evaluation of the respective cognitive field; levels of organization and featuring in the emotional fields as well as levels of articulation and naturalization in the psychomotor fields.

In direct teaching the objective is fast acquisition of facts, rules and forming respective wants to them. The content of the subject is divided in small steps which are assimilated easily by means of explanation, examples and practical exercises, etc. Practice, both the led and the independent one, still under the full supervision of the teacher, helps students to actively be involved in the learning processes and to a highest degree.

The objective in indirect teaching is to involve students both in investigation and deliberation, which helps to forming and developing concepts in the form of models and abstractions. Teachers constantly use questions to lead students to discover and generalize as well as to be capable of evaluating their responses. In cases it is noticed that concepts are still unconsolidated, discussions in groups are used; this replaces the teacher's leading role and allows students to express themselves in various ways so consolidating concepts.

Therefore, in many cases, both models can be combined in the same lesson, since a small number of facts, rules or applying actions should be firstly assimilated before commencing with the acquisition of a concept, model or abstraction. In these terms, none of the models can be used to exclude the other; especially when the structure of critical thinking is made in compliance to the following condition;

Realization of efficient strategies, (forms, methods, techniques), makes possible for the application of many alternatives in the learning processes so helping students to develop managing and organizing and communication skills; it enhances

diversity in students' learning and creativity. Realization of efficient strategies gives sense to the managing role (manager) of the teachers in the learning process and creates sound bases for the life-long learning. The term 'quality' in education is closely linked with contemporary models or various methods and techniques teachers use in the teaching processes while being committed to achieve educational objectives.

Teaching and effective learning require the use of appropriate pedagogic and methodological methods. Time has changed for traditional teaching "using a piece of chalk". Though we can't deny the attributes and advantages of this method in particular situations, but we should emphasize the great importance it has for every teacher, encouraging being a participant. While Kolbi sets the pupil in the center of learning, by evaluating his participation in the learning process as very important in creating his experience in learning. Silcock and Brundert established pupil centered teaching as an approach where the teacher is a facilitator and guidance of the learning process towards teaching where the teacher has control of everything in order to achieve the lesson aims. One of the most common class activities which in fact is the fundament of all learning and educational activities is the communication among teachers and pupils. It is fulfilled in many ways throughout the whole of the lesson time and it directly or indirectly implies all the pupils. It aims to improve the teaching quality. The techniques of asking questions which are included in the interactive teaching context are the recommended modules. Teachers should be open to the pupils' involvement in all stages of the lesson process. The teacher leads and organizes, whereas the pupil is involved everywhere. The teacher should intertwine learning with topics and projects which assure a massive pupils' participation. Pupils should be given the chance to get involved in working with pedagogical means of school texts. This task concentrates them in thinking and studying and the teacher makes them active to improve the scientific level in their subject. Also, the teachers should consider stimulating the feeling of self – confidence to the pupils, which is something to be appreciated.

### **Working methodology**

The scientific question which arises for this work is: Do modern methods have priority compared to the traditional ones for an effective teaching? There have been a lot of studies for this topic, by specialists of the Albanian and foreign education. Literature is mainly based on studies conducted by Albanian experts or institutions, in publicity articles, or national reports and documents, or those by the international organizations in support of education. We think that by means of this work, we will contribute, though a little, in the existing literature because we will treat this topic not only by a theoretical point of view, but even by what really happens in our schools.

The hypothesis that we pose in this work is: The new teaching methods aren't still widely used because of the thought that authoritarian teacher- centered teaching is appreciated not just because of the past teaching models which are rooted in our sub conscience, but even because of the lack of material bases in our schools. Teachers sometimes hesitate to use new methods, though all educational instances offer continuous trainings about the contemporary methodology.

When we analyze a particular issue or phenomena, our aim is to establish the causative relation between them. This relation is expressed through variables. In Education, especially in teaching and the phenomena being studied, we distinguish a whole of variables, so a conditioned variable corresponds to a number of unconditioned variables.

In this work we distinguish these variables: Conditioned variables: Traditional and modern teaching method. Unconditioned variable: The selection of methodology by the teacher.

The population of this study are the teachers and the pupils of elementary school (Third, fourth, fifth classes) in Elbasan. The selected sample was chosen by chance (teachers from different schools in town) where we include public and non public schools.

While making this study, we have collected data from six schools in Elbasan. The schools which were involved in the study and the data for the observation were carried out in the same schools: "Europa" school, "Sule Harri" school, " Qamil Guranjaku "school, " Seit Pepa "school, " Arianiti school and "Imelda Lambertini" school.

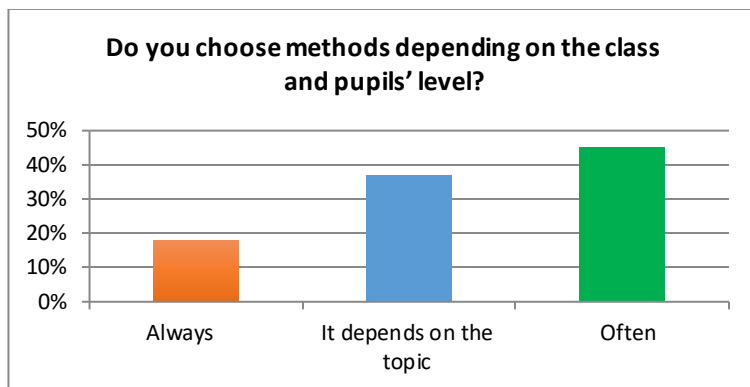
By means of this instrument, we identified the methods, the techniques of the means that the teachers use in the six observed schools, to stimulate pleasure, desire, will and above all, motivation to successfully accomplish tasks in achieving the satisfactory and awaited results. There was a variety of means which teachers used ( not in all cases), where learning games had little part.



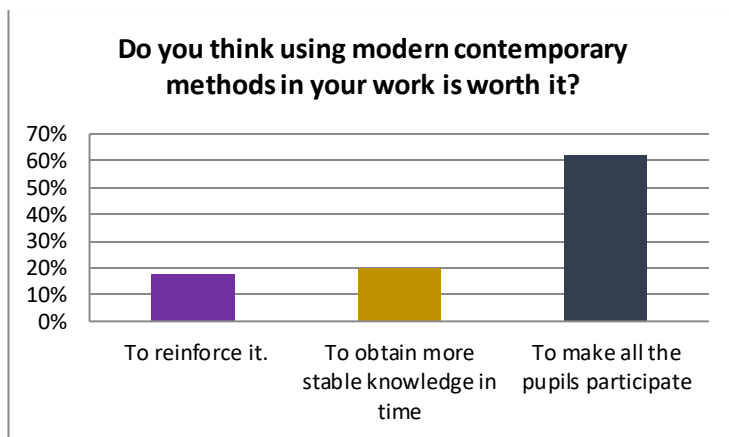
## Data Analyses

By calculating the frequency of each question involved in the questionnaire, it comes out that about 48 % of the teachers use the motivating teaching method. The authoritarian method is used by 30 % and liberal and democratic methods are less used. To stimulate pupils 'active learning, about 60 % of the surveyed respond that they use pupil – centered teaching. Teacher – centered teaching is used in about 30 % . Interactive methods and the methods where the pupil feels leader are the most liked ones. Actually, to stimulate autonomy and self decision, 40 % of the teachers offer the pupils total freedom in choosing and acting, 35% offer the pupils limited freedom and about 20 % of the teachers decide themselves what choices the pupils should make.

By elaborating the data, it results that traditional teaching methods are widely used in the second phase of the lesson, by about 60 % of teachers. In the graphics below we notice that sometimes the methods are chosen based on the class level.



Most of the teachers think that using modern methods makes all pupils participate in the lesson. The other part thinks that these methods give pupils stable knowledge over time.



Nearly 40 % of the teachers say that new techniques in the class make the pupil more active and practical. While 30 % think that these techniques stimulate imagination, the other part think that these techniques distract pupils. 50 % of the teachers plan the lesson with the new techniques because they consider them more effective and varied. The other part uses a mixture of these techniques and the traditional ones.

## Conclusions and recommendations

The reason for choosing this topic is three dimensional. Education is a very important topic which affects all citizens, and even more a nation and a country, because it establishes and strongly affects the development and progress of a society, country or nation. This becomes even more important actually when Albania is committed in the process of integrating into Europe and it aspires to join the EU club, and a well – educated and civilized society is more suitable for a European society. The third reason is professional interest, because we are teachers and the education issues and reforms in this sector affect our everyday work and professional interests.

While observing the lessons, the main focus was the use of methods and strategies to motivate pupils in class. Though our teachers try to implement new contemporary methods, they frequently use traditional methods in different phases of the lesson.

While observing we noticed that the pupils like the methods which stimulate collaboration spirit. They are more creative and free. Another element was noticed while observing in classes where the teacher used traditional methods and the pupils were more concentrated in the lesson and they completed in time all the assignments.

The model of old teachers which is set in our minds like the model teacher sometimes guides the teacher towards using traditional techniques.

Even in really effective classes regarding teaching and learning, the teachers use a very limited number of new techniques.

Along the questionnaires (we noticed that teachers usually prefer motivating pupil – centered teaching with interactive methods, but a major part of the surveyed (prefer authoritarian teaching where the teacher guides and controls the class, mainly frontal discussion, ask – answer methods).

We noticed that in public “pilot” schools and the private ones where the class level was higher, the interactive methods were more easily applicable. In those classes where the level was lower, teachers felt insecure in selecting contemporary methods and preferred traditional teaching methods though in their lesson plan they had selected modern methods.

So we noticed some inconsistency between what the teacher had written in the lesson plan and what the teacher applied in the class.

Contemporary methods stimulate even a “sleepy” pupil and raise whole class participation in the learning process.

Another conclusion of this study was the tendency of teachers to have absolute control over the class because using contemporary methods created a certain enthusiasm and in this regard, sometimes teachers thought the time is too short to successfully complete all stages.

As teaching is an evolving process, it should walk alongside with social, cultural, political and technological development of society. At the end of this study we recommend what follows:

The teacher should gain more academic freedom, dissociating themselves from the past models because today’s pupil is not yesterday’s one. It has more opportunities to get information, knows technology well as has more freedom in behaving and thinking.

We think the teacher can use traditional and modern methods to make the lesson process more effective.

We also think that the teacher should dissociate himself /herself from authoritarian methods because this harms pupils’ creativity, the teacher is seen with fear and not in the role he/she should have, the role of the inspirer.

Teachers should frequently be trained about contemporary methodology and these trainings should be attended with absolute seriousness to update their knowledge in the branch of didactics.

Exchanging experiences about selected methodologies, the most successful ones as well as the less successful ones, will enable teachers to compare and contrast ideas with colleagues and explore fearlessly the variety of modern methods. To require more specialized assistance from education experts and to require the improvement of those factors which obstacle their work for example: scarce material bases, a not on the proper standard text etc.

## Informality vs Politics; The Interactions Between Politics and Social Behavior in Albania, a Retardment for the EU Integration Process

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### Abstract

Is there a causal link for the acceptance of the informality between political class and social behavior? This paper intends to tackle this question exploring the retardment of the integration process and social actors' behavior in Albania. In this regard, it is very important to understand the high level of informality in Albanian economy, social behavior and the nature of acceptance by political class. Despite the high level of informality, the will of Albanians to join EU remain high. According to the latest opinion polls<sup>1</sup>, 86.5% of the Albanians would vote in favor of the EU integration, the largest percentage in the EU integration aspiring countries. Political class, majority and opposition both, accuses each other for the retardment of the integration process, to get the highest support of voters, without bringing concrete solution for the informality and changing the situation. Informality in Albania continues to be a big concern for International Institutions which have been supporting and assisting the state institutions towards the formalization of economy. According to CIA World Factbook<sup>2</sup>, the informality in Albania may be as large as 50% of official GDP during last five years. Regardless of the high level of the informality, government representatives and economy analysts argue that Albania is a country that is not affected directly by the crisis. One of the main factors which help the development of the informality in Albania is the widespread corruption, low level of enforcement, bureaucracies in the administration, politicized administration, habitual change of legislation and electoral promises to change the tax system, citizen's interest for evasion and their adaptability. Another good example to argue our claim regarding the social behavior and links with politics is connected with the non-payment of the electricity not only by citizens, but also by state institutions. In contrast of formal social interaction of different social actors, informality should be read as social disorganization and one of the main obstacles that causes the retardment of the integration process.

**Keywords:** informality, integration, politics, interaction, social behavior.

### 1. Introduction

Informality in the economy of Albania continues to affect the EU perspective along the transition phase, leading towards inequality, while it had affected directly the labour market, productivity and growth, although the net effect is unclear. The debate about the definition of informal economy will not be part of this paper and we are going to refer the definition of *informal economy* to the illegal economic activity, not registered and hidden by tax authorities. International institutions have expressed their concern for high rate of informality, addressing corruption, low level of enforcement, bureaucracies in the administration, politicized administration, habitual change of legislation and citizen's interest for evasion as main factors in favor of informality. According to Stuart Henry, informal economy can be described by three basic characteristics: informal economy includes production, consumption and trading of goods and services, for cash or for a social reward. These are mostly part-time activities, and are unofficial, as they do not explicitly form part of the state accounting systems, and are not registered by its economic measurement techniques. Beyond this, characteristics are less generally applicable (Henry, 1982).

According to CIA World Factbook<sup>3</sup>, the informality in Albania may be as large as 50% of official GDP during last five years. Regardless of the high level of the informality, government representatives and economy analysts argue that Albania is a

<sup>1</sup> Albanian Institute for International Studies (October 2012), quoted by <http://www.balkanweb.com/shqiperi/2685/shqiperi-ritet-mbeshtetja-per-anetaresimin-ne-be-105588.html>

<sup>2</sup> [http://www.theodora.com/wfbcurrent/albania/albania\\_economy.html](http://www.theodora.com/wfbcurrent/albania/albania_economy.html). 2012 CIA WORLD FACTBOOK

<sup>3</sup> [http://www.theodora.com/wfbcurrent/albania/albania\\_economy.html](http://www.theodora.com/wfbcurrent/albania/albania_economy.html). 2012 CIA WORLD FACTBOOK

country that is not affected directly by the crisis. Although the high interest and good will of Albanian citizens to join EU, the informal economy and is one of the main factors which affect the retardment of the integration process. In this regard, it is very important to understand the high level of informality in Albanian economy, social behavior and the nature of acceptance by political class. Despite the high level of informality, inequality and the political and economic situation of EU countries, the will of Albanians to join EU remain high. According to the latest opinion polls<sup>1</sup>, 86.5% of the Albanians would vote in favor of the EU integration, the largest percentage in the EU integration aspiring countries. Political class, majority and opposition both, accuses each other for the retardment of the integration process, to get the highest support of voters, without bringing concrete solution for the informality and changing the situation.

The informal economy is a premise for less social protection, insecurity and vulnerability for the majority of the informal workers. Informal workers, which are serving mainly in small businesses, such as; bars, restaurants, hotels, casual day labourers in construction and agriculture, are lacking social insurances, maternity leave are informally employed, without secure contracts, worker benefits or social protection, sharing lack of legal recognition and protection.

Lack of political stability during transition created favorable conditions for informality. Most of governments in Albania after 1991, have been influenced the informal culture, without rules and control, using the informal actors to support their political elections. The collapse of pyramid schemes in the years of 1996 - 1997, increased the gap between the institutions and legal economy. According to the OECD (2004), the informal sector has been the most dynamic component of the economy in Albania. Informal activity has become a structure of the economy living with politics and becoming problematic for the EU integration. Corruption and low level of law enforcement are becoming part of culture and this is evolving over the time, affecting policy and development of the country.

On the other hand, there is also a claim that the informal sector helped the Albanian economy during the first years of transition by providing households with employment and supplementary income in the absence of other opportunities (Gërçhani, 2003). I claim that informal sector has played an important role not only for the economy but for the fact of building a social behavior. Informal economy had provided jobs and reduced unemployment, however informal jobs are low-paid with unstable income and with high risk of security. However, we accept the fact that informality in economy has played an important role for low income families, helping them to escape from extreme poverty and survive in a situation where governmental institutions does not care much to this category.

Retardment of EU integration process is affected by informality, where many aspects have affected the process, such as: lack of trust in public institutions, considered very often as inefficient and corrupt; constraints in starting and doing business; inadequate strengthening of the legislative and regulatory framework; low probability of being discovered as an illegal worker or fiscal evader, leading to cost-benefit calculations where a job in the informal sector is more attractive than a job in the formal and official sector; a widespread acceptance of informal work that makes its reduction almost impossible.

## 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 informal economy, citizens apathy, long process of integration and critics towards this perspective, analyzing the social behavior and involvements of politics in the informality.

The empirical task is focused on the field work, using eleven interviews with civil society experts, trade union members and economic actors from business and government institutions.

## 3. Informal economy leading towards social apathy

Civil society and trade unions have been suffering of legitimacy to raise the voice throughout the years of transition. This situation is also for the fact that people do not feel franchised with politics. They are not protected and socially secure by legal institutions and so they do not play a crucial role in the civic life. Seeing political debates, lack of trust of international institutions towards Albanian governments and institutions, political corruption and social disorder, people tend to feel that

<sup>1</sup> Albanian Institute for International Studies (October 2012), quoted by <http://www.balkanweb.com/shqiperi/2685/shqiperi-ritet-mbeshtetja-per-anetaresimin-ne-be-105588.html>

they are powerless and so they become natural not interested in a system that does not work for them. Workers in the informal economy lack a significant voice in government policy (Meier 2005). Having a high rate of informality in Albanian economy have affected negatively the membership of trade unions, lacking trust and low level of cooperation. People don't trust trade unions in protecting their right, but they don't trust politicians which in many cases have been involved with civil society and trade unions and vice-versa.

The informality is transforming the social behaviour and the political system in Albania. One Civil Society experts<sup>1</sup>, accept that citizens' apathy as an obstacle to fight informality and attack the government for corruption or law enforcement. Many attempts are done in this aspect to increase the role of citizens, at both local and national level, but informality in economy has affected the social life and activism is no in the level of democratic societies. There is a crucial argument on this debate that social apathy is inter-related with informal sector, lack of interest and social protection provided by governmental institutions.

I have to claim the fact that numbers in democracy matter, when it comes to popular opinion, that shapes the political system. Unless everyone is interested in maintaining their position in decision making, their political power will be commandeered by those who benefit from doing so. Another fact I claimed above, which is contributing to social apathy is the corruption leading to a high level of distrust of politicians. The legitimacy of politicians and the political system for Albanian citizens is creating barriers for EU integration, opening new chapters of integration process and adding new conditions for the country to open the negotiations. Another interviewed civil society actor<sup>2</sup> claims that informal economy and social behaviour is politically supported. Politicians of different wings are interested to illegally support the informality, since this will be translated directly to citizens apathy, which directly helps corrupted politicians to stay in power.

### **Informality, an important factor for the retardment of EU integration.**

As I claimed above, the interest of Albanian to join the EU is the highest in the region, however this does not meet the criteria of joining the European Community. The European Union is a political organization that brings several benefits, but it required more than the desire to be part of it, requiring certain standards of sustainable economic, political and legal development. On April 29, 2009, the application of Albania for the EU membership was an important reference point for a country that 20 years ago had emerged from a repressive communist regime as one of most isolated in Europe. While on 24 of June, 2014 Albania obtained the EU candidate status. Although the progress made in different aspects, still Albania shows strong critical issues that slow down the EU integration process. Corruption, criminality, informality and low level of law enforcement, leading towards low democratic standards, makes a perfect barriers assembly of integration.

In 1996, EU and Albania were near the conclusion of an Association Agreement, which aimed to deepen the political dialogue and cooperation in a variety of matters, such as justice and home affairs, environment, transport, energy, etc. However, the complex dynamics of the Albanian political life, the disputed parliamentary elections of May 1996 and the deep financial and social crisis at the beginning of 1997, following the collapse of "financial pyramids," reverberated negatively on the international level, thus determining the failure of the negotiations (Mediterranean affairs, 2009).

The increased level of public corruption, where officials are directly involved in illegal norms. In recent years, a rather extensive literature has developed showing that, in a system rooted in bribery and corruption, economic incentives are distorted, as government officials and favored private individuals receive a larger share of public benefits or bear a lower share of the cost of public goods. (IMF 2000), which results in lower private investments, lower government revenues, while increasing inequality and poverty.

Economic experts interviewed, claims that informal economic activities estimates about one-third of total output of GDP. Those interviewed experts of civil society and trade unions, claims the link between politics and informality, affecting directly the integration process of Albania in EU. Although these assumptions serve analytical purposed like consequences over political and economic performance, informality in economic field is more complex, when it comes to integration process. Political system exchanges two broad types of incentives with voters; direct material exchange (gifts, jobs, bribes at the enforcement stage, social policy entitlements), and/or indirect political dealings with public and private business (e. g. contracts, policies, favorable legislation). The first exchange is more likely when a majority of voters is poor or where social

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<sup>1</sup> L. Shehu, Youth Worker and activists, interviewed on November 2016.

<sup>2</sup> B. Hoxha, Activist of civil society, interviewed on December 2016

policy benefits and patronage are matters of political discretion. Historical conditions, such as high initial income inequality and ethnic heterogeneity as well as institutionalization of the civil service after democratic mass enfranchisement, encourage this type of exchange (Kitschelt & Wilkinson, 2007). A political power that makes corrupt deals with informal producers, could not have legitimacy to move forward with the EU process, where economical and political high standards are required.

## Conclusions

On November 9, The European Commission had 'conditionally' recommended the opening of accession talks for Albania's bid to become member of the European Union. The retardment of process that has been present so far, it is likely to happen in the upcoming process as well, as political leaders and the society in general are not ready to adapt the standards required by European Community. I am skeptic for the fact that informality in many aspects of economic and social life, corruption and law enforcement is not showing improvements as such needed to move forward with the process.

The behaviour of social actors, business and political leaders seems to be in harmony and disfavor of the integration process. Albania is a EU 'Candidate Country' and a NATO member but suffers from widespread endemic corruption and lack of economic opportunities while most of its young people seek to emigrate to richer EU states as the rest of the Balkan countries. If the political machinery will continue to neglect and informally hidden with informal business, producing more corruption, lack of law enforcement and social insecurity, the process of EU integration for Albania not only will last for decades, but the will of citizens will not be the same as it is nowadays and political instability will appear time to time depending the political conflicts.

Political society, civil society and all important actors should change the behaviour with informality, as one of the main obstacles to destroy and retard the EU integration.

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## Rising Nationalism in the Balkans

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### Abstract

Balkans consists of the geographic and demographic diversity of the complex, with division of the region into new states, with local antagonisms. Balkan leaders, the Great Powers would urge the expansion of national states where and when he wanted interest and would not ignore claims it was one nation over another. The process of developing the nationalist movements and the state - forming in the Balkans, starting with the Patriarchies autonomous movements within the Ottoman Empire, involves the movement of Serbs, Greeks, Bulgarians, Romanians and Albanians. The fall of Bonaparte in 1815, was accompanied by significant changes in Europe in the system of international relations, the diplomacy of the Great Powers. Europe was thrown into the system the concert of Europe, after that of Vienna, while the Ottoman Empire was beginning its stagnation, other European powers had begun to feel the threat of Russia's interests in the Middle East. During this period of time the nationalist movement took place in the region. The nationalism confronted Concert of Vienna principles provoking the First World War.

**Keywords:** Balkans, Concert of Europe, Great Powers, nationalism, Ottomans, Russian.

### Introduction

The fall of Bonaparte in 1815, was accompanied by significant changes in Europe in the system of international relations, the diplomacy of the Great Powers. Europe was thrown into the system the concert of Europe, after that of Vienna, while the Ottoman Empire was beginning its stagnation, other European powers had begun to feel the threat of Russia's interests in the Middle East<sup>1</sup>. Central and Eastern Europe the movement was preceded regenerative process of creating national states, and the Balkans will begin its revival later key, but a dynamic renaissance, tough and full of crisis, known as East crisis. Strengthening Russia, the fall of the Ottomans, the union of Germany and Italy would disturb the overall political situation on the continent and in the world transformed by "The Concert" Vienna in a "Funeral" universal.

After the expulsion from Germany. New Empire Austro-Hungarian had nowhere to lay except Balkans. Since Austria did not participate in overseas colonization, its leaders saw Balkans with its slave population as a natural arena for its geopolitical ambitions - even she walked along other Great Powers. With such a policy, the conflict with Russia was natural.

Balkans consists of the geographic and demographic diversity of the complex, with division of the region into new states, with local antagonisms. Balkan leaders, the Great Powers would urge the expansion of national states where and when he wanted interest and would not ignore claims it was one nation over another<sup>2</sup>. The process of developing the nationalist movements and the state - forming in the Balkans, starting with the Patriarchies autonomous movements within the Ottoman Empire, involves the movement of Serbs, Greeks, Bulgarians, Romanians and Albanians.

Until then many ways, much effort enlightenment, political, military and diplomatic people would need for the establishment of its independent state. Archival sources, copyright and publicity of the time argued that the Albanians were omnipresent. Initially they warned these processes independent in Patriarchy of Ioannina, still were in solidarity with the Serbs against

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<sup>1</sup> Norman Rich: "Diplomacia e Fuqive të Mëdha 1814-1914", Tiranë, Toena 2006, ISBN: 99943-1-199-9, Fq 46

<sup>2</sup> M Gleny: "Histori e Ballkanit, 1804-1999, Nacionalizmi, Luftërat dhe Fuqitë e Mëdha", Tiranë, Toena 2007, ISBN: 97899943-1-231-3, fq 133

the Ottomans, supported the Greek revolution for independence and any move to serve creation national states against the Ottoman Empire in decline.

The nineteenth-century has been the most dynamic in the political history of the Balkan peoples, as well as other peoples were Russians, Italians and Germans. This century was characterized by aristocratic philosophy, conservative and aimed to preserve at all costs stagnation, not agree with the political changes. Moment of involvement of the Ottoman Empire under the multilateral system from Continental transformed European international system, for the scope and structure of the Ottoman Empire.

Vienna concert was accompanied by the political dynamic movement from below and three very large and powerful: liberalization, nationalist and imperialist state building. The formation of two large states unitarist power of imperialist ambitions International. Italy and Germany, the disclosure of interests imperial Russia in the international arena as well as the clash of powers for markets, raw materials and areas influential international players were indicators of movements in the Balkans including statehood nationalist movements against the Ottoman Empire. In this process for political reasons, he merges the deep and Russia, although it was not part of the Balkan geopolitical, based on interests and anti-Ottoman imperial and justified on grounds of racism and religious bigotry.

Various authors prove that Albanians from the people in solidarity with the people of the small neighboring their wars for independence, were gradually closing, and neutral only when the region began to emerge interests clientele Russian, which at any time and in any circumstance they left the Albanians and their interests outside attention. Bismarck wanted a Balkan-sharing agreement between Austria and Russia, but it never materialized division. Austrian leaders feared any visible anger of Russian power in the Balkans and the Hungarians did not like the prospect of including more habzburgase Slav empire, because it would reduce their importance<sup>1</sup>.

Rise of Russia became the Slavic clientele base - religious, supporting mainly the southern Slavic peoples and the same confession. Rus involved in this project mainly Slavs, while the Greeks somewhat farther. Russian project was in Serb yearning directed against the Albanian coast, the Adriatic Sea.... At the time of her first liberation from Turkish rule targets a Serbia did not cease for a free outlet to the sea<sup>2</sup>. Albanian people was the more burning in the Balkans who was coming in the front yard of European empire of Peter the Great.

Russian project for the Balkans in mind the Albanians, who were not related Slavic nor a confession were fully. Analyzing the Russian attitude towards Albanians, British researcher Edit Durham states: "Albania is faced with another greatest enemy was Russia. Later will become clear determination of Slavs and orthodox in the Peninsula and any other condition will not be tolerated" <sup>3</sup>, "... the attention was directed first of all on the coast of Albania"<sup>4</sup>.

Dynamics and complexity of the political developments in the nineteenth-century, wrapped-constituent nationalism, liberalism and imperialism-monarchist to colonial rivalries. European concert separation phenomena pose difficulties, events, movements, periods, and of course the results factors. Balkans has been very hot and involved in these dynamics. The phenomenon remains typical Balkan ethnic diversity, religious, geopolitical. This diversity of alliances gradually transformed understanding many centuries under the Ottoman Empire into a problem, conflict and war between the Balkan people for a very long period.

Roman doctrine based on "divide et impera", Byzantium survived for 10 centuries, France's Cardinal Richelieu for 30 years held the chopped weaker German princes. This doctrine was used by the Ottomans, Tsarist Russians, Austro-Hungary from England to take European initiatives against Bonaparte's France and Hitler's Germany's Kaiser.

Researchers widely agree that the Patriarchy of Ioannina, established, strengthened and expanded by Ali Pasha have been initiating factors, incentive, inspirational, supportive and inclusive in a way, of the Balkan peoples in nationalist state-building processes.

<sup>1</sup> Norman Rich: "Diplomacia e Fuqive të Mëdha 1814 - 1914", Tiranë, Toena 2006, ISBN: 99943-1-199-9, fq 229

<sup>2</sup> Sergej Dmitriev iç Sazonov: "Kujtime", Tiranë, Helga's Secret, ISBN: 978-9928-4022-8-8, fq 99

<sup>3</sup> E. Durham, "Twenty Years of Balkan Tangle", page 100

<sup>4</sup> Sergej Dmitriev iç Sazonov: "Kujtime", Tiranë, Helga's Secret, ISBN: 978-9928-4022-8-8, fq 100



Balkan doctrines, "Megali Idea" and "Naçetania" first inspired to other Germans to the French. Megali Idea was inspired by German Volksgeist theory connecting with ancient historical memories of Byzantium, while Serbs joined the French unitary vision Slavic solidarity, by molding both the "Great Project", the "Naçetanie".

Naum Veqilharxhi in 1846 in a paper written in Greek encyclopedic expressed; "Patriots! Yes I advise co-patriots our who love the homeland, to scrutinize a new study philology, which was written and published by Greek newspapers as an act that deserves global attention, more so since it has about Albanians"<sup>1</sup>.

