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TABLE OF CONTENTS

| | |
|--|------------|
| THE INTERNATIONAL COURT OF JUSTICE AND THE MACEDONIAN –GREEK CASE | 8 |
| BUJAR AHMEDI BESIAN AHMETI | |
| ROBBERIES AND SOME FEATURES OF THE METHODOLOGY OF INVESTIGATING ROBBERIES..... | 15 |
| DURAKOVIĆ ADNAN | |
| HOW OIL CONTRACTS AFFECT HUMAN RIGHTS | 30 |
| MARIA JOÃO MIMOSO CLARA DA CONCEIÇÃO DE SOUSA ALVES DIOGO FILIPE DIAS GONÇALVES PEDRO MIGUEL FERREIRINHA PINTO ALVES | |
| IMPOLITENESS STRATEGIES AND GENDER DIFFERENCES AMONG DISNEY MODERN PROTAGONISTS..... | 40 |
| FATIMA ZOHRA BENABDELLAH | |
| TACKLING MULTICULTURALISM OR STRENGTHENING SUBCULTURES: THE MACEDONIAN CASE | 51 |
| ALEKSANDAR DASHTEVSKI PHD GORJAN GRNCHAROVSKI | |
| THE SURVIVAL OF INTERACTIONAL SOCIOLINGUISTICS IN THE 21ST CENTURY | 61 |
| SILVIA BLANCA IRIMIEA, PHD | |
| USE OF NARRATIVES AS A PEDAGOGICAL TOOL FOR STUDENTS TO CHANGE THE PERSPECTIVE OF SOCIETY AND THEIR PERSON THROUGH THE COURSE..... | 70 |
| EDGARDO MAZA ORTEGA | |
| JOHN HEARTFIELD'S PHOTOMONTAGES AS A POLITICAL TOOL | 75 |
| DOĞAN ARSLAN | |
| DIDO AND AENEAS: AN ARCHETYPICAL MYTH AT THE ROOTS OF THE CULTURAL DIALOGUE BETWEEN THE TWO SHORES OF THE MEDITERRANEAN | 85 |
| MARIA NICOLE IULIETTO | |
| POSSIBILITIES FOR THE APPLICATION OF ALTERNATIVE DISPUTE RESOLUTION METHODS IN THE ADMINISTRATIVE PROCEDURE..... | 90 |
| BALÁZS HOHMANN J.D. | |
| THE ANTIC CITY OF BORSH..... | 99 |
| KRILEDJAN ÇIPA | |
| EVALUATING CHALLENGES AND OPPORTUNITIES IN THE DEVELOPMENT AND MANAGEMENT OF PHYSICAL ACTIVITY IN ALBANIA TO INCREASE THE INVOLVEMENT OF THE POPULATION IN IT | 104 |
| ROVENA ELMAZI JUNIDA POGONI | |

| | |
|---|------------|
| A STUDY ON PUBLIC-PRIVATE PARTNERSHIPS WITH REFERENCE TO MUNICIPALITY OF KORCA, ALBANIA | 111 |
| EVA DHIMITRI | |
| CONCEPT FOR COMMON EUROPEAN TV CHANNEL | 116 |
| SLAVINSKI A. DRAGANOV I. | |
| PROCESSES OF EUROPEAN (DIS)INTEGRATION IN CONTEXT OF NEW MEDIEVALISM | 120 |
| ALEKSANDRA SPALIŃSKA | |
| SPIRITUAL DEVELOPMENT IN SOCIAL CONTEXT: THE ROLE OF CHRISTIAN PSYCHOTHERAPY IN THE FORMATION OF IDENTITY | 126 |
| NAUM ILIEVSKI ANGELINA ILIEVSKA | |
| THE IMPLEMENTATION OF TEXTUAL COHERENCE ON THE ALBANIAN SUBTITLES OF "GREAT GATSBY" FILM | 131 |
| ELSA VULA | |
| IS PUBLIC SECTOR MORE ATTRACTIVE THAN PRIVATE SECTOR FOR ALBANIAN MILLENNIAL EMPLOYEES? | 145 |
| ERALDA MITLLARI MIMOZA KASIMATI | |
| THE LANDSCAPE, ITS NARRATIVE IDENTITY AND MAN'S WELL-BEING | 150 |
| DR. VERENO BRUGIATELLI | |
| FROM CIVIL RELIGION TO PRESIDENTIAL PUBLIC THEOLOGY—A RE-EVALUATION OF THE AMERICAN CIVIL RELIGION PHENOMENON. THE CASE OF GEORGE H. W. BUSH | 155 |
| KJELL O. LEJON | |
| ETHICS IN PUBLIC ADMINISTRATION IN KOSOVO | 163 |
| AZEM DURAKU | |
| MUSEUM COLLECTIONS AS A REFLECTION OF CULTURAL LANDSCAPE: THE INTERPRETATION OF COLLECTIVE MEMORY | 170 |
| OSKAR HABJANIČ VERENA PERKO | |
| IMPACT OF HUMAN SETTLEMENT ON LAND USE/LAND COVER CHANGES IN THE MIDDLE RIVER NJORO SUB WATERSHED IN KENYA | 180 |
| ZACHARY GICHURU MAINURI | |
| SET OF DATA ELEMENTS FOR NAUTICAL CHARTS CATALOGING: ANALYSIS BETWEEN THE RDA SCHEME AND THE IDERA METADATA PROFILE | 189 |
| EDGARDO STUBBS | |
| TANGIBLE OR INTANGIBLE WAYS TO HAPPINESS? CONSUMPTION RELATED VALUES AMONG ADOLESCENTS | 198 |
| JÁNOS DEBRECENI | |
| ON THE NARRATIVE OF ERNEST KOLIQI - THE ROLE OF DETAIL IN PSYCHOLOGICAL CATHARSIS | 210 |

IRENA ALIMERKO

ALISA VELAJ

COMMUNICATION, INFORMATIONAL LITERACY AND CRITICAL THINKING215

LUÍS MIGUEL CARDOSO

NUNO MOURA SILVA

The International Court of Justice and the Macedonian–Greek Case

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Abstract

In the international law there is often a mention of the peaceful arrangements of international disputes. The resolution of international disputes is also part of the most important principles of international law. Given the historical development of international law, we observe that states that have been subjected to the fictitious subjects of international law have often had disputes between them on interrelated issues. For these differences between states to be provided international law different mechanisms are being considered in order to resolve disputes and diplomatic aids and in some cases also judicial means that serve to resolve these disputes. This paper presents the dispute between Macedonia and Greece regarding the issue of the name where the role of the international community has been extremely important by putting its diplomacy at its disposal with the sole aim of reaching a resolution of the parties'.

Keywords: International Court of Justice, dispute between the parties, negotiations, mediation, agreement.

Introduction

The Republic of Macedonia, before 1991, was one of the six republics of the Federation of Yugoslavia. As one of these six republics, it was named the Socialist Republic of Macedonia. It exited the Yugoslav federation peacefully and without war.

On 25 January 1991, the Macedonian Parliament adopted the Declaration on the Sovereignty of the Socialist Republic of Macedonia.

On 7 June 1991, the Parliament of the Republic of Macedonia adopted a constitutional amendment that will change the name "Socialist Republic of Macedonia" to be replaced with "Republic of Macedonia", a name which it continues to carry until today.

On September 8, 1991, a referendum for an independent and sovereign state was held, where 71% of the population supported this.¹

On 17 November 1991, the Macedonian Parliament adopted the Constitution of the Republic of Macedonia. Under this constitution, the country does not have any territorial claims to any neighboring country.

Macedonia's declaration of independence will also be recognized by the Badinter Commission, where Macedonia applied for recognition in December 1991.

On 22 July 1992, the Republic of Macedonia submitted a request to join the UN. The request for admission to the UN was opposed by Greece, who, as a ground for contravention emphasized the name "Republic of Macedonia". According to Greece, the name "Macedonia" refers to a geographic region in south-eastern Europe that spans a considerable part of Greece's territory and its people, overtakes a part of the Hellenic legacy and imposes interest in the northern part of Greece.

¹Explanation: The referendum was boycotted by citizens of the Albanian and Serbian communities. With an annex it was given a theoretical option for reunion in a new federation. The referendum supported, "An independent, sovereign Macedonia, with a right to joining the future alliance of sovereign states of Yugoslavia"

Macedonia's application to join the UN as a result of Greece's objection was delayed until April 8, 1993, where the GA, upon recommendation of the SC, took a decision for Macedonia's accession to the UN with the reference Former Yugoslav Republic of Macedonia.

On 18 June 1993, the SC adopts Resolution 845, where it is required by the parties to continue efforts to resolve the name dispute under the auspices of the UN Secretary General.

Due to the issue with the name of the state and the state flag of Republic of Macedonia, in 1993, Greece imposed a general trade embargo on Macedonia. The trading block was in effect until October 18, 1995, until Macedonia changed the state flag.¹

On 13 September 1995, with the mediation of UN Special Envoy, Cyrus Vance and the assistance of the US Assistant Secretary of State Richard Holbrooke, Macedonia and Greece signed a Provisional Agreement, which will normalize relations between these two states.

In the Interim Agreement, the parties, Macedonia and Greece, would avoid using their names. The Interim Agreement with the Parties shall be referred to as "Part One" and "Part Two".

The Interim Agreement foresaw that the name be a case that will be resolved through bilateral talks in line with UNSC resolutions. The purpose of the talks was to put an end to the use of this temporary name (FYROM) and to find another name "accepted by both parties".²

Greece, according to the Interim Agreement, would not block Macedonia's membership in the international organizations to which it belonged, as long as in those organizations Macedonia was referred to as "the Former Yugoslav Republic of Macedonia".³

With the Interim Agreement, the Parties agreed that if one party believes that the symbols constituting part of their historical or cultural heritage are used by the other party, and then the Respondent shall take appropriate corrective action or explain why they do not find it reasonable to do so.⁴

After the signing of the Interim Agreement, the negotiations on resolving the name issue continued. In 1999, Mathew Nimitz will be the new UN mediator for this dispute. Since then, the negotiations have continued, sometimes more intensively and sometimes less, during which, sometimes Greece and sometimes Macedonia, have shown more flexibility than the other.⁵

Nimitz has made a number of proposals, but has never managed to merge both sides on the same platform. In March 2005, Nimitz suggested to the parties that the name for use in the UN be "Republic of Macedonia - Skopje" in Macedonian and not to be translated into any other language.⁶ This proposal was acceptable for the Greek side, but was rejected by the Macedonian side.

The Macedonian side saw the solution of this issue through a so-called "double formula", according to which Macedonia should have a conciliatory name for Greece in bilateral relations, but in international relations to retain the constitutional name "Republic of Macedonia".⁷ This proposal was an official proposal by the Macedonian side, but was rejected by Greece.

Nimitz's mediator's efforts to resolve the dispute between the parties continued. He made another proposal in October 2005 for solving the name issue. His proposal foresaw that Macedonia, in its relations with Greece, to carry the name "Republic of Macedonia-Skopje", while in relations with the other states that have recognized Macedonia under the

¹МИА 04.11.2004. Дел од фактите за македонско-грчки геодности.

²Макфакс 21.01.2008. Како се појавија „разлимите околу името“.

³Article 11 of the Interim Agreement between Greece and the former Yugoslav Republic of Macedonia. September 13, 1995.

⁴Also there, Article 7, paragraph 3.

⁵Macedonia's Name: Solution of the Node. International Crisis Group. Briefing for Europe No. 52.. Prishtinë / Brussels 12 January 2009.

⁶This proposal was broadcast on Greek media, shown in Greek in "Macedonian Heritage" www.macedonian-heritage.gr/OfficialDocuments/Nimitz.html.

⁷Zoran Nikoloski. Southeast European Times. Propozimi Nimitz përmirë

Maqedinisë. www.setimes.com/cooon/setimes/xhtml/sq/features/setimes/features/2005/04/14/feature-02.

constitutional name, to keep the name "Republic of Macedonia" and within the framework of UN, to be known as "Republic of Macedonia".¹

Since 2006, efforts to find solutions to the name issue continued, but the negotiations that have taken place during this period have developed in an uneasy atmosphere.

Part of the responsibility for creating such an atmosphere is the Macedonian side, whose government in July 2007 appointed the Skopje Airport with the name of Alexander the Great. This action by the Macedonian side will encourage the Greek side to react. According to the Greek side, this act of the Macedonian side constituted a violation of the Interim Agreement. It was reported that Nimetz had warned the Macedonian side that as a result of this action, Greece would be able to withdraw from the Interim Agreement, but this cautionary advice was not taken into account.²

Although Macedonia was advised to stop these activities, which for the Greek side were really a provocation, Macedonia did not stop that; it set some classical statues in front of its government building.

These provocations, which came from the Macedonian side, contributed to raising the issue of Macedonia's name in the preparations for the parliamentary elections in Greece in September 2007. Greek Prime Minister Costas Karamanlis responded, promising that "Skopje will not join any international organization, including NATO and the EU, unless there is a solution to the name that is pleasing to both sides".³

The Greek side continued with the warnings that if a name solution can not be found, Greece will be ready to impose its veto on Macedonia's entry into NATO. According to the Greek side, this was the right time for them to put pressure not to prolong this issue. Given the fear that Greece may use veto, the mediator Nimetz will try to solve the dispute before the Bucharest Summit, expected to be held in April 2008, but these efforts didn't give any results.

The Macedonian side agreed that Macedonia's NATO membership at the Bucharest Summit would be under the name of "Republic of Macedonia (Skopje)", a solution that Greece almost admitted in 2005. Looking at itself in a stronger position, Greece refused this offer, specifically insisting that the agreed name be applied in all international, multilateral and bilateral relations of Macedonia.⁴

NATO General Secretary Japp de Hoop Scheffer made efforts to discourage the Greeks and warn them of the consequences on the regional stability if no agreement is reached.⁵

Prior to the Bucharest Summit, a number of diplomats tried to motivate the parties to reach an agreement on name dispute.

At the Bucharest Summit, Macedonia was not invited to join NATO. But it was made clear that the invitation would be handed over to Macedonia after an agreement on the name issue between the parties will be reached.

On October 8, 2008, in the continuation of the efforts to deliver a solution to the parties, the mediator Nimetz made other proposals for name resolution. "The North Republic of Macedonia" would be a variant to resolve this dispute. However, this proposal would be opposed by Macedonia. The Macedonian side will maintain that it can not accept a name solution that does not guarantee the Macedonian identity, language and culture.⁶

Following the Bucharest Summit, on November 17, 2008, Macedonia filed a request to the ICJ Register, to file a lawsuit against Greece for the dispute over the interpretation and implementation of the Interim Agreement.

According to the official position of the Macedonian side, the purpose of this request filed to the Court was to order Greece to comply with its legal obligations set forth in the Interim Agreement, signed on 13 September 1995, which creates obligations for both parties.⁷

¹MIA 02.06.2008. Maqedonia dhe Greqianë Nju Jork i vazhdojnë negociatat për emrin .

²Emri i Maqedonisë: Zgjidhja e nyjes. Grupi Ndërkombëtar i Krizave. Briefing për Evropë Nr.52. . Prishtinë/Bruksel 12 janar 2009.

³Also there.

⁴Also there.

⁵Also there.

⁶Bota Sot. 29.10.2008. Macedonian position presented to the Nimetz proposal.

⁷MIA. 17.11.2008. Maqedonia filed a lawsuit against Greece before the International Court of Justice.

The Macedonian party reminded that in accordance with Article 11 of the Interim Agreement, Greece is obliged not to appeal against the entry for membership of the Republic of Macedonia in NATO. According to the Macedonian side, Greece had unjustly prevented the Bucharest Summit, preventing the sending of Macedonia's NATO membership invitation, thereby flagrantly violating its obligations under the Interim Agreement.¹

The request stated that the ICJ had to certify and declare that Greece had violated its obligations under Article 11, paragraph 1 of the Interim Agreement and should immediately order the taking of all necessary steps to respect the duties, to refrain from any direct or indirect objection to Macedonia's membership into NATO and/or any other international, multilateral, and regional and institutional organizations in which it is a member, if in such organizations or institutions, Macedonia is called in accordance with paragraph 2 foreseen by UNSC Resolution 817 of 1993.²

The ICJ, having accepted the request of the Macedonian side, will notify the Greek side of the lawsuit the Macedonian side has filed against her.

The ICJ will officially initiate proceedings to review the case concerning the lawsuit filed by Macedonia, and will set deadlines for submission of documentation by the parties.

The ICJ will officially initiate proceedings to review the case concerning the lawsuit filed by Macedonia, and will set deadlines for submission of documentation by the parties. On July 1, 2009, the Macedonian side had to present a reminder before the Court, while the Greek side had to appear on January 20, 2010 with a Counter-Reminder.

The case would be judged by judges of various states such as: President Owada, Deputy President Tomka, Judges: Koroma, Al Khasawneh, Simma, Abraham, Keith, Sepúlveda-Amor, Bennouna, Skotnikov, Cançado Trindade, Yusuf, Greenwood, Donoghue, ad hoc Vucias judges for the Macedonian side and Roucounas for the Greek party.³

After these actions of both governments of Macedonia and Greece were completed, on March 21, 2011, public hearings began on this case. Antonio Milososki presented the position of the Macedonian side. In the discussion before the Court, he presented a chronological view of the Macedonian-Greek relations and the origin of the dispute, thus disclosing some of the arguments of the Macedonian party that Article 11 of the Interim Agreement of 13 September 1995, of blocking Macedonia's NATO membership with the former Yugoslav federation of Macedonia, was indeed violated by Greece. In their discussions, the lawyers engaged by the Macedonian side will focus on the fact that the arguments of the Greek side for blocking Macedonia's NATO membership are unsupported and unsustainable. Professor Pjer Klain, stated that Macedonia's membership in NATO was unjustly impeded, and shortly before the Bucharest summit, the official Greek officials boasted that the veto will occur, with which Article 11 of the Interim Agreement has been violated.⁴

He also stated: "We demand that the violation of Article 11 of the Interim Agreement, which will have an impact, and the Applicant, in this case, Macedonia will again be granted candidate status for NATO membership, without having needs to face the opposition of its demand, and Macedonia's candidacy for NATO membership to be considered without the Greek party's involvement".⁵

In the discussion to show the arguments of the Macedonian side, Shon Mari also appeared, who emphasized that Greece has systematically, in a very openly manner, tried to hinder Macedonia's NATO membership and that this can be proven with an analysis of the behavior of Greece during 2007-2008, when through an open multilateral campaign, Greece has tried to convince other NATO member countries about its position.⁶

¹Also there.

²Also there.

³See in the Official Journal of the ICJ, Implementation of the Interim Agreement of 13 September 1995 (Former Yugoslav Republic of Macedonia v. Greece).

⁴About the discussion of Professor Klain see in the official statement of ICJ. In the case concerning Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece).

⁵Also there.

⁶Also there.

He would further state: "Senior Greek officials have boasted they have vetoed, indicating that the defendant, in this case Greece has banned NATO consensus in order to counter Macedonia. However, the behavior of Greece, as detailed in our arguments, shows that it is exactly Greece who has made this violation of the Interim Agreement".¹

In arguing the case before the Court, the Macedonian side did not defocus from the view that the actions of the Greek party constituted a violation of the Interim Agreement, namely the violation of the recognized principle of the international law, *pactasuntservanda*.

On 24 and 25 March 2011, the Greek side will present its arguments before the Court. It is Maria Talalian, in the role of the agent who will present the arguments of the Greek side. In her discussion, she pointed out that it is Macedonia the one that has violated the Interim Agreement. The decision of the NATO Summit in Bucharest in 2008, according to her, was unanimously approved by the Alliance in 2008 and, therefore, NATO is not a part of this process, the Court has no jurisdiction to review the case and should be declared incompetent for the case. According to her, at the Bucharest Summit Macedonia had been given the chance to enter this organization, but only after it had settled the dispute over the name. Furthermore, she pointed out that in relation to the resolution of the name issue, the Greek side has been very flexible, accepting in September 2007 a composite name where the term "Macedonia" was supposed to be added to a geographical prefix. On the other hand, the Macedonian side has tried to get the talks to a "dead point" and this was justified by her insistence not to move from the so-called "double formula", i.e. the use of the constitutional name Republic of Macedonia in international relations, international organizations and the bilateral relations with all states, and to find a compromise with the Greek side and the relations with it.²

In her discussion, she also tried to argue that Republic of Macedonia is the one that has violated the Interim Agreement. In this regard, she would point out that the purpose of the Interim Agreement was to prevent the Macedonian irredentism from embracing the term "Macedonia" and to discontinue Macedonia's actions towards the detriment of the Greek history and culture.³

With a discussion in front of the Court, from the Greek side, appeared George Savvaides, who in his presentation, amongst other things, emphasized that at the Bucharest Summit the decision to extend the invitation for Macedonia's accession was a NATO collective decision. He also explained to the Court, a Greek agent, the procedures and criteria for NATO membership that need to be followed and how they applied in the case with Macedonia.

Also among the speakers by the Greek side in front of the Court were: Georges Abi-Saab, who focused on his discussion mainly on the basic features of the Interim Agreement, Michael Resman, who clarified the issue of Court's jurisdiction regarding this case, Alain Topth who presented the Greek party's objections regarding the admissibility of Macedonia's application and the judicial function of the Court and James Crawford who presented Greece's position regarding the interpretation of paragraph 1 of Article 11 of the Interim Agreement.