Greek nationalism was based on religion and not the nation as identity. Here he was rooted Byzantinist doctrine of neo-Greek nationalism in the early-nineteenth century. This doctrine called "Megali Idea" stood on the foundation of nationalism and Greek foreign policy. "Megali Idea", from its birth to the 1854 strategy aimed at rebuilding the whole Byzantine political space within the new Greek state. Connecting basis, according to the "Megali Idea" stood on religion, then the orthodoxy.

According to Greek strategy, all Orthodox people, once under the Byzantine Empire, now needed to be included in the territory under the sovereignty and political borders of the modern Greek nation-state. Hellenic identity and Byzantium were asymmetrical space and began to disclose all its problems with the Orthodox people, but not Hellenistic, especially with the people of the Balkans with the Orthodox religion, but with different identity.

This asymmetry "Megali Idea" initially faced with Serbs in the Balkans. As a result of the politicization of history and ill-informed. Greek-Serbian regarded as have always been excellent and directed against the Albanians and other peoples in the Balkans, but different scholars of the period of raising nationalism in the Balkans and the Crisis they have argued that the first East "Megali idea", as foreign policy Hellenic fought Serbian politics. After the Russo-Turkish War in the years 1861-1867, between Greeks and Serbs were deep discrepancies regarding their visions of political positions in the Balkans<sup>2</sup>.

For a period of approximately seven years, the Greeks and the Serbs had talks were not easy to determine the position after the Russo-Turkish war. Greek scholar, Kofos Greek-Serbian talks defines the years 1861-1867 "for the completion of the alliance against Turkey in order to liberate their compatriots and to share the Balkan Peninsula"<sup>3</sup>.

The process of the Greek-Serbian talks during this period led to the signing of an agreement negotiated between them. Lengthy negotiations with substantial crash were able to complete the deal after the second round of Greek-Serbian negotiations, precisely in 1867, in Vöslau near Vienna. Greek-Serbian agreement dated August 14-26 1867.

Albania and Albanians in the Balkan positions have been at the center of the Serbian-Greek talks. Studies show that at this point had no misunderstanding sides of inconsistency. This is the moment when connecting alliance undeclared Greek-Serbian against the Albanian factor in the Balkans, which recently show that this alliance will once again sit down times will up, time will unfold open again in secret, but nevertheless will continue to in recent times<sup>4</sup>. On the allocation of land to the Greek-Albanian population Serb compliance was complete, while negotiations on dividing Turkey's European lands were characterized by many divergences between the parties.

Greek considered strategy in southern province of Balkan mountain ranges as inhabited only by Greeks forcibly assimilate and Hellenized Slavs. So "Megali Idea" regarded these people as an integral part of Greek civilization. As part of this civilization, "Megali Idea" of the people involved in the former Byzantine map, and consequently on the map of Greece drafted the new policy. Politically, Greek diplomacy feared the expansion of the south Slav element in the Balkan Peninsula<sup>5</sup>.

Serbian Ekspasioni is earlier than "Big Project" Ilia Grashaninit and that "migration of Arnaut". "The problem of national minorities in Yugoslavia" New Vaso Cubrilovic, 1937 and the memorandum "Manu". Circa 1836-1837 have close cooperation between Belgrade and Croatia Iliriana Movement. Patriots "Yugoslav" Serbian territories counted separately Naçetania included in Srem, Backen, Banat, which should secede Hamburg when Serbia to join the Croatian territories and

<sup>1</sup> Blakaj S & Ismaili I; "Letw ërkëmbimetë Rilindjes Kombëtare Shqiptare". Prishtinë: ARBI Ltd; New York: Vatra, 2014, ISBN: 978-9951-452-13-7, fq 117

<sup>2</sup> Studime Historike, Nr. 1, vëllimi XXXI (XIV), Akademia e Shkencave, Tiranë 1977, faqe 176

<sup>3</sup> E. Kofos, Greece and Eastern Crisis 1875-1878, Thesaloniki, 1975, page 21

<sup>4</sup> L. Bashkurti: "Çamëria", Tiranë, Geer 2012, ISBN: 978-9928-105-18-9, fq 137

<sup>5</sup> Studime Historike, Nr. 1, vëllimi XXXI (XIV), Akademia e Shkencave, Tiranë 1977, faqe 176

Montenegro. Serbian Imbalances calculation of the Habsburg empire, was returned "Naçetanian" towards the Ottoman territories. Strategy "Naçetania" Garashaninit aim of forming a great Yugoslav state, the composition of which will be included Bulgaria. "Naçetania" long work and sacrifice for Bulgarian renaissance for this.

Grashanini Ilia emphasized the unity of Serbs with those of Montenegro and the Ottoman territories in Bosnia and Herzegovina, which would allow the Principality have cruise, were called to help Dusan memories of the Empire in the first century. XVI, while romantic historicism, combined with ideas jakobiane gave Serbia until 1914 a foreign policy program<sup>1</sup>. Also, the Serbian foreign policy strategy afraid of Hellenistic neo-Byzantine "Megali Idea", because, according to Serbs, a nation so great Panhellenic would seriously undermine the balance in the Balkan Peninsula and would be the cause for conflicts of interest. Russia originally had inspired financed itself "Megali Idea" and Naçetanian as doctrine and political movement allied anti-Ottoman, but after breaking Ottoman control his will to establish a stable regional situation with Russian influence.

At this time the Russian influence in the Balkans. relative to other powers. had an impact even greater due primarily to religious Greeks and the Slavs of the south due largely racial. Tsarist Russia religion and race were essential components geopolitics. Under the influence of the Russian care of the other European powers, Serbs and Greeks after disagreements about the allocation of spaces Ottomans in the Balkans European and agreed to fight side by side against the Ottoman Empire<sup>2</sup> and a division between them. Serbia will invade and annex Bosnia-Herzegovina. Albania North. including Durres, Elbasan, Ohrid and territories in the north of the Balkan Mountain Range. While Greece to annex the provinces in the south of the Balkan Mountain Range, Thessaly, Macedonia, Thrace and Albania up to half of Durres. It was clear, that the schedule bilateral Serbian-Greek, Albania and Albanians divided in half between them<sup>3</sup>.

Serbian war -Turkish 1876 was a defeat for Serbia but she realized part of its objectives. the Treaty of Berlin gave Tolicën and Vranje. Muslim Albanians were expelled from their lands and legitimize ethnic cleansing and religious conducted by the Balkan countries such as Bulgaria, Serbia, Greece and Montenegro<sup>4</sup>. In the first decade of the 19th century Serbian government abandoned the policy of rapprochement with the High and konkretizoi agreement with Bulgaria and Montenegro on the principle "the Balkans, states Ballanit", which will keep united Slavic countries - the Balkans. These strategies were bisidedmee agreement signed away any secrets and information for Albanians.

"Megali Idea" was the strategy of Greek foreign policy before and throughout the Eastern Crisis. Serbian pact - Greek for sharing the spoils of war were hit by the treaty that accompanied St. Stephen. Confusion and frustration in Greek politics led to crash out of the "Megali Idea" in asymmetry with geopolitical terrain of the Balkan Eastern Europeans. Greek diplomacy in this situation openly reacted run ambassador to Istanbul. In the memorandum stated that "the Greek nation undivided stretch of the Adriatic Sea to the Black Sea... During these three years, the Greek national aspirations often ignored by international conferences and Hellenism was approaching catastrophe. However, due to the strange turn of events, catastrophic aspect disappeared and gave hope to realize not only limited political goals of the Kingdom of Greece, but also the hope of realizing the dreams of the Greeks centuries"<sup>5</sup>.

Greek diplomacy had managed to understand that Russia had done as a priority choice of South Slavs in Serbia at the top, before the Greeks. Greek reflection brought Greek diplomatic move by Russia to the prioritization of the Treaty of San Stefano to England as a quiding force post - Ottoman. These reasons show that the doctrine of "Megali Idea" was beginning its wrinkling. It was essentially a reactionary doctrine, the doctrine of historical determinism and religious determination on national and cultural identities. Hitting her final "Megali Idea" will suffer in the failed attempt to annexation of Asia Minor in 1922, which would cause the Greek people the greatest loss in the history of modern and with the burial of the doctrine of "Megali Idea"<sup>6</sup>.

<sup>1</sup> Georges Castellan: "Histori e Ballkanit", Tiranë, Çabej 1991, fq 324-326

<sup>2</sup> Po aty, fq 327

<sup>3</sup> L. Bashkurti: "Çamëria", Tiranë, Geer 2012, ISBN: 978-9928-105-18-9, fq 139

<sup>4</sup> Xhafer Sadiku: "Shqipëria 1878-1928, Roli i Elitës Politike", Tiranë, Mirgeard 2014, ISBN: 978-9928-07-257-3, fq 33

<sup>5</sup> E. Kofos, Greece and Eastern Crisis 1875-1878, Thesaloniki, 1975, page 17

<sup>6</sup> Studime Historike, Nr. 1, vëllimi XXXI (XIV), Akademia e Shkencave, Tiranë 1977, faqe 176

In all these politico - diplomatic manipulation relating to the Eastern Crisis, Albanians were kept away. Their neutrality in the Russo-Ottoman renamed Force and then by some Greeks as Serbs from Albanians otomanist attitude, while the Albanians continued to contribute to other people in the East as were Romanians and Italians in the West.

Before the crisis of 1875-1878, the Greeks had created a diplomatic mindset owner of widespread idea of Greek circles that "these two people closely connected through their historical experience, forced to form in one way or another a unified state"<sup>1</sup>. This opinion Greek diplomacy tried to reveal the diplomacy of the Great Powers, but by Albanian researchers, the explanation was inconsistent.

In the thesis of "Megali Idea" priority argumentative held orthodox religion, neo-bizantinizmit and not the language, but when it came to the unification of Albanians in one state with Greeks, priority held two-linguistics, which according to the Greeks was on the Albanian population and ignore religion at all. This was the contradiction and jorealizëm the doctrine of "Megali Idea" and one of the causes of the shrinking and its historic failure.

While diplomacy conspiracy went against the interests of the Albanians, the Albanian national movement rose with powerful dynamics. Albanian Diaspora in major centers like arberesh Italy, Albanians Bucharest intellectuals of Istanbul and many other centers show that the Albanian national movement is slowly and distinctly contoured. To the great powers of the time and neighbors Albanians, Greeks, Serbs, Albanian national movement constituted a real and growing concern.

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<sup>1</sup> E. Kofos, Greece and Eastern Crisis 1875-1878, Thesaloniki, 1975, page 24

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

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### Abstract

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

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

### Introduction

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

Lack of a unique educational system.

A low number of schools.

Existence of many foreign schools.

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

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

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

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

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

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

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

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

#### *Education Congresses*

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

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

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

Category 1: Teachers who had completed the university (Abroad).

Category 2: Teachers who had completed "Normale" school or higher education.

Category 3: Teachers who had completed Turkish primary normal schooling by expedient classes or Greek urban schools with practice courses.

Category 4: Teachers who had completed Albanian or Turkish urban schools.

Special attention was devoted to the unification of educational records such as the registers, diaries, minutes of meetings, list of official duties. School programs that were used as models were those of Austria. After this Congress concluded its session, a series of educational laws were drafted, laws that served as the basis of education legislation in Albania, some of which are:

The Law on the central organization of the Ministry of Education

The Law on the basic organization of the Ministry of Education

The Law on compulsory school attendance

The Law on appointment and transfer of teachers

The Law on school fees, scholarships etc.

Elbasan "Normale" school reopened, as well as Korca "Licée", the only high schools in the country.

At that time there were 574 schools in Albania, of which 3 were secondary, 12 urban schools, 519 primary schools, 4 kindergartens, 36 schools of belonging to minorities. In the 1921-1922 school year 25,197 students attended academic studies, of which 5889 girls and 863 teachers worked in this system. It was at that time when preschool programs started initially in Strehë Vorfnohë (Poor Shelter) and Strehë Foshnjore (Infant Shelter). On July 21, 1921 in Tirana, Albania a

Technical School run by Harry Fultz opened; a vocational school, based on the American pragmatist concept. In the same year the "Illyrikum" Franciscan Gymnasium opened in Shkodra. This was a western-style school which regardless of the extensive support by the Franciscans, was in fact controlled and monitored by the state. A year later in 1922, in the city of Shkodra another gymnasium opened its doors the Public High School and the "Normale" high school run by Stigmatine Sisters. These were followed by other schools like the Boarding-School in Kosovo.

This great educational movement was accompanied by publication of many pedagogical journals such as "Teacher" (1922) The first pedagogical magazine the "New School" which was published earlier in Shkodra and later in Tirana and was run by Prof. Michael Gasper. "Pedagogical Magazine" (1922-1927).

### **The second Albanian Education Congress (Tirana 1922)**

This Congress was held in Tirana on July 22, 1922. About 40 teachers participated in this congress. The decisions of this Congress were mainly related to:

The democratization of education and its modernization.

A new educational system was approved and stating that primary schools in the city would consist of 6 academic years and in villages 4.

Establishment of vocational schools consisting of 3 academic years, to be attended by children who had completed the fifth grade.

High schools would be attended for 6 academic years.

#### **Abolition of urban schools.**

Many changes were approved in new programs mainly associated with primary schools which introduced subjects such as practical work, increased the number of science classes, reduced the number of hours of religion in order for schools to have a more secular approach, departing from their religious character. The new school system took effect in the academic year 1922-1923.

### **The second Congress of Tirana (1924)**

The second Congress of Tirana was held on July 21, 1924. This Congress drafted and published the "Declaration of Albanian Teachers". Many important decisions were the attribute of this Congress such as:

Unification of the education system in all schools nationwide.

Strengthening the democratic foundations of the Albanian education system.

Increasing the number of new schools.

Compulsory education to become mandatory for boys and for girls.

Opening of kindergartens for children aged 5-7 years.

Opening of a girl's school to help educational and cultural status of women.

Opening partial high schools in Berat, Durrës, and Elbasan.

This congress established The General League of Albanian Teachers.

### **The structure of the Albanian education system**

Ahmet Zog's selection as head of the Albanian state was followed by numerous changes in the country. The intention of Ahmet Zogu and his cabinet was to create a modern state following the European model. For this reason, the cooperation not only in the economic and diplomatic fields, but also in other areas, particularly with Italian state, which at that period was the main supporter of Albania and also with other western countries, was very extensive. Western models served to establish and strengthen the Albanian state which had started to take its shape as a state with European affinities. So the new Criminal Code was drafted based on the Italian model, the new civil code that was modeled after the French and

Swiss codes, the first Commercial code followed the Italian model, as did the organization and the structure of the army. Amid these efforts to build a modern system according to European models, education could not remain outside the focus of the state. In an interview given to "Corriere della Sera" Ahmet Zog stated that the first thing he intended to accomplish was the improvement of education and culture throughout the country, because the country's future depended on the advancement of these fields. During the years 1925-1926 were published the school programs for elementary schools consisting of six academic years, as well as the programs of male and female "normale" (equivalent of high schooling) school. According to the program near any "normale" school a training school was to be available so that the students of these schools would have the opportunity to perform their practical academic training. In the following years educational reforms followed one another.

Hence elementary schools from 6 academic years were diminished to 5 (during 1928-1940), many new schools opened e.g. the Albanian-American Agricultural School Kavaja, as well as many other professional schools. Despite the influence and the opening many foreign schools, the government's primary goals were the education and upbringing of young Albanians with love for their homeland and allegiance to their state and Albanian institutions. For this reason, in 1933 the Albanian Parliament issued a law for the nationalization of all foreign schools (decree law approved of Prime Minister's Office, dated 10.09.1934).

In the years 1934-1935 the educational system in Albania had the following structure:

Kindergarten

Elementary school

Secondary schools (which had different branches)

Gymnasium

Normale

Vocational schools

The new law on the Albanian education system, adopted in the following years, provided that primary schools should consist of 5 academic years, gymnasiums of 8 academic years, urban schools of 4 academic years, "Normale" schools 4 academic years which were to follow the 4 years of high school. Primary education had a mixed organizational system, while the secondary education was separate for boys and for girls. The exception to this was the National Korça Lycée, "Normale" of Elbasan and the Urban School of Berat. High schools of that time according to the "Law on high school reform" of 1938 were classified as follows:

Vocational Schools

Technical Institute

"Normale" schools

Lycée

All these schools consisted of two levels (degrees):

Low levels, which included vocational schools, low courses of the technical institute, low courses of "Normale" school, low courses of Lycée.

High levels, which included the high courses of technical Institute, high courses of "Normale" school and high courses of Lycée.

This period (1938-1939) was characterized by a significant increase in the number of students at all school levels and in the number of new schools, an increase in the number of professionally trained teachers who completed their training courses or graduated schools abroad.

Albania had:

23 kindergartens, where 2434 children were enrolled,

643 primary schools attended by 52,024 students,

22 secondary schools,

1660 teachers,

380 education specialists who had completed their education abroad.

Furthermore, the number of students who choose to continue their education abroad increased significantly, mainly in countries like Italy, Greece, Germany, Austria, and these numbers kept growing with the arrival in power of Ahmet Zogu. A significant number of these scholarships were awarded by the General Directorate of Italian schools abroad in cooperation with their representative offices in Albania (Archival documents 1924, Archival documents 1925). This great educational movement was accompanied by the publication of journals and periodicals derived from various Albanian specialists who intended to boost the quality of teaching through texts or translations published in different languages in various developed European countries. "Pedagogical Magazine" (1922-1927); "The Teacher" (1927-1929); "National School" (1937-1939); "Normalisti" (1929-1937). Albanian teachers offered a great contribution to this process, in cooperation with foreign specialists who jointly tried to bring a new spirit of a progressiveness and democracy to the Albanian education. Here we might mention the pedagogical publications by Gasper Belortaja; "Theoretical Pedagogy for elementary school teachers," by Alexander Xhuvani, with the second publication of this volume. After the fascist occupation education, as every other sector in Albanian society, underwent many changes. The intensification of relations between the two countries was slowly replaced by the implementation of complete control of the Italian government and Italianization of each sector. At the time of occupation, Italians found in Albania 660 primary schools (6-11 years), 19 second-level schools (11-13 years), 1595 teachers and 62,971 students. At this time in addition to existing high schools which were:

At this time in addition to existing high schools which were:

Gymnasiums (Lycée) in Shkodra, Tirana and Korca

"Luigi Gurakuqi" Normale School in Elbasan

"Nana Mbretneshë" all Female Institute

"Karl Gega" Technical Institute in Tirana

There were also three other vocational schools for boys in Kavaja, Berat, and Elbasan. Furthermore, 5 schools of agricultural profile and many two-year vocational schools were functional in different cities and towns of Albania.

### **Status of foreign languages in the Albanian education system**

Referring to the facts mentioned above, which show the great efforts by the Albanians to build a unified and democratic education system based on the most developed European models of the time, a very important and special place was dedicated to the learning of the languages and culture of the developed European countries. Because Albania was a country lacking educated people and with a high number of illiterates, an educational system that at the time was sporadic and relying primarily on education offered by religious organizations and individuals, the need of learning a foreign language that was a necessity at that time. The intensification of relations with Italy, France, Austria, and America somehow dictated the need for recognition of foreign languages. The government at the time gave priority to foreign language teaching mainly Italian language, which had the highest number of schools and students taught in them. This was due to the fact that Italy was the main partner of Albania in many sectors. So in a way, Italian language became the number one foreign language taught in all schools in the Albanian education system, with the exception of the primary schools where the Albanian government, by a special order, did not allow the teaching of any foreign language but only the native Albanian language. Linguistic policies followed by the government of King Zog demonstrated an excellent balance between Italian language and other foreign languages, French, English as well as German. Proof of this is the opening of such schools such as French Lycée, Harry Fultz Technical School in Tirana or the Albanian-American Agricultural School



in Kavaja, where the French language and English were the primary foreign languages. It should be pointed out that despite the need to learn foreign languages Albanian was the primary language in all school levels. Especially at the elementary level a special government decision prohibited the teaching of a foreign language (Archival documents 1930).

This fact is confirmed by the law no. 52, published in the Official Gazette of 1933, on foreign language teaching in high schools.

#### Article 1

"In all high schools, commercial and technical schools of the Kingdom the following languages will be taught: Italian, French, English, and German."

#### Article 2

"Of the above mentioned foreign languages in Article 1, the teaching of Italian language is mandatory for all students of the above mentioned schools, and starts from the first grade. Students in high schools, students of commercial schools, starting from the third grade are required to learn, in addition to the Italian language, one of the other foreign languages mentioned in the article above."

#### Article 3

"This Regulation shall enter into force in the academic year 1933-1934" (Archival documents 1933). Given this decision, the Italian language became the number one foreign language studied by Albanian students. For example, in the Industrial School of Applied Arts in Shkoder, the Italian language was taught every day of the week, from Monday to Saturday (Archival documents 1931). Italian language was mainly taught by Italian teachers and only in cases when there was a shortage of teaching staff, an Albanian teacher was permitted to replace them on the condition that he had completed his studies in Italy (Archival documents 1931). Following the government's decision to introduce Italian as a first language, all students had to take mid-term maturity exams and regular maturity exams of Italian and as French was not taught in the first year but in third it an exam was not required (Archival documents 1938). After the fascist occupation in 1939, the Italian language becomes mandatory and first language in all school levels. So students began studying other subjects in Italian language as well. During this period the study of Latin as a mandatory subject was introduced in high schools, but its hours were less intensive compared to the study of Italian, and also Greek language was introduced as part of the curriculum. Italian language was a mandatory exam subject at the end of school's years and graduation. This decision was applicable to all schools without exception (Archival documents 1940). The Fascist government tried to introduce the study of Italian language from the first grade of primary schools (Archival documents 1940). During the period 1940-1941 many Italian teachers came to Albania and were allocated mainly in high schools in Elbasan, Gjirokaster, Korce, Shkoder, Tirana Licee, "Nana Mbretheshë" Female Institute, Vlore, etc. (Archival documents 1940).

Hence, Albanian students besides the language also absorbed the Italian culture. In many high schools, especially those in the second tier, the Education Ministry had introduced a subject called General Culture. Below are examples of questions for a preparation course titled General Culture (Archival documents 1931). Mainly, the subject of General Culture introduced knowledge relating to the basic notions of Italian grammar, geography, history, zoology, literature. Besides the introduction at all levels of high school, the Italian language was also taught in courses that took place in the evening. These classes were called evening courses (Corsi serali). They were held at the high school premises. Anyone who was willing to study and learn Italian could enroll in these courses. In some cases, the largest number of people, who wanted to enroll in such classes, was workers who needed knowledge of Italian in order to communicate with the Italian staff at the enterprise where they worked. Also in a significant number were children, and students who wanted to upgrade their knowledge of Italian. Groups were divided by age and the language level of people (Archival documents 1931). Italian language skills, which students learned, varied depending on the school profile and school ratings. For example, in Shkoder Industrial School in crafting classes during the first year, students were mainly taught dictation and reading in order to improve their reading and writing, grammar, to learn concepts and develop basic conversations skills keeping them simple and short. Also, the sectorial language elements were present. During the second year, work was focused in further developing language skills, but the themes were more diverse and the amount of knowledge greater (Archival documents 1931).

#### Conclusions

Reorganization of the Albanian education system was the result of:

Lack of a unified system of education.

Low number of schools.

Presence of many foreign schools.

Schools divided on the basis of religious convictions, which were supported by religious organizations of the three main religions in Albania.

A low level of education of the Albanian population, which for the most part was illiterate.

2. Western Schools were the model to follow in order to make reform of the entire educational system in Albania possible.

3. Necessary changes were observed not only in the reorganization of classes and schools, but also in the classification of teachers, who were categorized based on their level of education and the school that they had attended.

4. Special attention was given to the drafting of programs, plans and textbooks at national level, the unification of the Albanian language, the establishment and training of teachers across the country as well as to issues of a more didactic character.

5. Given the strong ties with Italy and the priorities of the Albanian government at the time, in relation to numerous agreements with Italy in many vital sectors for the country, it is obvious that the dominance of Italy in the educational sector was evident. The decision to make Italian a compulsory language to be studied in high schools, led to a greater dissemination of Italian culture not only in schools but also in the social and cultural life of the country.

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## Identifying Adolescent Problem Gambling Using Latent Variable Techniques

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### Abstract

Recently disordered gambling is reclassified as an addictive disorder which *inter alia* affects a little but significant proportion of adolescents. The aim of this study is to identify and assess different levels of gambling severity among adolescent gamblers (N=1157) from middle and high schools of Korca region, utilizing a cross-sectional design and self-report questionnaire. Using Exploratory, Parallel, Reliability and Confirmatory Analysis, the PGSI measurement instrument, designed for these purposes, resulted to be an appropriate unidimensional screening tool of adolescent disordered gambling in terms of psychometric properties. A traditional Latent Class Analysis using the nine PGSI-items as indicators is performed to identify and predict subtypes of adolescent gamblers, classifying them into latent classes based on their problem gambling severity levels. The inclusion of three covariates related to adolescent gambling problems into Latent Class Model improved the model, helping us to better understand the latent structure.

**Keywords:** adolescents, disordered gambling, latent variables, measurement instruments.

### Introduction

Problem gambling is being viewed increasingly as a behavioural addiction and has been re-classified from an impulse control disorder to an addictive disorder in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (APA, 2103). Problem and pathological gambling are recognized as being major societal problem, with millions of individuals suffering from them. While disordered and pathological gambling has been primarily thought of as an adult problem, there have been increased research efforts to examine the prevalence and underlying factors associated with problems among adolescents. The rates of problem gambling in children and adolescents are nearly two times higher than for adults (3 - 8%), however, it is estimated that 10-14% of youth exhibit behaviors that place them at increased risk for developing gambling problems (Petry, 2005). Shaffer and Hall (1999) provided the semantic architecture of problem gambling selecting the phrase *disordered gambling*. This must be conceptualized as a wide range of gradual shifting from regulated gambling to problem or pathological gambling. To facilitate the estimation of prevalence and the understanding of disordered gambling, researchers have divided this continuum in distinct categories. The majority of people gamble with little or no adverse consequences. These people are classified as *Level 1* gamblers ("non-problem" gamblers). However gambling is associated with meaningful negative effects for certain segments of the population. The people who experience some negative consequences are the *Level 2* gamblers ("at-risk" gamblers), whereas individuals with the most serious of these consequences are *Level 3* gamblers, which are referred as "problem" or "disordered" gamblers. *Level 2* gamblers represent people who may be moving in either of two directions: some *Level 2* gamblers are moving toward an increasingly disordered state, while others are moving toward *Level 1* gambling. Studying all gamblers, considering problem gambling severity levels, may be helpful to better understand gambling related problems. As a result, it is important to build a predictive or structural model for class membership, underlying problem gambling severity levels. Identifying groups based on similar behavioral characteristics and using appropriate methods to model gambling behavior may be particularly useful. In a more explanatory study, one may wish to build a predictive or structural model for class membership whereas in a more descriptive study the aim would be to simply profile the latent classes by investigating their association with external variables (covariates) and to examine if some risk or protective factors of problem gambling among adolescents influence gambling problems differently across classes.

## **Correlates of adolescent disordered gambling**

### *Gender*

Male gender has continuously been linked as a risk factor for disordered gambling (Blanco et al., 2006). Males can gamble longer than females before their gambling develops as disordered (Potenza et al., 2006; Ibanez et al., 2003; Ladd & Petry, 2002; Tavares et al., 2001). Males gamble more than females, particularly at more severe level (Shaffer et al., 1999; Potenza et al., 2006). Adolescent males are more involved in gambling than females, in terms of both frequency and expenditure, and that they experience more gambling related problems than females (Buchta, 1995; Griffiths, 1991; Chiu & Storm, 2010; Derevensky et al., 2010). In a study of middle and high school students, males were found to be almost six times more likely than females to be identified as having a gambling problem and twice as likely to be classified as at-risk gamblers, endorsing a number of criteria for gambling problems (Dickson et al., 2008). Pathological gamblers are thought to be 5 to 10 times more likely than recreational gamblers to have a co-morbid addiction (drug, alcohol) (Daghestani et al., 1996).

### *Substance use*

The links between gambling and substance use have also been found in many studies (Barnes et al., 2009; Goldstein et al., 2009; Jackson et al., 2008). Disordered gambling and substance abuse are more severe when they co-occurs compared to those with only one of the disorders (Petry, 2000). Clearly, data on adolescent substance use and gambling indicate that these behaviors tend to co-occur in youth suggesting that substance use should be viewed as a warning sign for comorbid gambling problems and vice versa.

### *Peer influence*

Adolescent problem gamblers tend to have peers who gamble (Donati et al., 2012) and those peers often have gambling problems (Hardoon & Derevensky, 2002). Having peers who gamble, especially peers who gamble excessively, has consistently been found to be a risk factor for youth gambling problems (Jacobs, 2000). Gupta and Derevensky (2000) indicated that, having friends who engage in any addictive behavior, and not just gambling, poses a significant risk factor.

## **STATISTICAL METHODS**

### **Exploratory Factor Analysis (EFA) and Confirmatory Factor Analysis (CFA).**

Factor Analysis is a statistical technique applied to a set of variables, discovering which variables in the set form coherent subsets that are relatively independent to one another. Variables correlated with one another but largely independent of other subsets are combined into factors. The purpose of Exploratory Factor Analysis is to determine the number of factors that are needed to explain the correlations among a set of observed variables. This technique help us to understand the structure of the set of observed variables, reducing the data set to a more manageable size while retaining as much of the original information as possible. EFA is an "exploratory" analysis because no a priori restrictions are placed on the pattern of relationships between the observed and latent variables. This is a key difference between EFA and CFA. In CFA, the researcher must specify in advance several key aspects of the factor model such as the number of factors and patterns of indicator-factor loadings. These techniques often rely on Maximum Likelihood estimation (ML) which helps us to evaluate how well the factor solution is able to reproduce the relationships among the observed variables in the sample. This is very helpful for determining the appropriate number of factors. EFA is often used as a precursor to CFA in scale development and construct validation. The process of deciding how many factors to keep is called extraction. We retain only factors with large eigenvalues ( $\lambda > 1$ ). An additional technique is Horn's Parallel Analysis (Horn, 1965). Parallel Analysis compares the random data eigenvalues at the 95<sup>th</sup> percentile with the eigenvalues of the polychoric matrix. Only those eigenvalues that exceed the corresponding values from the random data set are retained. CFA is much more sophisticated technique used in the advanced stages of the research process where variables are carefully and specifically chosen to reveal underlying processes.