So, during 24 and 25 March 2011, the Greek side tried to argue before the Court that Macedonia is in breach of the provisions of the Interim Agreement and specifically Article 6, paragraph 2, which states that "The Macedonian Constitution could not serve as a basis for intervention in the domestic affairs of states to protect the status and interests of national minorities. The Greek side complained of the support the Macedonian government had given to refugees or members of the Macedonian minority who were living in Greece, who had been expelled or removed from Greece during the Greek Civil War in 1940. She also complained of the support the Macedonian government provided to the Macedonian minority living in Greece."⁴

It is important to emphasize that both sides engaged a very professional team in this litigation to argue the case.

¹About the discussion of Professor Klain see in the official statement of ICJ. In the case concerning the application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece).

²About the discussion of the Greek agent Maria Talalian see the official statement of the ICJ. In the case concerning Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece).

³Also there.

⁴See the ICJ ruling, December 5, 2011 in the official website of the Court. Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece).

On 30 March 2011, the Greek side once again asked the Court to declare that the case filed by Macedonia before the Court is not under its jurisdiction and that Macedonia's claims are inadmissible. It also required that, if the Court finds that it has jurisdiction over the case, to express it in Greece's favor, rejecting Macedonia's claims and considering them as unfounded.

On 5 December 2011, the Court will announce its decision on this case. The Court first ruled that the matter was in its competence, which was requested by the Macedonian side earlier, but was rejected by the Greek side. This part of the decision was adopted with 14 votes in favor and 2 in opposition.

Regarding the request submitted by the Macedonian side to prove to the Court that Greece has violated its obligations under Article 11, paragraph 1 of the Interim Agreement, the Court stated that Greece had indeed violated Article 11, paragraph 1 of this Agreement when Macedonia had asked to join NATO. Regarding this issue, the decision was voted with 15 votes in favor and 2 in opposition.

The third request of the Macedonian side, that the Court orders Greece not to repeat such actions in the future was rejected. According to the Court, such an order was invalid because: "As a general rule, it can not be assumed that a State which, by virtue of a judgment of the Court has acted in error or inadmissible before the international law, will repeat an act or conduct in the future in a similar manner, as any state is presumed to behave in good faith."¹

The Court also stated that before the Bucharest Summit there had been no violation of Article 6, paragraph 2 of the Interim Agreement and would therefore reject the Greek party's claim. On the other hand, the Court found that the Macedonian side had violated, in one case, Article 7, paragraph 2 of the Interim Agreement, which prohibited hostile acts or propaganda between the parties when a military unit had used a banned symbol on her flag.²

Following the ICJ's decision of December 2011, as a result of the political climate in both countries, it seemed that the parties still had time to negotiate. Macedonia continued with its positions that had emerged during the negotiations that took place prior to the Bucharest Summit. Greece, on the other hand, saw itself in a very favorable position, while insisting on her positions. This climate lasted for several years as a result of the political climate in which Macedonia entered immediately after the 2014 parliamentary elections.

In these situations, besides Nimetz's intermediary commitments, it was evident that the parties were not moving from their positions.

In 2017, the efforts by the international community to end a dispute between the parties were intensified, this also with the very fact that the political climate in both states seemed favorable. In this, the high representatives of the two states intensified their meetings to negotiate a possible solution. From these meetings the parties managed to offer their positions and on June 17, 2018, after 27 years, managed to reach an agreement. The agreement was signed by the Greek Foreign Minister Nikos Kocias and Macedonian Foreign Minister Nikola Dimitrov.

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Robberies and Some Features of the Methodology of Investigating Robberies

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Abstract

Robberies are crimes that particularly negatively and significantly affect the subjective sense of security (but also objective) in society. Special significance of robberies is that they are often on the edge of murder or serious bodily injury. From the criminal law and criminal investigation point of view, robberies range from the so-called "simple" cases in terms of their discovery and clarification to the very serious armed raid on individuals, money transport, legal persons such as banks and other monetary institutions. The suppression of property crimes, especially the part which includes delicts that are carried out using coercion (force and / or threat) like robberies, can be successfully carried out by methods that could be called criminalistic methods. These methods represent a kind of criminalistic engineering - criminal investigation engineering. Criminalistic engineering is all about adjusting criminal investigation tactics, forensic and legal actions and measures to special features of criminal offenses. When carrying out criminal investigation, authorized police officers must constantly take care of the so-called operational criminalistic strategy that rises above the tactical processing of a particular criminal offense, and is aimed at the creation and implementation of a complex of operational-tactical and technical measures and actions with the strategic goal of combating criminality as a whole. This is reflected in the organizational structure of the police and also in the way of criminal control which implies permanent, continuous and systematic penetration and supervision of the so-called the "dark belt" of crime.

Keywords: Robbery, Criminalistic Methodology, Criminalistics Control, Criminal Investigation

Introduction

Everyday robberies are made of large array of robberies on the street with the burglary of bags and the like, abounding in stores and shops, outlets, playgrounds, casinos, attacks on banks and other legal entities, money changers, gold jewelry stores, jewels, etc. . to robbing flats with or without previously established relations between the bandit and the victim.

It has been established that preventive measures after a certain period of time lead to changes in terms of possible perpetrators or modus operandi of known perpetrators.

The role of victims becomes more and more important every day. Citizens feel insecure because of the robberies and the style of life begins to change in some parts of towns or areas, until eviction. Mass media can play a negative role and spread fear. That is why people move to other distant and safer places.

Hacking bags and looting of drunk people, drug addicts, elderly people, children, disabled people, etc. belongs to the field of mass or occasional crime. There is a discrepancy between the priorities set by the police and those put up by the citizens. Police want to prevent attacks on banks and other monetary institutions while citizens seek protection on the streets and in their houses.

It was noticed that the police changed the police apparatus and organizational structure, management, treatment and regulations, but without significant shifts for the better. It is considered that it is more important to deal with issues related to the planning and conduct of criminal control and processing, criminal investigation and that is important to develop ways of acting that offer practical solutions for the relevant areas of crime.

2. Main part of work

2.1. Prevention and strategies

Successful suppression of robbery depends of the knowledge of the criminological factors that enable or favor the execution of these delicts, as well as the knowledge of the so-called. geography of the robbery and strategy of the activities of the prosecution authority (repression). There seems to exist an impression that the police is not sufficiently informed on this matter. The experience of police shows that it is important to develop specific ways of acting (strategies) that offer practical solutions in the area of robbery. General and special criminal control and police investigation played a great role in this matter.

Under criminal control in this work we mean: permanent, continuous and systematic penetration and supervision of the so-called criminal networks or potential criminal environments or individuals who are already known criminals or potential criminals. It is a system of all operational, tactical and technical measures and police actions directed towards gaining information about delinquency and delinquents, socially dangerous phenomena, causes and consequences of these states and phenomena, criminogenic and victimogenic factors and environments, etc. In other words, this is a form of police activity that is focused on criminality as a mass phenomenon.

During criminal control as a form of monitoring and studying crime and other socially dangerous situations and occurrences in a particular area (territorial principle), the police is moving to the middle of the "dark area" of criminality, undisclosed and unrecorded criminal offenses and perpetrators that is to the unpunished crimes. Criminal control primarily includes operational measures and police actions that are carried out in order to collect relevant information from various material and personal sources. Most often it involves the first information-orientation indications, which are often very scarce.

Grounds for suspicion are based on general indications and criminal experience of particular environments, places and faces. Criminal control in an organizational sense is not a particular form of organization but it is only a form of action. There are two forms of criminal control: 1. general criminal control and 2. special, line criminal control. This division is indicative and the boundary between them is not severely withdrawn, although the first is primarily implemented through the Basic Police –uniformed police, and the other through the Criminal Police Departments.

Criminal investigation is conducted in the occasion of a specific criminal event or criminal offense when the grounds for suspicion are higher. Crime processing is primarily carried out by the criminal police.

Law enforcement forces make a distinction between direct and indirect criminal investigation. Direct criminal investigation is a criminal investigation in which the police work is focused on specific criminal cases. Indirect criminal investigation is a criminal investigation that is conducted within a direct criminal investigation in connection with another criminal incident or crime. In accordance with legal solutions, the police must begin with criminal investigation (investigation) when there are grounds for suspicion.

The primary tools for the prevention of robbery should be sought in two police-strategic areas: the patrol service and criminal police department. It should be noted that the responsibility for solving the problem of robberies lies not only on the police, although it is their primary task since the police shares the responsibility for combating robberies with other prosecution authorities and the public in general. Certainly, an adequate criminal policy plays an important role.

Today, in the fight against robbery, the role of informers and police officers involved in the criminal environment as well as so-called flying squads in big cities is increasing. Effective suppression of bandits requires a differentiated set of measures and actions by the police, other prosecutors, citizens and potential victims in a particular social milieu. Today, a very wide area in the field of suppression of robberies is offered in the field of changing architectural and economic circumstances, implementation of construction and technical measures from potential objects of attack, in order to deter many professional perpetrators or to completely exclude the occasional ones.

Observed world and country-specific trends give reason to believe and to expect that robberies of flats, shops, various outlets, etc., as well as individuals will increase. This is, among other things, connected with the successful protection of monetary and similar institutions. Also there will be a qualitative change in the way the robberies are conducted, for example, with increased hostage taking, expanded use of sophisticated technical equipment, and more.

Police holds the first line of combat against robbers, reduces the fear of general public and increases the sense of security among citizens. However, when public media is informing the public about crimes, the negative consequences of this notification should be taken into account (declaring modus operandi that leads to the phenomenon of imitation, identity hiding (eg disguising), influencing the executor's calculations in terms of risk and success, developing neutralizing techniques of potential executors. Also, public can estimate media reports as sign of growing level of violence which is above the level that public can accept as a form of social risk and behavior. An increased fear of robbery can lead to promotion of an irrational policy of suppressing crime related to robberies.

The police must never lose sight of the strong expression of citizens' fear of robbery. Although often irrational and statistically unregistered, this fear leads to a great public sense of insecurity and therefore fear acts as socially destabilizing factor.

In all activities of the police, whether it is a basic police or a criminal police, one must never lose sight of the fact that the discovery of perpetrators is only a means of achieving an objective, which must never become the goal itself. It is difficult to appreciate the successes or failures of the police, since they can be judged upon two different approaches to police work results – first is increased number of detecting and second reducing the number of cases.

When combating robbery, one phenomenon should also be taken into account. Very vigorous efforts by the police in one sphere affect the crime in other spheres or leads to the "transition" of the perpetrators to another area of property crime, or end up with a change of location.

It was noticed that the police is motorized but lacks mobility since it was found often to be too centralized, specialized, highly bureaucratized.

Professionally organized and planned forms of robbery, as well as many which are the result of the current opportunity require targeted police countermeasures. They have to hit the "hard core" of the perpetrator. By developing strategies of countermeasures, the preventive police activities would be improved. In doing so, the police can ensure public order and security only if it finds the routes to built contacts and consultations with public.

Robberies occur in a wide variety of manifestations and because of that they require broad spectre of social and police countermeasures. The victim and its surroundings, like by one rule, were caught up in the act of robbery. The fact that young people commit this crime (because they have the psycho-physical abilities necessary for the robberies and as a rule they are disintegrated, and in a socially unfavorable situation), and that robberies are carried out in densely populated neighborhoods, proves that the police can not alone permanently and effectively solve that problem. The self-protection mechanisms of potential victims need to be significantly expanded, and a variety of measures of rational social policy for the suppression of robberies should be applied.

Uniformed policemen, who are in the daily vicinity of citizens, if there are not too many police officers, give the citizens a sense of security. In mass robberies, the basic and decisive police activity is on the street. It should be taken into account that the increased presence of the police should not have a technocratic, bureaucratic and motorized form. On the other hand, when it comes to spectacular attacks, there is another concept. It should carefully plan the inclusion of concentrated forces of specialists and major investigative groups.

Police and the public can only jointly effectively suppress or control this crime area. Without joint action, information sharing and mutual trust, an increased fear of robbing in public can not be avoided. Assistance and care for victims of robbery and understanding of their situation must be in the forefront.

Regarding the suppression of robbery, 10 general police strategies in preventing crimes should be taken into account. These are: (1) a visible increase in the police presence on the ground, (2) the strengthening of secret activities, (3) observation, (4) inspections, (5) the use of lawful permissible coercion, (6) dispute resolution, (7) and (8) controlling and disseminating data from police information, (9) spreading strategies for combating crime and seeking and developing new strategies, and (10) making different conclusions.

Crime prevention activities by the police are generally realized through four forms of police action: (1) observation, (2) prevention, (3) repression, and (4) prosecution.

Robbery Classification:

Today's criminals classify robberies into four categories, with various types of people arriving as perpetrators using different techniques for the execution of robbery. Most often, the robberies are classified into:

1. Robbery in open spaces, called street robberies,
2. Robberies of vehicle drivers,
3. Commercial robberies and
4. Residential banditry or robbery in residential buildings.

Today, for successful suppression of robberies, it is not enough to insist on police strategic areas, patrols, and investigative services. Much more successful areas of creative strategies that exist within police options should be taken into account.

Other services and social groups should be engaged. The responsibility for combating criminality lies not only within the police, although it is its primary task. The police must share responsibility in this regard with the public. It should be borne in mind that the centralized exchange of information is important in the prevention of robberies.

In order to successfully combat robberies, it is necessary to know the common characteristics of these acts. Thus, some of the common characteristics of robbery in Europe are: (1) a multitude of different manifestations, (2) robberies as delicts of violence have a major impact on the safety of citizens, (3) robbery is often performed by younger executives who are in socially unfavorable situations; (4) robberies are increasingly being committed by drug addicts in order to obtain funds for the procurement of drugs, but also by other addicts, for example, gamblers, (5) the robbery has become a typical large cities' delinquency; (6) effective suppression of robbery presupposes a differentiated multitude of police measures and measures of citizens - potential victims who are adjusted to given social milieu; (7) easier mass forms of robbery are most effectively prevented by decentralized tactics of prevention, which are close to citizens, (8) the number of bank robberies is significantly influenced by bank security measures (security guards, surveillance cameras, alarms, especially silent, etc.) and payroll points. An important role is played by the training of bank employees and the connection of the notification system with the relevant organizational units of the police.

It is known that the presence of police officers in a uniform visible to citizens gives a sense of security to the public. When it comes to mass robberies, the basic and decisive police activity is on the street.

When it comes to the so-called spectacular robberies police should carefully plan the engagement of concentrated forces, and take care of the involvement of specialists from different professional profiles and major investigative groups.

It was noticed that in the area of small and medium-sized robbery (which are relative terms) there are certain shortcomings. Particular attention in these areas should be given to the increased sensitivity of potential victims with the focus on increased need for self-protection.

Having all these facts that in mind, the first response of the police, primarily uniformed, to the place of robbery, depends on the circumstances of each particular case and the orders received from the police dispatcher on operational duty.

We emphasized that the first task of the basic police officers-uniformed police is to check the report and to indicate, if it is true or partially true, to determine the exact location of the execution site in a geographical sense. The following is a clue as to whether the robbery has been tried or completed, or whether it is still pending, what was the mode of enforced coercion, etc.

Police officers who are going to the scene must carefully observe the events on their way of approach to the robbery site, especially if they already have complete or partial personal description of the robber or a description of the vehicle.

The primary and secondary tactical targets of police officers should be distinguished on the place where the robbery was committed. Primary tactical goals are: achieving public safety with the protection of victims and witnesses of robbery, as well as other citizens who have found themselves in the field of the activities of the robbers and the police themselves, and putting the execution place under tactical control of the police. Secondary tactical targets of police officers are sub-measures of first intervention in the form of preliminary detection and investigation at the scene, capture of perpetrators by direct persecution, finding seized movable things, etc.

When conducting first intervention measures, police officers must always keep in mind the possibility that the perpetrator has been hiding either in or near the object of the attack and that he can surprise police officers. Therefore, in more complex and more dangerous cases, considering the manner of execution, it is recommended to use police dogs for detecting attackers, i.e. defense dogs. One should always bear in mind that perpetrators surprised by the quick arrival of the police could be ready for every possible criminal action.

It is always necessary to take into account the possibility that perpetrators have technical means to capture police communications by radio. Therefore, whenever possible, police should send encrypted messages according to an earlier agreement. Upon arrival at the venue, the exact position must not be revealed, except in cases where assistance is requested. Available patrols need to "cover" the area surrounding the scene. Police sirens, which allow a quick break through to the scene, should be shut off timely, while police alarms should be used at the discretion.

It has been observed that sirens can cause panic among the perpetrators and end with the use of violence or taking hostages. It is believed that most of the hostage-taking situations are caused by the overly visible and quick response of the police.

When approaching the place of events, police officers must avoid routine behavior, because every criminal case is a case for itself. In doing so, the police can use one of the following approaches:

- a) Action-based template action, which is often the result of an incomplete factual situation at the place of events and acting upon previous experience,
- b) Temporal treatment given the personal description of the perpetrator, when policemen expect robbers to look the way they do not really look, enabling robbers to escape or attacking police officers and
- c) Situational template behavior, when cops previous experience in similar cases apply stereotypically to a new specific place of events and a situation on it.

For most police forces in the world, the rule which applies that all persons who leave the attacked facility, either on their own initiative or on the request of the police, is that they must be searched and identified if the robbers in the attacked facility can predict the possible way and direction of their escape. It is also necessary to anticipate the places where possible helpers can be found. If the assassins begin shooting at police officers, they should return to the fire, but without bringing into danger the lives of third parties, such as hostages, victims, casual passers-by, witnesses. It is better to allow the escape of a bandit than to kill an innocent person. On the other hand, when the escaping execute is not aggressive, but refuses to discard a firearm or other dangerous substance, in principle, the police can not use fire unless it is estimated that the fugitive will attack. As a rule, a deadly force or a deadly shot should only be used as the ultima ratio.

When the perpetrators are barricaded or held hostage, as indicated above, specialists for negotiation and special police units should be called in with the simultaneous evacuation of the surrounding area, as previously discussed.

Initial research:

The scene of robbery contains numerous traces, especially micro and invisible (latent) traces and objects related to the robbery. They can only be found after a detailed examination of the scene of the crime and its surroundings during the investigation, and some traces only later in the experts' labs. That's why the police officers involved in the measures of first intervention must be aware of the rules for securing the scene of the crime with remains as much preserved as possible, or to change little as possible, or not to generate new traces or destroy or contaminate existing traces.

Insuring and reviewing the crime scene:

Since the testimonies of the victims and witnesses, for a number of reasons - explained in detail in criminological psychology, are uncertain and changing category, the search for the so-called "material evidence in the form of traces and objects of a criminal offense", must be thorough and persistent.

The manner and scope of the search in the phase of the initial intervention are determined by the type of property, the place of the criminal event (open or closed), as well as objects and substances important for the case. Measures of the first intervention by the basic police characterize the informal, offensive and mass behavior.

For those who provide securing a crime scene, special interest should be on the places where perpetrator was standing or sitting, squatting, lying, etc., the objects he contacted, found the resources of immobilisation of the person (means of binding, especially adhesive tape, because they can capture fingerprints if the perpetrator worked without gloves, etc.). These places and objects could be found and indicated by the objective situation or they can be found out on the basis of person's statements. Everything that has been found needs to be described and recorded.

Victims and witnesses should be separated and gathering information should be made by interview type talk. Interviewing should be done as soon as possible and must be detailed. At the same time, it is necessary to work and make parallel collection of information from other available sources of information. The basic principle of interviewing people is that people must be examined separately from each other. Interviewing victims and witnesses is done in the situation when their status is known with certainty. The focus is on the certain specificities and the circumstances of each particular case. It needs to be determined whether the victims and witnesses talked to each other before the arrival of the police, and if so what they talked about.

Based on the content of the testimony of the victims and the witnesses, the investigators can later link the parts of the criminal event and carry out a mental reconstruction of the event, chronologically using historical method.

It is necessary to try to identify the identity of the persons who were in the vicinity or in the object of the attack, just before the attack, and at the time of the attack. Among them can be the accomplices of the robbers. These persons may be known only by name or surname, nickname, alias, occupation, place of residence, place of detention, etc.

The focus should be on collecting information on the modes of execution of the crime, with particular emphasis on modus operandi. The following information is provided on the number of perpetrators, their personal description, the roles they had in the execution of the offense, the ways of communicating immediately before and during the attack, the manner of addressing the attendees, the manner and direction of the escape, the places and objects they contacted during the commission of the crime, etc.

Collecting data about the form of attack in terms of the applied force and / or threats and the stages of the execution of the work (ante delictum, tempore delicti, post delictum) is important for making the correct conclusions based on the analysis (assessment) of the state and the prognosis. An important role is played by the aforementioned thought process of constructivization. It is directly linked to operational and process activities. Based on the process of identification, differentiation, analysis and synthesis, deduction and induction, abstractions and approximate generalizations, the boundaries between the individual traces and objects are determined, as well as their properties, relations and coexistences, etc., in order to better operate with them.

In order to avoid omissions and oversights when taking the measures of the first police intervention, especially when ensuring the place of the event, the basic police officers should use a kind of operational reminder, especially when it comes to elements of personal description.

Special attention should be paid to the points and directions of the escape along with the timely blockade of the area of the event. Based on the testimonies of these persons and those from the scene, the images of the executor, the used vehicles, etc. can be "collated" later in the process.

As already mentioned, special attention should be paid to gathering information on words used by the perpetrator or perpetrators, which may constitute an identification mode of modus operandi. Data on the physical fitness of the perpetrator, his skills and abilities, including data indicating the use of alcohol or substances, possible disguise or methods of disguise, etc., should be collected. One should always bear in mind the possibility that one of the perpetrators visited the object of the attack before the attack under a certain excuse, in order to get acquainted with the layout of rooms, number and composition of the personnel, etc.