### **Latent Class Analysis (LCA)**

A statistical technique that can be used to characterize patterns of gambling involvement is Latent Class Analysis (LCA) (Lazarsfeld & Henry, 1968; Goodman, 1974; McCutcheon, 1987; Vermunt & Magidson, 2004; Collins & Lanza, 2010). Latent Class Analysis (LCA) is a statistical method used to identify subtypes of related cases using a set of categorical or continuous observed variables. These subtypes are referred to as latent classes. The classes are latent because the subtypes are not directly observed; rather, they are inferred from the multiple observed variables or indicators. When categorical data are used, the latent class model has the advantage of making no assumptions about the distributions of

the indicators other than that of local independence. LCA application follows a three step- process: 1) a LC model is built for a set of response variables, 2) subjects are assigned to latent classes based on their posterior class membership probabilities, and 3) the association between the assigned class membership and external variables is investigated using simple cross-tabulations or multinomial logistic regression analysis (Vermunt, 2010). LCA has two main quantifiable issues: a) Latent class probabilities and b) conditional probabilities for each class. Latent class probabilities describe the distribution of classes of the latent variable within which the observed measures are (locally) independent of one another. Conditional probabilities represent the probability of an individual in a given class of the latent variable being at a particular level of the observed variables. The goal of LCA is to determine the smallest number of latent classes that is sufficient to explain away the relationships among observed indicators. In order to obtain improved description and prediction of the latent variable(s), multinomial or logistic regression models are used to express these probabilities as a function of one or more exogenous variables called covariates (Dayton & Macready, 1988). The inclusion of covariates into mixture models allow us to examine relationships of mixture classes and auxiliary information, to understand how different classes relate to risk and protective factors or to examine differences in demographics across the classes. Controversary, including covariates in mixture models, latent class variable may have an undesirable shift in the sense that it is no longer measured simply by the original latent class indicator variables but now it is also measured by the auxiliary variables (Asparouhov & Muthén, 2014). However, a recent study (Wurpts & geiser, 2014) suggested that researchers can in general feel comfortable using a larger set of indicators and adding theoretically meaningful covariates to the model.

### Assessing Model Fit

Fit indices are often used to supplement the  $\chi^2$  test to evaluate the acceptability of latent variable models. The most commonly used information criteria (IC) in different studies are: Comparative Fit Index (CFI) (Bentler, 1988) and Tucker Lewis Index (TLI) (Tucker & Lewis, 1973) which are incremental fit indices, measuring the improvement of fit by comparing the hypothesized model with a more restricted baseline model. Values can range from 0-1. For these indices, values above .90 indicate reasonable fit. Values above .95 indicate good model fit. CFI has smaller sampling variability than TLI. The Root Mean Square Error of Approximation (RMSEA) estimates the lack of fit in a model compared to a perfect (saturated) model. Browne and Cudeck (1993) suggested that RMSEA values larger than 0.1 are indicative of poor-fitting models, values in the range of 0.05 to 0.08 are indicative of fair fit and values less than 0.05 are indicative of close fit. A cut-off value of RMSEA close to 0.06 has been recommended. SRMR and WRMR are residual-based fit indices that measure the (weighted) average differences between the sample and estimated population variances and co-variances. SRMR-the standardized root mean-square residual (Joreskog & Sorbom, 1981) is an absolute measure of fit. It is defined as the standardized difference between the observed correlation and the predicted correlation. A cut-off value close to 0.08 has been recommended for SRMR. WRMR- Weighted Root-mean-square Residual (Muthén & Muthén, MPlus User's Guide, 2<sup>nd</sup> Version 1998-2001) is suitable for models where sample statistics have widely disparate variances and when sample statistics are on different scales such as in models with mean and/or threshold structures. It is also suitable with non-normal outcomes. WRMR  $\leq 1.0$  can be used to identify good simple models when  $N \geq 500$ . Some other important model fit indices are the penalized information criteria AIC, BIC, and adjusted BIC. The Akaike Information Criterion (AIC) (Akaike, 1987) is defined as:

$$AIC = -2 \log L + 2p \text{ (Eq. 1)}$$

where  $p$  is the number of free model parameters. The Bayesian Information Criterion BIC (Schwartz, 1978) is defined as:

$$BIC = -2 \log L + p \log(n) \text{ (Eq. 2)}$$

The adjusted BIC (SABIC) (Sclove, 1987) replaces the sample size  $n$  in the BIC equation above with  $n^*$ :

$$n^* = (n + 2)/24. \text{ (Eq. 3)}$$

A smaller AIC and BIC for a particular model suggests that the trade-off between fit and parsimony is preferable. AIC is not a good indicator for class enumeration for LCA models with categorical outcomes (Yang, 2006). The BIC and the adjusted BIC are comparatively better indicators of the number of classes than the AIC. Comparing across all the models and sample sizes, there seems to be strong evidence that the BIC is the best of the Information Criteria considered (Nylund et al., 2007; Collins et al., 1993; Hagenaaers & McCutcheon, 2002; Magidson & Vermunt, 2004; Jedidi et al., 1997). The Lo-Mendell Rubin (LMR) adjusted (LRT) test is able to distinguish between the  $k-1$  and  $k$  class models, comparing the improvement in fit between these neighboring class models and providing a  $p$ -value that can be used to determine if there is a statistically significant improvement in fit for the inclusion of one more class. A low  $p$ -value rejects the  $k-1$  class model in favor of the  $k$  class model. Mplus reports the relative entropy of the model, which is a rescaled

version of entropy. The relative entropy is defined on  $[0, 1]$ , with values near one indicating high certainty in classification and values near zero indicating low certainty.

## DATA ANALYSIS

The study included 1157 participants (53.5% females, 46.5% males) from middle and high schools of Korça region, ranged from 18 to 23 years old. The survey was conducted between June and July, 2015. Data were collected using a self-reported questionnaire. We focused only on respondents who had played at least ones during the last 12 months. *Participants were given a questionnaire during regular class time assessing their past gambling history, frequency of gambling behavior, other addictive behaviours, and PGSI items.* The total time required for completion of the questionnaire was approximately 20 minutes.

## Measures

It is used SPSS and Mplus software packages to analyze our data. Missing data are assumed to be "missing at random", and Mplus used all data available to estimate the model under the MCAR mechanism. Gambling problems among students were measured using the nine-item questionnaire of the Problem Gambling Severity Index (PGSI) measurement instrument. Among a lot of measurement instruments, the consensus in the literature is that the PGSI (Ferris & Wynne, 2001) is the most appropriate measure of disordered gambling in terms of psychometric properties (Jackson et al., 2009; McMillen & Wenzel, 2006; Svetieva & Walker, 2008). This nine-item self-report instrument was designed to measure a single problem gambling construct. Four of the nine items assess problem gambling behaviors: **Have you bet more than you could really afford to lose? (Bet): Have you needed to gamble with larger amounts of money to get the same feeling of excitement? (Tolerance): When you gambled, did you go back another day to try to win back the money you lost? (Chase): Have you borrowed money or sold anything to get money to gamble? (Borrowed).** The other five items assess adverse consequences of gambling: **Have you felt that you might have a problem with gambling? (Felt problem): Have people criticized your betting or told you that you had a gambling problem, regardless of whether or not you thought it was true? (Criticized): Have you felt guilty about the way you gamble or what happens when you gamble? (Felt guilty): Has gambling caused you any health problems, including stress or anxiety? (Health problem): Has your gambling caused any financial problems for you or your household? (Financial problem).** For each item, respondents answered on a four-alternative scale (0 = never, 1 = sometimes, 2 = most of the time, 3 = almost always). To examine the psychometric characteristics of PGSI in the present study, Exploratory Factor Analysis (EFA) and Parallel Analysis (O'Connor) were used to determine its appropriate number of factors. Reliability and Construct Validity of this instrument was detected using Reliability Analysis and Confirmatory Factor Analysis (CFA). The classification of adolescent gamblers into latent classes based on problem gambling severity levels was performed running a Latent Class Analysis. The optimal number of classes was determined by estimating models with an increasing number of classes, and then comparing those models using information criteria, classification criteria, the interpretability of each class, and the LRT tests, requesting TECH11 in the OUTPUT command of the Mplus syntax. Models that include between one and five latent classes were investigated for this purpose. Lower values of the Akaike information criterion (AIC), Bayesian information criterion (BIC), and adjusted BIC were preferred. The interpretation of the results was relied primarily on the BIC and the adjusted LRT. LRT tests the null hypothesis that a given model fits no better than a model with one less class. Failing to reject this test provides evidence for the model with one fewer class. There are used three covariates to increase the classification accuracy of adolescent gamblers into each latent class and to examine their influence on the outcome variable of problem gambling. These covariates which are already included in the model are: 1. Gender, as binary categorical variable; 2. Peer influence, as ordered categorical variable with four categories; 3. Drug use, as ordered categorical variable with four categories. The scores were coded positively with high scores in the last two variables indicating higher frequency in gambling involvement and drug use, respectively.

## RESULTS

The results from Parallel Analysis, using SPSS syntax (O'Connor, 2000) indicated the two-factor solution as the best solution for the PGSI measurement instrument. This is because only two factor eigenvalues listed under the heading "Prcntyle." (the 95<sup>th</sup> percentile) are less than the factor eigenvalues (raw data column) from the original matrix (table1).

Table 1: The results from Parallel Analysis

Root Raw Data Means Prcntyle

1.000000 **4.158764** 1.141592 **1.182471**  
2.000000 **1.186659** 1.096091 **1.126727**  
3.000000 .731458 1.059026 1.084144  
4.000000 .577415 1.028133 1.051004  
5.000000 .554981 .998437 1.020402

Source: Authors' calculations.

The results from Exploratory Factor Analysis with one to three factors (EFA 1 3), using the robust estimator WLSMV and specifying the factor indicators as categorical in the Mplus syntax indicated that the two-factor model was the best fitting model in terms of fit and parsimony (table 2).

Table 2: Fit indices for EFA and CFA

IC	One-factor model	Two-factor model	Three-factor model	CFA F1 by pgsl1-pgsl4 and F2 by pgsl5-pgsl9
$\chi^2$	343.934	57.444	22.384	103.994
RMSEA	0.101	0.042	0.027	0.051
CFI	0.956	0.995	0.999	0.989
TLI	0.941	0.990	0.996	0.985
SRMR	0.076	0.026	0.015	-
WRMR	-	-	-	0.987

Source: Authors' calculations.

The three-factor model resulted to have the best values of the fit indices, however, taking into account the parsimony of the model, the model with only two factors is considered to be the best solution. All the fit indices' values indicated a good fit of the model. The results of the table "Geomin Rotated Loadings" indicated that the first factor is highly correlated with the first four items (PGSI1-PGSI4) which assess "problem gambling behavior", whereas the second factor is highly correlated with the other five items (PGSI5-PGSI9) which assess "adverse consequences of gambling", as in table 3.

Table 3: Geomin rotated loadings

PGSI items	Factor 1	Factor 2
PGSI1	0.890	-0.001
PGSI2	0.756	0.098
PGSI3	0.544	0.299
PGSI4	0.790	-0.014
PGSI5	0.201	0.588
PGSI6	-0.081	0.749
PGSI7	-0.015	0.838
PGSI8	0.013	0.809
PGSI9	0.058	0.724

Source: Authors' calculations.

The correlation between the two factors is considerable ( $r = 0.685$ ), indicating that both factors measure the same latent construct, the adolescent gambling problems. To evaluate the construct validity of this model, Confirmatory Factor Analysis (CFA) was performed. The values from all the fit indices indicated an acceptable fitting model (the last column of Table 2) which is evidence for an adequate construct validity. In addition, to examine if the PGSI screening tool consistently reflect the one-dimensional construct that is measured, we have developed a Reliability Analysis. The Reliability was calculated in terms of internal consistency for the entire scale (nine items) and separately for the two subscales, based on the two-factor solution.

PGSI resulted to have an adequate reliability in terms of internal consistency for the set of the nine items ( $\alpha = 0.853$ ) and for the two subsets of items. Specifically, for the subset of the first four items (PGSI1-PGSI4) the coefficient of internal consistency is 0.785, whereas for the second subset of indicators (PGSI5-PGSI9) this coefficient had a value  $\alpha = 0.808$ . All the above results are a good evidence to believe that the measurement instrument PGSI is an adequate screening tool

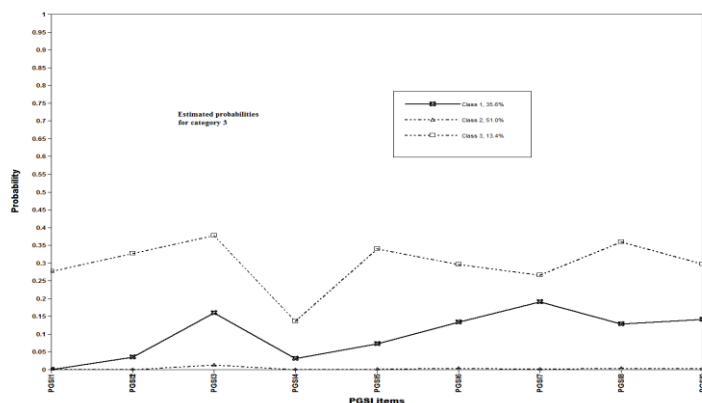
and measure only one latent construct, called “adolescent disordered gambling”. The results from a Latent Class Analysis with one to five classes to classify adolescent gamblers into latent classes, based on their problem gambling severity levels identified with the PGSI screening tool, indicated that the model with three latent classes is considered the best solution. The best solution is evaluated while balancing the values of the information criteria, entropy, LRT p-value, theory, parsimony, interpretability, and average latent class probabilities. The three-class solution had the lowest BIC value, a relatively high entropy value, and a significant LRT test p-value (table 4).

Table 4: Fit indices for the appropriate latent class number model

Nr. of classes	1	2	3	4	5	3+gender+peer infl. +drugs
Loglikelihood	-9243.350	-8037.188	-7821.598	-7731.783	-7658.304	-7373.996
# of parameters	27	55	83	111	139	89
SCF for MLR	1.000	1.042	1.094	1.082	1.135	1.091
AIC	18540.700	16184.376	15809.196	15685.566	15594.609	14925.992
BIC	18677.147	16462.323	16228.644	16246.514	16297.057	15373.027
SSABIC	18591.386	16287.625	15965.009	15893.941	15855.548	15090.339
Entropy	NA	.867	0.828	.775	0.787	0.848
LMR-LRT p-value	NA	.0000	0.0010	0.0863	0.3459	0.0000
Most likely LC membership %	100.00	C#1=36.73 C#2=63.27	C#1=13.31 C#2=35.44 C#3=51.25	C#1=12.36 C#2=18.24 C#3=32.07 C#4=37.33	C#1=9.33 C#2=10.72 C#3=11.93 C#4=31.63 C#5=34.66	C#1=11.23 C#2=35.20 C#3=53.57
C#1 on gender, peer infl. drugs	-	-	-	-	-	4.707 2.117 17.417
C#2 on gender, peer infl. drugs	-	-	-	-	-	2.888 1.529 5.061

Source: Authors' calculations.

The first class had a high average probability of endorsing all of the nine PGSI items, so this class is called “problem gamblers”. The second class has moderate endorsement for those items. So this class is called “at-risk gamblers”. The final class has low endorsement of all items and comprised the largest percentage of the sample and so it is called the “non-problem gamblers” class (Figure 1.).



Source: Authors' calculations.

Figure 1. Estimated probabilities of latent classes for category 3 of PGSI



The entropy is 0.828, while 13.31% of adolescent gamblers are classified as “problem gamblers”, 35.44% are classified as “at-risk gamblers”, whereas 51.25% are classified as “non-problem gamblers”. A slight shift is caused by the simultaneously inclusion of three covariates (gender, peer influence and substance use) into the three-class model. However, the latent class model with covariates is improved and the odds ratios’ values from a Logistic Regression indicated that adolescent males are over 4 times and about 3 times more likely to belong to the “problem gamblers” and “at-risk gamblers” class respectively, compared to females, holding the “non-problem gamblers” class as reference class. Adolescent gamblers who used substances are over 17 and 5 times more prone to belong to “problem gamblers” and “at-risk gamblers” class respectively, compared to non-users, taking the “non-problem gamblers” class as reference class. Finally, having peers who gamble increases the probability to belong to “problem gamblers” and “at-risk gamblers” class. However, the influence of the three covariates is not statistically significant for the three latent classes

## CONCLUSIONS

The study indicated that PGSI may be an adequate measuring instrument to identify and assess adolescent problem gambling severity levels. This measurement instrument resulted to have satisfactory psychometric properties measuring only one latent construct, called “adolescent disordered gambling”. Latent Class Analysis, specifying the indicators as categorical and using robust estimators, may be an adequate method for identifying problem gambling severity levels for cross-sectional data, non-normally distributed. Subtyping adolescent gamblers may improve our understanding of the etiology of problem gambling. The high prevalence rates of adolescent “problem gamblers” and “at-risk gamblers” indicate that, the involvement of the adolescents in gambling may be associated with many problems for their future.

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## Recognition and Enforcement of International Arbitral Awards in Albania. Current challenges to the Albanian Domestic Law

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### Abstract

The Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) is described as the most successful treaty in private international law. For more than half a century this document has contributed to the protection of incomparable values of free trade. In this way it served well also to the interests of human society, providing a valuable contribution to the world economic development. Legal instruments of recognition and enforcement of foreign arbitral awards in the Republic of Albania do not justify the rightful place of arbitration mechanism in resolving international commercial disputes. The domestic normative framework that governs the enforcement of such awards is not fully sufficient. Albania has ratified the New York Convention more than 40 years after its entry into force, but that's not enough. In fact, the enforcement of arbitral awards which resolve international commercial disputes is facing with the lack of a modern legal framework and an unconsolidated jurisprudence. Since last 15 years, the New York Convention is part of Albanian legal order, but its implementation is not appropriate. Mostly this is due to the lack of approaching process of the Albanian legislation to the international standards in this field. Adoption and implementation of legal instruments in accordance with the international legal framework, for the recognition and enforcement of foreign arbitral awards, will be a good service to the integration process of the Albanian economy.

**Keywords:** arbitration, convention, enforcement, award, disputes, international.

### Introduction

#### International arbitration and its values in the global economy.

In recent years, globalization has brought the spirit of breaking down cultural and social barriers between people and particularly has accelerated communication and economic cooperation between states. In this context, legal issues regulating these relations can not remain within national frameworks but have received more and more an international prospective. A clear example of this context is the international commercial arbitration. The great increase of the international trade and companies investment in foreign countries is associated with the tendency to transform the international commercial arbitration into a mechanism used increasingly to settle disputes arising from these relationships.

What is international arbitration?

International arbitration is a consensual way or means by which international disputes can be definitively resolved, pursuant to the parties' agreement, by independent and non-governmental decision-makers, which produce a final decision, legally binding and enforceable through national courts<sup>1</sup>.

There is a principle in the heart of this method, which has been described by Mr. Michel Gaudet<sup>2</sup>, honorary president of the International Court of Arbitration at ICC: **"The purpose of arbitration is not to provide from the relevant law a decision against parties involved in the dispute, but to clarify, together with the parties, what should be done in a given situation, to achieve justice in collaboration"**. The arbitration method creates understanding between the parties to the dispute, without leaving trace of intolerable bitterness behind<sup>3</sup>. Above all International Arbitration avoids the difficulties and uncertainties created eventually by the submission to the jurisdiction of the court of another country.

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<sup>1</sup> Gary B. Born, *International Commercial Arbitration in the United States: Commentary and Materials* (The Netherlands: Kluwer Law and Taxation Publishers, 1994), p.1.

<sup>2</sup> Former Chairman of the ICC International Court of Arbitration.

<sup>3</sup> International Arbitration and National Courts: The Never Ending Story. A.J. van den Berq, Permanent Court of Arbitration. International Bureau, International Council for Commercial Arbitration. Kluwer Law International, 2001.

Unease at playing in the other side's home court begins in childhood. For international business lawyers, it never goes away. Global deal makers are very wary of the home court advantage, harboring mistrust of each other's legal systems, where the rules are unfamiliar and the results are at best unpredictable and at worst actively hostile.

When the parties come from different political systems, there also is mistrust of the underlying substantive law; mistrust of the procedural fairness of the forum where that law is to be invoked; and mistrust of the enforceability of judicial or arbitral decisions.

As a transnational tool for dealing with conflict, international arbitration is a way to create trust between foreign entities and their local business partners, even in the face of vastly different legal systems and laws. Arbitration is a way to resolve disputes according to internationally accepted norms, promising a fair process. In other words, it avoids either side's home court<sup>1</sup>.

The popularity of arbitration as a means for resolving international commercial disputes has increased significantly over the past several decades<sup>2</sup>. Number of cases resolved, for example from the world's leading international arbitral institution – the International Chamber of Commerce<sup>3</sup> – is large enough to justify the statement that actually judicial system has a worthy opponent.

#### **New York Convention<sup>4</sup>, a success of private international law.**

Although arbitration is consensual, the enforcement of the arbitral awards is not. Nothing worries the parties on dispute more than discovering, after a long and costly procedural "battle", that the arbitrator's decision can not be applied. Parties want money and not a piece of paper stating the fact that they are right. Perception for the applicability of the decision is likely to influence the decision of a businessman to choose arbitration or court jurisdiction to resolve his dispute and also the decision to determine the place of arbitration. It can even influence the decision to fund or to make business.

An empirical study of why parties choose international arbitration to resolve disputes found that the two most significant reasons were (1) the neutrality of the forum (that is, being able to stay out of the other party's court) and (2) the likelihood of obtaining enforcement, by virtue of the New York Convention<sup>5</sup>.

Convention on the Recognition and Enforcement of Foreign Arbitral Awards, adopted in New York, 10 June 1958 (hereinafter the New York Convention), is described by an eminent personality of the field - **Albert Jan van den Berg**<sup>6</sup> - as the most successful treaty on private international law. It is being applied today in 145 countries worldwide, becoming part of their national legal framework<sup>7</sup>. This Convention has been defined as the "super-oil for the complex machine" (international commercial arbitration), which has made the explosion of global trade possible over the last fifty years.<sup>8</sup>. In

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<sup>1</sup> How International Arbitration Bridges Global Markets in Transition Economies, CPR Institute for Dispute Resolution VOL.22 NO.9 October 2004, by Lucy V. Katz.

<sup>2</sup> Gary B. Born, *International Commercial Arbitration in the United States: Commentary and Materials* (The Netherlands: Kluwer law and Taxation Publishers, 1994), p.7.

<sup>3</sup> Court of Arbitration of International Chamber of Commerce - is renowned for its unmatched experience and expertise in international commercial dispute resolution. Established in 1923 as ICC's arbitration body, the International Court of Arbitration pioneered international commercial arbitration as it is known today, initiating and leading the movement that culminated in the adoption of the New York Convention, the most important multilateral treaty on international arbitration.

<sup>4</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards - was prepared and opened for signature on 10 June 1958 by the United Nations Conference on International Commercial Arbitration, convened in accordance with resolution 604 (XXI), of the Economic and Social Council of the United Nations adopted on 3 May 1956. The Conference met at the Headquarters of the United Nations in New York from 20 May to 10 June 1958.

<sup>5</sup> The Principles and Practice of International Commercial Arbitration; Margaret L. Moses 2008, Cambridge University Press, f.3.

<sup>6</sup> **Albert Jan van den Berg**, Brussels, Belgium. President, Netherlands Arbitration Institute, Rotterdam. Professor at law (arbitration), Erasmus University, Rotterdam. General Editor, Yearbook: Commercial Arbitration.

<sup>7</sup> Website - <http://untreaty.un.org/cod/avl/ha/crefaa/crefaa.html>.

<sup>8</sup> The Review of International Arbitral Awards, editor: E. Gaillard; V.V. Veeder "Is There a Need to Revise the New York Convention?" (Key note Speech, IAI Forum, Dijon, 2008), p. 185, par.4

short, the New York Convention directly affects the lives of billions of people around the world, every minute of every day, in both seen and still more unseen ways<sup>1</sup>.

Impact of the New York Convention on the development of international commercial arbitration has been phenomenal, consolidating the two basic pillars of the regulatory framework in this field. First it ensured the mandatory implementation of any foreign arbitration award in the member States of the Convention. Second, the Convention fundamentally altered the relationship between arbitration agreements and jurisdiction of ordinary national courts, because the contracting states agreed that valid arbitration agreements constitute a sufficient legal reason for the ordinary courts to declare their lack of competence in favor of arbitration<sup>2</sup>.

These two important pillars give to arbitration the value of a serious institute which provides non-judicial resolution of commercial disputes. So the New York Convention is probably the main reason why arbitration is the most preferred method for resolving international business disputes. The increasing number of Convention signatory countries has affected the international trade development and has attracted foreign investment.

## **I. The mechanism established by the New York Convention**

### **1. Historical factors determining the birth of the Convention.**

After the second world war, the countries need for economic development affected the expansion of international trade. International arbitration at that time was regarded as a successful means for resolving disputes in this field. But the effectiveness of this mechanism had been put in question, because of the difficulties raised in connection with enforcement of arbitral awards in different countries.

The rapid growth of international trade would increase more and more the requirement for prompt and effective resolution of related disputes. But the system established under the 1927 Geneva Convention on the Execution of Foreign Arbitral Awards no longer corresponded to these requirements. Consequently, the conclusion of a new Convention on more liberal terms than the Geneva Convention of 1927 was generally regarded as the most urgent task in the field of international commercial arbitration<sup>3</sup>.

The initiative to replace the Geneva treaties came from the International Chamber of Commerce (ICC)<sup>4</sup>, which issued a preliminary draft convention in 1953. The ICC's initiative was taken over by the United Nations Economic and Social Council<sup>5</sup>.

The Convention was prepared and opened for signature on 10 June 1958 by the United Nations Conference on International Commercial Arbitration, which met at the Headquarters of the United Nations in New York. At the end of the conference, after 4 years of effort<sup>6</sup>, the New York Convention<sup>7</sup> was born. It would spell the end of the Geneva Convention and the start of a new spirit of international commercial arbitration.

### **2. Features of the New York Convention.**

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<sup>1</sup> The Review of International Arbitral Awards, editor: E. Gaillard; V.V. Veeder "Is There a Need to Revise the New York Convention?" (Key note Speech, IAI Forum, Dijon, 2008), p. 186; par.1.

<sup>2</sup> New York Convention, art.II (3) - *The court of a Contracting State, when seized of an action in a matter in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration....*

<sup>3</sup> Memorandum by the UN Secretary General: "Recognition and enforcement of foreign arbitral awards" – document of the United Nations Economic and Social Council, no. E/2840, 22 march 1956, p.3, par.5.

<sup>4</sup> The International Chamber of Commerce (ICC) is the largest, most representative business organization in the world. Its hundreds of thousands of member companies in over 130 countries have interests spanning every sector of private enterprise. It was founded in 1919 to serve world business by promoting trade and investment, open markets for goods and services, and the free flow of capital. The organization's international secretariat was established in Paris and the ICC's International Court of Arbitration was created in 1923.

<sup>5</sup> The Report of the "ad hoc" Committee on the Enforcement of International Arbitral Awards – document of the United Nations Economic and Social Council, no. E/2704, E/AC.42/4/Rev.1, p.1, par.1.2.

<sup>6</sup> The "Ad hoc" Committee on the Enforcement of International Arbitral Awards, was set up on April 6, 1954.

<sup>7</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards - New York, 10 June 1958. Entry into force: 7 June 1959, in accordance with article XII. Registration: 7 June 1959, no. 4739. Status: signatories: 24. parties: 146. text: United Nations Treaty Series, vol.330, p.3.

## 2.1. Convention's field of application.

The Convention's title and its first article refer to the recognition and enforcement of "foreign arbitral awards" arising out of differences between persons, whether physical or legal<sup>1</sup>. Which arbitral awards are to be considered as "foreign", and hence which fall under the Convention's field of application, is defined in Article I of the Convention.

Paragraph 1 of Article I contains two definitions for a foreign award. The first definition, set forth in the first sentence of paragraph 1, is an award made in the territory of a State other than the State where recognition and enforcement are sought. The second sentence of the paragraph also provides that it applies to the recognition and enforcement of an arbitral award which is not considered as a domestic award in the State where recognition and enforcement are sought (second sentence). With this second definition of "foreign arbitral awards", the convention drafters took the view that parties can agree to arbitrate in one country under the arbitration law of another country.

In this way the Convention makes the award nationality or national associations of the parties to the award immaterial for the purposes of its implementation<sup>2</sup>. This is because arbitration awards will be recognized and enforced regardless of the country where the award was made and the nationality of the parties in dispute.

## 2.2. Convention obligations to a contracting state (a state who has adopted the Convention)

### a. Recognition and enforcement of foreign arbitral awards

Any country that accepts the Convention (it means any state that has signed, ratified or accede to the Convention after the entry into force), is legally obliged, under international law principles (inter alia, the principle of *pacta sunt servanda*), to recognize and enforce all kinds of arbitration awards that in terms of the Convention are considered as "foreign arbitral awards".

The Convention also provides limits for this obligation, because when signing, ratifying or acceding to the Convention any state has the right to two reservation<sup>3</sup>: **Reciprocity reservation** and **Commercial reservation**. The first reservation permits contracting States not to be bound to apply the Convention to awards made in a State that does not accept the Convention. The second reservation permits a State to reserve the applicability of the Convention only to differences arising out of legal relationships, which are considered as *commercial* under the national law of the State making such reservation.

### b. Recognition of international arbitration agreement

The second obligation for any state accepting the Convention lies in the recognition of written arbitration agreement. Under the provisions of the Convention we can use this definition: "An arbitration agreement is an agreement in writing under which the parties undertake to submit to arbitration all or any differences which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not, concerning a subject matter capable of settlement by arbitration<sup>4</sup>."

The same sense to the arbitration agreement is drawn from the UNCITRAL Model Law<sup>5</sup>. This definition confirms the validity and effect of a commitment by the parties to submit to arbitration an existing dispute ("*compromis*") or a future dispute ("*clause compromissoire*")<sup>6</sup>.

### c. Exclusion of jurisdiction of the National Court

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<sup>1</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. I, par. 1..

<sup>2</sup> The United Kingdom comments on the draft Convention on the Recognition and Enforcement of International Arbitral Awards - document of the United Nations Economic and Social Council, no. E/2822, Add.4, 3 April 1956, p. 3, par. 2

<sup>3</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. I, par. 3.