Identification of the suspect

There are different ways of identifying suspects that have been elaborated in detail in the framework of criminal intelligence. Identification is repeatedly disabled or made difficult by direct recognition by victims or witnesses, when the perpetrators were disguised (masked). Many robbers use different types of facial mask such as: ski masks, gas masks, special masks, women's socks over the head, scarves, everything up to paper bags with eye openings. Another way of dressing involves

wigs, hair painting, false impressions, beards and mustache, false noses, beards and ears, false scars, various forms of make-up, all in order to change the personal description.

The fact is that different tools and weapons for execution of robbery lead sometimes into the zone of attempted murder or borders with it. That objects can be found at the place of execution or may be discarded near the execution site during escape by foot or vehicles, may be hidden in vehicles and elsewhere. They can be a rich source of material information after processing in forensic laboratories. Therefore, they should be properly exempted and packaged in a proper manner not to cause destruction, damage or contamination in a traceological sense, or generate new traces that are not related to the performed crime and perpetrator. Razors, blades and medical scalpels, especially when they are larger in size, will be especially intimidating to the victims.

Most vehicles that bandits use in the phase of preparing execution of the offenses, as well as escape phase, as a rule, are inconspicuous in their appearance, so they "drown" in the environment. They are such that they do not attract attention in any way, look, sound, etc. As a rule they were stolen immediately before the robbery or short time before the robbery, in order to short time for detection the theft of the vehicle and informing the police about the theft, until the moment of the robbery. Fake or stolen registration plates are used also. Some robbers leave the place of execution on foot, and short time after that they use vehicles.

If vehicles for robberies have been found earlier, they are kept hidden in secret garages and similar places, as well as auto mechanic and lacquer workshops, and if they were stolen, the bandits then would make the necessary changes on them.

In cases when the perpetrators of the robbery are caught at the scene during the course of the robbery (in flagranti), modus operandi in a specific case must be compared with earlier cases, but also subsequent ones, if they occur. In this way it is possible to detect serial bandits.

Modus operandi in operative criminal record of special interest is defined by the following elements: (1) type of robbery (model), (2) execution time in terms of day, hour and minute, (3) manner of execution, (4) means of execution, (5) number of executors and their approximate age, gender, appearance and the like, (6) voice and vocabulary used, (7) used vehicles, (8) various special features, (9) searched and confiscated objects, etc.

Finding a modus operandi of earlier robberies that coincide with the manner of carrying out a particular robbery does not necessarily mean that the same bandit committed these robberies. It is noteworthy that some of the bandits, after having learned through the mass media about the manner of execution of a robbery, take over this mode of operation and imitate it, which can lead to delusions.

Material evidence, especially visible ones, is modest in the case of robberies in relation to some other crimes. If the objects of the attack are equipped with cameras, secret

or public surveillance or other technical registration means, technical recordings can serve as a good source of information and proof in technical terms.

All detected material traces and items related to the committed robbery can be used for detecting purposes. Finding certain types of traces depends of the location and methods of execution. So, for example, in cases of robbery with the physical contact with the victims, there are more material traces than in the so-called street robbery. In the case of the escape of the vehicle, the traces of the tire remain visible or invisible depending on the surface.

Particular details should be analyzed in cases of wounding a person in execution of crime during or immediately after the robbery. It is necessary to check the time of sending the first messages from the dispatcher to police units after the first information were sent from the crime scene, especially those concerning the personal description of the attacker and the description of the vehicle. It is also necessary to analyze whether the place of the event was properly secured, whether and how the objects, etc., were taken away, which objects were taken away by the robbers, who was the legal owner or possessor, etc.

If a perpetrator is deprived of liberty it is necessary to determine when and how it is done, how it is identified and whether its availability is made by the authorities and other persons according of the criminal procedural law.

As pointed out, it is necessary to compare the cases of committed robberies, not only in the area of the police body concerned, but also in other bodies –territorial princip. On the basis of monitoring the conducted robberies, potential objects of attack can be predicted and warned of this possibility.

Methods of execution

The criminal offense of robbery is characteristic because in most cases it is successful. It is often a delicate crime with relatively little risk, except in the case of attacks on money institutions, in terms of the success of its outcome. This is attributed to the circumstances which follow this crime, because it is usually carried out suddenly and very violently, so that the victims fail to provide effective resistance.

A considerable number of robberies are carried out in complicity with a certain division of labor, with the increased social danger of these acts. However, in a significant number of cases accomplices usually do not act on the basis of pre-detailed plans, but on the basis of current joint decisions, which are often due to the circumstances.

In a large number of cases, perpetrators use their own physical strength during an attack. When it comes to group robbery, the apparent numerical, and therefore physical strength, makes the use of weapons or other means of execution unnecessary, except in rare cases. On the other hand, individual robbers tend to use weapons or tools as means of execution.

Alcohol has a dual role. Alcoholic bandits are easier motivated and faster to decide on the execution of the act. On the other hand, alcoholized potential victims are also a vulnerable (suitable) object of attack.

Regarding the manner of execution, robberies appear more rarely in an attempt. The role of helpers and supporters it is not that important. Usually these are co-perpetrators. As a rule, complicity occurs shortly before the execution of the act.

The range of the mode of execution varies from case to case, from very primitive ways, to very perfidious attacks on vehicles, when in the vehicles are installed devices that later can be stopped and attacked on the road at a certain place. The modes of execution not only vary from case to case, but are also different for individual bandits. The execution method generally includes:

1. Preparations for the execution of acts, which may be very small and short,
2. Plan of the manner of execution of the offense (attack), even if it is currently adopted.
3. The type and method of applying coercion in the form of force and / or threat,
4. Procedure with victims and witnesses,
5. Taking away items,
6. Number of participants in the robbery, their roles and tasks to be performed by some of them, for example, who will be the leader of the group, who will keep the victims "on the eye", who will search them, who will guard the security personnel, and so on.
7. The mode of dispatch (transport) of seized items,
8. The method of cashing or breaking up the seized goods, etc.

Among some forms of robberies, there is hardly any similarity, for example, between the robbery of banks and the taking of bags on the streets of street robberies.

That is why is difficult to track robberies through the *modus operandi* system. The methods of execution are very diverse and are conditioned by the nature of the crime itself, by the place of execution, by the personality and by the number of robbers, as well as by the personality of the victims. As a rule, robbers seek money and more valuable things (jewelry and other valuables, technical goods, weapons, and all other types of goods). Sometimes the objects of interest are various secrets, research results, patents and documents. Bandits are ready to attack the disobedient victim very brutally. They very rarely show a message on paper and avoid using voice.

The objects of attack vary from various legal entities and institutions such as banks and money institutions, post offices, exchange offices, gas stations, catering and tourist facilities, jewelers (jewelers), houses and flats and individuals.

Victims of robbery are always physical persons. These can be cashiers and other cash dispensers, posters, collectors, drunken persons, homosexuals, prostitutes, wealthy persons, persons who sold or raised money in the bank before the robbery, taxi drivers, etc. All citizens are potential victims of the robbery.

Serious robberies are organised by preparing the plan of the action. This indicates the professionalism of the bandits. In all robberies one should distinguish between the preparatory phase (which may be very short) and the implementation phase. Examining the terrain, traits and habits of the victims, studying the (dynamics) and behavior of the population in a particular area, selecting the most suitable time for execution, determining how to overcome obstacles, defining roles in the division of labor, the way of coming and leaving the place of execution, defining the way of concealment and the place of concealment, arranging an alibi, and arranging story to be told to the police in case of capture and etc. all this falls into the preparatory phase.

Robbers make reconnaissance in various ways, personally or through their accomplices who may be employed in a potential object of attack or some other object of interest. These can be home helpers (maids), waiters, prostitutes, macros, sellers, different kind of officers, etc.

Whenever the robber wants to cover up the presence indication at the place of execution before committing the offense, he uses the helpers. This extends the circle of persons involved in the case and in some way makes robber more vulnerable to detection. Reconnaissance methods are numerous. This can be a check of tenants listings in residential buildings (mailboxes or intercome titles), postman and cashier tracking, watching the guests in catering facilities, tracking persons at fairs and markets, studying the organization and working in legal entities as the future objects of attack, especially banks, etc.

The reconnaissance involves awareness of life habits of victim, perception about the area and the object of the attack (selecting the object of the attack) and the opportunities in the facility, identifying the most suitable moment and time of attack when the frequency and movement or visit of citizens is the smallest, selection of the period of the day for example the night or the twilight, etc.

On the basis of the reconnaissance results, the perpetrator or perpetrators chose the way of execution and determine the role of individuals, the method of masking (placing women's socks over the head, various facial masks (so-called phantom), ski hats with eyebrows, scarves, wigs, false mustaches and beards, all to the masks for "masked" bals). Disguise and masking also include changes in color, voice, gesture, body stamina, etc. It was noticed that the robbers were shot in places where they knew them, or where there are technical registrations, such as cameras.

The preparation phase is typically characteristic for gangster-style robberies, also called complex robberies. Each bandit has its own way (style) of conducting preparatory actions and its way of performing acts.

Planning, disassembling and the way the robbery is executed can serve as a guide to clarifying the robbery. The basic elements of the robbery plan are precautionary measures. Some bandits require very little planning in connection with their execution. Second, given the protective measures taken as protection against robberies, they require more precise planning, often long-term and precise determination of time and manner of execution. In order for the police to successfully discover and clarify the robberies and robbers, they must know what the robbery plans contain. Therefore, we are specifying some elements of the robbery plan.

Usually these are:

- Observation of the potential object of the attack and its surroundings,
- The study of the way of life (the regime of life) of individuals who will be the victims of the attack,
- Study of the work of police patrols and the attendant and the speed of their response in urgent cases, as well as other police procedures in the area where the potential object of attack is located,
- Determination of the most suitable and as accurate time for the attack,

- Drawing of cards and sketches or the acquisition of maps and sketches of the area and the place and object of the attack, as well as the recording of those places and persons of interest,
- Organizing and determining roles of the participants in the work, with the necessary division of labor, as well as practicing these roles.
- Agreement for the purchase of a vehicle, determining the type, color and the like. and persons who will carry out illegal procurement,
- Determination of the waiting area of the escape vehicle and escape vehicles used to escape (hot-air vehicles) and passage into other (cold) vehicles,
- Determination of the driver and their acquaintance with the escape route and alternative (alternative) routes,
- Necessary equipment, weapons, masking and dressing devices, means for binding and immobilization of faces, alarm systems, etc., as well as the overcoming of members of the so-called "physical protection" (guards and protectors),
- Determining the means and means of false representation i.e. false identifications (such as policemen, military personnel, postmen, inventors, etc.). Places and ways of gathering before the commission of the act, as well as after the execution, and the agreement and training of the factual story to be told in case of capture by the police,
- Study of traffic flows and traffic disorders in the area of attacks, especially for the last 24 hours, etc.

Implementation phase:

Under the implementation phase, the method of executing robbery should be understood. As pointed out earlier, there are numerous ways to commit robbery. Here are some of the methods for executing the robberies:

1. Attacks in the open space, at a convenient location decided by monitoring, seduction, waiting or interception of the victim at a convenient time. There may be obstacles on the road to stop the vehicle, etc. dark parks and streets appear as suitable places. The attack often implies choosing a victim in advance ("tipping the victim").
2. Attacks by serving tricks and phishing. The robbers are represented as an official person, usually a policeman, a military person, an inventor, an interviewer, and so on. Reconnaissance is conducted to select the victim and then follow sudden approaches to him or her at a convenient place and moment. The victim sometimes is legitimized, and even "deprived of liberty". The robber in disguise can conduct and perform personal search, and then suddenly attack, strike and throw the victim on the floor and take away the things and disappear. The cases were reported that the robbers came as policemen with a false order (and in uniform) to search the apartment and then attacked the people and robbed them. This is the so-called contact mode of execution. They are successful in achieving intent when presented as collectors and deliverers (distributors).
3. Various attacks on individuals outside the home. Often, these are attacks on drunk, drugged, etc. persons and women. These attacks, as a rule, are performed by individual robbers, who are not particularly daring and bold. They use the weakness of the victim and the circumstance that victim can not provide serious resistance, as well as the moment of surprise. As pointed out, the attack is often preceded by scouting and monitoring.
4. Luring victims. Men and women are used as baits, with the victim who was being taken to a pre-arranged place where the attack occurs. Usually, prostitutes and persons of homosexual orientation or gamblers, etc., are used. These are robberies of scam.
5. Attacks on casinos, night clubs, banks, money orders, etc. The frequent objects of the attack are illegal casinos. Attacks on banks are carried out in a group, often with the use of gross violence and injury and death of clients of the bank and its employees.
6. Attacks on trains, or postal wagons on an open railroad. These attacks are preceded by detailed planning of attacks.
7. Sudden attacks on persons in flats and houses. After the previously conducted surveys about the arrangement of premises in the apartment or house, accesses, exits, telephones, alarm systems and other methods of protection, about places where there are more valuable objects placed or hidden, about the number of people that live in the apartment,

information about how many persons are in the apartment at the time of the attack, gender, age structure, occupation, whether they know some martial arts, whether they are armed, etc., and after that approaching follows the attack. Robbers are watching homes and apartments using strong binoculars, listening the telephone conversations, asking neighbors under different pronouncements, and so on. They can have an accomplice in the house, for example parlormaid. Some postmen, collectors, plumbers, etc. can consciously or unconsciously, with a glass of alcohol in the pub, provide the robbers with the necessary information. In some cases, they sneak into a residential building and wait for the arrival of the householder, and when they break up and take off. At the moment of surprise, a man who is half naked or naked for psychological reasons clumsily defends, is blocked by shock and does not think about escaping. Some climb into residential rooms over balconies and roofs in various ways (ropes, hooks, creeps along the facade, etc.). The third knock on the door and immediately switch to attack. They are very brutal and, as a rule, they bind victims and shut their mouths. Those who appear as inventors, suppliers, etc. or use other tricks to attack suddenly, they may be unnecessarily rough to prevent possible resistance. These attacks often take place based on the current assessment. Sometimes the robbers leave victims naked and bound.

8. Special forms of robbery are attacks on taxi drivers and drivers of freight vehicles that transport money, goods, etc. These robberies have all the features of gangsterism and often end up with bodily injuries or killings of victims. When it comes to taxi drivers, some epidemics of attack on a taxi driver occur in some countries, often with a fatal outcome. Often, a freight vehicle is taken along with the goods.

9. Attacks on cashiers eg. at railway stations and bus stations, doctors, dentists, lawyers, all those who have money at home. Robbers usually wait as clients, patients, etc. until they come to order, and then go into attack.

10. A special way of committing robbery is performing the attacks in elevators, either by monitoring or by waiting for victims, which at some times end up with rape (irradiation of the affect).

11. Attacks on personal car drivers in parking lots, in front of garages, at traffic lights, and so on. Drivers are often victims of auto stoppers. When it comes to robberies by drug addicts the consequences could be tragic. Often, the robbers take away a vehicle and after the escape they often ignite cars to destroy the traces.

12. Insolent gangster attack are performed attacks on guests and staff in catering facilities, on passengers in trains, buses and other means of transport.

13. Attacks on jewels, goldsmiths, exchange offices, post offices, gas stations, shops, retirement homes, etc.

14. Attacks on persons of homosexual orientation, prostitutes, gamblers, etc.

15. Throwing into the eyes pepper or variety of sprays, electro stunners and the like.

16. Form of robberies performed by getting to know the victim and getting closer to her on the dance, in the cinema, in the catering facility, in the beach, etc. with performance in a convenient place and sudden attack. This is the so-called "blitz" attack.

17. Attack on cashiers, posters, inventors and persons who transport or transfer money. Often someone is involved with a robber from a legal entity in which a money transferer works.

18. False promises and misconception eg. by showing the street or persons, by contact for sale or purchase, by promising sexual intercourse, by offering assistance, by organising meeting with a person, in order to arrange a deal (and also unlawful) by providing "help" and "services" by wearing things and luggage, promises of transportation, etc. There have been cases where "aid" has been provided to the blind persons who have been robbed.

19. Attacks on lonely love couples, which at some times due to irradiation of an affair can end with a rape (female or male).

20. Robbery committed in combination with another criminal offense eg. by rape, by committing blasphemous actions, deception, seizure of a motor vehicle, etc.

21. "Ad hoc" street robberies, when a robber breaks (sweeps) up the pedestrians from the hand or from the body, for example, bags. Often the perpetrator push the victim on the ground and strikes, or only in the passage pulled out of the hand or from the body bags or other objects.

22. Ordered robberies. In them, the victims are attacked by order. These persons have various valuable items that are considered as cultural, numismatic, philatelic, and similar merchandise. These may also be documents that represent military, official, business and other secrets, patents, etc.

Though robbers do not always use the same methods (methods) of execution, the connection of their attacks with one type of victim or objects in which attacks are carried out, without occasion bandits (i.e. those who have used the shown opportunity to perform the work), there are always some noticeable similarities in terms of the type of victims or objects of attack. Therefore, comparing the method of execution in unresolved robberies with the data in various operational criminal records, especially the modus operandi records, it is possible to identify undisclosed perpetrators.

The type and classification of robbery is often an indicator of someone's particular interest in certain types of victims or objects of attack.

Regardless of the various variations in the execution of the robbery, according to the mode of execution, criminals are generally classified into the three "style of work" for the operational needs of the robbery:

1. robbery from ambush,
2. robbery by the raid and
3. robbery with pre-planned criminal operations.

Robbery from ambush is based on the moment of surprise and does not require specific planning. The lack of detailed planning does not mean that the perpetrator did not think about the manner of execution and that he did not create a model of attack and execution of the act in his head.

Robbery by raid is characterized by a minimum of irregular planning. The attacks were temporarily selected and reviewed very quickly and the possible approaches to the execution of the offenses were selected quickly. In such cases, several robberies can be carried out in a quick sequence (sequence). Then we are talking about a series of robberies and serial robber or robbers.

Robberies with pre-planned criminal operations were explained in previous section.

Checks in the neighborhood:

A significant number of robberies is successfully solved by policemen, within the framework of the first intervention measure, if they are doing their job well. In the first operational stages of the proceedings one has to search for: (1) the suspect and (2) the sources of evidence, therefore, evidence. This includes the collection of information on possible earlier robberies at or near the site, in particular if it is the same victim or object of attack, additional witnesses of earlier cases that were not caught at the scene, and so on.

After the offense is committed, the robbers try to avoid detection by frequently hiding in the vicinity of the execution site. That's why the checks in the neighborhood play a big role. These include interviewing persons resident in the area in order to obtain information as to whether they have noticed what could be brought about in connection with the conduct of the robbery.

The term "noticed" implies perception of all senses. Field search is one of the tasks of checking in the neighborhood. Residents may recall seeing someone who was suspicious to them on the day the robbery was committed, but also earlier days. They could hear or see someone running through the yard, climbing over their fence, someone crying, they could hear dog barking, and so on.

These checks may reveal that a person under operational supervision is staying in the neighborhood. Neighbors know the people who have dealt with the law enforcements representatives. These persons can serve as helpers, concealers, etc.

In addition to interviewing residents near the site of robbery, all possible hiding places should be carefully searched. Here also tenants can help. The suspect may be hiding in places such as: spaces below or inside a vehicle parked near the place of execution, garages, sheds, garbage containers, churches, tree canopy, and outer premises, entrances in restaurants, shops, barbershops, motels and hotels, in legal or illegal "beds", by stopping taxis, etc.

Often, controlling the vehicle registration numbers in parking lots near the site of robbery can reveal the vehicle of an executor who for some reason did not want or managed to escape. Likewise, controlling of parking notices on the penalty for exceeding the parking time can lead to the identification of the perpetrator. Checking in the neighborhood can reveal that the robber took away and used someone else's vehicle for the escape, etc.

Neighborhood checks should also be used to search for all places where the means of execution, prey and precious objects could be found.

Conclusion

On the timely and adequate handling of operational police center, depends the success of the police operational activity of any type.

The operational police center takes over command and control of the police forces (primarily the basic police) in the first stages after the robbery was committed. It coordinates work among particular police units, especially between the uniformed and criminal police, and has the role in the coordination between the patrols. It can order blocking and setting ambushes, searches of open spaces, and is authorized to give orders to police officers and patrols. It is also involved in resolving the case by communication and exchange of knowledge and information about the robbery from the personal description of the perpetrator, the route and the manner of escape of the perpetrator, the description of the vehicles used for escape and other relevant information for the case.

In accordance with these activities, operational center determines the number of police officers needed for the case, their ranks and professional profiles, determines the place of first intervention, and also manages cases when a large number of police officers and technicians are to be sent to the scene.

Of the numerous measures that must be taken on or after the day of the robbery that are mentioned before, the following measures and actions need to be included:

- search for stolen or abandoned vehicles with an overview of the "hot" list of stolen cars and comparison with the description of cars seen near the site of robbery,
- inquiries and inspection of garages for rent, and inspection of parking lots and their nearest surroundings,
- engagement of informers and other so-called legal sources to obtain information about a possible perpetrator,
- checking taxi drivers whether they "picked up" customer at a critical time near the place of robbery,
- conducting interviews with drivers of public transport vehicles that passed near the crime scene around at the time of the robbery or immediately afterwards, what they noticed, which passengers were connected, whether they were suspicious, etc. It should be kept in mind that professional drivers of public transport vehicles over the years sharpen their possibilities of observing the unusual behaviour at passengers,
- checking hotels and motels, bus and train and other stations, airports, ports, bars, casinos etc. to the extent that it is necessary in the particular case.
- return to the scene at different times in the following days in order to possibly find additional witnesses or check whether the already known witnesses recalled something new, which could be of interest in clarifying the case,
- fenced space with "Stop police" tape, as a kind of psychological barrier, should be kept confined all the way until the circumstances of the concrete case require,
- all available technical recordings should be used during the process, etc.