<sup>4</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. II, par. 1.

<sup>5</sup> UNCITRAL Model Law on International Commercial Arbitration 1985, with amendments as adopted in 2006 (United Nations documents No. A/40/17 and No. A/61/17, annex I), art. 7, par. 1: "Arbitration agreement" is an agreement by the parties to submit to arbitration all or certain disputes which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not".

<sup>6</sup> Explanatory note by the UNCITRAL Secretariat on the model law on International Commercial Arbitration, p. 28, par. 19.



The court of a Contracting State, when seized of an action in a manner in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration unless it finds that the said agreement is null and void, inoperative or incapable of being performed<sup>1</sup>. This important clause repeats the guarantee given by the first paragraph of article 2 of the Convention to the legal value of the expressed willpower of the disputing parties for submission to arbitration. This willpower excludes the jurisdiction of a national court to resolve the dispute between the parties, forcing also the court to address this dispute in the arbitration forum selected.

*d. Not applying differential procedures in the effective implementation of awards.*

There shall not be imposed substantially more onerous conditions or higher fees or charges on the recognition or enforcement of arbitral awards to which this Convention applies than are imposed on the recognition or enforcement of domestic arbitral awards<sup>2</sup>. A state that has adopted the Convention should treat equally and not differently, in terms of procedural bureaucracy, the recognition and enforcement of domestic arbitral awards against foreign ones.

### 3. Grounds for refusal of enforcement of an arbitral award.

Article IV is set up to facilitate enforcement by requiring a minimum of conditions to be fulfilled by the party seeking enforcement of a Convention award<sup>3</sup>. That party has only to supply the duly authenticated original award and the original arbitration agreement, or duly certified copies thereof<sup>4</sup>. By meeting these conditions, the party seeking enforcement produces *prima facie* evidence<sup>5</sup> entitling it to obtain enforcement of the award on all contracting states of Convention. It is then up to the other party to prove that enforcement should not be granted on the basis of the grounds enumerated exhaustively in the subsequent Article V(1). It should be emphasized that the conditions mentioned in Article IV are the only conditions with which the party seeking enforcement of a Convention award has to comply.

Article V, which is divided into two paragraphs, includes the grounds for refusal of enforcement of an arbitral award. The first paragraph lists the refusal grounds which are to be proven by the respondent (the party against which enforcement of the award is sought)<sup>6</sup>. That party has the burden of proving that one or some of these grounds exists in the present case. This exhaustive list of grounds for refusal is as follows:

-Lack of a valid arbitration agreement (Article V(1)(a))<sup>7</sup>;

-Violation of due process (Article V(1)(b))<sup>8</sup>;

-Excess of the arbitral tribunal's authority (Article V(1)(c))<sup>9</sup>;

-Irregularity in the composition of the arbitral tribunal or arbitral procedure (Article V(1)(d))<sup>10</sup>;

-The award "has not yet become binding", the award "has been set aside", or the award "has been suspended" (Article V(1)(e))<sup>11</sup>.

<sup>1</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. II, par. 3.

<sup>2</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. III, second sentence.

<sup>3</sup> Albert Jan van den Berg – "The New York Convention of 1958: An Overview".

<sup>4</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. IV, par. 1.

<sup>5</sup> *prima facie* evidence - evidence that is sufficient to raise a presumption of fact or to establish the fact in question unless rebutted.

<sup>6</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art. V, par. 1.

<sup>7</sup> The parties to the agreement referred to in article II were, under the law applicable to them, under some incapacity, or the said agreement is not valid under the law to which the parties have subjected it or, failing any indication thereon, under the law of the country where the award was made;

<sup>8</sup> The party against whom the award is invoked was not given proper notice of the appointment of the arbitrator or of the arbitration proceedings or was otherwise unable to present his case.

<sup>9</sup> The award deals with a difference not contemplated by or not falling within the terms of the submission to arbitration, or it contains decisions on matters beyond the scope of the submission to arbitration, provided that, if the decisions on matters submitted to arbitration can be separated from those not so submitted, that part of the award which contains decisions on matters submitted to arbitration may be recognised and enforced.

<sup>10</sup> The composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties, or, failing such agreement, was not in accordance with the law of the country where the arbitration took place.

<sup>11</sup> The award has not yet become binding on the parties, or has been set aside or suspended by a competent authority of the country in which, or under the law of which, that award was made.



The second paragraph of Article V, which concerns violation of public policy under the law of the forum, lists the grounds on which a court may refuse enforcement on its own motion (ex officio)<sup>1</sup>. This second group of grounds for refusal is as follows:

**a. Arbitrability** (article V(2)(a)). This clause permits a court to refuse enforcement of an award on its own motion if the subject matter of the difference is not capable of settlement by arbitration under its law. The non-arbitrability is generally regarded as forming part of the general concept of public policy and thereby the non-arbitrable subject matters differ from country to country<sup>2</sup>.

**b. Other cases of public policy** (article V(2)(b)). This clause allows a court to refuse enforcement of an award on its own motion if the enforcement of the award would be contrary to the public policy of the country where the enforcement is sought. There are a number of diverse cases in which the question of public policy was raised. Cases that are regularly (but almost always unsuccessfully) invoked in practice are the following: *Due process* (the parties have an equal opportunity to be heard); *Procedure* (Irregularities in the arbitral procedure); *Impartiality* (The arbitrator's impartiality); *Reasons* (the award must contain the reasons on which the arbitral decision is based).

The overall scheme of Articles IV-VI is the facilitation of the enforcement of the award. The scheme reflects a "pro-enforcement bias" as certain courts have said. This is also the manner in which Articles IV-VI are generally interpreted by the courts<sup>3</sup>.

The main features of the grounds for refusal of enforcement of an award under Article V are the following:

-The first main feature is that the grounds for refusal of enforcement mentioned above, are exhaustive. Enforcement may be refused "only if" the party against whom the award is invoked is able to prove one of the grounds listed in Article V(1) or if the court finds that the enforcement of the award would violate its national or international public policy (Article V(2)).

-The second feature of the grounds for refusal of enforcement, which follows from the first feature, is that the court before which the enforcement of a Convention award is sought, may not review the merits of the award because a mistake in fact or law by the arbitral tribunal is not included in the list of grounds for refusal enumerated in Article V.

-The third main feature is that the party against which enforcement of the award is sought has the burden of proving the grounds for refusal of enforcement listed in the first paragraph.

-Finally, it is arguable that in a case where a ground for refusal of enforcement is present, the enforcement court nevertheless has a residual discretionary power to grant enforcement in those cases in which the violation is *de minimis*.

These main features are almost unanimously affirmed by the courts<sup>4</sup>.

## II. New York Convention *versus* Albanian legislation on Recognition and Enforcement of Foreign Arbitral Awards

### 1. Legal instruments that provide recognition and enforcement of a foreign arbitral award in Albania.

Recognition and enforcement of foreign arbitral awards in the Republic of Albania is regulated by two legal instruments: provisions of the New York Convention and the Code of Civil Procedure.

The Albanian parliament has approved the accession of the Republic of Albania in this Convention by law no.8688 dated 09.11.2000 "On accession of the Republic of Albania in the "Convention on the Recognition and Enforcement of Foreign Arbitral Awards". Based on the Constitution of the Republic of Albania<sup>5</sup>, the provisions of the New York Convention after ratification by law have become part of the internal legal system of our country. They are applied directly and prevail over national laws that disagree with them. So the provisions of the New York Convention prevail, in case of conflict, over the provisions of the Code of Civil Procedure, in terms of legal regulations applying for recognition and enforcement of foreign arbitral awards.

<sup>1</sup> Convention on the Recognition and Enforcement of Foreign Arbitral Awards, art.V, par.2.

<sup>2</sup> Albert Jan van den Berg – "The New York Convention of 1958: An Overview".

<sup>3</sup> Albert Jan van den Berg – "The New York Convention of 1958: An Overview".

<sup>4</sup> Albert Jan van den Berg – "The New York Convention of 1958: An Overview".

<sup>5</sup> The Constitution of the Republic of Albania, art.116 (1); art.122(2).

The second instrument that regulates the recognition of foreign arbitral awards is the National Law. The provisions relevant to arbitration are found in the "Code of Civil Procedure of the Republic of Albania"<sup>1</sup> (the "CCP"). Part II, Title IV ("Arbitration", art. 400 – 439) is a special title in the Albanian CCP regulating arbitration. The provisions of Title IV are applicable to arbitration procedures when: (i) the participants in the case have their place of residence in Albania and (ii) when the place of arbitration is within the territory of Albania<sup>2</sup>. The arbitration chapter of the CCP focuses on the procedures for domestic arbitration and fails to provide rules of arbitral proceedings and court proceedings related to international arbitration. The CCP states that rules on international arbitration shall be established by a separate law<sup>3</sup> - a law which still has to be adopted in Albania.

Other important provisions in the field of international arbitration are contained in Title III, Chapter IX, regulating recognition and enforcement of foreign arbitral awards in Albania. These provisions treat recognition of foreign arbitral awards as a **special judgment** regulated by this Code<sup>4</sup>. The judicial decisions of the courts of foreign states and final awards of a foreign arbitration are recognized and enforced in the Republic of Albania according to the same rules, under the terms provided in CCP<sup>5</sup>.

Within the framework of recognition of foreign arbitral awards, the provisions of the Code of Civil Procedure take a dual character, containing both material and procedural legal norms. Material norms are the ones providing for the circumstances in which foreign awards may or may not be recognized and enforced in Albania. Whereas procedural norms are those that provide the procedure for recognition and granting power to a foreign award, and those that provide the competence of the judicial authorities for recognition and the form of the recognition judicial decision<sup>6</sup>.

## 2. The provisions of the domestic law that do not meet the requirements of the New York Convention (analytical overview).

In general, the CCP provision that legal arrangements for the recognition of foreign state courts decisions will apply equally for recognition of foreign arbitral awards is not adequate. Especially the grounds for refusal of enforcement of a foreign court decision shouldn't be equally applied to refuse the enforcement of a foreign arbitral award.

It is true that the legal effects of foreign arbitral awards are the same as those of final decisions of foreign ordinary courts, but the processes providing these two kind of decisions have very distinct features. An important feature that distinguishes them, is the profoundly public character of ordinary courts proceedings on the one hand and the private nature of arbitration processes on the other. Likewise, the exclusive right of the agreement between the parties in dispute to determine the jurisdiction of an arbitral forum, or the parties' right to select the arbitrators are other distinguishing features of the arbitration versus judicial process.

The aforesaid distinguishing features between these two processes, justify the necessity for approval of **distinct criteria** for recognition and enforcement, which means **different grounds** for refusal of enforcement, for each kind of decisions - judicial decisions or arbitral awards.

For example, one of the grounds for refusal of enforcement of an arbitral award, provided by the New York Convention but not included on the grounds listed by the CCP of Albania<sup>7</sup> is: *The composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties*<sup>8</sup>. It is understandable that such a ground for refusal of enforcement can not be anticipated from the provisions of the CCP, as long as this code provides the same grounds for refusal of enforcement of arbitral awards with those of judicial decisions.

Moreover, considering the approximation of national law with the New York Convention requirements, the provisions of the Code of Civil Procedure pose some problems, which deserve to be analyzed.

<sup>1</sup> Law No.8116, dated 29 March 1996, as amended.

<sup>2</sup> Code of Civil Procedure of Albania, art.400

<sup>3</sup> Code of Civil Procedure of Albania, art.439

<sup>4</sup> Code of Civil Procedure of Albania, Part II, Title III, Chapter IX "Recognition of judgments of foreign states", art.393 – 399.

<sup>5</sup> Code of Civil Procedure of Albania, art.399.

<sup>6</sup> Civil Procedure, the first edition, Alban Brati, Dudaj Editions 2008, p.413, paragraph 4.

<sup>7</sup> See *infra* p.13: The grounds for refusal of enforcement of an arbitral award, according to the CCP provisions.

<sup>8</sup> Article V(1)(d) of the New York Convention.

**a. The first problem** occurs with the content of Article 399 of the Code of Civil Procedure, which does not clearly explain whether the application of the provisions of chapter "On recognition of decisions of courts of foreign countries"<sup>1</sup> will also be applied to foreign arbitral awards respecting strictly the provisions of this Chapter, or only to the extent that the content of these provisions does not fall in contradiction with the features of an arbitral process (application according to the "*mutatis mutandis*" principle).

**b. The second problem - the excess of "obstacles" of the Code of Civil Procedure for the recognition and enforcement of a foreign arbitral award.**

Recognition of a foreign arbitral award represents the judicial procedure for verifying the legal requirements, through which the arbitral award is given the legal power to be enforceable on the Albanian territory<sup>2</sup>. In fact the Code of Civil Procedure does not expressly provide the conditions for the recognition of a foreign arbitral award, but on the contrary it provides the conditions that are considered as "barriers" for recognition, known as the "grounds" for refusal of enforcement. It is understood that in any other circumstance not included in the framework of these legal restrictions, foreign arbitral award can and should be given executive powers.

Specifically, a foreign arbitral award is not given effect (that means it is not recognized and enforced) in the Republic of Albania, on the circumstances or under the following conditions:

i) *When, under provisions in force in the Republic of Albania, the dispute concerned by the decision (award) might not be in the competence of the court of arbitration of the state that has issued the decision (award)*<sup>3</sup>.

ii) *When the lawsuit and the summons have not been notified to the defendant in absence on the default and orderly time, to give him the opportunity to be defended.*<sup>4</sup> (the principle of due and equal process to the parties).

iii) *When, between those same parties for the same subject and the same reason, a different decision has been given by the Albanian court.*<sup>5</sup> (the "*res judicata*" principle).

iv) *When the foreign arbitral award has become final in contradiction with the law under which the award was made.*<sup>6</sup>.

v) *When the foreign arbitral award is not in accordance with basic principles of the Albanian legislation.*<sup>7</sup> (the "public policy" principle).

vi) *When the Albanian court is examining a lawsuit that is filed before the foreign arbitral award has become final.*<sup>8</sup> **This legal ground seems redundant in the group of grounds which may justify the refusal to enforce a foreign award, arguing as follow:**

**First of all**, such a provision laid down on the article 394(4) of CCP to prevent the recognition of foreign arbitral awards exceeds the conditions known as the grounds for refusing the recognition and enforcement of a foreign arbitral award, provided by the New York Convention<sup>9</sup>.

**Secondly**, such a final obstacle to the recognition of the award, provided by the CCP, falls in contradiction with the obligations imposed by the ratification of the New York Convention, specifically with the obligation to exclude the jurisdiction of a national court when it is seized of an action in a matter in respect of which the parties have made an arbitral agreement<sup>10</sup>. In implementing this obligation, the Albanian court if it's examining a lawsuit (action), should declare the lack

<sup>1</sup> Code of Civil Procedure of Albania, Part II, Title III, Chapter IX, art.393 – 399.

<sup>2</sup> Civil Procedure, the first edition, Alban Brati, Dudaj Editions 2008, p.414, paragraph 2.

<sup>3</sup> Code of Civil Procedure of Albania, art.394, par.1.

<sup>4</sup> Code of Civil Procedure of Albania, art.394, par.2.

<sup>5</sup> Code of Civil Procedure of Albania, art.394, par.3.

<sup>6</sup> Code of Civil Procedure of Albania, art.394, par.5.

<sup>7</sup> Code of Civil Procedure of Albania, art.394, par.6.

<sup>8</sup> Code of Civil Procedure of Albania, art.394, par.4.

<sup>9</sup> New York Convention, art.5.

<sup>10</sup> New York Convention, art.2, par.3 "The court of a Contracting State, when seized of an action in a matter in respect of which the parties have made an agreement within the meaning of this article at the request of one of the parties, refer the parties to arbitration unless it finds that the said agreement is null and void, inoperative or incapable of being performed".

of jurisdiction when there is an arbitral agreement between the parties. The submission of the arbitration agreement by an interested party should be enough for the court to declare the lack of jurisdiction.

In these circumstances, the fact that the Albanian court is examining a lawsuit in a matter in respect of which the parties have made an arbitral agreement, means that this court is acting in the lack of jurisdiction and this fact should not prevent the recognition and enforcement of an foreign arbitral award, as currently provided from the article 394/(4) of CCP.

**Thirdly**, the provision of article 394/(4) reopens the issue of verification of competence or incompetence of the arbitration forum. As already mentioned, the Code of Civil Procedure makes a specific prediction about the competence of the arbitral forum, when it provides as an "barrier" to recognition of foreign arbitral award the fact that *the dispute concerned by the award might not be in the competence* of the court of arbitration that has issued the award (CCP, art.394(1))<sup>1</sup>. The confirmation of the validity of the arbitration forum competence implies indirect proof of incompetence of the Albanian court to examine a lawsuit over the dispute. It seems that we are dealing with the same ground for refusal of enforcement, as provided from the article 394(1), but repeated in another form in the provision of article 394(4).

**Fourthly**, the refusal of enforcement of an arbitral award due to the submission of a lawsuit in an albanian court, before the moment of time that the award has become final, as provided by the article.394 (4), may be used intentionally as an artificial barrier to the enforcement of an award from the party against whom it is invoked. This party may file a lawsuit in an Albanian court deliberately to refuse later the enforcement of the foreign arbitral award issued over the dispute, in our country. This would be contrary to the spirit of the New York Convention, whose aim is to facilitate the conditions for recognition and enforcement of foreign arbitral awards.

### c. The third problem – the burden of proof.

Provisions of the CCP does not predict **who** has the burden of proving to the court of appeal that one or more legal grounds of refusal, mentioned above, are met. In fact, article 397 of CCP stipulates that "the court of appeal examines whether the present award applied for enforcement does not contain provisions that conflict with article 394". In general interpretation of this provision, the court of appeal may examine the existence of the grounds of refusal on its own motion (*ex officio*), without request of the interested party.

Whereas the New York Convention is very clear at this point, when stipulates the obligation of the party against whom the award is invoked: **first to make a request for refusal** of the arbitral award applied for enforcement and **second to submit evidences to the competent authority to prove the grounds of refusal**<sup>2</sup>. There are only two grounds on which a court may refuse enforcement on its own motion. These two grounds for refusal of enforcement are limitatively listed in the second paragraph of Article V, which concerns violation of public policy under the law of the forum<sup>3</sup>.

### d. The 4<sup>th</sup> problem – The Code of Civil Procedure does not provide for submission of the arbitration agreement as a condition for recognition and enforcement of foreign arbitral awards.

According to the CCP provisions, the formal request for recognition and enforcement of a foreign arbitral award should be attached to **some documents**, in order to be considered regular. Specifically the following documents are required to be submitted: (a) copy of the foreign arbitral award, which is subject of the application for enforcement; (b) certificate of the arbitral forum, which issued the award to certify that this award has become final; (c) power of attorney, if the application is filed by a representative of the interested party<sup>4</sup>. These documents are required to be duly translated and authenticated.

As above, the provisions of the Code of Civil Procedure do not require as a condition the submission of "arbitration agreement" by the party applying for recognition and enforcement of the award. Such a prediction does not comply with the provisions of the New York Convention<sup>5</sup>, where the application for enforcement of the award is provided to be accompanied by the "arbitration agreement". This written arbitration agreement, under the Convention, should be submitted

<sup>1</sup> See *supra* p. 13, Code of Civil Procedure of Albania, art.394, par.1.

<sup>2</sup> Article V(1) of the Convention: *Recognition and enforcement of the award may be refused, at the request of the party against whom it is invoked, only if that party furnishes to the competent authority where the recognition and enforcement is sought, proof that:....*

<sup>3</sup> Article V(2) of the Convention: Recognition and enforcement of an arbitral award may also be refused if the competent authority in the country where recognition and enforcement is sought finds that: ....

<sup>4</sup> Code of Civil Procedure of Albania, art.396.

<sup>5</sup> New York Convention, art.IV(1)(b).

along with the foreign arbitral award, subject of the application for enforcement, otherwise the formal request for enforcement is not considered regular.

### 3. Consideration of application for recognition and enforcement by the court of appeals.

The court of appeals does not review the merits of the case, therefore does not examine how the dispute between the parties is resolved through the foreign arbitral award. The court of appeals simply controls whether the award submitted contains elements that, according to the law, are considered legal obstacles (barriers) for the enforcement of foreign arbitral awards<sup>1</sup>. At this point the provision of the CCP is consistent with the predictions of the New York Convention.

## CONCLUSIONS AND RECOMMENDATIONS

### Concluding Reflections

Regardless that the Republic of Albania has ratified the New York Convention, the recognition and enforcement of international arbitral awards in Albania is being carried out through a non-contemporary national legal framework.

a. A group of provisions of the Albanian Code of Civil Procedure governs the recognition and enforcement of foreign (international) arbitral awards for reference of the recognition of the foreign state courts decisions. The national law does not provide a direct adjustment for the recognition and enforcement of foreign arbitral awards. The complete conformity of the grounds for refusal of enforcement of these two different categories of decisions (judicial decisions and arbitral awards) can not be considered the best choice.

b. The provisions of the CCP are not fully in accordance with the provisions of the New York Convention, regarding the recognition and enforcement of foreign arbitral awards. These discrepancies, which may create obstacles to judicial procedures for enforcing foreign arbitral awards in practice, are mentioned briefly as follow.

-The New York Convention clearly provides to the interested party the **right to refuse** the enforcement of a foreign arbitral award, but also the **burden of proving** the grounds for refusal. Provisions of the CCP does not make such a prediction and consequently the court of appeals **on its own initiative** (without request of the interested party), controls whether foreign arbitral award contains elements that constitute the legal grounds for refusing its enforcement.

-The provisions of the CCP do not require the submission of "arbitration agreement" from the party concerned, as a validity condition of the request for enforcement, in contrast to the New York Convention which provide as mandatory the presentation of "arbitration agreement" in order that the request for recognition and enforcement to be acceptable by the competent authority.

-The article 394 of CCP provides a legal ground for refusal of the enforcement of a foreign arbitral award, which not only exceeds those provided by the New York Convention but also may become an obstacle in practice to implement the spirit of the Convention<sup>2</sup>.

### Recommendations.

Albanian legislation needs to be updated, aiming the approach to the contemporary spirit and principles of international legal framework. In this regard, the legal regulation of recognition and enforcement of foreign arbitral awards by the provisions of a special law, would be a good option. A hypothetical law, for example "On arbitration" or "On commercial arbitration", could be the proper act to consolidate the legal framework, regulating both the internal and international procedures of arbitration<sup>3</sup>. In this way the obligation that derives from the article 439 of Albanian Code of Civil Procedure will be fulfilled<sup>4</sup>.

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<sup>1</sup> Code of Civil Procedure of Albania, art.397.

<sup>2</sup> See *supra* the explanation of the ground for refusal, provided by Article 394(4) of Albanian CCP – *a foreign arbitral award can not be enforced in the Republic of Albania, when the Albanian court is examining a lawsuit that is filed before the foreign arbitral award has become final*.

<sup>3</sup> The International Comparative Legal Guide "On the international arbitration 2008", ed. Global Legal Group Ltd. London, with the contribution of "Kalo & Associates, Attorneys at Law", p.86, par. 14.1.

<sup>4</sup> See *supra* p.10.

A good option would have been to make part of domestic law the UNCITRAL Model Law provisions, which on one side do not conflict with the provisions of the New York Convention and in turn improve the recognition procedures of international arbitration awards<sup>1</sup>. A similar pattern which can be applied to reference is the Arbitration Act - English Law of Arbitration - which in its third section regulates the recognition and enforcement of foreign arbitral awards<sup>2</sup>.

**Another possible version of a contemporary regulation of the recognition and enforcement of foreign arbitral awards is to amend the provisions of the Albanian Code of Civil Procedure. For analogy, our domestic law might be referred to the provisions of the Italian Code of Civil Procedure, which directly govern the international arbitration<sup>3</sup> and the recognition of foreign arbitral awards in Italy<sup>4</sup>.**

For Albania, the adoption of a special law on arbitration, or the amendment of the provisions of CCP, is becoming a necessity in the present conditions when the Albanian economy is increasingly oriented towards her integration, putting on the spotlight the expansion of trade relations, particularly international ones. To meet the needs of a more open economy, its actors (businesses and individuals) naturally will be looking for more effective legal instruments of conflict resolution. At this point, special attention should be paid by the domestic law to those legal instruments that serve to the recognition and enforcement of foreign arbitral awards.

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<sup>1</sup> Let's mention here the provision of the UNCITRAL Model Law for clarifying the form of arbitration agreement - Article 7, option I and II of the UNCITRAL Model Law.

<sup>2</sup> Arbitration Act 1996, art.100-104.

<sup>3</sup> **Italian Code of Civil Procedure** (Codice di Procedura Civile - Dei procedimenti speciali - Parte 2), Chapter VI (**dell'Arbitrato Internazionale**), art. 832 – 838.

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## Benefits of Golf Tourism to a Suburban Settlement: The Case of Ilara-Mokin in Ondo State, Nigeria

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### Abstract

Sports and associated facilities form a major tourist attraction and contribute to the development of host communities across the globe. This includes the benefits accruing from golf tourism to host settlements. This research focused on the benefits of Smokin Hills Golf Course which is located in a suburban settlement, Ilara-Mokin, in Ondo State, Nigeria. It investigated the benefits of the existence of the golf course to the community at large and to its residents. It equally obtained the negative sentiments of residents of the community about the existence of the golf course. Clustered and stratified sampling techniques were employed to obtain data from a purposive sample size of 150 residents in a culturally and economically homogenous Ilara-Mokin. A structured questionnaire and an interview guide were utilised to obtain relevant data from selected residents and the golf course officials. Among other findings, it was discovered that social benefits outweighed economic benefits accruing to the community while the economic benefits were dominated by sales of consumables such as foods, drinks and farm produce. Recommendations include further infrastructural development of the town and an improved wage for workers at the golf course as indicated by residents.

**Keywords:** benefits, golf course, sports, suburban settlement, tourism

### 1. INTRODUCTION

The impact of tourism activities on local communities is far reaching with the possibilities for growth in physical development and the social and economic life of local residents. This appears in form of development of local infrastructure, opening of host communities to the outside world, social integration evolving from interactions (between visitors and host individuals) and the boost to local businesses and job creation. This is not to mention the addition to the Gross Domestic Product (GDP) of a nation's economy.

Golf tourism falls under the umbrella of sport tourism, one of the fastest growing areas in the tourism industry. Golf tourism has been simply defined as travel away from home to participate in or observe the sport of golf, or to visit attractions associated with golf (Hudson, 2009). Within the last few decades, sport and tourism professionals have begun to recognize the significant potential of sport tourism, and they are now aggressively pursuing this attractive market niche (Hudson, 2003). Golf in particular, not only attracts holiday makers globally but also contributes over \$20 billion dollars annually to the economy (Hudson, 2009). Some disadvantages have been associated with golf tourism particularly those relating to ecological or environmental concerns and issues of increasing property values to the disfavour of local residents (Barcelona Field Studies Centre, n. d. ). But the benefits would always attract attention. Whether the benefits far outweigh the ills of golf tourism development or vice versa will continue to be a worthwhile debate.

Nigeria boasts of several golf courses. Some of these are found in the south-western part of the country. Of recent, the development of a Golf resort in Ondo state, Nigeria had premiered through the initiation of a government project at Alade-Ilanre town. Transition from one government administration to another had truncated the project. However, the commissioning of Smokin Hills Golf Resort (a private sector project) in Ilara-Mokin town of Ondo state in 2012 brought another dimension of Tourism to the State. Before now, the state could boast of renowned tourist attractions such as Idanre Hills, a mountain resort on UNESCO tentative list of notable tourist sites. The fact that this new golf course is presently ranked the best in Nigeria by certain organisations is a justification for investigation into its development and the benefits it has offered to its host community in social and economic terms.



Residents' assessments of benefits accruing from the golf resort were obtained while the management of the resort also provided relevant information on its contributions to the host community and the existing facilities and competitions organised on routine basis.

## 2. ABRIDGED LITERATURE REVIEW

Though the origin of the game of golf has been known to be a subject of debates, the Scots were recognised to have created the concept which is that the game starts with the ball situated at a point above ground and later disappears to a location below the ground (Campbell, 1994 in Hudson, 2009). The first reference to golf was when the Scots declared in 1457 that it was interfering with the defence of the realm practice of archery (Brasch, 1972). Despite the declaration, it was still a popular game among the Scots and English; starting with the royalty and later spreading to the common people. This resulted in golf courses springing up all over the United Kingdom. As the British Empire spread in the 19<sup>th</sup> century, golf courses spread beyond Britain (Readman, 2003 in Hudson 2009).

Outside Britain, the first golf courses were built in India followed golf courses in Asia and Australia in the latter part of the 19<sup>th</sup> Century. By 1885, golf was well spread across the globe but not in the USA until the middle of the 20<sup>th</sup> century where it was refined and defined. The contribution of John Reid, a Scottish expatriate businessman in the USA was instrumental to this development of golf in the USA. The expansion of the game worldwide coupled with increase in international travel after the Second World War led to the development of golf tourism.

International Association of Golf Tour Operators (IAGTO) in its Golf Tourism Report 2013 document informed that golf tour operator sales grew by 9.3% in the year 2012 (IAGTO, 2013). This was the first report of its kind by the Association. In 2012, the IAGTO operators handled travel arrangements of 1.6million people which yielded an estimated amount of over US\$2billion. There is need to be reminded of the fact that not all golf courses or operators belong to the IAGTO; implying that the whole of golf tourism travels and income are not even accounted for by the above statistics. With reference to the experience of golf tourism in Africa (particularly in South and East Africa), the report informed that the growth of tourism in South Africa was not in line with its potential. Coordinated international promotion was suggested as a tool to draw golf tourists to this part of the African continent. This no less applies to golf tourism in other parts of Africa.

In Nigeria, only one golf tourism operator is listed with IAGTO. Recognition of golf courses and easy attraction of golf tourists can be enhanced by such membership, thereby increasing revenue to operators of such golf courses. A more elaborated survey conducted by Sports Marketing Survey Incorporated revealed that within the 2011/2012 survey year, golf tourism contributed 15.1billion euros to the economy of Europe. This income was a summation of proceeds from direct industries (facility operation, capital investment, golf equipment and supplies, and events/associations) and associated industries (real estate and tourism). 89% of this income was direct industries earnings (Sports Marketing Surveys Inc., 2013).