The most common defense of the robbers is that they bought the item from an unknown person, found it in a place, replaced it for another object etc. Finding and analyzing traces of operational and expert "demolish" such defense. When searching for items seized, the rest should be taken into consideration of the packaging that could have remained, although the perpetrator removed the object. There can also be traces indicating the presence of the object. When the object of the attack was money, it should be placed under the control of places where legally and illegally money is spent, from the shops, casinos, betting shops, to the stores of expensive goods.

All police authorities should dispose the pictures and data of the most important facilities in their area that are potential objects of robbery. Primarily these are objects in which you handle large amounts of money, jewelry and other valuables, valuable goods, and so on.

There should be a constantly elaborated plan of a quick police response in cases of reporting robbery.

Checking what physical and technical protection measures have been taken in these facilities is also important. If, in the police opinion, these measures are not satisfactory, their amendment should be initiated. Particularly important role is played by public or secret cameras for permanent or occasional supervision. It should be checked whether they are really turned on or installed only to deter the possible perpetrators.

A special role is played by the so-called "redemption stations" of criminals who purchase items obtained through criminal offenses at low prices.

In the detection of robberies and search for perpetrators, records of certain categories of perpetrators should also be used. In this record, the returnees, are presumed to be registered (which are supposed to repeat the act).

Special role in controlling robberies have concealers who provide assistance to perpetrators of crimes after the committed act. Usually it is done by concealing things. He is the economic backbone of the criminal. Some hikers are also landlords who systematically educate the robbers who are with them as sub-tenants. Criminals and relatives are interconnected. Concealers know which goods are being sought and often give "order".

When setting up a criminal differential diagnosis (the theory of crime), the question should be asked: is it necessary or possible to involve the concealers? Cousins, friends, acquaintances, love partners of robbers should also be checked. The elimination method should close the circle of suspicious faces that come to a mind. When a circle of suspicious persons is determined, secret surveillance should be carried out. Robbers usually do not carry items instantly, but hide them in a hideout, pre-determined place, so the concealer's role comes later.

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How Oil Contracts Affect Human Rights

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Abstract

Since the beginning of the 19th century, we have assisted major proliferation of the oil and gas industry. This phenomenon of exponential growth is due to the fact that oil companies hold the world's oil monopoly on the extraction, processing and commercialization. Therefore, as being one of the most influential sectors in the world, is crucial to strictly regulate how oil and gas contracts concerns the potential environmental and social impacts arising from the conduct of petroleum operations and how such behavior affects the human rights. As a matter of fact, the social issues field is an emerging area, and despite such importance, oil contracts do not often deal with them in great detail, corresponding to an actual emptiness of the human rights provisions. In terms of responsibly, oil companies, have an inalienable obligation to ensure that their actions do not violate human rights or contribute for their violation. This study aims to trace a detailed analysis of the impact of the oil and gas agreements in human rights. In order to fully comprehend the deep effects of this industry, we will examine, in detail, numerous of published oil and gas agreements, as well as, decode which are the real standards and practices accepted by this industry. We will use a deductive and speculative reasoning. We will try to demonstrate how incipient and short protection is given to human rights and what responsible conducts must urgently be developed.

Keywords: Oil Agreement, Human Rights, Oil and Gas Sector;

Introduction

Human rights are basic standards aimed at securing dignity or equality for all and every human being is entitled to enjoy them without any discrimination.

Once, oil and gas contracts often do not deal with potential environmental and social impacts arising from the conduct of petroleum operations, resulting in a true absence of such clauses, what we pretend, with this paper is to analyse the impact of the oil and gas agreements in human rights.

Nevertheless, international human rights law developed in order to protect individuals from oppressive and abusive actions of the state.

However, several states do not live up to his obligations. Third World countries see constantly their human rights violated through the operations of foreign corporations within their domain. They do not have the economic and political will, to bring companies under control, because the systemic corruption is often associated with them.

The companies operating in the oil sector and the gas must comply with the law and seek to minimize the impacts of their activities on local communities of the rich natural resources and territories wishing to explore.

As a result, there is still a long way to fully protect human rights and to hold this censurable conducts, measures do not depend on the States itselfs but on ordinary society too.

There is an urgent need to appeal and to raise awareness of the importance of human rights and how they are being violated, although the major part sees the oil companies as a development of economy and not as a destructive and limiting of this rights.

Chapter 1: The Dimension of Human Rights

"Human rights – civil, political, economic, social and cultural rights – must never be seen as a luxury or "saved for later", after peace and development have been achieved. Human rights are an intrinsic part of all that we do – and all that we are. And so we must speak up for human rights in an impartial way without double standards.

We must invest in human rights and recognize human rights as values and goals unto themselves – not allowing them to be instrumentalized as a political tool." António Guterres, Secretary-General of the United Nations, speech at Human Rights Council (fev. 2017).

Human rights, as we know them today, have not always existed. Since the end of the Second World War, and the creation of the United Nations, the international community vowed never again to abide the unspeakable atrocities the world had just witnessed. So the leaders of the world decided to amplify and encouraging the guarantees for the rights of human beings everywhere (Gordon, 2016).

The Universal Declaration of Human Rights (UDHR), proclaimed by UN General Assembly in 1948, stated a new era of law by recognising the equal and the inalienable rights of humankind, in which, hope, freedom, justice and peace set foundations for a better world. The UDHR established an international standard and codification of human rights norms and was signed for 148 countries (Bekefi, 2004).

The Inter-Parliamentary Union & United Nations (2016), define human rights as relationships between individuals and power structures, especially the State. Human rights delimit State power and, at the same time, require States to take positive measures ensuring an environment that enables all people to enjoy their human rights.

The UDHR is matched in many cases by the rights provisions of national constitutions, charters, and bills of rights (Gordon, 2016). In this way, the UDHR clearly inspired national legislators to safeguard human rights in the new constitutions of the world's youngest countries, which were in this context an example to follow.

The UN has also developed other protocols, based on the UDHR, to address specific human rights principles. The International Covenant on Economic, Cultural and Social Rights, and the International Covenant on Civil and Political Rights, combined with the Core Labour Standards of the International Labour Organisation serve as the basis for human rights in the legal, political, and social spheres (Bekefi, 2004).

The UDHR was originally formulated as "soft law", not legally binding (Gordon, 2016). Soft law is a type of social rather than legal norm. We can define "soft law" as referring to any written international instrument, other than a treaty, containing principles, norms, standards, or other statements of expected behavior (Shelton, 2008).

In Articles 22 to 26 of the UDHR, we have defined social and economic rights, which include provisions relating to social security, conditions of work, rest and leisure, standard of living, and education. At this point, we need to distinguish two dimensions of fundamental rights. The first dimension imposes an abstention of the action of the State against the individual rights of the human being because they are civil and political rights. It is a space of self-determination of the individual in relation to the performance of the state. The right to liberty, life, physical integrity and property are examples of this first category of rights. On the other hand, second-level rights require direct action by the state to take effect. We are facing social, cultural and economic rights (Ferraresi, 2012).

For obvious reasons, the international community is more aware of social, cultural and economic issues today than it was in 1948. Despite of the international community has not recognized a human right to a decent and liveable environment, we believe that we should embrace the right to a safe, clean, healthy, and sustainable environment, with a right of access

for everyone to such elementary resources as clean air, clean water, and clean, safe, and sustainable energy. Social and economic rights are vital. They reflect genuine human needs that every state has an obligation to attend to, within existing resources, in the interest of all those committed to their care. These rights are conceptually linked to civil and political rights because respect for human dignity requires that both be upheld. Indeed, the failure of social and economic rights makes individuals more vulnerable to other human rights abuses, such as forced labor (Gordon, 2016).

In terms of responsibility, it is right for the world to indicate to governments that attention to matters of social security, conditions of work, rest and leisure, standard of living, health, and education are now regarded as elementary and fundamental tasks of government, laid down as compelling priorities in relation to whatever resources are available. The rights here are not optional and they are not just wistful longings. A lack of resources does not turn such rights into a mere wish list. Countries have a categorical obligation to do all that they reasonably can to fulfil these rights (Gordon, 2016).

It is important not to forget what the preamble of the UDHR says that "every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance".

The rights must be absorbed into the legal, administrative and political culture of nations, first by a recognition that they are achievable ideals and then by implementation in national law and administration through relevant political and social reforms (Eide, 2000).

States must, at the primary level, respect the resources owned by the individual, his or her freedom to find a job and the freedom to take the necessary actions and use the necessary resource to satisfy his or her own needs. It is in regard to the latter that collective or group rights become important: the resources belonging to a collectivity of persons, such as indigenous populations, must be respected in order for them to be able to satisfy their needs. Consequently, as part of the obligation to respect these resources, the state should take steps to recognize and register the land rights of indigenous peoples and land tenure of smallholders whose title is uncertain. Similarly, the rights of peoples to exercise permanent sovereignty over their natural resources may be essential for them to be able, through their own collective efforts, to satisfy the needs of the members of that group (Eide, 2000).

At a secondary level, state obligations mean to protect the freedom of action and the use of resources against other, more assertive or aggressive subjects -more powerful economic interests, such as protection against fraud, against unethical behaviour in trade and contractual relations, against the marketing and dumping of hazardous or dangerous products (Eide, 2000).

So far, all existing legislation has been based on protecting human rights from abuses and oppression by the state. Nowadays, with the help of globalization, new entities have emerged that challenge human rights, such as transnational oil and gas companies.

The oil and gas sector is one of the most influential markets in the world. Legislation has been needed to ensure that these transnational corporations do not put pressure on human rights.

Chapter 2: The Applicable Law of the oil contracts (*Lex Petrolea*)

Commercial relationships have been, for a long time, regulated by international trade practices which have been developed and settled over the years. Therefore, these have achieved a status of international normative body, commonly designated, since the Middle Ages, by *Lex Mercatoria*.

Although some considerable controversy has arisen over the years, regarding the nature and delimitation of this anational normative set of rules, it seems to us that it includes general principles of law, uses of international trade, as well as contractual practices by sector of market (Baptista, 2010).

Each sector of international trade has contributed effectively to its elaboration, and as it evolves, *Lex Mercatoria* has been including several different realities.

The concepts of legal security and legal certainty will not be foreign or remote to the development of International Trade.

Since its early days, it became apparent that one of the obstacles lay in the plurality of national legal systems which could govern the same legal relationship because of the contact points with it.

Several entities in the world have contributed to the construction and acceptance of the so-called *New Lex Mercatoria*. We speak above all of the Chamber of International Trade in Paris, the United Nations Commission for International Trade Law, the UNIDROIT Institute and the contribution of certain sectoral associations dedicated to the standardization of contractual behavior, thereby implementing legal certainty in the relations of the sector in which they operate.

It should be noted that the creation of contractual models based on the customs and practices within international trade is currently unquestionable. Certain contractual species claim models because of their peculiarity and complexity, and the parties can, in accordance to the circumstances of each particular case, adaptable to them. They are seen as expeditious elements of the legal relationships that are established, capable of implementing legal security and greater certainty in international commercial relations.

The internationalization of the oil industry occurred at a time when certain companies began exporting oil from producing countries to non-producing countries, although these were considered as real economic powers. All conditions were therefore created for the existence of a genuine international oil market.

In this sector, commercial relations imply the existence of several national and international protagonists, namely multinational companies (International Oil Companies - IOC), Host Oil Countries (HOC) and National Oil Companies (NOC).

We can not forget that in oil and gas contracts we have opposite interests. On the one hand, the interests of the State over its natural resources and the need to manage these contracts while safeguarding the contractual public interest; on the other, the individual interests, who claim protection in continuity and contractual stability.

These relations therefore carry high risks. The State may at any time introduce changes, whether contractual or legislative, impairing contractual stability, e.g. expropriations and nationalizations and changes in fiscal policies. Consequently, normative specialization has become inevitable for this type of relationship.

Thereby, a need arises to create, in the context of the international oil trades and because of the high importance of the oil and gas industry, material rules to govern such relations. We talk about a *Lex Mercatoria* specialization, commonly known as *Lex Petrolea*.

This expression arose for the first time in the *ARAMCO v. Saudi Arabia* (1958), submitted to an arbitral tribunal and concluded that there is a valid and effective "customary" law for the oil industry (Martin, 2012).

This regulation early went beyond arbitration, and become a true discipline of international trade relations in the oil sector, encompassing contractual models that facilitate relations between the parties.

These contracts intended to standardize terms commonly used in the petroleum industry that are internationally recognized. We refer to the concession agreement, the sharing agreements, the participation agreement, among others.

Lex Petrolea is used by the courts, and it is in the context of arbitration that the contractual models are analysed and tested, evidencing their characteristics and the need to adapt them to reality.

Lex Petrolea will apply to the international contracts of the sector whenever they refer to it or whenever they allude to the general principles of law and the good practices of the petroleum industry.

Although international arbitration is not tied to the precedent rule, we noted that arbitral justice actors, arbitrators and lawyers, commonly use precedent decisions to justify, substantiate decisions and to outline his points of views respectively.

The construction of *Lex Petrolea's* main scope is to discipline international trade relations in the oil industry (Van den Berg, 1994).

Although certain arbitration conventions also provide for the application of a given national law to resolve disputes arising out of an oil contract, the principles of *Lex Petrolea* must always be considered.

In *ARAMCO v. Saudi Arabia*, the arbitral court held that the applicable national law should be interpreted and supplemented in accordance with the general principles of law, customs and good practices of the oil industry.

In 1963, the Sapphire International Petroleum v. NIOC case, the arbitrators substantiated the application of Lex Petrolea on the basis of the principle of good faith and cooperation between the parties, diverting the national law from the receiving State.

In the case of British Petroleum (BP) v. Libya in 1973, the arbitrators applied subsidiary Lex Petrolea to fill gaps in Libyan Law (Favacho, 2011).

In 1982, in another case, Kuwait v. AMINOIL, the government concerned based its claim on a set of arbitration decisions handed down in disputes arising out of oil contracts.

Since Lex Petrolea is disconnected from any state legal system, and therefore not suffering the influences and prerogatives of the states, early on contributed to overcoming problems in the regulation of oil contracts.

Lex Petrolea, not bound by any legal system in particular, was able to sediment the internationally accepted practices. This has contributed to its success, since its acceptance is undeniable both by the host States and by transnational corporations.

We can therefore consider Lex Petrolea as a spontaneous disciplinary order created by the protagonists of the international oil industry in order to provide for the antagonistic and often conflicting interests of the protagonists. It is undoubtedly in the equidistance of national rights that it establishes its autonomy, independence and legitimation (Jesus, 2012).

Chapter 3: When things go wrong

Corporate Social Responsibility in Oil and Gas Industry

As stated earlier, oil and gas are the largest source of energy for our modern world, and this industry is largely shaped by the supply and demand conditions.

In the beginning, developing countries did not have the infrastructure for refining crude, neither the markets for absorbing the refined products, and therefore, this resulted in a supply that far exceeded the demand. Developing countries exported crude to the larger developed countries markets, where processing took place and the final products were sold.

The contractual terms mainly focused on fiscal terms and financial gains, which reflected this preference for obtaining revenues from royalties and taxes rather than production sharing (Boykett, Peirano, Boria, Kelley, Schimana, Dekrout, O'Reilly, 2012).

By analysing oil agreements and their history, we see that there is a recent concern of many developing oil producing states about the social and economical issues, since they started to realise that the petroleum sector can contribute much more to their welfare and overall development than solely through revenues.

Illustrating with an example, we quote the preamble of the 2012 Kurdistan Regional Government Production Sharing Contract, which says: " *The Government wishes to develop the petroleum wealth of the Kurdistan Region (as defined in this Contract) in a way that achieves the highest benefit to the people of the Kurdistan Region and all of Iraq, using the most advanced techniques of market principles and encouraging investment, consistent with the Constitution of Iraq including, without limitation;*"

Also, this contractor must be " *willing to cooperate with the Government by entering into this Contract, thereby assisting the Government to develop the Kurdistan Region petroleum industry, thereby promoting the economic development of the Kurdistan Region and Iraq and the social welfare of its people*".

Regarding this specific agreement, by the introduction of such clauses, we can conclude that whatever path lies ahead for the Kurdish energy sector, the sustainability of Iraqi Kurdistan development seems to be necessarily linked to a twofold diversification: diversification of the productive structure of the regional economy, essential to avoiding the social, political and economic risks related to over-dependency on oil revenues, on the one hand, and diversification of energy export channels, unavoidable in order to limit the degree of political vulnerability to transit countries (Frappi, 2016).

Although, the preoccupation with corporate ethics and the social dimensions to business activity is not new, the focus on international development, or rather the private sector contribution to international development goals, is a relatively recent phenomenon (Frynas, 2008).

This new idea that a company should be interested in and willing to help society and the environment as well as be concerned about the products and profits it makes, is the base and definition of Corporate Social Responsibility or CSR.

CSR and Development

In fifty years, CSR has evolved from social movements regarding civil rights, women's rights, consumers, environmentalism, to corporate responsibility and responsiveness, and more recently to a corporate social performance which includes business ethics, corporate citizenship, sustainability and stakeholder management (Carrol, 2015).

Nowadays, oil and gas companies can use their influence in the world to develop regions in the surrounding areas points of extraction. This industry now helps to build schools and hospitals, launch micro-credit schemes for local people and assist youth employment programs, particularly in developing countries.

Some authors, have proposed to think of CSR as an umbrella term for a variety of theories and practices that each recognize that companies have a responsibility for their impact on society and the natural environment, sometimes beyond that of legal compliance and the liability of individuals: that companies have a responsibility for the behaviour of others with whom they do business (within supply chains); and that business needs to manage its relationship with wider society, be that for reasons of commercial viability or to add value to society (Frynas, 2009).

In a broader context, the calls for greater involvement of private firms in human development reflect the growing importance of foreign direct investment relative to official development assistance to developing countries, despite the unlikely to play the significant role in poverty reduction in development countries that its proponents claim for (Jenkins, 2005).

As a consequence of liberalization and deregulation, oil companies are now being called upon to go beyond their traditional role of generating economic growth toward playing a more direct role in alleviating poverty and other development goals (Frynas, 2008).

CSR concerns are determined by the nature of an industry and the State or culture where that industry operates. For instance, in the oil and gas industry, even though operations occur in many countries, the key concerns such as the macroeconomic difficulties related to oil revenues, the environment and the social impact on local communities, are shared between most countries.

Dealing with dangerous operations with highly negative effects, oil corporations are permanently under great pressure to manage their relationship with society.

Events, widely reported by the media, such as oil spills, the protests anti-oil, campaigns to save the environment and indigenous people from oil operations, the involvement of oil industry in human rights abuse in Colombia or Nigeria's corruption and economic problems caused by oil companies, pressure companies to rethink about future strategies and the circumstances of corporate social responsibility.

For instance, in the oil and gas sector, companies such as Total, Shell and Exxon each spend well over US\$ 100 million on community investments every year (Frynas, 2009). Hence the major importance of such matters.

However, there are many reports of social investment that went heavily wrong, either by bad administration and poor project management, or by lacking of basic equipment, or by being unsuitable dysfunctional for the community.

As an extreme example, a company built a fish processing plant in a local community, which was a long way from the trade markets, as a result of insufficient local consultation.

Or the case of a company that built three town halls in one African local community in order to maintain a stable working environment in the process of building a pipeline, because the company followed the short-term interests of three community chiefs who wanted to benefit personally from construction contracts (Frynas, 2009).

Oil companies are also accused of the lack of transparency and of interfering in governance, influencing States elections by corrupting candidates in order to gain advantages.

We can conclude that, despite the CSR importance, due to the great influence of this industry, today it can be argued that it can be more detrimental to oil-producing countries than the environmental impact of oil operations themselves and that

the alleged corporate social responsibility efforts do not outweigh and can not offset the atrocious human rights violations along the way.

Chapter 4: Responsibility of Human Rights Violations

Capitalism, globalisation and neo-liberalism have paved the way for the emergence on the international scene of economic colossuses with quasi-legal personality (Malanczuk, 1997).

These modern leviathans wield considerable social and political influence over countries, in addition to their overwhelming economic leverage (Miller, 1995).

See that Shell Oil's 1990 gross national income was more than the combined GNPs of Tanzania, Ethiopia, Nepal, Bangladesh, Zaire, Uganda, Nigeria, Kenya and Pakistan – countries that represent almost one-tenth of the World's population

Transnation Corporations (TNCs), through foreign direct investment in developed and developing countries, create jobs, improve technology and inject capital. But they equally have a negative impact on the areas where they operate, particularly in poor Third World or developing countries. Frequently, their activities result in human rights violations. The abused human rights are more often than not those that fall within the international definition of economic, social and cultural rights (Kamminga, 1999).

Since the last two decades, however, the emphasis has been on the adoption of corporate social responsibility initiatives, international and national in origin, to effectively address concerns regarding human rights violations by TNCs.

The bottom line is that there is no single international regime of human rights law directly applicable to, and governing, transnational operations of corporations.