While considering the case of South Africa, golf course development and golf estates offer new benefits to developing countries by increasing local property values and attracting higher spending social groups. This could contribute a great deal to the economic situation of semi-rural settlements or growing cities. However, loss of biodiversity, heavy water usage and pollution could be major problems. This necessitates the need to consider availability of resources and mitigation plans to support the continual development of golf courses in a country that could boast of more than 500 golf courses (The LiveEco Team, 2011). Keeping the "greens" well and green consumes much volume of water and requires the use of pesticides and fertilizers all both of which greatly impact the ecosystem; hence the need for a balanced assessment of benefits and cost of golf tourism development.

Referring to UNESCO estimates, Barnett (2011) mentioned tourists visiting Granada in Spain use seven times more water than local people while a golf course in Thailand uses as much water as 60, 000 rural dwellers. He further affirmed that local and foreign business people, politicians and military leaders form alliance to support lucrative business leading to dispossession and environmental hazards. In South-east and East Asia where golf is big business it is reported that governments often ignore land rights and environmental concerns. Poverty is further aggravated as resorts, hotels and golf courses often divert water, energy and access away from poor communities thereby making life difficult for women and young girls who need them for household use.

Despite the above concerns, certain benefits of golf tourism have been found to include direct and indirect employment and income benefits, tax benefits to local, regional and national governments, attraction of new firms to region, and social benefits through networking. Others include increasing local property value, protection of valuable fragments of coastal

habitat from encroaching urbanization and the opportunity for waste recycling (Barcelona Field Study Centre, op. cit). Considering planning implications, the need to plan for golf tourism regions with the aim of making social and economic objectives compatible is highly essential. This will eventually contribute to the sustainability of the tourism sector, the product, the territory, the landscape and the local community (Priestly, 2006). Issues of housing and hotel development on one hand and golf development on the other hand, availability of legislative framework for golf development in the context of urban development and the integration of golf courses in the landscape are vital in this respect.

In Nigeria, several golf courses exist across the landscape. Each of the different regions of the country can boast of a few golf courses, a far cry from what a country like South Africa has to offer. According to *worldgolf.com* (2016), golf courses in the Southwest Nigeria have been found to include:

1. Ikoyi Golf Club (Ikoyi)
2. Ikeja Golf Club (Ikeja)
3. Ibadan Golf Club (Ibadan North)
4. Ekiti Golf Club (Ado-Ekiti)
5. Ilorin Golf Club (Ilorin)
6. Abeokuta Golf Resort (Abeokuta North)
7. Blue Elephant Cement Golf Club (Ifo)
8. Green Elephant Cement (Sagamu)
9. Dolphin Golf Club (Ojo)
10. International Institute for Tropical Agriculture Golf Club (Ibadan)
11. Lakowe Lake Golf and Country Estate (Lekki)
12. MiCom Golf and Country Club (Ada)
13. Rosani Golf and Recreation Centre (Erinmope)
14. Global Golf Limited (Ikeja)
15. Smokin Hills Golf Resort (Ilara-Mokin)
16. Royal Valley Golf Resort (Offa)

This research exposes some of the benefits that have been reported to accrue to Ilara-Mokin community which hosts Smokin Hills Golf Resort in Ondo State, Nigeria. Latest ranking of October 2015 by *Top100golfcourse.com* placed Smokin Hills Golf Resort as the Number 1 golf course in Nigeria. *SuperSports* equally awarded this golf resource a certificate as the best golf course in Nigeria as at present. This has spurred the need for the investigation into its contributions towards the welfare of the host community.

### 3. STUDY AREA

#### 3.1 The Study Town - Ilara-Mokin

Ilara-Mokin is a small town located along the Akure-Ibadan expressway in Ifedore Local Government Area of Ondo State, in the south-western part of Nigeria. It is about 9km from Akure city (the capital city of Ondo State). It has a private university named Elizade University and also a golf course, Smokin Hills Golf Resort. Indigenes are mainly Yorubas who are mostly traders and artisans. Ilara-Mokin, which is a quiet town has recently been made popular by the presence of the university and the golf resort both of which came into existence within the last 5 years.

#### 3.2 Smokin Hills Golf Resort

Smokin Hills Golf Resort commenced operation in 2012. It is owned by Chief Michael Adejo, CON. It covers an expanse of 140 hectares and its total workforce is 50. It provides employment for some members of the host community as more than 90% of its workforce are indigenes of Ilara-Mokin. It has 30 temporary and 20 permanent workers. It is an 18-hole golf course with facilities such as a practice range, club house, workers' shed, changing bays and travellers' lodge. Since inception, it has attracted over 500 golfers from within and outside Nigeria. While visitors on sight-seeing pay a fee of N500 each, different club memberships attract varying fees (Table 1). Various tournaments are held on monthly basis and about 33 competitions are held in a year. These include West Africa Golf Tour Series, Mini Golf Tournaments and Golf Tour from L. N. G. Bonny Island among others. The golf resort has favoured the development of Ilara-Mokin by exposing it to the larger world and improving its land value and through the provision of employment to its citizens.

**Table 1:** Membership Categories at Smokin Hills Golf Resort

Category <i>Groups</i>	Entry Fee <i>in Naira (₦)</i>	Annual Subscription <i>in Naira (₦)</i>
1. Platinum (max. of 10)	800, 000	400, 000
2. Diamond (max. of 6)	500, 000	250, 000
3. Gold ( 2 members)	250, 000	100, 000
<i>Individual</i>		
1. Silver	150, 000	50, 000
2. Bronze/Non-resident (outside 50km radius)	100, 000	50, 000
Social (uses only clubhouse and practice range)	50, 000	50, 000

Source: Smokin Hills Golf Resort, 2015

### 3. METHODOLOGY

Both cluster and stratified sampling techniques were employed to obtain data from a predetermined sample size of 150 respondents. The economic and cultural homogeneity of the town encouraged the selection of only 150 respondents and a cluster of residents at the city centre. The stratification was based on the use of the streets at the city centre; comprising the three (3) major streets (Wuraola Adejo, Mokin and Hospital Roads) in the town and five (5) other streets adjoining them. An adult respondent (age of 18 and above) was selected from consecutive buildings on same side of the selected streets (and both sides on the 3 major streets) starting from road intersections. Eight (8) to ten (10) respondents were targeted on the selected streets by 17 pairs of field assistants, making a total of 34 field assistants (Table 2). The respondents who were graduate year students of the Federal University of Technology, Akure were paired to ease interaction with the residents, especially where language barrier could occur. The 150 questionnaire copies were administered and retrieved immediately from respondents (see Table above). Some pairs of field assistants administered questionnaire on same street but at different sections.

**Table 2:** Distribution of questionnaire copies to respondents

Number of Questionnaire Copies	Pairs of Field assistants	Total
10	3	30
9	8	72
8	6	48
Total	17	150

Source: Author's Compilation, 2015

### 4. FINDINGS AND DISCUSSION

#### 5.1 Socio-economic Characteristics

The respondents encountered in gathering the data were more of male than female respondents (Table 3). Furthermore, the highest percentage of respondents are young adults in the age range of 18-30 (48%) followed by those above the age of 50 years (23%). The dominant group found here are naturally the most active adults in any community, going by their ages. This comes as a surprise as it is expected that such population distribution should be in the tertiary institutions or in city-based jobs of proximal higher order settlements like Akure city. Two likely scenarios (that are linked) are responsible for this. First, the bulk of those in this group are more disposed to being available to provide response to social research; and second, some of these respondents are at home on holiday. The percentage of those who are students (22%) among the respondents coupled with the artisans (20%) could almost cater for the percentage of those in this young adult age group as presented on same Table 2. However, the total percentage of respondents who are not students is still reliable to obtain feedback on the social and economic benefits of Smokin Hills Golf Resort. In all, it was discovered that only 44% of

the total respondents have not visited the Golf Resort and this was due to lack of interest and partly due to cost of access to the resort which is ~~4~~500 (about 2. 5 dollars at the time of data gathering).

**Table 3:** Socio-economic characteristics of respondents

Sex	Frequency	Percentage
Male	85	57
Female	65	43
Total	150	100
Age	Frequency	Percentage
18-30	72	48
31-40	27	18
41-50	17	11
Above 50	34	23
Total	150	100
Education	Frequency	Percentage
None	19	13
Primary	21	14
Secondary	66	44
College of Education	14	9
Technical Education	4	3
University/Polytechnic	24	16
Others	2	1
Total	150	100
Occupation	Frequency	Percentage
Civil service	12	8
Trading	46	31
Farming	24	16
Artisan	30	20
Schooling	33	22
Others	5	3
Total	150	100

Source: Author's Fieldwork, 2015

## 5.2 Contribution to Life of Residents

The contribution of the Resort to the life of residents in the community was assessed on the basis of contribution to the life of the respondents and also to that of their relatives as observed by the respondents. The sum of responses in favour of personal benefits (since an individual might have benefited in more than one form) directly or indirectly from the establishment of the Resort is 61% of total responses as presented on Table 4. Those responses in support of relatives' benefits amount to 58% of total responses. These two percentages are close and the responses were dominated by economically related helps (rather than social) such as employment, improved business and financial assistance. It is not a surprise that there was low response on the financial assistance to relatives when compared with personal financial assistance as most individuals would definitely keep such as secrets from their relatives. Socializing was more of a personal thing, hence it was difficult for respondents to inform about how that has benefited their relatives. But for personal benefits, it still ranks higher than those economic benefits which are directly linked to the Resort such as employment and financial

assistance. In both cases, the percentages of responses for “none” benefits, though less than half, are still considerable in value.

**Table 4:** Contribution to Life of Residents

Contribution Type	Personal Life		Family Member	
	Frequency	Percentage of Total Response	Frequency	Percentage of Total Response
None	63	39	66	42
Improved business	48	29	23	15
Socializing	27	17	-	-
Employment	14	9	61	39
Financial Assistance	8	5	1	1
Others	2	1	4	3
Total	162	100	155	100

Source: Author's Fieldwork, 2015

### 5.3 Observed Economic Benefits to Community

The economic benefits to the community as observed by respondents are presented on Table 5. The dominant improvement in the economic life of the community manifested in the sales of consumables such as foods, drinks and farm produce. 63% of the responses favoured this indication. The next major benefit was in the sale of art, craft and textile. The data obtained and earlier presented on the occupation of the residents/respondents (Table 3) confirm this outcome, since the actively working ones (not considering the students) are mainly traders, farmers and artisans. The items involved are also the major needs of tourists and visitors and they usually complement the provision of tourist attractions in any settlement. Tourists must feed and at times, they want to have a feel of the local cuisine. This is in addition to special interest in the items that portray the culture of the tourist destination as depicted in the local art, craft and textile. They take away such as souvenirs from the tourist attraction environment. Small hotels are equally upgraded due to increase in patronage while new ones begin to spring up.

Another important addition to the town is the increase in land and rental value. About 64% of the respondents indicated that land and rental value had increased since the Golf Resort started operation. However, this could be both a blessing and a curse in analytical terms. More money is being made by some persons but at the expense of losing cultural ties to land and also forcing out the poor who could not keep up with affordability of such increased rent and cost of land.

**Table 5:** Observed economic benefits to community

Benefits	Frequency	Percentage of Total Response
Sales of Food and Drink	84	43
Sales of Farm Produce	40	20
Sales of Art, Craft & Textile	28	14
Building of New Hotel	22	11
Others	23	12
Total	197	100

Source: Author's Fieldwork, 2015

### 5.4 Observed Social Benefits to the Community

The intensity of responses to social benefits was higher than that of economic benefits as could be seen in the total number of responses (see Tables 5 and 6). This gives an indication of a greater consciousness and intensity of social benefits than the economic benefits in Ilara-Mokin. On the social benefits, the fact that the town has become more popular than it was before the advent of the golf course attracted highest response; followed by increase in number of visitors. These two are not mutually exclusive but influence each other. The more popular a settlement is (for a particular purpose), the higher its

likelihood to attract visitors (for same purpose), especially if the factor in question is a positive factor. The case of entertainment generated by the existence of the resort and the improvement in the beauty of the town attracted virtually same response. The roads in the town particularly towards the Resort have been improved upon and construction work was still going on at the time of data gathering. This has truly added to the beauty of the town while some form of entertainment also needed to be provided for visitors.

**Table 6:** Observed social benefits to community

Social benefits to community	Frequency	Percentage of Total Response
Popularity	84	36
More visitors	63	27
Entertainment	41	17
Greater Town Beauty	37	16
Sight-seeing to Golf Resort	10	4
Total	235	100

Source: Author's Fieldwork, 2015

### 5.5 Combined Benefits of Golf Resort to the Community

The very high total response here does not come as a surprise as this was expected to combine and compare the benefits to the community in both economic and social terms (Table 7). The data also confirms the aforementioned findings on greater social benefits than economic benefits. Responses in favour of social benefits (more visitors and town popularity) topped Table 7. The response on improved infrastructure which falls below the economic benefits (employment and improved business patronage) could as well have both economic and social benefits. The "others" benefits (attracting just 4%) were small indications of such things as improved health and donations to the community. The very few that have been opportuned to visit the Resort as indicated by "sight-seeing to the Golf Resort" (on Table 6) are of the opinion that the such exercise has contributed to their health. As could be observed at this point, attraction of more visitors ranks higher than town popularity (when compared with the presentation on Table 6). It was difficult insinuating why respondents' perception changed at this point in time. But as equally noted earlier, these two factors reinforce or complement each other. Also, the presence of a private university in this town could have equally contributed to at least one of these high responses. For example, more persons outside Ilara-Mokin town are aware of the existence of the private university in town than they are aware of the Golf Resort. Seekers of higher education are more than players of golf.

**Table 7:** Combined benefits of resort to the community

Contribution to Community	Frequency	Percentage of Total Response
More Visitors	91	33
Town Popularity	60	22
Employment	44	16
Improved Business Patronage	38	14
Improved Infrastructure	29	11
Others	13	4
Total	275	100

Source: Author's Fieldwork, 2015

### 5.6 Areas Needing Improvement by the Golf Resort

Respondents freely commented on what they would want improvements on. Due to the economic status of most residents, they still felt that it was too expensive to pay just 2.5 dollars to sight-see on the Golf Course. Most of them were of the opinion that the Resort was meant for the elites and the rich. They also felt that it was not directly contributing to the development of the town and so would prefer better involvement in the infrastructural development of the town. The need to make further efforts towards town beautification was particularly mentioned. These two observations corroborate earlier presentations on this subject. Some equally observed that the security personnel were too strict in the manner of attending

to visitors while the need to increase the wages of workers was equally mentioned. The residents would appreciate improvement by the management of the Resort in these areas mentioned.

In summary, it was observed that the residents of Ilara-Mokin observed greater social benefits at community level than the general economic benefits that have accrued to the community. Whereas, at personal level, the economic benefits were valued higher than social benefits. In this sense, the type of social benefits to the community is different from social benefits that are connected to the individuals; whereas the communal economic benefits were viewed as same type and are aggregates of what individuals have gained from the Golf Resort. This is responsible for greater appreciation of the social benefits at community than on personal level. The social excitement of seeing and interacting with a few visitors at personal level was not as valuable as the social benefit of town popularity and attraction of more visitors to the community.

## 5. RECOMMENDATIONS AND CONCLUSION

Based on the findings from this research, relevant recommendations are needed to promote the contribution of resorts to the development of host communities, particularly as it relates to golf resorts.

Golf resorts provide certain benefits to host communities. Such benefits include employment of indigenes as workers at the particular resort. However, the need for such tourist attractions to pay good wages to such employees is paramount in the developmental process of host communities. With the low infrastructure development of some communities, as reflected in Ilara-Mokin, provision of certain facilities by the resort to meet community needs will be appreciated by residents. This gets tourist attractions involved in the social responsibility of community development in host communities.

Furthermore, as observed from the findings that communal social benefits outweighed personal social benefits, governments need to partner with operators of tourist attractions to provide opportunities for improving the social life of host communities. Organisation of competitions and provision of sport facilities could be useful in this sense. This provision will also complement the major tourist attraction in the community. Indigenes have the responsibility to improve the local souvenir industry through improved production and packaging. This will equally improve the economic situation in the host communities. Special markets and shopping outfits for souvenirs which are customized with the name of the host community will add to community branding.

This paper has revealed the kind of benefits gained by a local community from the existence of a golf resort. It has revealed that the structure of the benefits gained by individuals in the community could vary from that of the general benefits to the community. It exposes the need for the souvenir industry to improve in the quantity and quality of its production towards adding to the economic benefits that can accrue to a community from the existence of tourist attractions. It also encourages a sustainable provision of local cuisine. Wage structure of indigenous workers at tourist attractions will need to improve in addition to community development efforts. Issues of town beautification and improved entertainment through the provision of good road access and effort to meet visitors' fun demand respectively have equally added to the benefits gained by communities from tourist attractions.

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## The European Territorial Cooperation as the Tool for Europe's Integration: Example of Latvia - Belarus Cross - Border Cooperation

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### Abstract

The European Territorial cooperation is important part of the EU regional policy. It examines the relationships between countries and territories. Cross border cooperation is an institutional and a political oriented cooperation between two or more administrative and sovereign units. In this paper cross border cooperation was analysed as an institutional process of interstate cooperation and cross border cooperation between administrative units in Belarus – Latvia's borderland. European integration and cross border cooperation are linked by 1) integrated economic space across the member states by Henk van Houtum, 2) the intersection between the history of European integration and the more general research field of border studies by Birte Wassenberg and 3) more gradual process and impact on border locations after the Second World war by Steven Brakman, Hary Garretsen, Charles van Marrewijk and Abdella Oumer. The theoretical approach of cross border cooperation includes - 1) the relation between core and periphery, 2) the division of exogenous and endogenous factors and 3) types of borderlands (alienated borderlands, co – existent borderlands, interdependent borderlands and integrated borderlands). Further theoretical concepts are drivers of cross-border co – operation (economic, political leadership, identity/cultural and geographical drivers). The research question is - "How cross – border cooperation can influence the integration and cooperation between Latvia and Belarus? How far cooperation with an EU neighbour takes on hegemonic traits or not? Which are the cross border cooperation forms between Belarus and Latvia which "makes" the integration between Belarus and Latvia".

**Keywords:** The European Territorial Cooperation, Cross border cooperation, Latvia, Belarus, Eastern Partnership

### Introduction

"Cross Border Cooperation (CBC) is one of the tools of the EU policy towards its neighbours. Cross border cooperation between two or more countries includes aspects of borderland development, regional integration, economic development and social cohesion"<sup>1</sup>.

"The regional integration has a historical background. In this sense cross border cooperation is understood as cooperation between border regions. Markus Perkmann are arguing, that "borders is a form of boundary associated with the rise of the modern nation – state"<sup>2</sup> and the 'establishment of an interstate geopolitical order'<sup>3</sup> Tripathi Dhananjay"<sup>4</sup>.

"The main problem is to analyse, how between two regulation periods (2007 – 2013) and (2014 – 2020) of Neighbourhood and Partnership Instrument (ENPI), cross border cooperation influenced 'the cooperation between the EU member states and European Neighbourhood countries'<sup>5</sup> by Mirela Xheneti, David Smallbone and Friederike Welter. In this case, will be

<sup>1</sup> Janis Balodis, Cross - Border Cooperation as the Tool for Europe's Integration: Example of Latvia - Belarus Cross – Border Cooperation, University of Latvia 74. Scientific Conference, Riga, Latvia, 2016, p. 78.

<sup>2</sup> Markus Perkmann, Cross-border regions: Results of regionalization of cross-border cooperation in Europe (1958-2007), in: *Documents d'Analisi Geografica*, 2010, pp. 21 – 40.

<sup>3</sup> Tripathi Dhananjay, Energy Security: The Functional Area of Regional Cooperation for South Asia, 2011, Available at: [https://src-h.slav.hokudai.ac.jp/publicn/eurasia\\_border\\_review/Vol32/tripathi.pdf](https://src-h.slav.hokudai.ac.jp/publicn/eurasia_border_review/Vol32/tripathi.pdf) (Conducted on 14.02.2016).

<sup>4</sup> Janis Balodis, Cross - Border Cooperation as the Tool for Europe's Integration: Example of Latvia - Belarus Cross – Border Cooperation, University of Latvia 74. Scientific Conference, Riga, Latvia, 2016, p. 78.

<sup>5</sup> David Smallbone Friederike Welter and Mirela Xheneti, *Cross-Border Entrepreneurship and Economic Development in Europe's Border Regions*, Cheltenham, Edward Elgar Pub, 2012, p. 94.

set the analysis of the case study between Latvia and Belarus become a crucial topic for the European Neighbourhood Policy (the ENP), because it is unclear how member states between the EU and the ENP"<sup>1</sup>:

Cooperates between each other;  
Makes partnership of social and economic development projects;  
Encouraging civil society

A research problem is to compare cross – border cooperation concept to Europe's integration, especially at borderland regions and particular research question is: "How far does cross-border cooperation between a member and a non-member state at the case of Latvia-Belarus generate integration processes comparable to European Integration?". "Cross – border cooperation plays the role of Europe's integration, because cross border cooperation is the tool for territorial and administrative integration of Europe. Cross border cooperation had been seen as a consensus making policy between Latvian and Belarusian governments. Cross border cooperation is also political dialogue for municipal, regional and national inter – institutional cooperation"<sup>2</sup>.

### 1. Theoretical analysis of the interaction between cross – border cooperation and integration

#### **European Territorial Cooperation**

European Commission says, that European territorial cooperation: "is one of the two goals of cohesion policy and provides a framework for the implementation of joint actions and policy exchanges between national, regional and local actors from different Member States"<sup>3</sup>. European territorial cooperation leads regional policy, which solve the efficiency of local governance. Harald Baldersheim and Lawrence E. Rose says: "With respect to territorial choice, reasons given for boundary changes (usually amalgamations) or other measures are often that existing units are inefficient, are incapable of providing services and welfare"<sup>4</sup>.

Forms of European Territorial Cooperation:

Cross border cooperation – "directly neighbourly cooperation in all areas of life between regional and local authorities along the border and involving all actors"<sup>5</sup>;

Trans – national cooperation – "cooperation (between regional and local authorities) mostly in single sectors (not in all areas of life) and with selected actors"<sup>6</sup>;

Interregional cooperation – "cooperation between countries (sometimes allowing regions to participate) with regard to a special subject (for example regional development) related to large, connected areas"<sup>7</sup>;

**Table 1: "Modes of inter – regional cooperation"<sup>8</sup>**

"Hegemon" Hierarchic Conditionality	"Regime" Common Regulatory Bodies
"Consultancy" Information	"Support" Assistance for Implementation

<sup>1</sup> Janis Balodis & Mikelis Jakunovs. Knowledge economy impact of regional development in Latvia – Russia – Belarus borderlands. The RSA Early Career Conference, Manchester, United Kingdom, 2013, pp. 34 – 42.

<sup>2</sup> Janis Balodis, Social Entrepreneurship in the Borderland areas: Example of Valka/Valga border, Master thesis, 2015, p. 34.

<sup>3</sup> European Commission, *Interreg : European Territorial Co-operation*, 12 May, 2015, Available at: [http://ec.europa.eu/regional\\_policy/en/policy/cooperation/european-territorial/](http://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/) (Consulted on 16.12.2015).

<sup>4</sup> Harald Baldersheim and Lawrence E. Rose, „Territorial Choice: Rescaling Governance in European States”, in: H. Baldersheim and L. E. Rose, *Territorial Choice – The Politics of Boundaries and Borders*, Palgrave Mcmillan, 2010, pp. 1- 20.

<sup>5</sup> European Commission, *Practical Guide to Cross-border Cooperation*, Association of European Border Regions (AEBR), Gronau, 2000, p. 24.

<sup>6</sup> Ibid;

<sup>7</sup> Ibid;

<sup>8</sup> Bernhard Zeilinger, „The EU's external policy towards Eastern Europe on migration issues”, in: W. Stamuller and K. Backmann, *The EU's Shifting Borders – Theoretical approaches and policy implications in the new neighbourhood* Routledge, London and New York, 2012, pp. 60 – 79.

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Hegemonic inter – regional cooperation means dominant inter – regional cooperation, which is the leading mode from inter – regional cooperation (see: Tab.1). For example Schleswig – Holstein federal land region is more important, than Southern Denmark, because Schleswig – Holstein federal land can to attract more investments and support from German government. Consultancy is the channel for the coordination of inter – regional cooperation. Regime is the level of possible speed of inter – regional cooperation, which means how fast cross – border cooperation will be organized. Support of inter – regional cooperation means institutional and financial support of inter – regional cooperation, which is important for economic independence for cross – border cooperation.

### Cooperation outside of the EU;

Cooperation outside of the EU means interregional and cross – border cooperation in the regions, which are outside from the EU, but which are bordered with the EU. There exist two particular financial instruments for realization of cooperation outside of the EU. These financial instruments are:

The Instrument for Pre-Accession Assistance (IPA) – “is based on partnerships with the EU candidate countries - the former Yugoslav Republic of Macedonia, Croatia, and Turkey - and potential candidate countries - Albania, Bosnia and Herzegovina, Montenegro, and Serbia. It supports administrative, social and economic reforms, as well as regional and cross-border co-operation”<sup>1</sup>.

The European Neighbourhood and Partnership Instrument (ENPI) – “promotes co-operation and economic integration between the EU and partner countries - Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, the Russian Federation, Syria, Tunisia, and Ukraine. It supports partnerships encouraging good governance and social and economic development”<sup>2</sup>.

The financial assistance for the Instrument for Pre-Accession Assistance (IPA) and the European Neighbourhood and Partnership Instrument (ENPI) are accordingly “11, 7 billion EUR, of which 242 million EUR is earmarked for cross-border cooperation (IPA) and 15.4 billion EUR, of which 634 million is earmarked for cross-border cooperation”<sup>3</sup>.

European grouping of territorial cooperation;

“The European Grouping of Territorial Cooperation (EGTC) is a new tool, which has been presented by the European Commission on the basis of long-term political actions and proposals coming, among others, from the Committee of the Regions”<sup>4</sup>.

### Data and methodology

In this research will be used – 1) qualitative and 2) quantitative methodology. As a qualitative methodology will be used literature analysis and structural interviews with policy makers, members from civil society and diplomats. The interviews will be organized in Latvia and Belarus.

Data will be collected be collected data from Latvia – Lithuania – Belarus cross border cooperation data basis. Results from the interview will be used as the data for qualitative analysis. “Spatial data are those data which combine attribute information (e.g. name of the spatial object – for example villages, population density etc.) with location information (spatial coordinates) (georeferenced data)”<sup>5</sup>. Spatial data will used to proof geographical integrity of cross border cooperation.

Types of spatial data:

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<sup>1</sup> European Commission, *Regional development co-operation programmes outside the EU*, 2016, Available at: [http://ec.europa.eu/regional\\_policy/lt/policy/cooperation/european-territorial/outside-the-eu/](http://ec.europa.eu/regional_policy/lt/policy/cooperation/european-territorial/outside-the-eu/) (Conducted on 20.02.2016).

<sup>2</sup> Ibid;

<sup>3</sup> Ibid;

<sup>4</sup> European Union, *The European Grouping of Territorial Cooperation (EGTC): state of play and prospects*, 2009, Available at: [http://cor.europa.eu/en/documentation/studies/Documents/EGTC-state-of-play/EGTC-state\\_of\\_play\\_and\\_prospects\\_EN.pdf](http://cor.europa.eu/en/documentation/studies/Documents/EGTC-state-of-play/EGTC-state_of_play_and_prospects_EN.pdf) (Conducted on 21.02.2016).

<sup>5</sup> Eric Marcon and Florence Puech, Measures of the geographic concentration of industries: improving distance-based methods, in: *Journal of Economic Geography*, Vol. 10, No. 2, 2010, pp. 745 – 762.

- "Point data: a single point location, such as a GPS reading or a geocoded address"<sup>1</sup>. For example - Houses, firms;
- "Line data (arcs): a set of ordered points, connected by straight line segments. For example - Roads, rivers"<sup>2</sup>;
- Polygonal data: For example an area, marked by one or more enclosing lines, possibly containing holes.

The next quantitative tool (the method) will be the geographical information systems (the GIS). As a specific computers program will be used ArcMap 10.3 and ArcMap Pro programs.

### **3. Political integration between Latvia and Belarus provides closer cross – border cooperation between both countries**

Political integration between Latvia and Belarus provides closer cross –border cooperation between both countries. In this chapter will be provided - 1) the analysis of institutional framework of cross – border cooperation between Belarus and Latvia, 2) drivers of cross-border co – operation in Belarus and Latvia's borderland and 3) project analysis of European Neighbourhood and Partnership Instrument 2007-2013 Cross Border Cooperation Programme Latvia – Lithuania –Belarus.

Latvia and Belarus 'established diplomatic relationships' in 1992, which was the start point of the cooperation between both countries<sup>3</sup>. In the same year Belarus became as an important regional player in Eastern Europe, because Belarus started it's regional integration on Europe's political map. Famous Belarusian historian Jan Zaprudnik says, that: "Through diplomatic contacts with the European states, Minsk is trying to enter the European Community, with whose world contacts and culture Belarus feels more at home. On January 30, 1992, the Republic of Belarus was accepted as a member of the Conference on Security and Cooperation in Europe"<sup>4</sup>. A very important field, where Latvia and Belarus are cooperating, is economy. Cross – border cooperation in the framework of institutional cross border cooperation defines as a "policy promoting all types of negotiated actions between the public institutions of at least two neighbouring territorial entities"<sup>5</sup>. The economic cooperation between Latvia and Belarus is organized by sub – institutions, like:

Latvian – Byelorussian Economic cooperation committee;

A Business club of the Embassy of Latvia in Minsk;

A promotional society of Latvian – Byelorussian economic relationship;

Latvian – Byelorussian business forum;

A very strong form of cross border cooperation between Latvia and Belarus is fighting against the human trafficking. Latvia as a country which eastern border (between Russia and Belarus) is a whole of the EU border and means that European Neighbourhood policy (see: Fig.2) is a crucial issue for Latvia. Between 2013 and 2014, Latvia's – Belarus border crossed 83 Vietnamese illegal immigrants. Trafficking is a challenge for the border guards and security at itself in both countries and specially in the borderlands. From Latvia's side, responsible institutions are: The Office of Citizenship and Migration Affairs (OCMA), Ministry of the Interior, Office of State Border Guard and Societal Integration Bureau. From Belarus side, responsible institutions are Belarusian state border guard committee and the Ministry of Internal Affairs of the Republic of Belarus.