Customary international human rights law developed in order to protect individuals from oppressive and abusive actions of the state. Perhaps a failure to recognise or contemplate *ab initio* that powerful non-state actors such as TNCs could violate human rights may be attributed to the fact that only states were players in the international arena (Cutler, 2001).

However, international law leaves states with the obligation to control and restrain within their territories the activities of non-state actors that violate human right (McCorquodale, Simons, 2007).

It is not in doubt that several states do not have what it takes to live up to this obligation. Weak Third World countries that see these human rights violations through the extra-territorial activities of foreign corporations within their domain, do not have the economic and political will to bring TNCs under control. The situation is further exacerbated by the systemic corruption often associated with Third World countries (Khan, 2009).

At one time it was thought that where a host state is unwilling or incapable of reacting appropriately to human rights abuses, the home state of the corporation may have a crucial role to play ensuring that corporate abuses do not go unpunished, and some home states have attempted to use extra-territorial legislation to achieve this end (Ruggie, 2008).

Several states tried to implement measures, for example the UK suggested creating a specific figure for violation of these human rights. However, this did not translate into legislation.

Criminal prosecution is the highest level of state reprimand against an offending entity. Consequently, the joint venture alliance (and sometimes production-sharing contracts) between the state (represented by NNPC) and the oil TNCs raises the question as well as suggesting why the state has not mustered the courage to apply the strictest level of sanctions against entities in which it has vested an economic interest.

It may be recalled that it is in part the failure of states to rise above political and economic considerations and visit justice on atrocities committed within their territories that necessitated the creation of the International Criminal Court (ICC), not that the states do not have appropriate criminal regimes for the designated offences. *A fortiori*, the necessity of subjecting TNCs to the jurisdiction of the ICC is canvassed not because host states do not have appropriate corporate criminal regimes, but because the use of such domestic criminal regimes to secure justice for victims of these crimes is seemingly undermined by factors that relate to political and economic considerations, as well as corruption.

The ICC is a permanent tribunal established to prosecute individuals for genocide, crimes against humanity and war crimes.

Essentially, the ICC complements existing national judicial systems and only exercises its jurisdiction where a national jurisdiction is unwilling or unable to investigate or prosecute designated crimes. This is the idea encapsulated in the ICC's complementarity principle (Zeidy, 2008).

The negative impact of their activities manifests itself in wide-scale and grave abuses of human rights. The hapless citizens bear the worst of these human rights abuses. Despite their enormous economic activity and the amount of literature that has been produced on them, there is still no single legal instrument that regulates their activities meaningfully.

The fundamental reason for considering that the ICC is appropriately positioned to act also as a criminal court for TNCs is that the ICC is an uninterested third party (unassociated with neither the host nor home state) to whom grievances of human rights violations can be lodged by victims. It would thus be in a position to act without being influenced by any form of economic considerations that often dominate the decisions of the current state officials to check the atrocious activities of the TNCs (Haigh, 2008).

A challenge to extending the ICC's jurisdiction to TNCs, however, is the issue of the non-recognition of corporate criminal liability by some state parties to the treaty, also the reason behind the failure at the Rome Conference to extend the ICC's jurisdiction over corporations.

the complementarity principle in the Rome Statute would not be threatened by a proposal to extend the ICC's jurisdiction to corporations. The arguments canvassed as the basis for opposing the extension of the jurisdiction of ICC to TNCs, are untenable. Indeed, complementarity concerns were merely used as a cover for states' anxiety about how competing tension between state sovereignty and the international criminal justice would be resolved if the ICC's jurisdiction stretched to TNCs (Kyriakakis, 2008).

To see that a number of UN conventions have already recognised corporate criminality at the international level.

In conclusion, a critical mind may want to ask why Third World countries, have not of their own accord employed a corporate criminal regime to effectively punish or stop TNCs from human rights violations without seeking the assistance of the ICC. The truth is that, like some Western common law jurisdictions that have corporate criminal regimes, this countries, for instance, recognises this concept but has not effectively put it to use as machinery for seeking justice against corporations.

Conclusions

1. States shall respect, protect and guarantee human rights and fundamental freedoms, as well as punish corporate conduct;
2. The companies operating in the oil sector and the gas must comply with the law and seek to minimize the impacts of their activities on local communities of the rich natural resources and territories wishing to explore;
3. The beneficiaries of this sector, host States and companies, must increasingly implement protective measures of the most basic fundamental rights, assuming social and corporate responsibility;
- 4 Thus, there must be an awareness of the appropriateness of the behavior of companies in the face of local populations;
5. International organizations are becoming more aware of this reality, acting incisively, seeking thereby influence behavior and changing mentalities;
- 6 The assumption of social responsibility is currently a form of ethical and integrated management, contributing not only to business success but also to the promotion of human rights;
7. Transparent and assertive behaviors by all the protagonists of this sector will eventually contribute to the sustainable development of our planet.

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Impoliteness Strategies and Gender Differences among Disney Modern Protagonists

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Abstract

Disney Animation industry has grown, over the years, as a powerful producer of youth media and generator of visual culture. Its animation films break into the world's living-room screens and mesmerize young spectators with a fantasy world full of life, magic and colors, where love and happiness are everlasting. The genre of anime, through a series of images, creates a link between the child and characters; a desirable image of self-seeing oneself reflected and experienced by the story characters, mediates how the spectator wants to be seen by others. Hence, these fe/male protagonists cross from being plain characters to become "Role Models" promoting impolite social norms and gender performances through their discursive practices. This research is concerned with the study of how modern fe/male highest grossing Disney characters use language to shape social identities through their impolite discourse and gender behaviors; By drawing on Culpeper's (2010) 'Model of Impoliteness Formulae'. The results of the model will be further examined with language and gender theories in order to uncover how both genders (females and males) use impoliteness strategies to re/produce and maintain their power relations.

Keywords: Disney, role models, impoliteness, gender, power

Introduction

Modern families seem to be categorized by unavailable parents and attention striving children. These parents devote their time to their career pursuit, house chores, and social events leaving no actual time to deal with their children. Here, they turn into 'Disney' the perfect babysitter without taking as much time to decipher what their children are being exposed to on a regular basis (Binkley, 2016). Disney has managed to establish a trustworthy reputation and a strong relationship with youngsters respectively their parents (Lederer, 2012). It cast a spell on viewers around the universe, be them children or older family members. These families consume the cultural input which the company transmits. Therefore, we moved from talking about pop-culture to '*Disney's culture*'. The corporation perpetuates messages about sex, gender, power relations, social virtues, family values, and cultural norms to children across the world (Wieresma, 2000). Preschoolers, for instance, spend up to five hours a day viewing Disney animations (Romer, 1989). According to (Chen, 2006) animation can be described as a motion picture that utilizes a compilation of cinematic productions. These movies are broadcast on television, cinemas, social media and DVD merchandise. Anime stories are woven in a fantasy world filled with magic, fairytale love, and glee. They fascinate young viewers with powerful characters who live adventurous shadow days but manage to find the strength to overcome danger and fight evil. The films revolve around themes of friendship, love, self-discovery, courage, and sacrifice. Walt Disney Company seemed to be a pioneer in terms of animation. After the production of *Snow White and the Seven Dwarves* in 1937, Disney has captivated youth with its very first full-length romance masterpiece. Hence, it has monopolized the industry ever since. Disney's name started collocating with children entertainment and family leisure time (Lederer, 2012). Its animated features entertain children and set their imagination to go wild. These movies are fairytale

adaptations with fascinating characters and dreamy songs that enshrine in our childhood memories forever (Lippi-Green, 2012).

Anime genre, more particularly, princess movies are learning tools directed to appeal youth through the creation of 'Role Model' characters and catchy tunes (Azmi, Ab Rashid; Abd Rahman, Basirah, 2016). The lead characters are powerful influencers. Their fantasy lives teach children appropriate ways of being and behaving (Lacroix, 2004). The films, though seemingly innocent, are loaded with tokens about gender portrayals, social manners and power relations among male and female protagonists. Disney has articulated through its iconic characters how females should be like and what is expected of them. And, how males should be like and what is expected of them. It sets the standards of appropriate and inappropriate ways of being accepted social actors. By spending hours consuming the supposedly innocent princess films, children get engaged in passive learning. That is internalizing the images drawn in the films which dictates how 'Role Model' males and females look-like, talk, feel and build relationships. Children are not 'blank slates'; they are rather active processors of animation content. They observe, internalize, categorize and act accordingly (Soares, 2017). "Media is a major educator in child's life" (Binkley, 2016.p.11). It plays an eminent role in children's learning processes especially at a very young age (Ahmed and Abdul Wahab, 2014). Any deviation of such representations is to be sanctioned by peers and society. Thus, children start to see the world through Disney's eyes. Wohlwend (2012) claims that Disney shapes the minds of young viewers. It teaches girls to act like princesses and boys to act like the saviors of the day. It inspires them to perform their femininity and masculinity appropriately. Masculinity is defined as being physically strong, authoritative, competitive, emotionally distant, impolite and independent. Femininity, on the other hand, is associated with being physically attractive, physically weak, demure, ultra-polite, subservient, emotional, nurturing, and dependent. These roles are essential for upholding power relations. Power can be defined as: "a property of relations between social groups, institutions or organizations" (Van Dijk 1996, p.84). He goes further to introduce dominance to be "understood as a form of social power abuse... as a legally or morally illegitimate exercise of control over others in one's own interest, often resulting in social inequality." (Van Dijk 1996, p.84).

Researchers in the field Such as Thompson and Zerbinos, 1995; Wieresma, 2000; Towbin et al, 2003; Lacroix, 2004; England et al, 2001; Binkley; 2016, have opted for content analysis solely to draw conclusions about gender portrayals in Disney princess movies. They sought how femininities and masculinities are represented and juxtaposed. Thompson and Zerbinos (1995) see that Disney characters have changed along the years; whereas; Wieresma (2000) points out that power asymmetries, gender stereotypes, and traditional femininities and masculinities are still prevalent in Disney catchy tunes. England et al. (2016) echo the same view stating that female characters continue to be portrayed under polite princess language use and traditional feminine gender roles; unlike males who are allowed more room to exercise their power, masculinity and inadequate social speech productions. This study intends to go further than reporting politeness and impoliteness as collateral attributes to gender and language use. We are interested to analyze what protagonists produce linguistically and what they do with language to gain power over the other. In a sense to decipher what rules govern their linguistic choices in social interaction and what is the impact of such choices?

Talking about princes and princesses entails their outstanding knowledge of etiquette. We imagine that they abide by the code of social manners and grace manuals par excellence. Being Disney fans ourselves, we were programmed to think that princesses always look perfect, speak gently, sing beautifully, walk and sit gracefully, eat with small bites, never raise their voices, and never giggle. They smile and whisper instead. We were set up to imagine princes to be handsome, clean and gentlemen. They must save their ladies, love them happily ever after, be noble to women, know how to sword-fight and dance in balls. Yet, From *Snow White* in 1937 till *Moana* 2016, Disney protagonists have noticeably evolved in terms of body image, aspirations, gender performances and discursive practices (Guizerix, 2013). Unlike their predecessors, Third generation protagonists are more independent, out-going, pursuing their dreams, less gentle and graceless. They avoid asking for help from their counterparts. They are "strong-willed, adventurous and bold." (Azmi et al., 2016. p.2). The paper at hand investigates what is beyond the postulations of politeness which are protagonists' impolite social interactions. This

study aims to shed light on impoliteness usage among Disney modern lead characters, in order to, comprehend the extent to which these protagonists transgress normative social manners, and negotiate power relations. It might break the spell and encourage parents to co-view their content. The paper analyzes two modern animation movies *Frozen* 2013 and *Moana* 2016, drawing on Culpeper's (2010) '*Model of Impoliteness Formulae*'. The findings will be further examined with language and gender theories so that to uncover how both genders (females and males) use impoliteness strategies to re/produce and maintain their power relations.

This study attempts to answer the following research questions:

1. Does Disney create impolite protagonists?
2. How do modern lead-characters maintain power relations?

Impoliteness

Communication is the essence of language. Humans use language to convey certain meanings, values, beliefs, and attitudes. Language users are selective of their speech productions. They are bound to given contexts, social distance, and degree of familiarity with the addressee. As social beings, we were brought up in a social setting. We learned from the social group appropriate and inappropriate speech formulas. Thereof, the way we approach someone at a party is definitely not the same as we consult an attorney. This is what 'Pragmatics' is all about. Pragmatics stands for "the study of linguistic acts and the context in which they are performed...it characterizes the features of the speech context which help determine which proposition is expressed by a given sentence" (Stalnaker, 1972 .p.383). Pragmatics encompasses the study of politeness and impoliteness among other research scopes. Social actors use language to do things, for example, perform work tasks, order food, and build relationships. Or, they employ it to make certain events happen, for instance, marriage proposals, asking for a date, and starting a project. These very basic motives are called 'Speech Acts' (Austin, 1962). Pragmatics is about utterance production, the intention of the producer which leads to the receptor's interpretation under cultural and social conventions. The latter dictates instances of polite and impolite social events. The notions of politeness and impoliteness have raised controversial debates over their proper definition. Watts (2003) contends that "(im)politeness is a term that is struggled over at present, has been struggled over in the past and will, in all probability, continue to be struggled over in the future" (Watts, 2003.p.9). In their book "Politeness, Some Universals of Language Usage, in 1987" Brown and Levinson introduced '*Politeness Theory*' also known as "*Face-saving Theory*". Lakoff (1975) argues that politeness is about "those forms of behavior which have been developed in societies in order to reduce friction in interpersonal interaction" (Cited in Watts, et al., 2005, p. 45). The Model is an attempt to understand how polite utterances convey meaning to establish social harmony and preserve the hearer's '*Face*' in a conversation. Brown and Levinson adopted Goffman's notion of '*face*'. Thus, face represents the positive public image a person likes to maintain in a social interaction. In short, politeness saves '*face*', whereas, impoliteness attacks it (Goffman, 1967). Parallel to politeness theory, Culpeper (1996) came up with a counter model that considers social disharmony and seeks conflict. He refers to the "*Impoliteness Model*" as '*the Opposite*' or '*the parasite*' of politeness. According to him, "Impoliteness Comes about when: (1) the speaker communicates face-attacks intentionally. Or, (2) the hearer perceives and/or constructs behavior as intentionally face-attacking. Or, a combination of (1) and (2)." (Culpeper, 2005. p. 38). Intentionality happens to be of a paramount importance to understand what triggers impoliteness usage. In his model, Culpeper (2010) identifies nine types of impoliteness formulas which are insults, pointed criticism and complaints, challenging/unpalatable questions and presuppositions, condescensions, message enforcers, threats, Silencers, dismissals, and negative expressives. The full model is going to be further explained in details below.

Gender and Impoliteness

Gender refers to the socially acceptable behaviors of a male or female in a given social and cultural context (Ahmed and Abdul Wahab, 2014).In her remarkable book '*Language and Women's place*', Lakoff (1973b) distinguishes women's speech

as more polite than the one of men. She declares that “men in this culture tend to impose their value judgments on everyone, so that the men’s way of doing things becomes the ‘good way’, and the women’s way the bad way.” She reinforces the idea that “women will tend to speak with reference to the rules of politeness, conversational implicature, and interpersonal exploration; men will tend to speak with reference to rules of conversation and straight factual communication.” (Lakoff, 1973b. p.74). She adds that men’s monopoly over institutional discourse, about masculinities and femininities, leads to females’ relegation to a secondary position. Similarly, Holmes (1995) proposes that men and women do not speak alike because they were socialized differently. Tannen (1990) explains in her book ‘You just don’t Understand!’ that women use language to build connections; whereas; men seek conflict and competition. Works like (O’barr & Atkins, 1980; Cameron and Coates, 1998; and Mills, 2003) have reached the same conclusions with regards to gender and (im)politeness issues.

Animation as Data

The novelty of this research dwells in the unconventional characteristics of its sample. Unlike traditional research in the fields of politeness and impoliteness which focuses on real-life social interactions; this article targets Disney modern animation movies as a source of data. To the best of the researcher’s knowledge, the issue of impoliteness in Disney features has not been tackled before in terms of impolite protagonist. Elam (1980) asserts that fictional personas are created as extensions of real social agents. They are woven to perform real-life social roles. For him, it is through their linguistic choices and social interactions we come to understand what the story revolves around. To say it in other words, the genre of anime is but a fictional representation of reality. Culpeper (1998) indicates that the model of impoliteness may be applied on entertainment TV shows, fiction and films. Animation should not be any exception. To back the findings up, Lakoff (1973b) suggests that examining impoliteness caused by men to women could open up some interesting debates. This study wants to uncover such practices in Disney interactions between males and females lead characters. The aim is to unveil how power relations are enacted and re/produced.

Frozen (2013)

The story revolves around the princesses of Arendale, *Elsa* and *Anna*. Elsa was born with Ice powers; therefore; her parents isolated her from *Anna* and everyone else so she does not cause them harm. Princess *Anna* is unaware of her elder sister’s magical powers. She is confused about why her sister shuts her out all the time. The king and queen pass away and left *Elsa* heir of the throne. In coronation day, *Anna* meets Prince *Hans*, of the Southern Isles, and falls immediately in love with him. They announced their engagement the very same day. When *Elsa* finds out, she snaps and has a fight with *Anna* who pushes her too hard. Elsa accidentally uses her powers in public and runs to the mountains afraid for her life after the guards haunted her. Here, *Anna* chooses to find her sister and put an end to the eternal winter she launched. While seeking *Elsa*, *Anna* meets *Kristoff* and his reindeer. She asks him to take her up the North Mountain. During their journey, *Anna* and *Kristoff* face many dangers and manage to break through. Yet, the two drive each other crazy with arguments about true love. By the end of the feature, *Elsa* freezes *Anna*’s heart undeliberately. The trolls tell *Kristoff* that only an act of true love could save her life. He immediately takes her to *Hans* who turns to be a malicious opportunist prince. Hans used *Anna*’s naivety to marry her, kill *Elsa*, and take the throne. Fortunately enough with some help from *Olaf*, *Anna* gets to save *Elsa*’s life as the ultimate act of love and sacrifice. There is such a nice twist from the true love’s kiss to a bond of sisterhood. *Anna*, nevertheless, gets her happy ending with *Kristoff*. They lived happily ever after!

Moana (2016)

Moana (2016) unfolds the story of the Polynesian Folklore. *Moana*, the Chief’s daughter, ventures the blue ocean and sails beyond the reef in order to fulfill her duty. Baby *Moana* was chosen by the ocean to restore the heart of the Mother Island *Te Fiti* which was stolen 1000 years ago by *Maui*. By ripping *Te Fiti*’s heart off, the Lava Monster ‘*Te Ka*’ was created. She defeated *Maui* in their battle and outcast him to a deserted island without his magical fishhook. *Moana* grew up listening to her grandmother’s myths of *Te Ka* sucking the life from the Pacific Islands seeking *Te Fiti*’s heart. Once, the curse reaches her Island, *Moana* challenges the will of her overprotective father and his hopes for her to be the next Leader of the people

of *Motunui*. *Moana* gains help from her notorious grandmother and finds her ancestor's canoes. "She sails across the ocean, finds *Maui*. Makes him board her boat and delivers the heart of *Te Fiti*". When *Moana* and *Maui* finally meet their relationship is electrified, for both of them wanted to appear stronger, heroic and more assertive. In their race towards power, they argued and fought a lot but the obstacles they faced and overcame together made them closer. The story ends when *Moana* restores the heart herself and discovers that *Te Ka* is *Te Fiti*. By the end of the movie, *Moana* saves her home island and resurrects Mother Nature. She returns home to become the Chief of her people as her father wished; while *Maui* gets away with stealing the heart and receives love from humans for he helped restore it. The protagonists did not share a romantic flame but they sure held a good friendship.

Methodology

Population and Sample

The research at hand focuses on the population of full-length animated movies from Disney productions. These films were released between the time slots expending from 2013 till 2016. The research is interested in fully animated films that entered the box-office as highest grossing 'G rated'. This overlooks releases like *Beauty and the Beast* 2017, the *Little Mermaid* 2018, where animation is merged with real-life actors. A sample of two Disney films met the research requirements:

They portray male and female protagonists.

They are 'G rated' films in the box-office

They are fully animated.

(Table 1: Disney Princess films) demonstrates the films to be studied, the characters under scrutiny, the era they belong to, date of release, and the box-office profits as cited in (www.boxofficemojo.com 2018). This serves the global purpose of the study which seeks to trace impoliteness strategies and gender differences among protagonists. We are interested in how the impolite communicative speech events by both genders maintain power relations.

Table 1: Disney Princess Films

| Disney Era | Film | Female | Male | Box-office |
|------------|---------------|--------|----------|---------------|
| Modern | Frozen (2013) | Anna | Kristoff | \$400.738.009 |
| | Moana (2016) | Moana | Maui | \$248.757.044 |

The derived hypotheses in this study are stated as follows:

H1: Disney modern lead-characters re/produce impolite behaviors.

H2:

Females opt for impoliteness to claim power.

Males' impoliteness is a practice of their masculine dominance.

Data Collection and Categorization

Data were collected as the researcher re/view the Disney features attempting to transcribe and code the variables under scope. The animations under scrutiny were re/watched for six times. Some themes were submerging and the researcher did not want to exclude them without checking if these themes might be re-occurring in both films which render them worth studying. The measurement instruments were inspired from the literature reviewed earlier. Female and male protagonists were analyzed apart from one another. The movies content was coded based on male and female lead characters impolite utterances and gender performances. The researcher tried to cover up all the instances loaded in the films' content. This article relies on Culpeper's '*Model of Impoliteness Formulae*' (2010) as to measure the types and

causes of impoliteness use by Disney modern male and female protagonists. Culpeper classifies the strategies of impoliteness as follows: (Culpeper, 2010, p. 3242-3243)

Insults:

1. Personalized negative vocatives

[you][fucking/ rotten/ dirty/ fat/ little/ etc.]