Belarus is a part of the Eastern Partnership. The civil societal sector is important actor for cross border cooperation, especially for the projects, which are related "The Belarusian National Platform is organized differently than the National Platforms of other EaP countries which is also due to the different situation within the country and the limited participation of Belarus within the Eastern Partnership"<sup>6</sup>. This is related with political situation in Belarus, which is not democracy Western European point of view.

<sup>1</sup> Gilles Duranton and Henry G. Overmant, Testing for Localization Using Micro - Geographic Data, in: *Review of Economic Studies*, Vol. 72, No. 3, 2005, pp. 1077 – 1106.

<sup>2</sup> Roberto Basile, Some notes on Spatial Statistics and Spatial Econometrics, Lecture material, Roma, 2013.

<sup>3</sup> Latvijas Republikas Ārlietu Ministrija, *Latvijas Republikas un Baltkrievijas Republikas divpusējās attiecības*, 2016, Available at: <http://www.mfa.gov.lv/arpolitika/divpusejas-attiecibas/latvijas-un-baltkrievijas-attiecibas> (Consulted on 20.01.2016).

<sup>4</sup> Jan Zaprudnik, *Belarus – At a Crossroads in History*, Boulder, San Francisco, Westview Press, 1993, p. 212.

<sup>5</sup> Jean Baptiste Harguinde Guy and Katy Hayward, The Institutionalization of the European Internal Cross-Border Co-operation Policy: A First Appraisal, in: *European Planning Studies*, Vol. 22, No. 1, 2014, pp. 184 – 203.

<sup>6</sup> Eastern Partnership Civil Society Forum, *Belarus*, 2016, Available at: <http://eap-csf.eu/en/national-platforms/belarus/> (Consulted on 21.01.2016).

Latvia is part of the EU Baltic Sea region, where Belarus is available to participate for the EU strategy for Baltic Sea region (EUSBSR). EU Strategy for the Baltic Sea Region (EUSBSR) is related with "the EU Economic Development Strategy (Multi-Annual Financial Framework 2014-2020), such as mobility and multimodality, knowledge society, competitiveness, people and skills and institutional capacity and cooperation"<sup>1</sup>. Economic institutions in all three Baltic states are different from the market or the firm, and although they are an expression of local attitudes towards for example "associationism".

#### **4. The area of research**

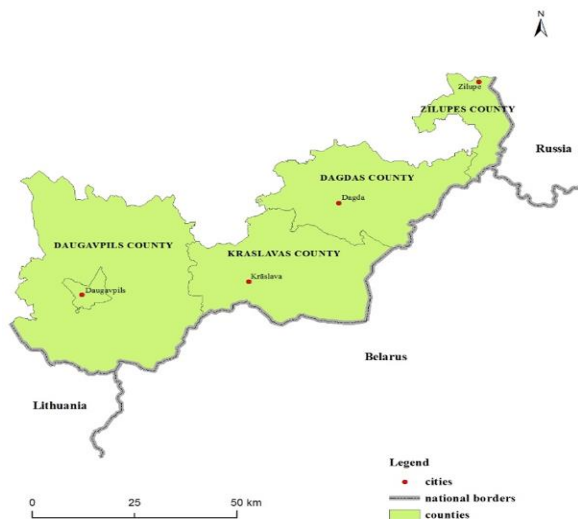


Figure 1: Counties from Latvian border side, which are bordered with Belarus – Latvia's border (Daugavpils, Krāslavas, Dagdas and Zilupes counties) (The author of map: Janis Balodis. The map is made in geographical information systems)

The research area is covered between borderland administrative units in Belarus and Latvia. In 2007, when cross border cooperation between Latvia and Belarus started, cross border cooperation existed between "old" administrative units – regions (Russian raions; Latvian: rajons) (see: Fig. 1). In Latvian side were three regions – Daugavpils, Krāslavas and Ludzas regions (rajoni). In 2009, in Latvia was a new administrative reform, which changed an administrative division.

In Daugavpils county are three parishes, which are bordered with Belarus – Latvia's border. These parishes are: Demeņes, Skrudlienā and Salienas parishes. These parishes are in the same size like before administrative reform in 2009. That shows, that administrative cooperation is the same as it was for the realization of cross border cooperation program for period

In Krāslavas county are four parishes, which are bordered with Belarus – Latvia's border. These parishes are Kaplavas, Indras, Kalniešu and Robeznieku parishes. All parishes, which were mentioned before, existed also in "old" administrative reform.

In Zilupe county, which before was included in Krāslavas region, is only one administrative parish which bordered with Belarus – Latvia's border. It is Pasiene parish.

All administrative units from Latvian side are bordered with Braslaw, Verkhnyadzvinsk and Myory districts from Belarussian side.

#### **5. The integrity between cross - border projects in Latvia and Belarus**

<sup>1</sup> European Parliament, Directorate – General for Internal Policies, Policy Department, Structural and Cohesion Policies, New Role of Macro Regions in European Territorial Cooperation, 2015, Available at: [http://www.balticsea-region-strategy.eu/attachments/article/590691/IPOL\\_STU\(2015\)540349\\_EN.pdf](http://www.balticsea-region-strategy.eu/attachments/article/590691/IPOL_STU(2015)540349_EN.pdf) (Consulted on 26.01.2016).

Projects of European Neighbourhood and Partnership Instrument 2007-2013, which is for cross border cooperation programme Latvia – Lithuania – Belarus. The analysis of cross – border projects between Latvia, Lithuania and Belarus by it's priority, shows integrity by different kind of projects and forms of cooperation.

### 5.1. Projects of European Neighbourhood and Partnership Instrument 2007-2013 Cross Border Cooperation Programme Latvia – Lithuania – Belarus

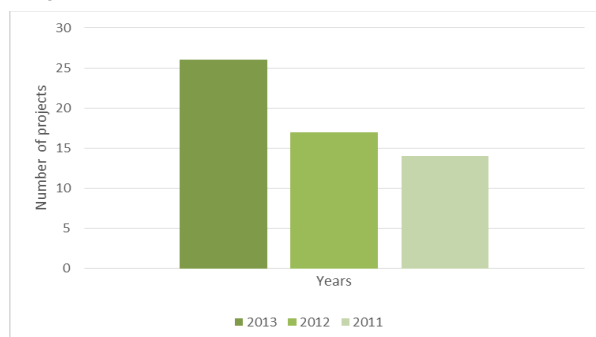
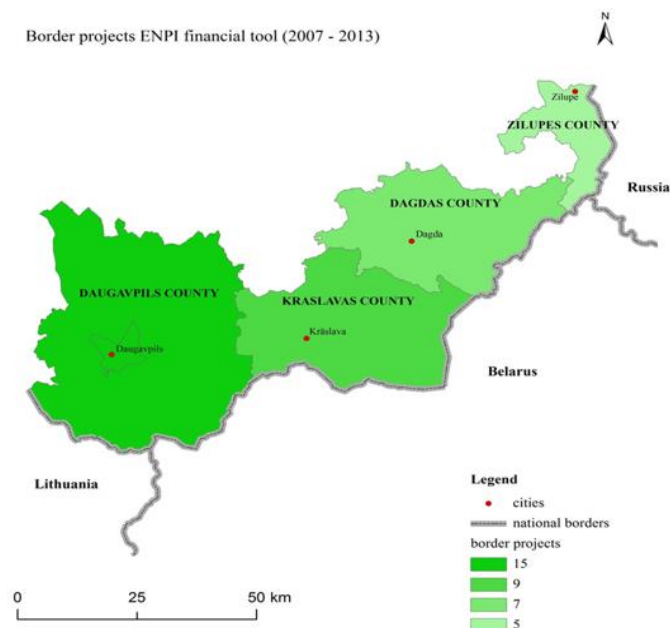


Figure 2: The number of projects between Latvia, Lithuania and Belarus for time period 2011 – 2013<sup>1</sup>

The number of projects between Belarus, Lithuania and Latvia for period 2011 – 2013 is 57 projects (see: Fig. 2). There is a positive progression of the number of projects of cross border cooperation between Belarus, Lithuania and Latvia, for example in 2011 was 14 projects, but in 2013 the number of projects was 27.

### 5.2. The number of cross – border projects in Latvia's – Belarus borderland (in border counties)



<sup>1</sup> European Neighbourhood and Partnership Instrument 2007-2013 Cross Border Cooperation Programme Latvia – Lithuania – Belarus, Projects by Priority and Measure, 2016, Available at: <http://www.enpi-cbc.eu/go.php/eng/projects/659/2/179> (Conducted on 27.02.2016).

Figure 4: The number of cross – border projects in Latvia's – Belarus borderland (in border counties). The map is made by Janis Balodis using spatial data from geographical information data, which produced by Latvian Geospatial Data Agency.

Cross – border cooperation projects is not understand only from it's geographical meaning of cross – border regions. That also shows, that the majority of cross – border projects are not done in the borderland between Belarus and Latvia (see: Fig. 4). The institutions and responsible authorities in the borderland are more dependent from central administrative authorities – 1) regional government and 2) central government of county. The dynamics of cross – border projects in borderlands is hard to evaluate, because there is only data for the period 2007 – 2013. The cross - border projects for the period 2014 – 2020 is not finished yet.

## **6. Cross border cooperation and integration at municipal level between Latvia and Belarus proof's a local integration in a local scale**

Cross border cooperation and integration at municipal level between Latvia and Belarus are organized by cross border cooperation programs and interstate cooperation in trade, economics and environment. It is also related for rural level between Belarus and Latvia.

In this chapter will be explained how two cross – border cities like Daugavpils (Latvia) and Vitebsk (Belarus) cooperates between each other. The next level at rural level, two villages – Druya (Belarus) and Piedruja (Latvia).

### **6.1. The cross border cooperation in the municipal level, like the cooperation between Daugavpils and Vitebsk**

Table 2: **Social geographical indicator comparison between Daugavpils and Vitebsk<sup>1</sup>**

Indicator	Daugavpils	Vitebsk
Population (2015)	96,818	366,299
Population density	1,300/km <sup>2</sup>	2,900/km <sup>2</sup>
Area (km <sup>2</sup> )	72.48 km <sup>2</sup>	124.54 km <sup>2</sup>
Ethnical diversity (Latvians/Belarusians/%)	7.4% - Belarusians 18% - Belarusians	90% - Belarusians 1% - Latvians

The border as a part of cross – border cooperation provides two dimensions: "1) geographical location and product innovation"<sup>2</sup>.

The cross border cooperation in the municipal level shows cooperation linkage in a macro and micro level (see: Tab. 2). A macro level cooperation of cross border cooperation in the municipal level means, that a urban spaces (towns) cooperates between each other. Usually these cities are characterized in two terms: 1) border towns and 2) divided cities. For example cross border cooperation between Gorlitz (Germany) and Zgorzelec (Poland). A micro level cooperation is between of cross border cooperation in the municipal level means that urban districts cooperate between each other. For example, here as an example could be cross border cooperation between Vitorazska district between Gmund (Austria) and Česke Velenice (Czech Republic/Czechia).

But in Daugavpils and Vitebsk case, cross –border cooperation is not understand as a cross – border cooperation between Daugavpils and Vitebsk shows historical, geographical, economic (development) dimension of cross border cooperation or even partnership between Daugavpils and :

Historical dimension - Daugavpils and Vitebsk historically were located in one administrative unit – called Vitebsk governorate.

Geographical dimension - both cities are crossed by Daugava river. Also Daugavpils and Vitebsk are located on the highlands and the river valleys.

Economic (development) dimension – bilateral economic cooperation is organized between Latgale Planning region and Vitebsk region.

<sup>1</sup> Gunta Šustere, Latvijas ģeogrāfija 9. klasei. Mācību grāmata, Rīga, Zvaigzne ABC, 2011, p. 62.

<sup>2</sup> Kirk S. Bowman, "The U.S. – Mexican Border as Locator of Innovation and Vice", in: P. Gangster and D.E. Lorey (ed., *Borders and Border Politics in a Globalizing World*, SR Books, Lanham and Boulder, 2005, pp. 269 – 284.

Identity dimension is different from historical and geographical dimensions, because identity is related with behavioural geography. Alberto Gasparini talking about culture in the border towns, says: "The culture pervading the border town is founded on a basic ambiguity: on one hand it gives the border area and town is a feeling of marginality with respect to the state system"<sup>1</sup>.

## **7. Cross border cooperation and cultural integration and identity between Latvia and Belarus**

Cross border cooperation and cultural integration and identity between Latvia and Belarus shows, how important is a unique identity for borderlands and cross – border relationships.

In this chapter will be explained a historical interlink between urban and rural places in Latvia's – Belarus borderland. This is versus for cultural geographical analysis for instance, how languages like Latvian and Belarusian. Ethnicities and religion are also two components, which are relevant for cross border culture.

### **7.1. Historical – cultural identity of cross – border cooperation between Latvia and Belarus**

A borderland is one of the changeable "territorial items" in Belarus. Andrew Savchenko says, that: "In Belarus, borderland is not an abstract category"<sup>2</sup>. The borderlands of Belarus means a 'multicultural border, where are Slavic, Baltic and as well Jewish interaction were represented'<sup>3</sup>.

Table 3: James V. Wertsch's Voices of Collective Remembering<sup>4</sup>

History	Collective Memory
"Objective" <sup>5</sup>	"Subjective" <sup>6</sup>
"Distanced from any particular perspective" <sup>7</sup>	"Single committed perspective" <sup>8</sup>
"Reflects no particular social framework" <sup>9</sup>	"Reflects a particular group's social framework" <sup>10</sup>
"Critical, reflective stance" <sup>11</sup>	"Unself – conscious" <sup>12</sup>
"Recognises ambiguity" <sup>13</sup>	"Impatient with ambiguity about motives and the interpretation of events" <sup>14</sup>
"Focus on transformation" <sup>15</sup>	"Focus on stable, unchanging group essence" <sup>16</sup>
"Focus on historicity" <sup>17</sup>	"Details of "pastness" of events" <sup>18</sup>
"Differentiates the past from the present" <sup>19</sup>	"Links the past with the present" <sup>20</sup>

<sup>1</sup> Alberto Gasparini, "Belonging and Identity in the European Border Towns: Self-Centered Borders, Hetero-Centered Borders", in: *Journal of Borderlands Studies*, Vol. 29, No. 2, 2014, pp. 165 - 201.

<sup>2</sup> Andrew Savchenko, *Belarus – A Perpetual Borderland*. Leiden, Boston, Brill, 2009, p. 1.

<sup>3</sup> Andrew Wilson, *Belarus The Last European Dictatorship*, New Haven and London, Yale University Press, 2011, p. 11.

<sup>4</sup> Paul Holtom, *From Königsberg to Kaliningrad: A Journey through the Politics and History and Memory*, in: Eero Medjainen and Olaf Mertelsmann, *Border Changes in 20<sup>th</sup> Century Europe*, Lit Verlag Dr. W. Hopf, Berlin, 2010, pp. 271 – 296.

<sup>5</sup> Ibid, p. 273.

<sup>6</sup> Ibid, p. 273.

<sup>7</sup> Ibid, p. 273.

<sup>8</sup> Ibid, p. 273.

<sup>9</sup> Ibid, p. 273.

<sup>10</sup> Ibid, p. 273.

<sup>11</sup> Ibid, p. 274.

<sup>12</sup> Ibid, p. 274.

<sup>13</sup> Ibid, p. 274.

<sup>14</sup> Ibid, p. 274.

<sup>15</sup> Ibid, p. 274.

<sup>16</sup> Ibid, p. 274.

<sup>17</sup> Ibid, p. 274.

<sup>18</sup> Ibid, p. 274.

<sup>19</sup> Ibid, p. 274.

<sup>20</sup> Ibid, p. 274.



"View s past events as taking place "then and not now"" <sup>1</sup>	"Ahistorical, antihistorical"" <sup>2</sup>
"Historical voice"" <sup>3</sup>	"Commemorative voice"" <sup>4</sup>
"Museum as form"" <sup>5</sup>	"Museum as temple"" <sup>6</sup>
"Disagreement, change, and controversy as part of ongoing historical"" <sup>7</sup>	"Unquestionable heroic narratives"" <sup>8</sup>

Paul Holtom is arguing, that collective membering is related with the history and a collective memory. There are various factors of how collective membering is described for geographical borders and borderlands. Factors like 1) objective, 2) distanced from any particular perspective and 3) critical and reflective stance are transformed to equality (see: Tab. 3). On the other hand for history, the factors are transformed from collective memory, like 1) subjective, 2) single committed perspective and 3) reflects a particular group's social framework. Subjective approach in history means that cross border phenomena is interpreted from a personal perspective and there is no relevance of cross border cooperation as a process of spatial mental interaction.

Historical – cultural identity of cross – border cooperation between Latvia and Belarus brings:  
Memory;

"Borders exist everywhere, between life and death, between the believer and atheist, between the dweller and the neighbour and continue between the void and the fullness"<sup>9</sup>, mentioned Anjuman Ara Begum. Borderlands between Latvia and Belarus are those territories, where during the Second World war were the most important battles between Nazi Germany and Soviet Union.

Cultural diversity;  
Multicultural region;

The relations between historical and cultural identity at the borderland is transforming to materiality. Karri Kiiskinen says, that "The national and the EU border have mutual benefits when it comes to strategies of presenting cultural diversity. The ideas of a "multicultural region" suggest European values and these seem to be layered in the material heritage of the borderland"<sup>10</sup>. Cross – border cooperation among multicultural Latvia's – Belarus borderland

Cross – border cooperation provides also opportunities, for instance 'as spaces of connections, interdependencies and inter-regional cooperation"<sup>11</sup>.

## Conclusions

The research question of master thesis is: "How cross – border cooperation can influence the integration and cooperation between Latvia and Belarus".

Cross – border cooperation as the tool of European integration is 1) dynamic, 2) complicated and 3) diverse. Cross border cooperation as the form of territorial cooperation is important for territorial integration. Institutions, common values, cooperation, synergy, unity and geographical space are elements for cross border cooperation.

Five possible hypothesis were analysed in this master thesis -1) Political integration between Latvia and Belarus provides closer cross – border cooperation between both countries. The cross – border cooperation builds a stronger intergovernmental cooperation between Latvia and Belarus, which is realized by the European Neighbourhood Policy

<sup>1</sup> Ibid, p. 274.

<sup>2</sup> Ibid, p. 274.

<sup>3</sup> Ibid, p. 274.

<sup>4</sup> Ibid, p. 274.

<sup>5</sup> Ibid, p. 274.

<sup>6</sup> Ibid, p. 274.

<sup>7</sup> Ibid, p. 274.

<sup>8</sup> Ibid, p. 274.

<sup>9</sup> Anjuman Ara Begum, "Women and the Heart of the Barbed Wire", in: *Journal of Borderlands Studies*, Vol. 27, No. 1, 2012, pp. 73 – 82.

<sup>10</sup> Karri Kiiskinen, "Cultural Cooperation or Incorporation: Recollecting and Presenting Borderland Materiality at the External Border of the European Union", in: *Journal of Borderlands Studies*, Vol. 27, No. 3, 2012, pp. 315 – 329.

<sup>11</sup> Filippo Celata, Raffaella Coletti. "Discourses and narratives of cross border cooperation and regionalism in the European Union", Draft paper, 2012, pp. 1 – 12.

Instrument, 2) The integrity between cross border projects in Latvia and Belarus, shows how both countries cooperates for economic, social affairs and combating against illegal immigration. A part of the bilateral cooperation between Latvia and Belarus, the cross border cooperation has been looking as the tool, how to promote the cooperation in business, culture, education, environmental protection and tourism between Latvia and Belarus, 3) Cross border cooperation and integration at municipal level between Latvia and Belarus proofs local integration in local scale. The cross border cooperation at the municipal level, like the cooperation between Daugavpils and Vitebsk shows oriented cooperation policy, 4) Cross border cooperation stimulates cultural integration between Latvia and Belarus. borderland between Latvia and Belarus is territory with it's own identity and culture and 5) There is existing institutional barriers between the integrity and cross – border cooperation. An institutional and organizational barriers for cross – border coopearation are significant problem cross border cooperation between Latvia and Belarus.

The cross – border cooperation builds a stronger intergovernmental cooperation between Latvia and Belarus has been proofed by following arguments. The cross border cooperation between Belarus and Latvia is organized as a cooperation for fields, like 1) economic development, 2) tourism, 3) trade, 4) environmental protection, 5) border security and 6) an intergovernmental cooperation. Mutual interests and common political – economic values bring together both countries and cross – border cooperation is looking as the solutions, how European integration works in practice. the European Neighbourhood Policy Instrument (The ENPI) is an good example how cross border cooperation programmes could integrate territories by a different level of economic development and sustainability of political regime. The number of projects between Belarus, Lithuania and Latvia for period 2011 – 2013 is 57 projects. There is a positive progression of the number of projects of cross border cooperation between Belarus, Lithuania and Latvia, for example in 2011 was 14 projects, but in 2013 the number of projects was 27. This shows, how cross – border projects are important for European integration phenomena in Belarus and Latvia's case.

Cross – border governance between Latvia and Belarus includes 1) multilevel governance, 2) trans border issues, 3) regional development and 4) governance research (which governance type for cross border cooperation is the best, for example good governance).

A part of the bilateral cooperation between Latvia and Belarus, the cross border cooperation has been looking as the tool, how to promote the cooperation in business, which is proofed in this research by three aspects 1) interstate aid policy for starting business, 2) Latvian – Belarusian business chamber and 3) business development policies from regional development institutions, for example an administration of Latgale Planning region (Latvia).

Cross border cooperation between Daugavpils and Vitebsk shows three dimensions, how urban entities like state significance cities like Daugavpils and Vitebsk cooperates between each other, using cross border cooperation approach. These dimensions are 1) historical, 2) economic and 4) geographical dimensions.

The borderland between Latvia and Belarus is territory with it's own identity and culture has been proofed by theoretical proof and practical field work in the research area.

In this research was used to elaborate cross border paradigms – 1) realistic, 2) transnational and 3) global.

A cross border identity was proofed by using cross border values. These values are 1) European added value, 2) political added value, 3) institutional added value, 4) socio - economic added value and 5) socio - cultural added value.

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## Policy Discourse on Marginalised Youth in Albania: The Constraints of the 'Normalisation' and 'Integration' Policy Approaches for Inclusive Education

PhD Cand. Blerjana Bino

### Abstract

The paper addresses the complex phenomenon of marginalised youth and particularly children in street situation in the Albanian contemporary society. Through a qualitative methodology of critical discourse analysis, the paper investigates the most relevant policy documents on inclusive education for marginalised youth in Albania. The paper is interested in exploring the conceptualisation of marginalised youth, specifically children in street situation, as embedded in policy documents, action plans and intervention programmes for inclusive education. The intention here is to discover the explicit and implicit themes of the policy discourse on marginalised youth in Albania and the how it impacts the approaches adopted by the government to address the phenomenon. The critical discourse analysis on policy framework shows that the discourse on marginalised youth in the public sphere (re)produces and reinforces already existing aspects of social deprivation, marginalization and discrimination. The research shows that there are limited efforts to elaborate the concepts of 'marginalised youth' and 'children in street situation' and that there is confusion in policy regarding the use of the terms. In addition, children in street situation are seen either as victims of socio-economic hardship and endangered by their presence in the spaces of the 'street' or as a possible threat to the rest of the society, i.e. the street criminalises children. The research shows two main policy approaches: (i) correctional or repressive-oriented policy approach that conceives 'street children' as a danger to public order whose features differentiate from mainstream childhood and as such invites intervention programmes that tend to 'normalise' children; (ii) protective or rehabilitative policy approaches, i.e. emphasising children needs and aiming at protecting and re-integrating them in family and mainstream society. The paper takes a critical stance on the current policy discourse and the consequent policy approaches of 'normalisation' and 'integration' and argues for a reconceptualization of children in street situation as social actors based on the notion of childhood as socially constructed. It is thus necessary to link research on the socialisation processes, identity construction and resilience of marginalised youth in the spaces of the street based on their dynamic lifestyles and perspectives with policy development. \*

**Keywords:** Policy Discourse Marginalised Youth Albania Constraints 'Normalisation' 'Integration' Policy Approaches Inclusive Education

### Introduction

This article addresses the complex phenomenon of 'street children' in Albania. 'Street children' face multifaceted deprivation, social, economic, cultural and political exclusion, negative public perceptions and as such are placed at the outer margins of the mainstream society. While 'street children' have been the centre of intensive research at the level of practice and policy, there is relatively isolated systematic research on street children in the academic sphere. Research on 'street children' in Albania has mainly focused on the success and failures of interventions, programmes and strategies designed and implemented by certain governmental and non-governmental organizations. The phenomenon has been seen mostly in terms of social inequalities, human trafficking, economic deprivation, causes of the phenomenon and consequences for child development and society at large. While all these studies are crucial to addressing the phenomenon, they fall short of taking into account 'street children' as active agents in social and identity constructions, the dynamics of

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\* The paper draws from the findings of a research project conducted by the author and supported by the Fellowship Programme of the Open Society Foundation for Albania. The project investigated the intervention programmes designed and developed by the governmental and non-governmental organizations in Albania for the inclusion of street children in education. The methods applied: document analysis and in-depth interviews. The full research project is in publication processes by the OSFA.

the social organization of their lives within the spaces of the street, the complexities of their lifestyles and diversity of their profiles and their 'street identities'. The purpose of this article is to critically analyse the conceptual framework on 'street children' as embedded in the intervention programmes of governmental organisations in Albania in various policy areas such as inclusive education.

This article conceives childhood as a process that is socially constructed and thus it depends on culture, political and historical contexts. In this sense it is the social space that determines how childhood is lived through. It is necessary to appreciate that 'street children' do not form a homogeneous, clearly defined social category; rather they constitute an entity with diverse profiles and complex lifestyles which depend upon dynamic contexts. Drawing from the findings of a regional research project on 'street children' in the Western Balkans [1], the article suggests a need for a re-conceptualisation of 'street children' as agents or capable social actors with their own rights and freedoms and as such 'street children' need to be brought from the margins into the focus of policy-making processes and research.

### **The fluidity of the concept of 'street children'**

The first international legal initiative regarding the rights of the child was the UN Declaration of the Rights of the Child in 1959 and in November 1989 the UN General Assembly approved the UN Convention on the Rights of the Child, setting out the concept of the Child, rights and entitlements as well as envisaging the role of families and the government [2]. Given that childhood is socially constructed [3] and the concept of childhood varies across cultures, local contexts and time [4], the power relations concerning the discussion on the best interests of the child is of extremely relevant. The Convention places children at the centre of policy making and as such the government is required to take into account the impact of each policy on children. This entails active consultation with and participation by children in policy-making processes. The Albanian Government has introduced legislation, policies and intervention programmes that draw from the UN Convention on the Rights of the Child. The adoption and ratification of the UN Convention on the Rights of the Child and its successful enforcement are two different things and despite the good intent, the phenomenon of 'street children' is still persistent in the Albania contemporary society.

The concept of 'street children' as defined by the United Nations refers not only to homeless children, but to children who might be working on the street, school drop outs and extremely poor children. This concept has been criticized since it constructs negative perceptions on children and lacks attention to the interrelations amongst various dimensions of the street children phenomenon [5]. The most commonly used definition is that of the United Nations Children's Fund. UNICEF categorizes street children into children 'on the street' and children 'of the street'. The former maintain family connections but receive inadequate family support, whereas the latter live without family support and spend day and night on the street [3].

This definition categorizes street children based on family connection and intensity of involvement on the street, but it is oversimplified and fails to envisage the complex relations that children have with family and other actors. The definition on street children as proposed by UNICEF and taken by other international organisations is not just a description of a social phenomenon, it is a dominant discourse, socially constructed and employed by UN and UNICEF and other international organisations, to raise awareness regarding the phenomenon of street children and to legitimise their actions and programmes [4]. This discourse has significant implications for 'street children' as it constructs a picture of children and their families as lacking the values of the dominant society and thus reinforces their exclusion and marginalisation. It is widely recognised that children and particularly 'street children' constitute a heterogeneous group and it is very difficult to provide a comprehensive definition, thus we need to accept the fluidity of the term [3] [4].

### **'Street children' as social actors and inclusive education policy in Albania**

The way 'street children' are conceptualised impacts the type of policy and intervention programme being implemented. In addition, the wider policy landscape in a given context, i.e. national strategies on marginalised groups, juvenile justice system and social welfare, including education, housing and health impact concrete action plans to address the 'street children' phenomenon. A recently conducted research project [6] demonstrates that the discourse on 'street children' in the public sphere (re)produces and reinforces already existing aspects of social deprivation, marginalization and discrimination of these children and their families. The complex phenomenon of 'street children' is principally covered within the framework of human rights and children rights legislation and public policy such as social inclusion, health policy, educational policy and protection of children programmes. National legislation is in line with international legal framework on human rights. Concrete intervention programmes for 'street children' are mainly the initiatives of non-governmental organisations in partnership with local actors.

The research demonstrates that 'street children' is understood as a socially constructed category that, in practice, does not constitute a homogeneous population, making the term difficult to use for research, policymaking and intervention design. Terminology has continued to evolve to recognize children as social actors whose lives are not circumscribed by the street. Human Rights Council resolution 16/12 refers to children working and/or living on the street, and the Committee on the Rights of the Child has adopted the term "children in street situations". However, the research shows that there are limited efforts to elaborate the concept of 'street children' and that there is confusion in policy regarding the use of the term. In addition, 'street children' are seen either as victims of socio-economic hardship and endangered by their presence in the spaces of the 'street' or as a possible threat to the rest of the society, i.e. the street criminalises children.

The research shows two main policy approaches: (i) correctional or repressive-oriented policy approach that conceives 'street children' as a danger to public order whose features differentiate from mainstream childhood and as such invites intervention programmes that tend to 'normalise' children as in the case of the National Strategy for Improving the Living Conditions of Roma community in Albania; (ii) protective or rehabilitative policy approaches, i.e. emphasising children needs and aiming at protecting and re-integrating them in family and mainstream society as demonstrated in the National Strategy for Children in Albania. Recent intervention programmes from non-governmental organisations draw from the conceptualisation of children as social actors and attempt to include children in research and development of intervention programmes.

In this regard the socialisation processes and the ways in which children in street situation identify themselves is particularly relevant. For instance, despite the negative connotations of the terms 'street children', research [7] shows that children use it with pride and that they are proud of themselves in that they help their families and peers while working. Children in the spaces of the street demonstrate complex and diverse profiles; males predominate among 'street children', although females are also represented. They fear authorities and being arrested or getting sick. They have a positive image of themselves and are able to communicate their plans for the future, for instance they express their wish to go to school, but then the drop-out rates are very high. Rather than getting knowledge and acquiring skills through formal education, they demonstrate remarkable numeracy skills, communication competencies and negotiating skills which have been acquired through non-formal education and their struggles in the spaces of the street.

Taking their complex and diverse profiles into account, recent intervention programmes from non-governmental organisations in Albania draw from the conceptualisation of children as social actors and attempt to include children in research and development of intervention programmes. This paper suggests that there is a need to link research on the socialisation processes, identity construction and resilience of 'street children' in the spaces of the street based on their dynamic lifestyles and perspectives with policy development. This entails a deconstruction of the limits of discourse on 'street children' and an in-depth and critical analysis of the concept of 'street children' in policy development as well as a conceptualisation of children based on their rights.

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## Are We Ready to Pilot a New Test Format for English Language Matura Exam?

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### Abstract

Much of the debate about school improvement and raising of educational standards in Albania revolves around the issue of providing external standard tests which cannot allow students to be discriminated but allowed to receive equal opportunity to be assessed professionally in varying areas of English language. Being part of the National Agency of Exams, and part of standard testing service staff, it is obvious that taking the new challenges that education system is facing in consideration would be indispensable. The questions discussed are: *What is to be changed; Based on what; What new features should the State Matura Exams (the foreign languages exams) have in Albania; Are the teachers and students prepared for this?* This research paper will be focused on answering such questions and giving a clearer view on what has happened and what will happen with Matura Exams in Albania, especially with English Language Test. The aim of this paper is to see whatever has been applied and will be applied in future in State Matura Exams (external national standard assessment) based on concrete evidence.

**Keywords:** Albania Pilot New Test Format English Language Matura Exam

### Introduction

How did State Matura Exams start in Albania? (*The political aspect*)

State Matura represents not only an important element of the educational system reformation, but it has urged and laid down positively the reformation of some other links of the system, their harmonization to ensure quality and high standards as permanent objective of the education.

Which were the factors that urged and accelerated the reform of State Matura?

The results of the entrance examinations for universities lost the reliability, because in many cases they didn't correspond to the level of the acquired knowledge in high school.

The well known and unacceptable situations of letting out the secret and the test trade years ago were the top of the iceberg of the corruption size which had spread into some academic institutions, which had shaken their integrity.

Such a corruptive climate favored the informal business of tutoring private unlicensed courses and which did not pay taxes, from the professors known for the preparation of the university entrance exams.

The internal assessment, without denying the honest and devoted work of the most of the Albanian teachers, did not respond to the results of the inspecting, and sometimes, it represented some conflict of interests between the teachers and their evaluation (grades).

State Matura didn't express directly the government's responsibility and commitment, the veracity of the evaluation of the results of our educational service, creating in this way an equalizing system of evaluation which didn't take in consideration the differences of the schools' levels and the differences between different regions of the country.

All above mentioned, and the lack of the transparency shook the confidence of the public and the tax-payers not only to the educational system, but to the whole system itself.

Right for this reason, the creation and the application of State Matura represented a major and big step to stop the crisis and to get out of it; it helped to regain the public's confidence to the system based in work and merits.



State Matura Exams represented a system of examinations (2 plus 2) which means two compulsory exams and two optional ones. They were performed in written form to avoid the subjectivism in evaluation as much as possible.

For the first time in the system of examination, were applied optional examinations, in the form of a group of subjects that allow each candidate to make his own choice to continue the university based on his wishes, vocations and the gained grades.

The external assessment was the core of the novelties and the reform of State Matura which represented an objective assessment was central and impartial which expelled the conflict of interests and corruptive tendencies.

Though State Matura in its gist was a system of examinations with external assessment, it didn't expel, but included the school evaluation which is an average synthesis of all the results during all the school years of the high school and this one forms 20% of the general evaluation, and its specific weigh could grow with the consolidation of the system.

State Matura 2006-2010 was enriched with "Merit-Preference" element for a better connection of the offer with the level of each student preparation, so to avoid the endless turns of registrations in preceding Matura Exams that let the doors open to the corruption.

The optional exams included five foreign languages (English, French, German, Spanish, and Italian).

To design tests for these languages, tests specialists have been based on National Curriculum for foreign languages and on the Framework of the European Languages. The priority of our government has been decisive to make English language an official language, so its weight in schools programs has been the same with that of compulsory subjects such as Albanian language and literature and Mathematics.

It hasn't been easy to design standard tests for different types of schools and students levels. The level of teaching English differs from a region to another one. It depends on the qualifications the teachers of English language have.

Since 2006, State Matura Exams in Albania have been applied in different formats. (*The technical aspect*)

*In 2006-2007*, all tests (Albanian Language and Literature, Mathematics, English language, and other subjects such as Physics, Biology, History, etc) were multiple-choice format (50 questions - 50 points)

*In 2007-2008* was kept the same test format; 50 multiple-choice questions - 50 points.

*In 2008-2009*, the Ministry of Education in collaboration with the National Agency of Exams decided to change the format of the National Matura Exams. Open-ended questions would be included in the tests too. That was seen as a better way to really diagnose students' proficiency level in reading and writing; because the previous format resulted as not reliable because of a great number of students punished for cheating during the test-taking. So, this was a good way to reduce the possibility to cheat. The test contained 10 items of multiple-choice format (10 points) and 10 open-ended ones (30 points).

There were 40 points in total, not 50 as in the previous Matura Exams.

What changed?

A better test administration

More reliable test results

The psychometric analysis showed that some open-ended in Reading Comprehension were not practiced at schools at the level they had to. So, teachers got their message: they had to treat such questions (critical thinking questions) more seriously and thoroughly. This issue had a profound effect on the training needs of in-service teachers.

The changes resulted necessary, but at the same time costly. NAE engaged 60 -100 teachers to be a part of test correction procedures; while in previous Matura Exams they were corrected automatically.

Tests specialists needed to be trained on construction of open-ended questions and their scoring.

*From 2010-2013*, except English language and French language which were the only ones to be tested on Matura Exams (optional exams), other foreign languages were included in National Matura Exams (optional exams), German, Italian, Spanish, Greek, and Turkish languages were included too. The table below shows some important aspects of National Matura Exams in foreign languages, in Albania.

### *National Exams (optional exams) during 2010-2013*

#### *Foreign Languages Exams*

Language	School year 2010-2011			School year 2011-2012			School year 2012-2013		
	Nr. of participants in the test	The average grade	Nr. of students who failed	Nr. of participants in the test	The average grade	Nr. of students who failed	Nr. of participants in the test	The average grade	Nr. of students who failed
English	10453	7.07	24	12080	7.1	78	13673	7.2	132
French	112	7.4	0	404	7.3	5	378	7.6	2
Italian	1344	6.9	6	1381	7.6	6	1690	7.5	21
German	62	7.3	0	71	7.9	1	138	7.9	4

*Note: The Passing grade is 5; 10 is the highest. The other languages are not included in the table because of the minimal number of students who has taken these tests.*

#### **Some facts on English Language Test as compulsory and optional tests in Matura Exams from 2006-2014**

*In State Matura 2006*, the English Language Test contained 20 questions (20 points) on reading comprehension, 25 questions (25 points) on Grammar and Vocabulary, and 5 questions on Writing. English Language Test was an optional test at Level B1 (CEFR).

*In State Matura 2007-2010*, the English Language Test contained 9 questions of multiple-choice and open-ended format on reading comprehension which carried 16 points; 10 questions of multiple-choice and open-ended format on grammar and vocabulary, which carried 18 points and 1 question on Writing. English Language Test was an optional test at Level B1 (CEFR).

*In State Matura 2011-2013*, English language started to be treated in two tests:

*English Language as a first language* (a test which had to be chosen by students that had English language as a first foreign language in their schools);

Its format was kept the same as the previous one;

20 items

10 items of multiple-choice format - 10 points

10 items of open-ended format – 30 points

3 sections (reading comprehension / use of language / writing)

Level B1-B2 (CEFR)

*English Language as a second language* (a test which had to be chosen by students that had English language as a second foreign language in their schools)

Its format was kept the same as the previous one;

20 items

10 items of multiple-choice format - 10 points

10 items of open-ended format – 30 points

3 sections (reading comprehension / use of language / writing)

Level A2-B1 (CEFR)

*In State Matura 2014-2015*, English language was set for the first time as a compulsory exam, the same as Albanian language and literature and Mathematics; at the same time it was an optional exam with another difficulty level.

Item bank was completely rebuilt. The agency asked collaboration by English Testing specialists, and it really had very good results. Tests were accepted by most of students and teachers very well. Tests results were better than the previous years ones.

*English language as a compulsory exam*

Its format changed

25 items

12 items of multiple-choice format - 10 points

13 items of open-ended format – 40 points

3 sections (reading comprehension / use of language / writing)

Level A2 (CEFR)

*English language as an optional exam*

Its format was kept the same as the previous one;

20 items

10 items of multiple-choice format - 10 points

10 items of open-ended format – 30 points

3 sections (reading comprehension / use of language / writing)

Level B2 (CEFR)

**Some important issues that English Language and other foreign languages are facing;**

**Language aspects that have resulted problematic in these tests during the years**

Being an assessment specialist in this agency for 8 years, and taking part in all procedures of exams preparation, production, administration, correction, etc, has helped me to have a continuous and clear mirror of problems related with all procedures above-mentioned.

As far as this paper is focused with problems of assessment in English language, here are some issues related with teaching, learning and assessment of English language in Albania.

The first thing which is quite a problem is that examination reform has to be integrated with other reforms in curricula and teacher training as well. Curricula are well-integrated with assessment, but teacher training is not uniform all over the country. Well-trained teachers are concentrated in big cities, while in the other sub-urban areas; the training reform is nearly inexistent. This creates a gap to complete a regular circle: curricula – teacher training – students' preparation - assessment. This leads to a different students' preparation for Matura Exams and to different results in final exams.

The non-inclusion of other language skills (listening and speaking) in the final exam leaves an unclear mirror of reality about the level of achievements and performances of students and schools in foreign languages. We cannot have complete "scanning" results without having these important skills included in the tests of foreign languages.

A network of competent item writers, test designers, moderators, and examiners must be created to have a better presentation with foreign language tests in State Matura Exams. This has its price, but it must be done to have good results in this aspect.

Not enough work with reading comprehension is another issue that affects Matura Exams results. What happens? Where are the problems?

The students' results and psychometric analysis of the tests show that one of the weakest points in teaching and learning English language is being not equally focused on every aspect of reading comprehension. The aspects which should be treated more seriously by the teachers and students at school are:

*Vocabulary*

New words are seen by students as a great obstacle to comprehend a text. It is necessary for students to properly comprehend the words or the vocabulary of a written passage in order to be able to decode the message given in the text.

*Ability to memorize*

The students show features of the fact that they cannot recall all the information in the text. They need to hold the information in working memory long enough for the information to be more extensively processed, and often some of them lack it.

### *Students read too little*

They have to be encouraged to read as much as possible from different types of texts. If they don't do so, this will always be an obstacle for students to comprehend well a variety of written texts and have good results in the test.

### *Dealing with scanning details items*

It has been years since we introduced for the first time open-ended items in tests of foreign languages in State Matura Exams. Since then, it is a repeated problem; students' mistake in such items. Maybe the problem is that they don't concentrate too much in the question posed to them. They often give answers expressing their general opinion on what is asked, but not try to find and give details on what is asked. This is an issue that should be treated at schools by teachers carefully. Teachers and students must pay more attention to reading exercises that contain such types of questions.

They do better in grammar items than in vocabulary ones

Much more work needed for vocabulary activities, exercises, quizzes, tests, that will improve students' results in this language aspect.

Cheating still remains an issue

Even these last years (2014-2015), when Ministry of Education and Sports together with its dependent institutions have taken measures for a strict and fair test administration, there have been cases of students punished for cheating. But, to say the truth, the number of students who have cheated in State Matura Exams and punished for it has been reduced significantly compared with previous years.

### **New items formats asked to be applied, so a new test format for foreign languages tests**

What is the existing test format like?

#### **B1 Level Examination**

This examination aims to test candidates on their English language competence at B1 level of the Common European Framework of Reference for Languages (CEFR).

The examination comprises a Reading Section, a Use of Language Section and a Writing Section. Listening and speaking skills are not tested.

The overall descriptors of the B1 level of the CEFR have been used to guide the content and level of the examination. The descriptors are as follows:

Can understand the main points of clear standard input on familiar matters regularly encountered in work, school, leisure, etc.

Can deal with most situations likely to arise whilst travelling in an area where the language is spoken.

Can produce simple connected text on topics, which are familiar, or of personal interest.

Can describe experiences and events, dreams, hopes & ambitions and briefly give reasons and explanations for opinions and plans.

#### **B1 Level Examination (MATURA EXAMS 2014-2015)**

This examination aims to test candidates on their English language competence at B1 level of the Common European Framework of Reference for Languages (CEFR).

The examination comprises a Reading Section, a Use of Language Section and a Writing Section. Listening and speaking skills are not tested.

The overall descriptors of the B1 level of the CEFR have been used to guide the content and level of the examination. The descriptors are as follows:

Can understand the main points of clear standard input on familiar matters regularly encountered in work, school, leisure, etc.

Can deal with most situations likely to arise whilst travelling in an area where the language is spoken.

Can produce simple connected text on topics, which are familiar, or of personal interest.

Can describe experiences and events, dreams, hopes & ambitions and briefly give reasons and explanations for opinions and plans.

### Summary of the format of the B1 Level Examination (Table 1)

Section	Total points	No. of questions	No. of Tasks	Tasks	Format	Description	Points
Reading	20	12	2	Task 1	1 short text 6 questions	Informal email, simple narrative, descriptive or discursive text	1
					Question 1 – multiple choice, 4 answer choices	Tests understanding of the <b>general idea</b> of the text	
					Questions 2-5 – open ended questions	Test understanding a text <b>in detail</b> Candidates should give very short answers	
					Question 6 – multiple choice, 4 answer choices	Tests <b>guessing the meaning</b> of a word or phrase from context	
				Task 2	3 short texts 6 questions	4 short advertisements, notices, descriptions, etc	1
					Question 7 – multiple choice, 4 answer choices	Tests understanding of the <b>general idea</b> of the texts	
					Questions 8-11 – open ended questions	Test ability to find <b>specific information</b> in texts Candidates should give very short answers	
					Question 12 – multiple choice, 4 answer choices	Tests <b>guessing the meaning</b> of a word or phrase from context	
Use of Language	20	12	5	Task 1	Questions 13-17 – multiple choice, 4 answer choices	Each question tests ability to choose the correct <b>grammatical form</b> to complete a gap in a sentence	5
				Task 2	Questions 18-21 – multiple choice, 4 answer choices	Each question tests ability to choose the correct <b>vocabulary item</b> to complete a gap in a sentence	4
				Task 3	Question 22 – cloze	Tests ability to use <b>conversational English</b> , e.g. "Could you tell me..." Question 22 has one short dialogue. Candidates complete a gap in a sentence. No answers are provided.	3
					Question 23 –	Tests ability to choose the appropriate	

				<b>Task 4</b>	choosing the correct option from a list	<b>vocabulary</b> to complete gaps in a dialogue, choosing from a list of 8 options. The dialogue has four gaps.	4
				<b>Task 5</b>	Question 24 – cloze	Tests ability to decide the appropriate word to complete gaps in a text in terms of <b>grammar, vocabulary, and linking words</b> . The text has four gaps. No answers are provided.	4
<b>Writing</b>	10	1	1	<b>Task</b>	Question 25 – writing a short text	Tests ability to <b>write a short text</b> . Candidates choose 1 writing option from a choice of two. Ideas are given to help with writing. The options may be a short email, story or a description. Candidates write 100-125 words.	10

*Some figures on English Language Tests for both years:*

Nr of students (test-takers) in English Language Test, B2 level (CEFR) – 11852;

Average grade – 6,99;

Average points – 23,05 (test carries 40 points in total);

Girls have had a better performance than boys;

Urban regions have performed better than rural ones;

Public schools have performed better than private ones.

*Some issues related to Matura Exams (English Language Test, B2 level (CEFR))*

Difficulties with scanning details items in Reading Comprehension section. Students have problems to read the questions very carefully and attentively; they always give answers giving general information without being concentrated on details. This aspect still remains an issue to be improved.

Prepositional phrases result to be difficult for a considerable number of students, they know when to use the phrase but misuse the preposition; for example:

I was really impressed by his dedication to the project.

### **Made**

His dedication to the project really \_\_\_\_\_ me.

**Key:** His dedication to the project really **made an impression on** me.

Most of the students give answers as follow:

His dedication to the project really **made an impression to** me.

His dedication to the project really **made an impression at** me.

There were just few students who give the correct answer.

The number of the students with spelling mistakes is increasing. This can be explained with teachers' efforts to encourage the speaking aspect of the language more than the other ones.

## Piloting a new format

National Agency of Exams has planned a new format for all exams (compulsory and optional ones).

Foreign languages (English, French, Italian, and German) are to be presented with a try-out test format which includes only reading and writing skills again. The test will carry 70 points in total; 20 multiple choice items which carry 20 points, and 15 open-ended items which carry 35 points. This is a project that will help students and teacher with new item formats which have never been applied before.

The new format will include some of the previous years' item formats, but at the same time will have new ones.

In the following test format, items in *cursive* will be the new ones to be experimented in this try-out test.

**Summary of the format of the B1 Level TRY-OUT Examination (Table 2)**

Section	Total points	Nr. of questions	Nr. of tasks	Question's Format	Description (Content and Purpose)	Points	Testing Time
Reading	25 pts	15	3	1. A short text with 10 multiple choice questions Items (1-10)	Narrative or descriptive text which will test reading for: -Details -General idea -Main idea -Opinion -Guessing the meaning of a word or a phrase -Specific info	10 pts	70 MIN
				2. 3 short advertisements, reviews 2 multiple choice questions and 2 open-ended ones Items (11-14)		8 pts	
				3. A single text (a letter) with 7 gaps which represent 7 missing sentences. (Matching) Item (15)		7 pts	
Use of Language	30 pts	14	5	1. Multiple choice cloze, a text with 8 questions Items (16-23)	They test vocabulary collocations, shades of meaning, phrasal verbs and different phrases	8pts	60 MIN
				2. Gap-fill text with 8 missing words which are given in a list of words Items (24-31)	They test grammar and vocabulary	8pts	
				3. Gap-fill conversation/dialogue with 4 missing words or phrases. Items 32(a/b/c/d)	They test conversational English	4 pts	
				4. Key word transformations Items 33 (a/b/c/d)	They test grammar structures	4pts	
				5. Word formation/gap-fill Items 34 (a/b/c/d/e/f)	They test using the correct gram. form of the words and writing them correctly	6 pts	
Writing	15 pts	1	2	1. Description of experiences, impressions, plans, ambitions; A short story, the content of a favourite book or a film; Writing one's personal opinion	Tests ability to write a short text or a description.	10pts	50 MIN

				on a familiar topic; 35/1 (100-125 words)			
				2. Personal letters, emails, notes that request information on everyday events; An email or a letter to a friend or relative on a certain problem or situation; Filling application forms; A letter to a friend (informal letters) 35/2 (80-100 words)	Tests ability to write a short informal letter, email and an application form.	5pts	

#### *Why this new format?*

This school year (2015-2016), ETS produced tests for our State Matura Exams (English Language Test, B2 level). So, this test will pave the way for the new format we are planning to apply.

The agency with its specialists and collaborators have been trying to include all possible item formats to make students and teachers be prepared for what will come next year.

#### *Are teachers and students prepared for this new test format?*

Nearly all the item formats described at the second table, are items practiced at school. They have worked with these types of questions all the time; maybe they haven't practiced them in tests before, but they have worked several exercises related to grammar, vocabulary, and reading, in which are use such items formats.

So, it is expected that students will do well in this new test format.

#### *What else will change except items' formats?*

One of the biggest complaints students have with the current version of State Matura Exams is that there is not enough time to take two exams in a single day. That will change with the new version of the test; they have to take it as a single one in three hours. They won't have two tests in three hours any more. So, there will be more time per section on the new version, and students will even have double the amount of time to write their essay.

The test of English Language, Level B1, will be designed in a way to no longer use tricks and uncomfortable items to students (eliminating texts related to family problems, crime, drug, racial issues, etc).

The try-out test will evaluate how much improvement can be expected from the change.

The agency will see the Try-out Test results to decide whether the proposed changes will work in the actual environment of interest.

This test will help the test specialists to decide which combinations of changes will have the desired effects on the important measures of quality.

### **Conclusions**

Testing is typically seen as an evaluation of what students have learned, and indeed this is true. After taking the new test format, teachers will pay attention to how students will perform on tests and will use that knowledge to inform their teaching in the future. If many students will fail a particular topic on the test, it may be a sign to spend more time covering that material next time or use a different approach to teaching the materials. Teachers will also learn how individual students perform and what the students' respective strengths and weaknesses are. In turn, teachers can use that information to guide further instruction.

Today's students need to know not only the basic reading and writing skills, but also skills that will allow them to face a world that is continually changing. This is the way the new test format is conceptualized. They must be able to think critically, to analyze, and to make inferences. Changes in the skills base and knowledge our students need require new learning



goals; these new learning goals change the relationship between assessment and instruction and surely need to be reflected at the new test format.

Being an integral part of instruction, assessment determines whether or not the goals of education are being met. That's why this try-out test will be useful; its results will give us answers to such questions:

Are we really testing what we think they have been taught?

Have students learned what they are supposed to have learned?

Is there a way to teach the subject better, thereby promoting better learning?"

#### References:

- [1] All the material is based on my personal practice work at my work place (The National Agency of Examinations). Data and figures are taken from the following public reports published by our agency:
- [2] *Rapote / Matura Shteterore 2008 / A.V.A*
- [3] *Rapote / Matura Shteterore 2009 / A.V.A*
- [4] *Rapote / Matura Shteterore 2010 / A.K.P*
- [5] *Rapote / Matura Shteterore 2011 / A.K.P*
- [6] *Rapote / Matura Shteterore 2012 / A.K.P*
- [7] *Raport Publik / Matura Shteterore 2014 / A.K.P*

#### Notes:

- [1] *A.V.A (Agjencia e Vleresimit te Arritjeve) – The Agency of Assessment of Students Achievement*
- [2] *A.K.P (Agjencia Kombetare e Provimeve)- The National Agency of Examinations*
- [3] *A.V.A is the same as A.K.P (just renamed)*
- [4] *rapote – reports*
- [5] *raport public – public report*
- [6] *Matura Shteterore – State Matura*
- [7] On our agency's website: [akp.gov.al](http://akp.gov.al) you can find only the last report published. The others are just in hardcopy form.

## Mentoring and Career Development of Academics in Colleges of Education in Cross River State Nigeria

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### Abstract

Currently the reasons for mentoring in our career is on the increase as the operational environment is embedded with risk, change, staff competition, unethical career practices, high uncertainty, unfavourable government policy implementation and ignorance of the role of mentors being in control of the weak site. It is grossly required for good mentoring to be in our educational system of rewards and promotion. The study therefore investigates mentoring and career development of academia in colleges of education in Cross River state, Nigeria. A descriptive survey research design was adopted for the study. The population for the study comprised all the 1075 Chief lecturers and young lecturers while multi choice sampling technique was used to sample 570 respondents. One research question and two research hypotheses guided the study. The researcher developed questionnaires tagged 'Mentoring and Career Development for Academia Questionnaire' (MCDAQ). Questionnaire containing 12 items was the instrument for data collection, which was validated by three experts from the University of Calabar, Calabar with total reliability coefficients of 0.82. Mean ratings and standard deviation were used in answering the research questions. While T test was used in testing the hypothesis. The major findings of the study revealed that mentoring is in practices in colleges of education in Cross River state, Nigeria. That there is mentoring relationships among academic staff. The study also revealed that female face more challenges in course mentoring than the male academic

**Keywords:** Mentoring, Career development, Career experience re-orientation, and Career openness

### Introduction

The world today is in a state of flux and there has been an incredible pressure on human resource managers to meet up with the continuous changing environment, most especially as it relates to human resource in academics in colleges of education in Nigeria. The cardinal objective of Colleges of Education in Nigeria is to prepare the will-be teachers in areas of teaching, research, community development. (NCCE, 2015) For the above objective to be achieved the human resource (academia) must be properly harnessed. It is in this light that Spencer, C. (2010) emphasized that the effectiveness of a college or university is directly linked to the quality and vigour of its faculty members. Today's conditions of limited resources and ever-increasing demand for accountability have made the optimum performance of a college a top priority in higher education.

Colleges career development is recognized as an important factor in maintaining colleges vitality (Ugwuanyi, RNC 2011). Career development and advancement are believed to be influenced by a variety of personal characteristics; however, evidence suggests that environmental and organizational factors also play a significant part in the academic career development process (Baugh & Sullivan, 2005). One of such factors is that of mentoring. "Today one can make mention of mentoring in almost every publication aimed at management, administrators, educators, human resource professionals, and the general public" (Okurame, (2006);

Mentoring is a very old concept in a new guise. It can be traced back to Greek mythology when Odysseus entrusted his son Telemachus to the Goddess Athena, who disguised herself in human form as a mentor and old friend of Odysseus. Her function, according to Ezenwa (2011) was to act as a wise counsellor and helper to the youths. Mentoring then became

common practice in the time of the guild and trade apprenticeships when young people, having acquired technical skills, often benefited from the patronage of more experienced and established professional. Most successful people in any walk of life probably have had one or more people over the years who have established particularly a strong influence over their lives and careers.

Mentoring therefore can be seen as a deliberate coupling of a more skilled or experienced one with the agreed-upon goal of having the less experienced person grow and develop specific competencies (Murry and Owen 2002). Also, mentoring according to Olowu A. (2013) connotes an assistance given to an individual in order to enable him/her grow in the profession. In the same vein, Young A. M., Cady, S. and Forum M. I (2006) define mentoring as a relationship which exists between the mentor (principals) and the mentee (subordinates) with the aim of assisting the mentee to cope with a new situation like a new job or a change in personal circumstances or in career development.

Barth R. (2011) defined mentorship as a process of informal transmission of knowledge, social capital and the psychosocial support perceived by the recipient as relevant to work, career, or professional development which entails informal communication, usually face to face and during a sustained period of time, between a person who is perceived to have greater relevant knowledge, wisdom or experience (the mentor) and the person perceived to have less (the mentee). By this definition, mentoring is a process which involves time, helping, personal development and relationship between an expert which in this study is principals in Imo state secondary schools and a neophyte being teachers and vice principals in Imo state secondary schools. The principals in this study as mentors are expected to give their expert knowledge so that their subordinates (vice principals and teachers) will develop their full potentials while in the teaching profession.

It is in this vein that Okurame, (2006), noted that in Colleges of Education or Faculties the Professors or Chief Lecturers are the mentors while the newly employed lecturer ranging from Assistant to about Lecturer II are often subjected to mentorship, he further noted that other ranks of lecturers below the ranks of Professor and Chief Lecturer do it as self profession growth

The pursuit of development by young scholars in the Nigerian academic terrain is not without challenges, fears and anxieties. Indeed, Murray & Owen, (1991) suggests that youthful entrants into the adult workplace encounter a variety of developmental tasks that are effectively facilitated by a good mentor relationship. Mentoring is regarded as one of the best tools for "reducing stress for novice teachers, orientation to curriculum and promoting the creation of better norms of collegiality and collaboration" (Paynes, 2006). It helps in the resolution of challenges and predicaments, making it more likely that an individual attains his career goals and growth. The benefits of mentoring are based on a developmental social learning perspective which posits that behaviour is learned in interaction with others, especially when they serve as models (Dancer, J.A 2003). In this regard, mentoring is especially valuable for the transmission of positive attitudes as mentors provide invaluable information on the mission and philosophies of the organisation, help employees cope with career stress and give proper orientation towards workplace values (Payne, 2006).

In addition, mentoring affords the transfer of skills which protégés can apply in diverse professional circumstances, promotes productive use of knowledge, clarity of goals and roles, career success, career growth, salary increases and promotions, career and job satisfaction (Okurame & Balogun, 2005). Mentoring relationships are also useful even to the senior partner in the union, as it provides an opportunity for them to develop a base for technical support and power which can be readily summoned in the future (Okurame 2002). Being recognised as the mentor of a successful protégé enhances the reputation of the senior academic/partner among his or her peers. Obviously, the positive outcomes of mentoring are capable of fostering a satisfied and 'well-groomed' professional workforce. The corollary of the mentoring relationship can therefore be summed up as the professional development of employees and institutional effectiveness.

However true mentoring is more than just answering occasional questions or providing ad hoc help. It is an on-going relationship of learning, dialogue and challenge. One can deduce from all these definitions above that mentorship is a personal developmental relationship in which a more experienced or more knowledgeable person which in this study are Chief Lecturers, help to guide the less experienced and less knowledgeable person, which who are young or newly employed Lecturers.

This cordial relationship between the mentor and the mentee with the aim of assisting the mentee to grow in the line of business if effectively applied in the school system may yield result that is capable of maintaining effective school administration in Nigeria (Ayodeji, I.O and Adebayo, L. F. 2015). This is because, teaching has always been described as

a multifaceted, and complex task that requires guidance from experience or senior colleagues. Conventional Wisdom among Educators, (2011) outlines the concern that new teachers are poorly introduced to the profession, resulting in a loss of the best and the brightest among these teachers. In other words, mentoring in colleges setting could be likened to maintaining and facilitating professional growth among academia

Therefore, for Colleges of Education to fulfil this mentoring role to their subordinates (assistant's lecturers to lecturer ii), they have to create conditions which promote the growth and development of these subordinates within their colleges or schools. These can be achieved by exposing mentee to instructional leadership. Research work Lecturers could be delegated to duties that promote career growth of mentee (Flath, 2000).