[Moron/ fuck/ plonker/ dickhead/ berk/ pig/ shit/ bastard/ loser/ liar/ minx/ brat/ slut/ squirt/ sod/ bugger, etc.] [you]

2. Personalized negative assertions

- [you][are] [so/such a] [shit/ stink/ thick/ stupid/ bitchy/ bitch/ hypocrite/ disappointment/ gay/ nuts/ nuttier than a fruit cake/ hopeless/ pathetic/ fussy/ terrible/ fat/ ugly/ etc.]

- [you][can't do] [anything right/ basic arithmetic/ etc.]

- [you][disgust me/ make me] [sick/ etc.]

3. Personalized negative references

- [your][stinking/ little] [mouth/ act/ arse/ body/ corpse/ hands/ guts/ trap/ breath/ etc.]

4. Personalized third-person negative references (in the hearing of the target)

- [the] [daff] [bimbo]

- [she] ['s] [nutzo]

Pointed criticisms/complaints

- [that/ this/ it] [is/ was] [absolutely/ extraordinarily/ unspeakably/etc.] [bad/ rubbish/ crap/ horrible/ terrible/ etc.]

Challenging or unpalatable questions and/or presuppositions

- Why do you make my life impossible?

- Which lie are you telling me?

- What's gone wrong now?

- You want to argue with me or you want to go to jail?

Condescensions (see also the use of "little" in Personalized negative references)

- [that] ['s/is being] [babyish/ childish/ etc.]

Message enforcers

- Listen here (preface)

- You got [it/that]? (tag)

- Do you understand [me]? (tag)

Dismissals

- [go] [away]

- [get] [lost/ out]

- [fuck/ piss/ shove] [off]

Silencers

- [shut] [it]/[your] [stinking/ fucking/ etc.] [mouth/ face/ trap/ etc.]
- shut [the fuck] up

Threats

- [I'll/I'm/we're] [gonna] [smash your face in/ beat the shit out of you/ box your ears/ bust your fucking head off/ straighten you out/etc.] [if you don't] [X]
- [X] [before I] [hit you/ strangle you]

Negative expressives (e.g. curses, ill-wishes)

- [go] [to hell/hang yourself/fuck yourself]
- [damn/fuck] [you]

Analysis of Disney Features

Frozen (2013)

- 1-Now, back up while I deal with this crook, here! (M/ dismissal /show of power/F)
- 2- Seriously, were you raised in a barn? (M/pointed criticism/ disappointment/F)
- 3-Get your feet down! (M/complaint/disapproval/F)
- 4-Wait! You got engaged to someone you just met that day? (M/pointed criticism/panic/F)
- 5-didn't your parents ever warn you about strangers? (M/presupposition/disagreement/F)
- 6-Oh yeah! What if he picks his nose? (M/ Challenging question/ desire to provoke/F)
- 7- Stop talking! (M/silencer/show power/F)
- 8- You are gonna kill yourself! (M/condescension/helplessness/F)
- 9- Excuse me, Sir. He is a prince. (F/message enforcer/disapproval/M)
- 10- Are you some sort of love expert? (F/Challenging question/disagreement/M)
- 11- Hey! You... (F/insult/anger/M)
- 12- Don't you dare! (F/threat/threat to the face/M)
- 13- You are destructing me. (F/complaint/dispute/M)
- 14- I'm just blocking you out. (F/Silencer/show of power/M)
- 15- I mean sure; I will let you tag along! (F/condescension/wish to entertain/M)
- 16-Nobody wants to be alone except maybe you! (F/presupposition/sorrow/M)

Moana (2016)

- 1- Little girl, I am a hero. (M/condescension/show of power/F)
- 2- You don't even know how you feel, it's adorable! (M/pointed criticism/helplessness/F)
- 3-It's nice to see that humans never change (M/presupposition/ wish to entertain/F)
- 4- Don't mess with Maui when he is on the breakaway (M/threat/threat to the face/F)
- 5-Alright, get over it! We gotta move. (M/dissmissal/desire to provoke/F)

- 6-Muscle up Buttercup! (M/Insult/helplessness/F)
- 7- Get it away from me. (M/threat/panic/F)
- 8- You are not my hero. (F/condescension/show of power/M)
- 9-Let me out you lying slimy son of a ... (F/insult/anger/M)
- 10-what is the problem? Are you afraid of it? (F/challenging question/desire to provoke/M)
- 11-you will be a hero. That's what you are about, right? (F/message enforcer/disappointment/M)
- 12- May be you were, but now you're the guy who stole the heart of Te Fiti. (F/condescension/sorrow/M)
- 13- You are a bad person (F/pointed criticism/disapproval/M)
- 14-It's disgusting. Ewww! (F/pointed criticism/ dispute/M)
- 15- Do you have a shark head cause I... (F/presupposition/wish to entertain/M)
- 16-Get up! (F/message enforcer/desire to provoke/M)

Findings

Table 02: Types of Impoliteness Strategies Employed by Female and Male Characters

| Types of Strategy | Female | | Male | |
|---|-----------|----------|------------|----------|
| Insults | 6 | 7.4% | 19 | 9.6% |
| Pointed Criticism/ Complaints | 12 | 14.9% | 43 | 21.8% |
| Presupposition/Challenging, Unpalatable Questions | 34 | 42% | 31 | 15.7% |
| Condescensions | 10 | 12.3% | 51 | 25.8% |
| Message Enforcers | 10 | 12.3% | 17 | 8.6% |
| Dismissals | - | - | 9 | 4.6% |
| Silencers | 4 | 4.9% | 9 | 4.6% |
| Threats | 4 | 4.9% | 16 | 8.1% |
| Negative Expressives | 1.2% | - | 1.01% | - |
| Total | 81 | - | 197 | - |

*In the parenthesis() the first part indicates the speaker's gender, the second refers to the type of impoliteness, the third to the triggers of impoliteness, and the fourth one stands for the hearer's gender.

The analysis, of impoliteness strategies expressed by males and females, demonstrates that female protagonists tend to use more challenging, unpalatable questions and presuppositions (42%) accompanied with a high use of message enforcers (12.3%); whereas; their male counterparts employ more condescensions (25.8%) alongside with complaints and pointed criticism (21.8%). Unlike males, Females do not at all opt for dismissals. They rarely use silencers, threats, and negative expressives.

Table 2: Triggers of Impoliteness

| Triggers | Female | | Male | |
|--------------------------------------|--------|--------|-------|-------|
| Anger | 10 | 11.23% | 8 | 5.2% |
| Dispute, disagreement, disapproval | 25 | 20.08% | 30 | 19.5% |
| A threat to the face | 6 | 6.7% | 13 | 8.4% |
| Show power | 18 | 20.2% | 33 | 21.4% |
| Bewilderment, panic | 3 | 3.4% | 7 | 4.5% |
| Helplessness, sorrow, disappointment | 12 | 13.5% | 16.9% | - |
| Jealousy | - | - | - | - |

| | | | | |
|-------------------|-----------|--------|------------|-------|
| Desire to provoke | 10 | 11.23% | 10 | 15.6% |
| Wish to entertain | 5 | 5.6% | 5 | 8.4% |
| Total | 89 | | 154 | |

The analysis indicates that dispute, disagreement, and disapproval (28.08%) with a high anger rate (11.23%) are the main causes behind female's impoliteness. Jealousy seems to be off the grid. Yet, both genders happen to use impoliteness at about the same frequency to show power (21.4% for males and 20.2% for females). Male characters score higher in performing a threat to the face, desire to provoke, express their disappointment, wish to entertain, and bewilderment. On the other hand, females have a lower score of panic (3.4%).

Research Limitations and Future Research

As for all research this study is no exception, it confronted limitations. Analyzing two Disney modern princess films do not provide us with a sense of foreseeing what could be next for Disney, in terms of character discursive and gender performances. Another interesting scope, for further research, is the inclusion of secondary characters (im)polite usage and its impact on the audience. Other related avenues for future research would be to check whether children recognize the extent to which strategic politeness and impoliteness, together as pragmatic practices, set power relations and gender hierarchies. Additional research is recommended to explore the Para-linguistic features like prosody, body language and the study of context. We need not only look at the micro-level but also take it beyond the utterances. Moreover, it is of high importance to study other Disney releases and cartoons to have a better understanding of what Disney is teaching our children and what ideologies it diffuses through its iconic characters.

Conclusion

The research findings point out that both genders perform impoliteness as a communicative speech event to convey certain feelings, emotions, and attitudes. Female protagonists use less impolite utterances than men. Thus, we can say that females prove to be more prudent than males not to enunciate impoliteness. This result indicates the subjugation of females to a secondary position and underpins men as the dominant language users. Female lead characters are more likely to express presuppositions and challenging questions (42%). They also utilize message enforcers (12.3%). It is more common for males to articulate condescensions (25.8%), complaints or pointed criticism (21.8%), and threats (8.1%). Insults are opted for by both genders with slight difference males (9.6%) and females (7.4%). The same applies to Silencers, where females utter (4.9%) and males (4.6%). Furthermore, Disney princesses never perform dismissals; however, males use (4.6%). The results suggest that the heroines produce impoliteness to express their challenge, anger, disapproval and claim power; whereas; Disney heroes utter impoliteness to threat, show power, provoke, wish to entertain, and express disappointment or panic. When it comes to power relations, Males use impolite speech acts to seek dominance, struggle, and competition. Nevertheless, females make use of it to contend their inferior position by showing power, challenge, and disapproval.

To conclude with, the findings state that Disney heroines are more polite than males. They go carefully in performing impolite speech acts for they were socialized to conform to traditional femininities. Males' impoliteness goes unperceived as a natural practice of their masculine dominance '*Boys will always be Boys!*' The results are consistent with the reviewed literature (Lakoff, 1973; Tannen, 1990; Holmes, 1995). It is important to signal that females might not be persistent articulators of impoliteness; but they sure are subject to it. Males perform impoliteness to belittle and condense females' roles and value in fiction as an extension to real social life (Betelheim, 1991). Gender inequalities transcend from everyday life to children entertainment legitimizing patriarchy (Lederer, 2012). We should bear in mind that the outcomes are found from a small sample of Disney modern princess films. Other animations and cartoons from the three Disney eras (classic, renaissance and modern) can help provide a better understanding of the impolite language usage. The objective is to make this conglomerate media genre healthier for child consumption. For children emulate gender norms and linguistic productions from those whom they see as admirable references (Binkley, 2016). The Walt Disney Corporation must step up and hold responsibility for the effect it has on children as a socializing and educational media agent. Its profits should not always be its primary concern than its ethical stance (Giroux, 2010).

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Tackling Multiculturalism or Strengthening Subcultures: the Macedonian Case

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Abstract

There is no general formula about what multiculturalism means exactly, and which rights it should encompass. It needs to be considered from various aspects. In the case of Macedonia, there are several ethnic groups in it that are in the vicinity of their home countries, which seek to protect their nationals from repression and discrimination. However, Albania is the most aggressive one and, in spite of direct contacts with Macedonian politicians from the Albanian ethnic group, it often interferes with the internal affairs of the Macedonian state. Although in Macedonia all collective rights are given to the ethnic minorities, including much more than what constitutes an international standard in Europe and in the world, in accordance with the Ohrid Framework Agreement of 2001, implemented in the state's constitution, relations do not seem to be improving. On the contrary, other rights are constantly being sought, even higher than those set for the majority population in the country. On the other hand, the establishment of increased rights in the constitution and laws does not lead to coexistence and relaxation of the relations between the Macedonian and the Albanian communities. On the contrary, the Albanians are becoming ghettoized and live in separate communities, where they create their own subculture. Such behavior leads to greater segregation, which can create cantonization or federalization of the unitary state.

Keywords: tackling, multiculturalism, strengthening, subcultures, Macedonia.

Introduction

Nowadays, there is almost no country in the world that is not multicultural. That makes the issue very current and relevant, especially in the Western world, which is a generator of resolving all issues related to certain human rights and freedoms. Over the centuries, people have found solutions within a particular territory and a community, as if respecting each other's values. It was based mainly on tradition and customs. In the present time, it becomes a more fragmented question. Every day, things are changing, and the solutions are not very precisely defined and different, it depends on which part of the world is happening. More recently, issues about different ethnic groups are resolved using documents of various characteristics such as international, bilateral or internal.

There have also been different scientific themes that offer solutions to minority issues. Almost all of these theories agree that it is very difficult to solve the problems of multiculturalism. In particular, when it should be regulated by an international document. Often such documents only regulate certain areas. In 1992, the Council of Europe adopted a Declaration on the Rights of Minority Languages and then several other documents in that direction.

Macedonians and Albanians have been living together for centuries in the Balkans, but the problems between them begin after the end of World War II. Given that Albania strengthens its state, they become a minority, especially within the former Yugoslavia. The situation is getting worse, after gaining full independence in 1991, new requests by the minority are continually being made, and the story never ends.

Multiculturalism – a never ending story

The problem that usually arises when we talk about multiculturalism is in what way should be resolved such an issue. Is it to be resolved with the international standards for individual human rights, which apply equally to all, or is it necessary to determine special collective rights for other communities in that society. It seems that in the last 20 years the opinion

prevails that it is necessary that these rights ought to be regulated in a collective way. But that is not the only problem here. What is more problematic is that, whatever to do in that direction, new problems might appear. Therefore, multiculturalism should be considered seriously, and on a case-by-case basis.

What would have to be a new perspective on cultural diversity and international order? International orders evolve in heterogeneous? International orders evolve in heterogeneous cultural contexts, and the governance of diversity is a key imperative of order building. In response, international orders develop diversity regimes: institutional norms and practices that define legitimate units of political authority, authorize certain forms of cultural difference and relate the two. These regimes are essential to the legitimacy of international orders but face two interrelated pressures for change: shifts in underlying material capabilities, and new claims for cultural recognition, often rooted in grievances against past or prevailing forms of recognition (Reus-Smith Christian 2017).

It is necessary to mention the influence of liberal capitalism which offers an alternative liberal response to the challenge of diversity. Political liberalism includes many different visions of a political morality considered fit for the purpose of regulating and legislating for diverse societies. There are, however, some shared and recurring elements. Thus, political liberalism rejects the attempt to found liberal political morality upon substantively normative, ostensibly liberal values and norms, such as personal autonomy and, in some cases, moral equality. Political liberalism acknowledges the existence of many cultural communities which would have to change fundamentally in order to comply with the values espoused by muscular liberalism. Political liberals typically argue that it is unreasonable for the state to demand compliance with substantively liberal values and norms from all who are subject to the state's jurisdiction. In some cases, pejoratively comparing the practices and beliefs of some non- or illiberal communities with those, often rather idealised, notions of muscular liberalism is deeply disrespectful of other ways of being and believing. The likely consequence of this, it is sometimes argued, is stoking the very fires of alienation and hostility which muscular liberalism is supposedly intended to prevent. Ultimately, political liberalism considers its muscular counterpart as incapable of establishing and maintaining peace and stability (Fagan, Andrew 2017).

Levante Salat (2001) has shown that the theoreticians of multiculturalism do not consider the common democratic mechanisms as sufficient to properly solve the problem of multicultural societies. Thus a new context is needed. The concept of collective rights lies in the centre of this model but not opposed to individual freedom, just as a prerequisite for it.

According to Charles Taylor, within the political life, one has sometimes stringently felt the need for recognition. The need lies behind the national movements and behind other forms of gaining the right to representation by what is regarded as "subordinate" groups. He argued that through the identity, one can define the way in which a person understands himself and the defining fundamental features that a human being possesses. He stated that democracy is built to the idea of mutual recognition which has various shapes. Starting from the principles, multiculturalism demands equal status for the different cultures. The accomplishment and the definition of identity rely on forms of expression, largely speaking, and include all forms of communication and artistic manifestation.

The recognition of cultural diversity is necessary, which is a rightful need. The policies of recognition, impose not only the obligation of recognizing other cultures but also of analysing them more closely and getting to know them (Wolf, Susan 1994).

In multicultural societies, the coexistence of different forms of life means ensuring the citizen's opportunity of growing up in a world of the cultural inheritance of modifying and transforming it. It shows that in multicultural societies the constitutional framework can tolerate only non-fundamentalists forms of life because the coexistence of certain communities with equal rights needs mutual recognition: all people are recognised as members of an ethnic community, with different conceptions of what good represents. In a society, the citizen can no longer find the consensus upon values, but they can identify a consensus upon the procedures of constituting the legal framework. A restricted communication within the political environment the democratic procedures of solving problems, and the channelling of the political power within the constitutional framework will supply a solid basis for monitoring political power and will offer assurance that the administrative power is used for everyone. The universalism of legal principles is reflected in the consensus upon procedures, which can be framed in the political power by means of a forum of constitutional patriotism. The ethos of the state as a nation cannot enter into conflict with civil rights as long as legislature is oriented towards constitutional principles.

The ethical substance of political integration which unites all citizens must remain neutral and it must respect the differences between the cultural and ethical communities within a nation (Habermas 1994).

One of the most pressing problems faced by liberal democracies is the politicization of ethical and cultural differences. Social minorities demand more public recognition of their distinct identities, as well as more freedom and opportunities for keeping and developing their specific cultural practices. It leads to the protection of individual rights and it might be enough in order to manage the problems of ethical and cultural minorities. It is now widely accepted that these common rights of the citizens are not enough. Certain different group rights are needed and there is a tendency within liberal democracies to recognize such rights. There is a distinction between national states and multi-ethnic states. Modern states are described as a nation-state, but most of them are multinational. The nation is described in sociological regard close to the idea of people or culture. If the country of a nation is incorporated within a larger state it becomes a national minority.

National minorities would like to obtain, keep and enhance their political autonomy by means of secession or other forms of regional autonomy. Minorities mobilize their members by making an appeal to the idea of a nation. If national minorities see a difference as normal, the geographical and political condition will make it different to understand. They appreciate that the historic ideal of a fully sovereign state is increasingly out-dated in a globalised world. There is an increasing interest to explore certain forms of self-government or federalist formula (Kymlicka W., and Almagor 2000).

The multicultural practices were not equally applied everywhere. The acceptance of multicultural practices depends on factors such as desecration of ethnic relationship, human rights, border control, the diversity of the groups of immigrants, economic contributions. When those conditions are met, multiculturalism is seen as an unacceptable option. Certain multicultural policies include criteria such as constitutional recognition, the adoption of multicultural curricula in schools, double citizenship support for the cultural activities of the minorities, education in the maternal language etc (Kymlicka 2012).

Multiculturalism which proclaims differences as identities in which ignores the connection of resemblance leads to atomization, to a ghetto society. This could be avoided with the term of pluralism, which focuses on the opening of the communities between different communities. The principle on which pluralism realise is one of many, while the principle of multiculturalism is more dismembered. Multiculturalism does not permit an open society. In opposite, the extent to which multiculturalism nowadays is aggressive, secessionist intolerant, is the extent to which the given multiculturalism is the negation its self of pluralism (Sartori, 2007).

These trends are present in the Republic of Macedonia, but due to the policy of the stronger, the interference of the neighbouring states in its internal affairs, with the support of the international community on which they have a greater influence, not only provides more than it represents an international standard for minorities but also causes serious damage to the state, up to the limits of its abolition.

It should be taken into account that when talking about multiculturalism, double standards are often applied. So, if small countries are concerned, they need to make bigger concessions.

Macedonian Case- A Recent Background

Macedonia is part of Balkan peninsula. A thousand years of possession of Byzantine commonwealth in conjunction with the almost five centuries of the Ottoman Empire created such a mixture of languages, cultures, histories and religions that neither the most objective distinction could create an ethnically compact state. (Rudomentof V. 2000).

Most nationalisms of the Balkans have a defensive nature, their intensity is a direct consequence of the problems of unconsolidated national states and crises of social identity. Such anxiety in the relation of the issue of identity explains, among other things, the only Balkan obsession with ethnogenesis. In the permanent wholes of national states and with different intensity, this is the dominant tone in which historiography in the Balkans is practised (Todorova, M. 2009).

The creation of the modern Republic of Macedonia is a result of the struggle of Macedonian people for national independence and statehood throughout centuries. The contemporary Macedonian state, created in the course of the Second World War, was an ultimate result of a continuing historical process of national awakening and maturation of the people's awareness and of a long-lasting struggle for their own state and national freedom carried on under exceptionally difficult and complex historical circumstances. The first one is the Ilinden Uprising of the Macedonian people against Ottoman Empire on St. Elia's Day, August 2nd, 1903 in Krushevo. Then the Krushevo Republic - the first republic in the

Balkans and the first independent state of the Macedonian nation were established. The second occasion was the struggle of the Macedonian nation for national liberation during the Second World War (1941-1945). Then the Macedonian state was created for the second and ultimately successful time - through the documents adopted at the First Session of ASNOM – Anti Fascist Assembly for the People's Liberation of Macedonia. (Cvetkovski, C.).

On August 2, 1944, the Macedonian state was constituted, today's independent and sovereign Republic of Macedonia. The first session of ASNOM, in fact, represents the state constitution of the Macedonian people and nationalities in Macedonia. The results achieved by holding this meeting represent the most significant historical achievement of the Macedonian people in the struggle for their own national state. The adopted state-constitutional acts of the Assembly only confirm this, among them: The decision to constitute the Anti-Fascist assembly of the national liberation of Macedonia in the supreme, legislative and executive body of Macedonia, the proclamation of the Macedonian language for an official language in the Macedonian state, as well as the decision for adopting a Declaration on the basic right of citizens in a democratic Macedonia (Macedonian Academy of Sciences and Arts 2014).

In this way, the basic preconditions for coexistence with minorities are provided. The development of these relations continues in the period of socialism.

In that period, a new Constitution of the Socialist Republic of Macedonia was adopted on February 25, 1974. According to the preamble of the constitution, two Macedonian people, together with the nationalities of Macedonia, in the common People's Liberation struggle with other Yugoslav peoples and nationalities, created the Socialist Republic of Macedonia as a national state of the Macedonian people and a state of Albanian and Turkish nationality in it, in which the historical aspirations of the Macedonian people for national freedom and state independence, of the nationalities for equality and of the working class and of all working people for a socialist society.¹

According to the paragraph, three Macedonian people, on the basis of the right to self-determination, including the right to secession, voluntarily unite with the other peoples of Yugoslavia together with the nationalities with which they live in a socialist federal community of free and equal peoples and nationalities, realizing that only it can provide conditions for its own free and universal national, material, political and cultural development.²

At that time, it was considered that these constitutions lead the process of democratization in the state. These conditions, for Albanians living in Macedonia, represented the basis that they received all rights as well as the Macedonians, including the right to self-determination until the separation.

Finally, as the third phase of the completion of independence of the state, on September 8, 1991, a referendum was held for the sovereignty and independence of the Macedonian state. The referendum is positive say 95.09% of the outgoing citizens or 72.16% of the total number of citizens with voting right. On this occasion, September 8 was declared state holiday - Independence Day of the state.

After the referendum ended, with the decision of the Assembly, the new Constitution of the Republic of Macedonia was adopted on November 17, 1991. According to the preamble of this Constitution, Macedonia is constituted as a national state of the Macedonian people, which ensures full civic equality and permanent coexistence of the Macedonian people with Albanians, Turks, Vlachs, Roma and other nationalities living in the Republic of Macedonia, with the aim of: the Republic of Macedonia to be constituted as sovereign and independent and as a citizen and a democratic state; to establish and build the rule of law as a fundamental system of government; to guarantee human rights, civil liberties, national equality; to ensure peace and co-existence of the Macedonian people with the nationalities living in the Republic of Macedonia and to ensure social justice, economic well-being and the progress of personal and community life³

The ethnic Albanians largely boycotted the 1991 referendum on Macedonia's independence from the former Yugoslavia and the adoption of a new constitution. Ethnic Albanian members of the parliament refused to participate unless the country's Albanian community was recognised as a constituent people of the republic, equal in status to the ethnic

¹ Official Gazette of the Socialist Republic of Macedonia, feb.25 1974 in Skopje, A Decision on the proclamation of the Constitution of the Socialist Republic of Macedonia, no.03-487, paragraph 2.

² Ibid, paragraph 3.

³ Decision on proclamation of the Constitution of Republic of Macedonia, November 17, 1991 Macedonian Assembly, no. 08-4642/1, 17, in Skopje.

Macedonians. In particular, ethnic Albanian leaders objected to the wording of the constitution's preamble. Ethnic Albanians interpreted this clause as implying a lower constitutional status for non-ethnic Macedonian citizens and argued that the international community had an obligation to support efforts to amend the constitution (ICG 1998).

The Albanians had a long desire to be recognized not as a minority group but as equal partners in any kind of institutional arrangement. That is why the "moderate" Albanian nationalists in Macedonia seek the creation of a "bi-national" state, which may mean that they do not endanger the territorial integrity. It was in the early nineties (Rudomentof, V. 2000).

Therefore, disputes for the Albanians were, the arguments in the constitution that stipulate the official language in the territory of the whole country to be the Macedonian language, the Macedonian Orthodox Church to be an official religion, and most of them are Muslims, furthermore, primary and secondary education is permitted native language, but does not provide an opportunity for higher education.¹

Because of these and other circumstances, tensions between the Macedonians and Albanians, which were settled in the period of the former Yugoslavia, grew especially during the nineties.

Macedonian case- Current background

According to estimates from early May 1999, more than 200,000 Kosovo refugees fled to Macedonia, overwhelming the already wasted economy and state infrastructure, increasing at the same time the number of Albanians in this small country undermining the majority status of ethnic Macedonians in that way. The key to Macedonian stability is prosperity and the improvement of relations between ethnic Macedonians and Albanians. However, the reluctance among Albanians and ethnic Macedonians is rising, while the West demonstrates its unwillingness to tackle this problem - which can cause the next crisis in the Balkans (Rudomentof, V. 2000:365).

Unofficially, the conflict in the Republic of Macedonia begins with the attack on a police station in a village named Tearce located in northwestern part of the state on January 22, 2001, and military actions continue in the next few months.

In February 2001, ethnic Albanian rebels calling themselves soldiers of the National Liberation Army (NLA) fighting for greater political and economic rights took control over Tanusevci village near the Kosovo-Macedonia border. This aggression started a series of violent clashes in various spots between NLA and Macedonian security forces, which lasted for about seven months (Jerker L. 2003).

The Ohrid Framework Agreement, signed on 13 August 2001, ended Macedonia's armed conflict between Albanian rebels and Macedonian security forces. The Ohrid Framework Agreement of 2001, as it is officially called, does not read like a classic peace accord. While the cessation of hostilities, disarmament of the Albanian rebels and a general amnesty were among its key provisions, most of the agreement concerned increased rights for the Albanian minority rights that would require substantial changes in key state institutions. On November 16, 2001, the contents of the contract amendments IV to XVIII were brought into the Constitution. Those amendments implemented over the minimum standards at that time had already begun to establish.²

Amendment V determines the official language. Under paragraph 1 it is said that an official language all over the Macedonian territory is the Macedonian language. But now paragraph 2 states that another language spoken by at least 20% of the population is also an official language as well as its alphabet. Under paragraph 3 it is said- personal documents of citizens who speak an official language other than Macedonian, are published in Macedonian language and its alphabet, and in that language and its alphabet in accordance with the law. This amendment also states that other language can be used in communication with public authorities and institutions. In addition, it can be used as an official language in accordance with the law. Other languages used by at least 20 per cent of citizens are used in local government

¹ See: Constitution of the Republic of Macedonia: with the amendments I-XXXII, articles, 7, 19, 48, ISBN 978-608-215-013-0, Akademijski pechat, Skopje.

² See Official Gazette of the Republic of Macedonia no.91, Macedonian Assembly on its session held on 16.11.2001 has adopted a Decision on proclamation of the amendments IV-XVIII of the Constitution.

There should be adequate and equitable representation of citizens belonging to all communities in the state government and other public institutions at all levels, as stipulated in Amendment VI of the Constitution¹

The changes, despite the Macedonian Orthodox Church, amendment VII listed Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, the Jewish community and other religious communities and religious groups too²

In VIII amendment all cultural values of the communities in Macedonia are guaranteed. Members of the community have the right to establish cultural, artistic and educational institutions, as well as scientific and other associations for the expression, fostering and development of their identity. Amendment IX says that the Republic guarantees the protection, promotion and enhancement of historical, artistic heritage of Macedonia and all communities in Macedonia and the treasures that make up, regardless of their legal status.³

This amendment completely resolves the issue of education, requiring members of other communities, in their educational institutions to learn the Macedonian language.⁴

Other constitutional amendments relate mainly to the so-called rule of Badinter, by which in the main state institutions can't be decided if there is not a fair representation of the community, or a majority of them are not present in deciding on important issues.⁵

The fourth amendment which represents part of the preamble of the Constitution enumerates the foundations for peace and coexistence and individuality despite the majority and minority groups. So, it says that all citizens of Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, Turkish people, Vlach people, Serbian, Roma, Bosniak people and others according to the amendment prominent intention to establish and strengthen the rule of law, are guaranteed human rights and civil liberties, to ensure peace and coexistence, social justice, economic well-being and progress of the individual and the common life, through its representatives in Parliament, elected in free and democratic elections.

Thus the Republic of Macedonia became a country that provides most minority rights. The agreement has been carried out since his signing date and soon the implementation has to be completed, according to the constitutional amendments. In addition, many benefits have been gained, since the amendments have been converted into laws. During the implementation of the agreement, complaints were raised not only with the majority but also with other non-Albanian minorities. They believe that the community has more rights than the majority (for example, in employment and other areas), and other minorities consider themselves in a subordinate situation.

On the other hand, in past years, there were more misunderstandings and conflicts on an ethnic basis (tensions, protests, fighting, killing, destruction of buildings, etc.). It shows that the current situation is hard to be managed especially when it comes to armed conflicts and boycotting the legislation.

Finally, after the early elections in December 2016, ethnic Albanian parties in Macedonia made a platform on 01 January 2017, which was a condition for joining a coalition with any party or coalition of the Macedonian parties, the so-called Tirana Platform, because it was achieved through the mediation of Albanian Prime Minister Edi Rama. It was titled "A Joint Platform of the Albanian Parties." Among other things, the platform had several extremely provocative requirements, such as achieving full linguistic equality, the use of the Albanian language at all levels of government, and a guarantee of its application as a fundamental and constitutional right. Furthermore, the Constitution of the Republic of Macedonia should establish that "the Macedonian language and its Cyrillic alphabet and the Albanian language with its letter are official languages in the Republic of Macedonia". Opening the issue of a comprehensive debate on the flag, the anthem and the state coat of arms of the Republic of Macedonia for state symbols to reflect social multiethnicity and ethnic

¹ Also, Official Gazette of the Republic of Macedonia no.91, date: 20.11.2001 година, Amendment VI, paragraph I.

² Official Gazette of the Republic of Macedonia no.91, date: 20.11.2001, Amendment VIII, paragraph 1,2,3. As well as Amendment IX, paragraph 1.

³ Ibid, Amendment VIII, paragraph 4.

⁴ Ibid, Amendment IV, paragraph 1.

⁵ Ibid.

equality and perhaps the most difficult provision for adopting a resolution in the Assembly of the Republic of Macedonia condemning genocide against the Albanian people in Macedonia in the period of 1912-1956.

Also, in point 3 of the platform were included legally completed criminal proceedings, several attacks and murders, which are required to be re-examined such as "Sopot", "Brodec", "Monster" and "Kumanovo" through an inquiry committee or an international independent body.

A few months later, President Ivanov will say that the goal of the platform of the Albanian parties is not for unification of Macedonia but for Macedonia to be the next phase in the creation of a third Albanian state. Regarding the platform, he said that its intent is to equal the Albanian language with the Macedonian and to change the constitutional amendment that comes from the Ohrid framework agreement with which ethnic communities in Macedonia receive their right depending on their percentage of 20%. The essence of the platform is to change the constitutional order of the Republic of Macedonia. That means, to turn Macedonia from a multiethnic society and a unitarian state to become bi-ethnic (EWB Archives 2017).

After accepting the conditions from the Tirana platform by the political party SDSM led by Zoran Zaev, a coalition was made between him and the ethnic Albanian party headed by Ali Ahmeti, as well as several smaller Albanian parties, on May 31, 2017, the new government was elected in the Assembly of the Republic of Macedonia. Meanwhile, the Tirana Platform is being implemented. A new law on the use of languages was adopted, the defendants were released, in the criminal proceedings "Sopot" and "Monster", integrated border crossings with Kosovo and Albania were made, according to point 6 of the platform.

In order to support our thesis and previous analysis, while we were writing this article, we conducted two questionnaires, one intended for the majority of the population in the state – Macedonians and another for the largest ethnic minority - Albanians. Each of these two ethnic groups has answered five different questions (see page 10 and 11). From the following results, everyone who will analysis them can see that there is a clear division in the Macedonian society. These two political "key-actors" have a different vision on the future of the Republic. Macedonians think that Albanians should not have more rights than those assigned with Ohrid Framework Agreement in 2001, they oppose the idea Albanian language to become a second official language in the whole territory. Furthermore, this ethnic group consider that Albanians have already got all the rights which represent an international standard in respecting the law. On the other hand, Albanians are not satisfied with the recently given rights by the state, they consider themselves as discriminated group and in order to have the rights as Macedonians which means to be equal, they claim that the Albanian language must be a second official language in the Republic. We were surprised when we saw the result of the last question where the Albanian ethnic group answered that the western parts of Macedonia should not be separated from the state and merged with Albania which is contrary to the result of the last question in questionnaire 1 where Macedonians answered that the final goal of the Albanian's requirements on their human rights will lead to succession of the western part of Macedonia and its merging with Albania.

Results - Questionnaire 1

(The following questions were intended to Macedonian ethnic group)

1. Do you consider that the Albanians in the Republic of Macedonia have all the rights that represent an international standard in respecting the law?

Yes (97.3%)

No (2.7%)

2. Do you think Albanians have more rights than Macedonians, especially when it comes to employment?

Yes (82.1%)

No (17.9%)

3. Do you agree that Albanian language should be a second official language, which is contrary to the Constitution of the Republic of Macedonia?

Yes (2.3%)

No (97.7%)

4. Do you think the Albanians should have more rights than those already assigned to them with the Ohrid Framework Agreement in 2001?

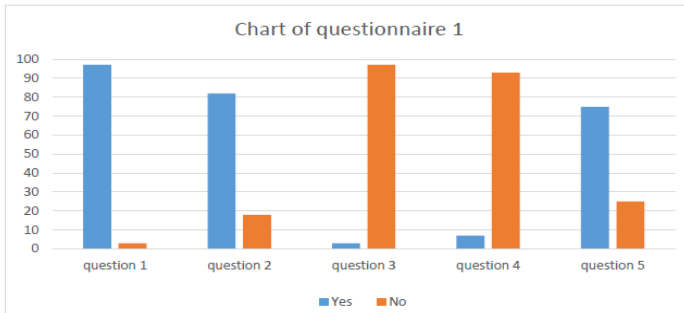
Yes (7.6%)

No (92.4%)

5. Do you think that the final goal of the Albanian's requirements on their human rights will lead to succession of the western part of Macedonia and its merging with Albania?

Yes (75.3%)
(24.7%)

No



Results - Questionnaire 2

(The following questions were intended to Albanian ethnic group)

1. Are you satisfied with the rights which are given to you by the Republic of Macedonia?

Yes (13.5%)
No (86.5%)

2. Do you think you are on the same level (status) as the citizens of the Macedonian ethnic group?

Yes (42.6%)
No (57.4%)

3. Do you think Albanians in the Republic of Macedonia should have more rights than those already assigned to them under the Ohrid Framework Agreement?

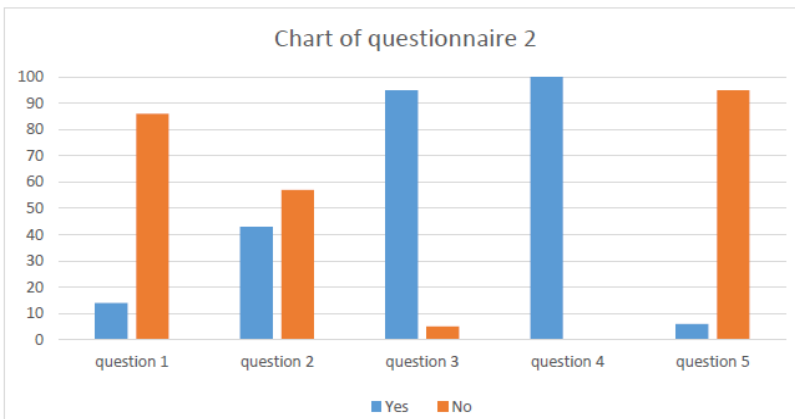
Yes (95.1%)
No (4.9%)

4. Do you agree that Albanian language should be a second official language in the Republic of Macedonia?

Yes (100%)
No (0%)

5. Do you think that the western parts of the Republic of Macedonia (in the places where Albanians dominate) should be separated from the country and merged with the Republic of Albania?

Yes (6.5%)
No (93.5%)



Conclusion

Multiculturalism is a serious issue, which always begins with minimal requirements of minorities, most often it turns into a conflict that causes, nationalism, hate speech and growing tensions, between the minority and the majority, and ends with a binational state or separation, depending on how strong is the state and its environment.

In the last, almost three decades, the political confrontation between Albanians and Macedonians has dealt with the long-standing desire of Albanians not to be recognized as a minority group equal with the majority, as equal partners in an institutional arrangement of the state.

This leads to a question of honesty or a hidden intent of these demands, as well as the loyalty of those citizens towards majority population and the whole state. That disloyalty towards one's own country, by establishing direct relations with another state, confirms that so-called rights demands lead to bi-nationality or separation from the home state. Moreover, this minority is no longer interested in the rights of other minorities in the state, but only its own.

Multiculturalism which proclaims differences as identities in which ignores the connection of resemblance leads to atomization, to a ghetto society. Multiculturalism does not permit an open society. In opposite, the extent to which multiculturalism nowadays is aggressive, secessionist intolerant, is the extent to which the given multiculturalism is the negation its self of pluralism.

The multicultural practices were not equally applied everywhere. The acceptance of multicultural practices depends on factors such as the desecration of ethnic relationship, human rights, border control, the diversity of the groups of immigrants, economic contributions. When those conditions are met, multiculturalism is seen as an unacceptable option.

In small or weak countries, there are different criteria for which rights should be given, and therefore, due to the lack of resistance by the state, it goes to the pointlessness of giving concessions. Due to the policy of the stronger, the interference of the neighboring states in its internal affairs, with the support of the international community on which they have a greater influence, not only provides more than it represents an international standard for minorities but also causes serious damage to the state, up to the limits of its abolition. Double standards are often applied.

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The Survival of Interactional Sociolinguistics in the 21st Century

Silvia Blanca Irimiea, PhD

Abstract

Paradigm changes have occurred in all disciplines and fields of study all the time. The range of variability or change which affected major research areas has also triggered changes in the linguistic research of humanities studies. In the 21st century the pace at which new paradigmatic changes or turns appear has accelerated, with the result that, currently, researchers cannot confine their work to a single approach but need to position themselves simultaneously in relation to a variety of older and more recent turns. Amid these shifts, the present study looks at *interactional sociolinguistics* and its survival in the 21st century and highlights the reasons why it has given way to other sub-branches of linguistics. Equally, the study seeks to anticipate the possible future of interactional sociolinguistics.

Keywords: paradigm shift, interactional sociolinguistics, micro-analyses, inferences, contextualization, a sociolinguistics of globalisation

Introduction

In the “fast” capitalism in which sciences move fast forward and researchers can hardly keep pace with the advances of disciplines, let alone with the emergence of new theories, we cannot help wondering what might be the fate of many research trends and paradigms¹ in the 21st century. Thomas Kuhn’s (1962) ideas of scientific revolutions and paradigm shifts made visible the historical and social nature of scientific theories. The notion of paradigm change has been replaced by the notion of “turns” and the idea that science and academic scholarship develop in cycles has become a widely accepted argument. Shifts in theoretical approaches considered mainstream or dominant alternate more often with emerging paradigms. Paradigm changes occur in all disciplines and fields of study all the time. In the 20th century, the most notable ones in human sciences included the cultural, interpretive, narrative, and postmodern turns. In the 21st century the pace at which new turns appear has accelerated with the result that, currently, researchers cannot confine their work to a single approach but need to position themselves simultaneously in relation to a variety of older and more recent turns. The range of variability or change has affected many research areas, so that we can speak of linguistic, discursive, performative, historic, material, affective, ontological, posthumanist and mobility turns, to name just a few. Amid these shifts, the present study looks at interactional *sociolinguistics* and its survival in the 21st century and seeks to anticipate its possible future.

Paradigmatic shifts and their consequences

In epistemology, as well as in any science, there are traditions or trends which may be more or less sustainable during a given period but which are all regarded as legitimate. At the same time, there are theories that give rise to other theories that are perfectly legitimate in the eyes of the scientific community but which, in time, may go out of use. Some sciences such as mathematics, physics, chemistry, astrology, geology and biology, known as “hard” sciences, are considered methodologically more rigorous, exact and objective. Roughly speaking, the natural **sciences** are considered hard sciences while social sciences are considered “soft”. Because the soft sciences lack a central working paradigm and scientific rigour they are soft in comparison to the hard sciences. This difference explains in broad lines why humanists can adopt a variety of different paradigms, which can be accepted in the professional community more easily.

Thomas Kuhn’s ideas of scientific revolutions and paradigm shifts, expressed in his landmark book *The Structure of Scientific Revolutions* (1962) made visible the historical and social nature of scientific theories. Although the notion of paradigm later became widely criticised and replaced by the notion of “turns”, it is a widely accepted idea that science and

¹ We use the concept of *paradigm shift* to describe a (profound) change in a fundamental model or perception of events.

academic scholarship develop in cycles in which periods of normal science and shifts in theoretical approaches considered mainstream or dominant alternate with less legitimate ones.

These shifts or turns characterise all disciplines and fields of study. In the 20th century, the most notable shifts in human sciences include the cultural, interpretive, narrative, and postmodern turns, while, in the 21st century, the pace at which new turns appear and replace older ones just seems to accelerate. At the beginning of the 21st century researchers cannot confine their work to a single approach but need to position themselves simultaneously in relation to a variety of older and more recent paradigms. These epistemological and ontological changes make the boundaries between paradigms volatile and uncertain.