Despite the values underpinning mentoring in academic such as increasing satisfaction and retention rate to members of school organisation, increasing self-confidence, professional growth developing competence, encouraging collaboration and not competition among members of an organization, Colleges of Education in Cross River State Nigeria seems to have ignored mentoring in school administration. Several factors that have been found to account for this ugly state of affairs include, inability of young academia willingness to follow, due to the drive quick riches, their inability to manage personnel and to ensure good school community partnership in schools. Likewise Inability to support subordinates professional growth and inability to mentor subordinates on school discipline by school administrator because of godfatherism have been attributed to be the most critical. The present study therefore explores Mentoring and career development academia in College of Education in Cross River state Nigeria

### **Research Questions**

The following research question was formulated to guide the study

To ascertain if mentoring is in practices in Colleges of Education in Cross River state Nigeria

### **Hypothesis**

**Ho<sub>1</sub>:** There is no significant difference between the mean rating scores of Federal and State Academia to the extent of mentoring relationships among academic Staff.

**Ho<sub>2</sub>:** There is no significant difference between the mean rating scores of male and female lecturers on challenges experienced by protégés in mentoring relationships.

### **Methodology**

The study adopted a descriptive survey design. Descriptive survey design is the plan of study which enables the researcher to collect data from a well-defined population and systematically selected segments of the population in order to determine the attributes of the population. This definition is in line with Bowslsbey J. (2002) who defined descriptive surveys as those studies concerned with collecting data and describing in a systematic manner, the characteristic features or facts about a given population. Thus, the researcher deemed it wise to adopt descriptive survey design in carrying out this research work.

The area of the study is the two public Colleges of Education in Cross River state

The population of this study consists of all the 1075 Chief lecturers and young lecturers in the two colleges of educations in Cross River state.

The sample size for this study consisted of all the 56 Chief Lecturers and 514 young Lecturers. This gave a total number of 570 respondents which was used for the study. The whole population was used for the study because of the manageable size.

The instrument for data collection is researcher developed questionnaire titled 'Mentoring and Career Development for Academia Questionnaire' (MCDAQ). The questionnaire has two sections. Section A deals on personal data of the respondents. Section B contains Twelve (12) items structured on mentoring and career development of academia in collages of education in Cross River State. This was presented on a 4-point Likert type scale of Strongly Agreed (SA) (4 points), Agreed (A) (3 points), Disagreed (D) (2 points), and Strongly Disagreed (SD) (1 point).

The instrument was first validated by three (3) experts: from the Faculty of Education, University of Calabar, Calabar. These experts were requested to review the items in terms of their clarity, the appropriateness of the language and expressions to ensure ambiguity and the relevance of the items to the problem under investigation. The experts made necessary corrections and the corrections were affected by the researchers.

The validated instrument was trial tested with twelve (12) Chief Lecturers and eight (8) Assistant Lecturers from the College of Education Katsina-Ala Benue State, which is not part of the study area to ensure its reliability. To ascertain the internal consistency of the instrument Cronbach's Alpha technique was used for its analysis. Reliability coefficients score of 0.96. The result indicated that the instrument was reliable and therefore considered appropriate for use.

In analyzing the data, mean ( $\bar{X}$ ) and standard deviation (SD) were used to answer the research questions while t test was used to analyse the null hypothesis at 0.05 level of significance. An acceptance level of 2.50 was used for the research questions. Any item with 2.50 levels and above was considered acceptable while any item below 2.50 levels was considered not acceptable.

## Results and Discussion

**Research question 1:** To ascertain if mentoring is in practices in colleges of education in Cross River state, Nigeria.

**Table 1.** Mean Ratings of chief lecturers and other lecturers on the practice of mentoring in colleges of education in cross River state

### Chief Lecturers Other Lecturers

S/NO	ITEM DESCRIPTION	Mean	SD	Decision	Mean	SD	Decision
1	Joint research, publications, teaching and conference/workshop attendance	3.09	0.78	Agreed	3.01	0.70	Agreed
2	Provision of academic leadership by senior members	2.69	0.67	Agreed	4.04	0.72	Agreed
3	Mutual respect and reverence for academic feats, resolve to share resources and experience	3.18	0.75	Agreed	2.60	0.66	Agreed
4	Junior lecturers are attached to chief lecturers	3.15	0.73	Agreed	3.07	0.79	Agreed
5	Branding of mentors as spearheads of cliques and protégés as favoured	2.90	0.65	Agreed	2.98	0.69	Agreed
6	Self-withdrawal of junior members	2.58	0.60	Agreed	3.13	0.77	Agreed
7	Lack of trust	2.82	0.68	Agreed	2.95	0.92	Agreed
8	Chief lecturers Monitoring and supporting the appraisal of young lecturers	3.04	0.65	Agreed	2.64	0.82	Agreed
9	Chief lecturers Appreciate subordinates for a job well done	3.12	0.61	Agreed	2.98	0.93	Agreed
10	Allowing subordinates express their view during staff forum	2.60	0.59	Agreed	2.89	0.65	Agreed
11	Management organizes mentoring for newly employed lecturers (Group mentoring)	3.16	0.76	Agreed	3.09	0.91	Agreed
12	Newly employed lecturers willingly seek advice and guidance from experienced lecturers at any time? (informal mentoring)	2.73	0.62	Agreed	3.18	0.71	Agreed

Based on the data enumerated above, both chief and other lecturers who responded to the twelve (12) questionnaire items, agreed on that mentoring is in practices in Colleges of Education in Cross River State, Nigeria. The mean ratings of Chief Lecturers and other lecturers demonstrated this agreement. The cluster mean of 2.92 and 2.94 were calculated for Chief Lecturers and other lecturers respectively. Overall Standard Deviation of 0.81 and 0.71 were also calculated. This proves their agreement on the existence of mentoring in colleges of education in Cross River state, Nigeria..

## Hypothesis one

**Table 2** There is no significant difference between the mean rating scores of federal and state academia to the extent of mentoring relationships among academic staff.

### Status N Mean SD DF t Sig Dec

Chief I 56 2.68 0.83 568 -2.55 0.01 S

Lecturers 514 2.99 0.87

**Decision Rule:** If the mean is more than 0.05, it implies that the hypothesis is not accepted or is rejected, but if the calculated value is less than or equal to 0.05, it implies that the hypothesis is accepted. Therefore since the T-cal is 2.55 which is greater than the 0.05 level of significance the null hypothesis is not accepted. There is no significant difference between the mean rating scores of federal and state colleges academia on the extent of mentoring relationships among academic staff.

**Table 3** There is no significant difference between the mean rating scores of male and female lecturers on challenges experienced by protégés in mentoring relationships.

### Status N Mean SD DF t Sig Dec

Male 56 3.34 0.69 568 -1.15 0.25 NS

Female 514 3.44 0.64

**Decision Rule:** If the mean is more than 0.05, it implies that the hypothesis is not accepted or is rejected, but if the calculated value is less than or equal to 0.05, it implies that the hypothesis is accepted. Therefore since the T-cal is 1.15 which is greater than the 0.05 level of significance the null hypothesis is not accepted. There is no significant difference between the mean rating scores of male and female academia on the challenges they face.

## Discussion of finding

Through the reactions of the respondents on research question one, it was established that the Colleges of Education in Cross River state practice mentoring as: Joint research, publications, teaching and conference/workshop attendance, Mutual respect and reverence for academic feats, resolve to share resources and experience Junior lecturers are attached to chief lecturers, Chief lecturers Monitoring and supporting the appraisal of young lecturers and Chief lecturers Appreciate subordinates for a job well done

This finding is in consonance with Okurame, (2008) who noted that mentoring has recently been revived in Nigerian universities as there is a growing concern about raising academic standards and a desire for Nigerian universities to compete favourably with their counterparts in other parts of the world.

The result of the test of hypothesis (1) further buttressed this findings because There is no significant difference between the mean rating scores of Federal and State academia to the extent of mentoring relationships among academic staff. The study discovered the fact that there is mentoring relationships among academic staff in both Federal and State Colleges of Education, which significantly affected the professional growth of the academia. This confirms the views of (Kilbung Gary, M. 2002). The only means through which academic members in the faculty could benefit from the relationship is therefore through good mentoring. Faculty administrators who may wish to establish mentor/protégé relationships are therefore confronted with the task of ensuring that these partnerships are not only formed but are effective and satisfying. With reference to second research hypothesis, which seeks to determine if there is no significant difference between the mean rating scores of male and female lecturers on challenges experienced by protégés in mentoring relationships. The findings of hypothesis two revealed that female Lecturers experience challenges on protégés in mentoring relationships which is largely due to female Chief Lecturers. These respondents agreed with the views of (Okurame, 2007) and noted that in the Nigerian setting, male mentors provide low levels of psychosocial functions compared to female mentors. It should not be a surprise that psychosocial functions were low. At the same time, the setting of the present study could be adduced as reasons for the low level of psychosocial functions in identified relationships.

Supporting this views Isiugo-Abanihe U. C (2007) suggests that power disparity in society at large creates a conflict in male mentor-female protege pairs) when the purpose of the relationship is to foster development and achievement that removes the original disparity. Nevertheless, there is an evidence that male mentors had a more positive impact on their female proteges' careers than on their male proteges' careers.

### Conclusion

This study has shown that mentoring plays an important role in the career development of academia in Colleges of Education in Cross River State, Nigeria and that mentoring in these Colleges of Education have some challenges which affect the female folk more.

### Recommendations

Based on the findings of the study, the following recommendations are made:

An enlightenment campaign should be done by the various Management of the Colleges of Education as a criterion for promotion

Newly employed lecturers should willingly seek advice and guidance from experienced lecturers at all time (Informal mentoring) as it boosts their academic development.

Recognise and provide discipline-oriented career counsellors who are other staff and offer up to date information on the benefit of mentoring

Topics relevant to mentorship with professional standard, ethical values balancing career or post doctoral programmes should be introduced as Lecture series in Colleges

Annual seminars on latest employment trends and internship opportunities should be introduced in staff forum activities.

Create an institutional award for a distinguished mentor in annual staff programmes.

Track the progress of mentorship of staff through the provision of information about career experiences of young staff

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## Australian Modernist Theatre and Patrick White's the Ham Funeral (1961 [1947])

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### Abstract

For a considerable period of time, literary Modernism has been mainly associated with the study of the novel and poetry rather than drama perhaps due to New Criticism's emphasis on the text and disregard of performance. This profound anti-theatrical thrust of Modernism has to be, most certainly, re-examined and reassessed, particularly within the context of Australian literature and, more specifically, Australian theatre. That Australian modernist theatre has been inconspicuous on the world stage seems to be an obvious and undisputable statement of facts. Yet, with Patrick White, English-born but Australian-bred 1976 Nobel Prize winner for literature, Australian low-brow uneasy mix of British vaudevilles, farces and Shakespeare, mingled with the local stories of bushranging and convictism, got to a new start. Patrick White's literary output is immense and impressive, particularly in regards to his widely acclaimed and renowned novels; yet, as it seems, his contribution to Australian – least the world – drama is virtually unknown, especially in Europe. The aim of this paper is, therefore, to disclose those modernist elements in Patrick White's play, *The Ham Funeral*, that would argue for the playwright to be counted as one of the world avant-garde modernist dramatists alongside Beckett and Ionesco.

**Keywords:** Modernism, Australian drama, Patrick White, *The Ham Funeral*, anti-consumerism

### INTRODUCTION

#### European and Australian Modernism(s)

What is generally understood by the term Modernism is the movement in the arts, its set of cultural tendencies and associated cultural activities, originally arising from wide-scale and far-reaching changes to Western societies in the late 19th and early 20th centuries. In particular, the development of modern industrialisms and the rapid growth of cities, followed then by the horror of the Great War and also, later, of the II World War, were among the factors that shaped Modernism. Modernism also rejects the lingering certainty of Enlightenment thinking, and many modernists, like Romantics before them, rejected religious belief and God's privileged position in the world.

Typically, the term Modernism encompasses the activities and output of those who felt the traditional forms of arts, architecture, literature and society were becoming out-dated in the new economic, social and political conditions of an emerging fully industrialised world. Ezra Pound's 1934 injunction to "Make it new!" was paradigmatic of the movement's approach towards what it saw as the now obsolete culture of the past. Politically wise, Modernism rejected the idea of nationalisms and ideologies, particularly bourgeois materialism and believed in free exchange of views and attitudes.

A salient characteristic of Modernism is self-consciousness. This self-consciousness often led to experiments with form and an approach that draws attention to the processes and materials used in creating a painting, poem, building, novel, etc. In art, Modernism explicitly rejects the ideology of realism and makes use of the works of the past through the application of reprise, incorporation, rewriting, recapitulation, revision and parody in new forms.

Australian Modernism, however, was different, at least in its initial stage. As the Australian government official website ([australia.gov.au](http://australia.gov.au)) explains,

Modernism first came to Australia in the mid-1910s through migrants, expatriates, exhibitions and publications. The movement spanned five turbulent decades, including global wars, economic depression, technological advance and massive social change. Inspired by early European avant-gardes, the modernist movement affected many forms of arts

and commerce. While modernism was expressed differently in each of these forms, the common thread was a rejection of traditional representations of the world. The focus was on form over content and style over subject matter (Web).

Maintaining a reserved distance to government's official statements, it may, however, be argued that one of the most dominant difference between Australian Modernism and its European counterpart was the time span. While in Europe the Great War and its aftermath may be considered to be Modernism's peak, in Australia the war's atrocities, the lost Gallipoli campaign in particular, seem to have stimulated and propelled the Modernist movement in literature, with the most visible effects shortly after the II World War. Taking their cue from international modernist movements, including the Bauhaus, abstract expressionism and French symbolism, Australian modernists experimented and collaborated across artistic disciplines. Better-known modernist groupings include the contemporary art societies in Melbourne, Sydney and Adelaide; the Arts and Crafts Society; Angry Penguin poets; the Angry Penguin painters, including Arthur Boyd, Sidney Nolan, Max Harris, John Perceval, Albert Tucker and Joy Hester; and the Hill End painters. All of these artists, especially Boyd and Nolan, greatly inspired Patrick White in his artistic path.

It is, therefore, reassuring that, at least in the 21<sup>st</sup> century, an official government body admits that Modernism, particularly Modernist art including drama, was received with open hostility in Australia indulgent in parochial realism of Ned Kelly stories:

However, the unfamiliar language of modern art often met with strong and passionate resistance from Australia's general public and art establishment. Australia's reception to modernism is a complex story of spasmodic cultural transformation led by avant-garde experiments and the creative exchange between modern artists, designers and architects. From reshaping the environment (in particular city living) to affecting body image, social life and ideals about design, its impact has been profound. (Web)

Had it not been for the decision of The Art Council in Melbourne to ban Patrick White's play of 1947, *The Ham Funeral*, it would have made its way to British and European stages in the 1950s to herald the advance of Australian Modernism into the world theatres. It is, predominantly, the relationship between an individual and one's destiny, i.e. death, and, globally, the deaths on massive scale, that pushed Western thinking to extremes to make the intellectuals re-assess the position of the human in the inhuman world, alongside the false ideological thinking of the supposed superiority of one race over the other and middle class over the working class, also true within the Australian context:

To some extent, the spectral figure of white death is a by-product of the worst excesses of a twentieth-century modernity haunted by barbarisms practised in the name of a 'superior' civilization, and by genocides predestined to secure the lasting supremacy of a 'master race'. To say that much post-war literature in the West—and not just the West—emerged out of Hitler's shadow might be too obvious to mention, but it certainly reminds us that many of these writers were actively engaged in an international struggle against modernity's contradictions, a struggle that narrowly nationalistic approaches to literature, Australia's included, have been reluctant to address. Whatever the case, *the two World Wars had more effect on the development of a modern Australian literature than any of the national events of the twentieth century* although, as in other Western countries, it remains moot whether modernism itself was a response to or a reaction against the experienced immensities of global transformation and social/cultural change [emphasis added, RW]. (Huggan 2007: 84)

Australian cultural discourse after II World War, articulated and given prominence by the so-called leftist (or anti-royalist) writers like Patrick White and Susannah Katherine Pritchard, took a clearly anti-realist and anti-nationalist bend and steered towards modernist art. Being aware, however, of Australian idiosyncrasy, White strongly believed that nationalism, as practised in Australia at his time, was a backward force that should be repudiated with all might. Though English by birth but anti-royalist by choice, White looked at British cultural imperialism with suspicion.

### **THE HAM FUNERAL (1947)**

Patrick White's major play, *The Ham Funeral*, was originally written in 1947 but had to wait in the dark for thirteen years before being brought to the public attention by Adelaide Theatre Guild on 15 November 1961. This expressionist drama, highly European in consciousness, was the first of its kind to reach the Australian mainstage: it and the three other plays, *The Season at Sarsaparilla*, *A Cheery Soul* and *Night on Bald Mountain*, which quickly followed paved the way towards a new kind of theatrical imagination which soon began to draw with a new freedom of all forms of poetry, music and the visual arts into the creation of a new kind of indigenous drama.

A generation later a theatre rich in skills and resources has grown to maturity in which the plays of Patrick White have taken their place in the repertoire of the major companies. Patrick White's main interest in his art has always been to uncover a variety of mental states – the deeper states of the mind.

The play starts with a Prologue spoken by the YOUNG MAN who “*is dressed informally, in a fashion which could be about 1919. He is rather pale. His attitude throughout the play is a mixture of the intent and the absent, aggressiveness and diffidence*”:

YOUNG MAN (*yawning, addressing the audience*) I have just woken, it seems. It is about . . . well, the time doesn't matter. The same applies to my origins. It could be that I was born in Birmingham . . . or Brooklyn . . . or Murvillumbah. What is important is that, thanks to a succession of meat pies (the gristle-and-gravy, cardboard kind) and many cups of pink tea, I am *alive!* . . .

The YOUNG MAN then speaks of the play in which he is to take part but his “dilemma in the play is how to take part in the conflict of eels, and survive at the same time.” He also introduces its setting – the house, saying:

Let me remind you of a great, damp, crumbling house in which people are living. Remember? Perhaps you have only dreamt it. Some of the doors of the house have never been seen open. The people whose protection they are intended to ensure can be heard bumping about behind them. Sometimes these characters fry little meals for their temporary comfort. Sometimes it sounds as though they are breaking glass. . . . There are the voices, too. Not only the voices of the walls. There are the voices of the gas-fires, full of advice that we haven't the courage to take. And the mirrors in the deal dressing-tables . . . well, you can never believe *them*. They are living lies, down to the last vein in their eyeballs. So, we turn our backs. But look again. The landlady, you're going to see, spends an awful lot of her time looking again. And I . . . but I know already. I know too much. That is the poet's tragedy. To know too much and never enough. (*Defensive*) You are right in suspecting I can't give you a message. The message always gets torn up. It lies at the bottom of the basket, under the hair, and everything else. Don't suggest we piece it together. I've found the answer is always different. So . . . the most I can do is give you the play, and plays, of course, are only plays. Even the great play of life. Some of you will argue that *that* is real enough . . . (*very quiet and diffident*) . . . but can we be . . . sure? (*Returning to the surface, dry*) Thank you. We'd better begin now.

EXIT *behind the CURTAIN*

The way in which the play starts recalls more familiar British Theatre of Absurd or Angry Young Men movement and shows in Scene One a middle-age couple in what may be termed their domestic chores:

LANDLADY (*laying down the knife, pushing things away from her*) I'm just about sick of peelin' bloody pertaters! Don't yer understand, Will? (*Disgusted*) You wouldn't.

(LANDLORD *looks at her expressionlessly for a moment, then continues to stare and smoke.*)

I'm sick of it! I'm sick. . . .

LANDLORD Why?

LANDLADY Why? Lord, I dunno *why!* (*Yawns and stretches*) Aoooh, naa! (*The relaxes on her chair, momentarily helpless*) I dunno much. Else I wouldn't be sittin' 'ere. Thursday I went to the theayter. It was lovely. A bunch of toffs in satin . . . gassin' about love and nothink. An' when I come out, the rain 'ad stopped, an' the blossom sticky on the chesnut trees. You could smell it, that strong and funny. It nearly bust my 'ead open. . . . (*Angrily, pushing the potato peelings farther away from her*) Then I come 'ome!

(LANDLORD *noisily clears his throat.*)

Yes, that's wot I felt! Twenty years listenin' to the damp, an' the furniture, an' your 'usband's breathin'!

The language the female character is using in the opening scene, as well as others, makes the audience understand the couple's social class and their position in it, and the Aussie accent – basically the imitation of the Cockney of London – is intended to convince the viewers and the readers of the authenticity of the presented scene from the common life of an

average working class urban Australian family, tied of life, fed up with themselves, dissatisfied with the things they do every single day, with their repetitiveness and predictability.

Then, in an infrequent outburst of emotions which most likely stems from the recollection of the theatre spectacle she has viewed, LANDLADY recalls the day the couple met for the first time and, putting her hand on his shoulder, eventually confessed to her husband:

I loved you, Will. Afterwards, I even got up to like yer, and wanted you about. We were two bodies in the bed. I could return to you out of my dreams . . . push against your hot side. You didn't wake ever. But you was solid.

(LANDLORD *grunts and stares*)

(*Withdrawing her hand, angrily*) You were that, all right!

When asked by YOUNG MAN, her lodger, whether she expects much of life, Mrs Lusty (nomen omen) simply answers: "Expect? I don't expect. I take wot turns up" (Act One, Sc. Two). The poet, however, does, but blames himself for his lack of cleverness, which makes him desperate:

It seems that everybody else understands which button to press, which lever to pull, which tablet to take, to achieve the maximum happiness or the required dream. At least, that's what their faces claim. Sometimes I stand in the street and watch them. Then my ignorance begins to choke me. The answer is either tremendously simple, or tremendously involved. But either way, it's something I still fail to grasp. (Act One, Sc. Three)

The YOUNG MAN shows the traits characteristic of majority of the European vanguard theatre heroes of the 1950s and 1960s: he prefers the solitude of his bedroom, lying on the bed and staring at the ceiling, to active social life. He writes poems, majority of which find their way in the basket, and rebels against the world: "I've had my answer! I hold my still, cold poem, stiller and colder than the landlady's dead child." When she repeats "all right" several times, he angrily comments, "Everything's 'all right'. The pity is it's never 'better'," to finish off, saying, "All my life the present moment has just failed to materialize. Completeness is something I sense, but never yet experienced. There is always the separating wall (Act One, Sc. Three).

Landlord, Will Lusty, rarely speaks save the moments of extreme agitation, when, for instance, he spat out a mouthful of bread with dripping and threw the slice back on the plate, hollering, "This stinks! It stinks!" to which his wife's reaction was that of contempt: "It's you, Will. Your bloody mouth's foul with silence" (Act One, Sc. Four). Silence is what she hates most: "All you get is words . . . good, bad, or doubtful. Or else it's silence. (*Shivers*) That's worse (Act One, Sc. Four).

As might be expected of him, Will died without a word, in silence: "E just died, without a word. Even without a fit. (*Holding her face*) Oh, God! Oh, dear! (Act One, Sc. Six) [...] I didn't say good bye to him," which prompted YOUNG MAN to utter White's famous formula, "The truth stops where words begin" (Act One, Sc. Six), and then, "Words are bridges that won't bridge. They break" (Act Two, Sc. Six).

The symbolism of the play, however, does not consist merely in the fact that we have the symbolic characters such as, for instance, YOUNG MAN who is a symbolic child of the couple and who later becomes the lover of the young girl living next to him who, in turn, is the anima, the Jungian feminine side of the male, that is, YOUNG MAN, but also in symbolic objects such as a ham, huge and fat (YOUNG MAN describes the couple as fat and ugly). Symbolically, ham stands for LANDLORD: after the wedding night, LANDLADY wakes up in their bedroom to discover "the bleedin' 'am" next to her side instead of her newly married husband. Therefore, Will's funeral turns to be the ham funeral (or *The Ham Funeral*) at which the mourners eat thick slices of fatty ham, which may, doubtless, recall a cannibalistic ritual, not a Christian wake.

Also, the house is treated symbolically in the play and stands for life: ascending and descending stairs, rooms in which you sleep, eat, make love, die. YOUNG MAN declares: "This house is life. I watch my house fill with light, and darken. These are my days and nights. The house spreads solid over my head" (Act Two, Sc. Six).

As Katherine Brisbane argues in her Introduction to *Patrick White Collected Plays Volume I*:

White's contribution to the stage at this point [i.e. in the 1960s] was twofold. First, as a literary figure of international reputation, he came from a world very different from the popular working-class culture represented by [Australian] authors [...] and his perspective upon that culture was accordingly very different. Second, his European multi-lingual education had

exposed him to a greater variety of style than the simplicities of domestic drama and musical comedy afforded in Australia; and the expressionist forms he drew upon in his novels, particularly of that period, extended naturally into his plays. It is as if the very innocence of the limitations of the Australian theatre at that time had freed him to draw effortlessly upon his poetic imagination. (ii)

White's interest and aim, both in the novel and the theatre, was to reflect the Australian landscape of imagination and not social reality:

White has been commonly called a symbolic or expressionist playwright, in that his writing is a reaction against naturalism and seeks to represent spiritual before social reality. But while the tone of the European expressionists and their precursors was, on the whole, pessimistic, and often obsessional, White's plays, like his novels, explore the dead heart of Australia and find it not only teeming with life but endowed with a leathery will to survive. The theme of all the plays [...] is the journey towards a recognition of the basic forces of life. In *The Ham Funeral* the young poet makes his way slowly from the shelter of his dreams, through the ugly assaults of birth, death and lust, to the emotional freedom he longs for. In *Season at Sarsaparilla* puberty, maturation and reconciliation are the recurring cycle. In *A Cherry Soul* the comforts of ignorance give way to the rude recognition that life cannot be easily contained; and in the last play *Bald Mountain* is the scene of a heroic tussle between the forces of sterility, represented by the intellect, and those of the flesh. (iii-iv)

To recapitulate, it may be argued that *The Ham Funeral* is a complex, radically modernist play, drawing on many theatrical traditions and styles, with few naturalistic elements and an inward looking main character. As Akerholt says, it anticipates Beckett and Ionescu (Akerholt 1988: 9). *Waiting for Godot* was first performed in 1953, six years after White's play was written in 1947. Had White's play been performed closer to the date of its composition the history of modernist theatre might inscribe White rather than Ionescu and Beckett as its "father figure." As Barry Oakley stated, the play "was ahead of its time in Europe as well as in Australia. Its boldness lies in its attempt to project dramatically the deeper states of the psyche" (Oakley 1989). John McCallum states that White was "the first successful modernist dramatist – in the special Australian sense of the word, meaning non-naturalistic" (McCallum 2010: 140). Walker herself notes the "expressionistic, surrealist, poetic and vaudevillian" elements of the play (Walker in Pender 2001: 7). These elements are found in "all of White's plays and create enormous challenges for actors, directors and audiences" (84). On top of that, it may be stated conclusively that Patrick White shares with Samuel Beckett and other modernist Europeans their fundamental faith in humanism and universalism.

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## The Communist past of Albania and the Country in 25 Years of Transition

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### Abstract

Already quarter of a decade after the fall of communism in Albania, the country continues to struggle with an undergoing profound political, economic, social and legal transition period. This long transition challenges the constitutional aspiration of the Albanian people to build a democratic state that is founded on the protection and guarantee of human rights and fundamental freedoms, on building a future of social peace and economic prosperity. Despite a large corpus of constitutional and legal measures undertaken during the transition years to build a state of law based on freedom and human rights, the initiative of the free market, private and public property, they have failed to address adequately the demand for respect of human rights and fundamental freedoms of a category of subjects that during communism suffered the profound violation of these rights, were victims of vicious inhuman acts and unable to benefit from repair as much as possible of the consequences of these violations. This paper aims to make a thorough analysis of the concept of transitional justice, the legal instruments of international law used to address the obligation of ex communist states to take measures for the eradication of the communist past, as a prerequisite for building a functional democracy founded upon social peace and prosperity. The essence of this paper lies in assessing how these instruments are reflected in domestic legislation, the stage they are and the effects they have brought about. The focus of this paper are the factors that have conditioned the separation of Albania from its communist past and the steps needed to be undertaken.

**Keywords:** transitional justice, fundamental rights and freedoms, UN, the Council of Europe, lustration, the communist past.

## The Impress of Memory on the Postmodern Self in Audre Lorde Bell Hooks and Rebecca Walker

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### Abstract

The question of Self and memory is inextricably linked to the question of the representation and representability as well as to the uniqueness or iterability of the sense of the Self. Criticisms through the times suggest thinking of the sense of Self in terms of one's memory for it—not how faithfully you represent yourself, but rather how accurately you remember your past Self and how much you know about your present Self. Memory is the key element in determining the production of an autobiographical work, it is the author's memory and his sense of Self which determines how accurately he will transpose his life in front of us and correspondingly the one that decides whether autobiography will take the form of a memoir, a semi-fictional autobiography, or a completely fictionalized version of one's life. The relationship between Self and memory has initially been considered by John Locke in his "Essay Concerning Human Understanding"(1698). In his view, a person's identity comprises of whatever a person can remember from his or her past. Consequently, what the person does not remember is not part of his identity. Differing from the other critics, Locke believed that identity and selfhood have nothing to do with continuity of the body, they are rather an extension of memory. The paper delves into the postmodern autobiographical writings of three women-of -color including Audre Lorde, bell hooks and Rebecca Walker. The autobiographies in this study share the arrangement of events in the form of quilts made of accidentally stitched patches, the presentation of life as a fictional narrative and the treatment of the forgotten past as a remembrance and a revisiting. While Audre Lorde's and bell hooks' accounts bring an emphasis on myth, (hooks on the construction of a dreamscape and Lorde on the arrangement of the psychological quilt of life), Rebecca Walker asserts that wishful forgetting and the conditioned amnesiac status contribute to the preservation of the fluid character of memory, its organization into dualities and the increased impermanence of the autobiographical account. The reliability of memory, together with the accuracy of life writing determines the classification of a narrative as memoir, autobiography or fictional autobiography. The autobiography criticism corpora are the ones to question the mnemonic truth and the reconciliation of the forces of signification.

Keywords: Impress Memory Postmodern Audre Lorde Bell Hooks Rebecca Walker