P.L. Bernstein (1996) studied the paradigmatic changes in economy and admitted that “unstable and predictable changes are intrinsic to a modern, industrialist, capitalist, free-enterprise system” (7). Bernstein used mathematic indexes to validate his research in a domain which employs rigorous research instruments, but his findings can be extended to a soft domain such as linguistics or, for that matter, interactional sociolinguistics. Bernstein argued that paradigmatic changes are endogenous to the economic system and that, in spite of some cyclic spots, the rules of these shifts are never stable. However, Bernstein also suggested that paradigmatic shifts can be predicted if the causes that can trigger them are known (1996). If in the past paradigmatic shifts were unknown and uncontrolled, today such shifts can be anticipated to a certain extent, but the fact that they have become endemic makes them less controllable. A finding that can be transferred to linguistics as well is that “the feedback mechanisms that used to prevent paradigmatic shifts gradually succumbed to more powerful forces to a point where discontinuity has become the norm” (7). We can take this last remark and recognise that even in soft domains like interactional sociolinguistics shifts in trends and research traditions become less controllable and predictable.

Before we turn to interactional sociolinguistics, we shall cast a glance on paradigm shifts in applied linguistics. against the broader background of the 20th century mutations which occurred in different fields, generally acknowledged or accepted as a “shift” from positivism to post-positivism, the major shift in applied linguistics consisted in the move away from the principles of behaviourist psychology and structural linguistics in favour of the alternative of cognitive psychology, while also moving the focus from structure to meaning. Important effects of the shift in the field of second language acquisition, for example, were: cooperative learning, learner autonomy, focus on meaning and teacher and student as co-learners. However, such an acceptance does not take place in the absence of scientific arguments. As a result of the valid scientific arguments brought against the behaviourist approaches, cognition won.

In order to anticipate the fate of interactional sociolinguistics, we focus first on what interactional sociolinguistics is and on Gumperz and Hymes’s propositions. Then we look at the relation it bears to other branches in an attempt to highlight its “openness”, and finally, on the basis of the discussed arguments, we shall make some assumptions regarding its survival in the 21st century.

Interactional sociolinguistics

Interactional sociolinguistics is both a branch of linguistics, very much related to linguistic anthropology and to conversation analysis, and a stand-alone branch which has evolved as an academic discipline in the last two decades. Interactional sociolinguistics (IS) is indebted to Gumperz and Hymes’ early efforts to put together a general theory that could span language and society, and explain them both by means of investigating the recordings of face-to-face interactions, and noting the significant differences in the participants’ linguistic repertoires. However, their interpretation of the interaction went further trying to unveil the (institutional) power the participants involved in interactions held in society.

Interactional sociolinguistics developed at the crossroads of several disciplines extracting its roots from even more diverse areas of scholarly research, such as: ethnography, dialectology, pragmatics and conversation analysis, areas to which it is closely related. In a succinct article on interactional sociolinguistics, Benjamin Bailey (2008) highlights its merit as lying in “analysing how social knowledge and linguistic knowledge intersect in creating meaning in talk” to which he adds another dimension, the “cultural nature of communicative action” (2317). Hence, interactional sociolinguistics can be described as a broad interdisciplinary approach that lies at the intersection of several disciplines and borrows some of their methods. In addition, it provides insights into the way social aspects combine with linguistic and cultural aspects to create meaning in talk.

IS has come to cover a wide range of levels of organisation, from the phonetic level to the institutional level. Given the insight potential offered by interactional sociolinguistics, Auer & Roberts (2011:381) recommended that researchers should “roll up [their] linguistic sleeves and drill down to the detail of problems”, while Rampton (1) put forward the opinion that they should make “the maximum use of the sensitizing frameworks available in the (sub-) disciplines focusing on language”, one of which is IS.

Interactional sociolinguistics has grown on Gumperz and Hymes' crucial collection *Directions in Sociolinguistics: The Ethnography of Communication* published in 1972 and on Gumperz's publication of *Studies in Interactional Sociolinguistics* in 1982. The volume *Directions in Sociolinguistics: The Ethnography of Communication* put forward several issues that outlined the central concerns for interactional sociolinguistics. The first remarkable concern articulated by Gumperz and Hymes was the quest for a theory “capable of treating language as integral to social and cultural process, as well as the need to develop methods and technical concepts suited to describing this” (Rampton 2). Hymes opines that this concern should become “a basic science that does not yet exist” (38) whereas Gumperz & Hymes agree that “recent publications [...] have, so far, not been integrated into any theory of language and society” (vi-vii). Second, Gumperz and Hymes' commitment to drill deeper into the relationship between language and society occurred in a period of political unrest characterised through decolonisation, civil rights movements, educational issues, etc. Third, another outstanding achievement of their commitment to explain models of the interaction between language and social life was the recognition that “there must be [...] an approach [to description] that partly links, but partly cuts across, partly builds between... the disciplines” (Hymes 1972:41). Indeed, this was an early and firm recognition of the interdisciplinarity of interactional sociolinguistics, of its potential to attract research concerns that brought together linguistics, anthropology, sociology and psychology. Hymes also admitted that “an important attraction in the early years of sociolinguistics was that a number of individuals, interested in [language] use, were marginal to their official affiliations” (1997:125).

Hymes' merit lies in having “outlined the broad goals of sociolinguistic research”, while Gumperz concentrated “on concrete evidence of sociolinguistic methodology in action” (Sarangi 2011:377). At the same time, Gumperz looked at the connection between “small-scale interactions” and the “large scale sociological effects” (Jacquement 2011:475) which resulted in a “dynamic view of social environments where history, economic forces and interactive processes [...] combine to create or to eliminate social distinctions” (Gumperz 1982:29).

Gumperz and Hymes' seminal concerns were continued in the decades to follow, and several of the thoughts articulated in the 1972 volume, apart from receiving great attention from the research community, gave rise to separate sub-disciplines: for example, to conversation analysis (Sacks and Schegloff), variationist sociolinguistics (Labov) and the sociology of language (Fishman) (cf Rampton 2017; Durantí 2009; Bucholtz & Hall 2008). Gumperz continued editing *Language in Society* until 1994. He pursued his commitment to interactional sociolinguistics launching a book series, *Studies in Interactional Sociolinguistics*, in 1982, which he co-edited with Paul Drew, Marjorie Goodwin & Deborah Schiffrin. The series was mainly concerned with research on the social dynamics of talk in everyday and institutional settings, including clinics, schools, work-places, courtrooms, news interviews and focus groups. The group of scholars brought together by Gumperz in his series, wrote papers on discourse analysis, pragmatics, interactional linguistics, conversation analysis, linguistic anthropology. This broad array of approaches made the volume a “rather a relatively loose grouping of mutually intelligible perspectives, rather than a tight alignment” (Rampton 2017:2). Gumperz himself pursued his quest for “a general theory of verbal communication which integrates what we know about grammar, culture and interactive conventions into a single overall framework of concepts and analytic procedures” (1982:7, quoted in Rampton 2).

Gumperz's social approach

Gumperz and Hymes' *general theory of verbal communication* regards the speech event as a unit of analysis which could prove that culture did not stand outside talk but that it was ingrained in situated speaking activities (Auer & Roberts 2011; Gumperz 2008). Their theory relies on several contributions that come from: linguistics and discourse analysis (which provide a perspective on the communicative choices made by the interactants from the available linguistic resources in situated communication); Goffmanian and conversation analysis, which throws light on the construction of “local architectures of intersubjectivity” (Heritage 1997), on the rituals and other aspects influencing the use of semiotic forms and strategies; ethnography, which accounts for the stability, the status of linguistic forms, rhetorical strategies and semiotic materials acquired in different social networks, and explains how such encounters fit into broader biographies, institutions and histories. To these elements, Gumpers adds the notions of “inferencing” and “contextualisation”.

In regard to semiotics, an area explored minutely by some anthropologists, Gumperz contends to insist on the theorisation of “contextualization” and “inferencing”. *Inferencing* stands for the interpretive work that individuals go through while trying to reconcile their prior experience of knowledge with the elements of the speech encounter-at-hand. In other words, inferencing is the effortless process of making sense of what is uttered or what is provided in an encounter. While inferencing is regarded as a receptive sense-making, *contextualisation* shifts the focus on the speech production process. It is an on-going process which contributes to the speakers’ reassurance that they are understanding the each other. This is a tacit process intertwined with a permanent monitoring of all elements that concur during the encounter. These processes have a major impact on understanding the “context”, and at the same time reveal that words, their denotation, the formal structures of grammar and the propositional meaning of sentences do count, but that they become only one element within the broader array of semiotic resources available for the production and interpretation of meaning (cf Hanks 1996; Verschueren 1999). Since language is indexical, permanently pointing to persons, practices, settings, objects and ideas that are never explicitly expressed (Erickson 2011), context is regarded as “dynamic, interactively accomplished, and intrinsic to communication” (Rampton 2017:3). Thus context turns into an understanding of the social world that is interactionally ratified and undermined from one moment to the next as the participants in an encounter respond to one another. At the same time, any interaction reveals social differences which reflect different social norms and expectations and which stand for the discourses that the interactants have experienced in their prior interactions or involvements with socio-communicative networks. These instantiated discourses range from intimate relationships to complex, formal encounters and national education systems and global media. Thus, without doubt, the notions of inferencing and contextualization offer us a way of seeing how prior experience and prominent ideologies contribute to the here-and-now speech production activity, taking into account social expectation, and the participants (Blommaert & Rampton 2011).

From the sociological point of view, Gumperz suggested that “the relationship of [...] social factors to speech form is quite different from what the sociologist means by correlation among variables’ and proposed ‘an important break with previous approaches to social structure and to language and society” (Gumperz & Hernandez-Chavez 1972:98). Other scholars admit that “Behavioural regularities are no longer regarded as reflections of independently measurable norms’ and that ‘these norms are themselves seen as communicative behavior” (Blom & Gumperz 1972:432). From this approach it results that Gumperz’ theory of communication is related to constructionist theories of social practice, resonating with Giddens’ concept of “practice” as the “production and reproduction of society [...] as a skilled [but by no means wholly conscious] performance on the part of the members” (1976:160). Amid the rise of social studies, Gumperz places sociolinguistics as an interdisciplinary resource for engaging “with the facts of modern life” and “yield[ing distinctive] insights into the workings of social process” (1982:4,7 quoted in Rampton 2017:4).

Gumperz approached social interactions micro-analytically and for this reason he was asked in an interview by John Twitchin in 1979 why he was interested in micro-analyses and not in macro-level analyses which regarded the social processes that took place in a multi-racial society where racial discrimination and economic disadvantages dominated the British political, economic and cultural scene. To this comment Gumperz answered that “There is no denying that politics and economic conditions are extremely important in race relations, and that ultimately redressing the balance of discrimination is a matter of power. But communication *is* power” (Rampton 4). Gumperz managed to unfold and analyse strips of audio and video recordings of situated interaction, thereby contributing to discovering a fundamental procedure of investigating social interactions. In doing so, Gumperz addressed the political issues of race, discrimination, class stratification and gender relations in his micro-analyses of recorded interactions.

Gumperz’s interdisciplinary theory and IS micro-analyses are related to Foucault’s notion of “eventualisation” (Rampton 2017) that rested on the analysis of an event “according to the multiple processes that constitute it”, “proceed[ing] by progressive, necessarily incomplete saturation”, and “show[ing] that things weren’t as necessary as all that [...] in what subsequently counts as being self-evident” (1980/1994:249-50, quoted in Rampton 4). According to Rampton, Gumperz’ contribution lies in helping “push the processes associated with ethnicity, gender, generation, class, etc. *into perspective*, documenting their intricacy, distribution and significance in ordinary lives beyond the headline representations in politics and the media” (4).

On the other hand, Gumperz criticises “the institutions operating in ethnically diverse environments for relying too heavily on the aspects of meaning that seem to be stabilized in lexico-grammar” because “these institutions overlook the crucial contribution of less standardised sources” (cited by Rampton 5).

Interactional sociolinguistics and its relation to other (sub) branches

Interactional sociolinguistics has used methods and theories eclectically. One method it shares with conversation analysis (CA) is the interest in the minute analysis of recordings of natural interactions. However, interactional sociolinguistics differs from CA in that it focuses on inferential processes and the interpretation of cultural and social contexts. In addition, while IS studies the relationship between linguistic sign and social knowledge in discourse, the purpose of CA is to identify “the structures that underlie social interaction” (Stivers & Sidnell 2013: 2).

With anthropology it shares the commitment to the analysis of cultural variation and the meanings that participants in interactions give to their own identities, to those of others and to actions. From philosophy of language and linguistics it takes the notions of ‘implicature’ and ‘speech acts’, but, at the same time, it is concerned with real people in real interactions.

Relative to communication studies, interactional sociolinguistics shares the interest in the “actors’ apparent strategies and intended meanings in talk, and it overlaps with strands in many of these disciplines that attend to communicative frames and meta-discursivity in talk and interaction” (Bailey 2008: 2317). At the same time, several communication researchers criticised the sociolinguistic accounts of intercultural miscommunication, arguing that miscommunication stands for political and social inequality rather than for “divergent patterns for linking surface communicative forms and meanings” (2317). Furthermore, such critics held that many studies of intercultural miscommunication have not recognised the role played by social and political inequality and reasoned that this might be a limitation of interactional sociolinguistics. They also argued that interactional sociolinguistics can become a method for analysing and interpreting how social knowledge and linguistic knowledge intersect in creating meaning in talk (Bailey 2008). Critics pointed out that it can also explain how inequality and conflicting interests are negotiated in talk. Finally, a great merit of interactional sociolinguistics is that it can examine and explain “the process of meaning-making at the intersection of talk and culture” by means of conversational inferencing and contextualisation cues (2317).

The interdisciplinary ‘openness’ of the 21st century interactional sociolinguistics

While praising Gumperz’s contribution to interactional sociolinguistics, we cannot help wondering what is the future of IS and if, indeed, it might survive as a stand-alone sub-branch in the 21st century.

On the one hand, interactional sociolinguistics was articulated by Gumperz and Hymes from many subdisciplines and appeared as a coherent research direction at the time it was articulated. On the other, interactional sociolinguistics inspired a number of scholars who, in turn, pursued divergent threads of linguistic, social and cultural investigation. Amid these diverging research commitments, the question that arises is whether interactional sociolinguistics, as an outcome of many subsidiary traditions, might converge and retain the identity envisioned by Gumperz (2017), or whether it is deemed to be engulfed by the traditions it contributed to.

In order to find a valid answer to this quest, we shall look first at the challenges or rather threats of the 21st century. First, diversification may arise from the term “sociolinguistics” itself, which has been used in connection with the quantitative variationist tradition in the US, a tradition, which, somehow continues the correlational perspective that Gumperz repudiated in his lifetime. At the same time, Duranti (2009:2) and Bucholtz & Hall (2008:402) have adopted the term “sociocultural linguistics” to refer to the orientation of British and European linguists who use the term for “linguistic ethnography” (Rampton 2017). Rampton tries to find out what caused this diversification of approaches and looks at the articles published in the “Studies in Interactional Sociolinguistics” series. He assumes that the series contains too broad a range of approaches and that the term interactional linguistics functions rather as an “umbrella” term that accounts for the qualities and processes underlying communication than a “substantive theory” (5). To do justice to Gumperz, Rampton asserts that Gumperz “developed a deeper theoretical synthesis capable of accommodating many of the advances made in different (sub-)disciplinary traditions”, while also wondering how they “could be brought back together”. It is also our endeavour to try to figure out how these advances can be “brought back together” in an incredibly complex global world governed by major social shifts, cultural differences and paradigmatic changes. Could and would IS survive as a distinctive approach, or would it be rather absorbed by linguistic anthropology, itself a broad tradition which anticipates Silverstein’s formulation of the “total linguistic fact” (1985)? Indeed, according to Silverstein, “the datum for a science of language, is irreducibly dialectic in nature [...] an unstable mutual interaction of meaningful sign forms, contextualised to situations of interested human use and mediated by the fact of cultural ideology” (1985: 220).

Another reason for the branching out of interactional sociolinguistics is the difficulty with which such an intricate discipline can be taught. In comparison with conversation analysis and variationist sociolinguistics, which can be easily taught as they have clearly defined theories and procedures, it falls short of having some clear, applicable theories (Rampton 2008). Consequently, those who try to teach interactional sociolinguistics must either come from a solid linguistic experience and explain how micro-analyses can account for broader issues in various social settings or belong to other research areas and be drawn to IS by the desire to find more relevant answers to their particular disciplinary concerns. Both IS and CA can be used successfully to explore the underlying interpretations and perspectives, but while CA illuminates “the sequential machinery of interaction”, IS can help interpret broader scale institutional and social processes, reflecting, for example, on the data’s implications for the next steps in ethnographic fieldwork (220). IS turns out to be helpful in that its explorations allow insights into local language ideologies and the participants’ concerns and interpretations of the background and specificity of particular episodes.

More importantly, IS is characterised by a general lack of “boundary policing”, by its “interdisciplinary openness and its relationship with adjacent fields” (Rampton 7). This assumption is pursued by Rampton in an attempt to explain the further evolution of the concept. Rampton (2008) follows two investigative threads that were central to Gumperz’s work: *code-switching* and *intercultural communication* in institutional settings. With respect to code switching, he notes that while in his 1970s works Gumperz focused on the switches between languages that were well-established in the peoples’ repertoires, the researchers of the 1990s shifted the research focus on *language crossing* and *stylisation*. Language crossing has come to represent the use of other ethnic varieties in settings where ethnic boundaries are very strict, while stylisation refers to the use of styles that are outside one’s normal repertoire but which has no consequences regarding the legitimacy of its use for participants or users (Hewitt 1986; Rampton 1995; Bucholtz 1999; Cutler 1999; Jaspers 2005). This research trend reflects the individual and collective social shifts, the restatement or refutation of social identity in volatile circumstances, and is itself an expression of reaching out towards a global approach, towards a *sociolinguistics of globalisation*. Furthermore, Gumperz’s own statement that “individuals are freer to alter their social personae with the circumstances” (1982:26) and his belief that speech communities could not be entirely isolated as speech enclaves anticipate the shift from state-determined multiculturalism of communities to the global superdiversity that characterises many countries today (Arnaut et al. 2016). This shift in the research tradition of interactional sociolinguistics is paralleled by recent concerns for cross-ethnic bureaucratic encounters (Charalambous 2012; Charalambous, et al. 2016).

Similarly, Gumperz’s work on intercultural communication, which focused on the intercourse between bureaucratic and social staff and migrant workers or people seeking better work places, has been continued by researchers who examine the massive number of encounters between state officials and the migrants, represented by refugees and asylum seekers over the last two decades (Blommaert 2001, 2009). This research trend was, in turn, taken further in the direction of investigations of oral encounters (such as interviews).

Gumperz’ work on code-switching and his insights into intercultural communication in institutional settings are research threads that resonate with the research commitments of current researchers. Thus, Gumperz’s research has slowly flown into a new sociolinguistics, a *sociolinguistics of globalization* (Blommaert 2010; Jacquemet 2005).

Finally, interactional sociolinguistics has made the interdisciplinary relevance over the last 10-20 years more relevant by a more explicit interest of researchers in linking the analyses of specific interactions to the work of Bakhtin, Bourdieu and Foucault (e.g. Blommaert 2005; Coupland et al (ed) 2001; Jacquemet 2005; Perez-Milans 2013; Rampton 2006, 2016). For these scholars the achievements of interactional sociolinguistics remain an interdisciplinary reference point for future investigations (Rampton 2017).

The survival of interactional sociolinguistics in the 21st century

In 1967, Jacques Derrida, relying on his readings from Nietzsche and Heidegger, published the book *On Grammatology*, in which he attacked the metaphysical presuppositions of the humanist tradition by launching the concept of “deconstructionism”, which critiqued structuralism and ultimately led to post-structuralism. His radical ideas against metaphysical presuppositions on social sciences led to new approaches in hermeneutics, in philosophy and literary criticism. Similar shifts, changes or turns in approaches have become a general and common practice in practically all fields of human inquiry.

In regard to interactional sociolinguistics, its sustainability or survival in time is as fragile as that of any other linguistic paradigm, of any approach or research area. First, its paradigmatic uncertainty and volatile disciplinary boundaries are risk factors that easily expose it either to its incorporation by other more prominent disciplines or to a gradual epistemological extinction. Its being a rather comprehensive framework for engaging with the empirical specifics required for any social science aligning with practice theory (Ortner 2006) and its general quest to provide linguistic accounts for social problems confers to it the general quality of an instrument for the disciplines focusing on language and linguistic ethnography.

The first reason that might account for the blurred lines of separation between interactional sociolinguistics and other sub-branches or disciplines is that interactional sociolinguistics can be used as a framework to the analysis of any interaction and because much of the empirical research carried out in the field of discourse analysis, in communication, linguistic anthropology, sociology or sociology-oriented linguistics, is indebted to this approach.

The uncertain future of interactional sociolinguistics lies also in the fact that each sub-branch of linguistics evolves fast, whereas interactional sociolinguistics has yielded some sustainable approaches which have been valorised by other sub-branches, but which have not consolidated the status of interactional sociolinguistics. Instead they have contributed to the advancement of other traditions.

In spite of the remarkable and acknowledged contribution interactional sociolinguistics has had into sociolinguistics, it has not provided clearly defined theories and procedures (Rampton 2008) which could set it apart from other related approaches, and which could confer to it a major epistemological role in scientific research. In addition, it has had a limited applicability to other research areas.

Any major paradigmatic shift is, in general, attributed to a renowned promoter and is supported by the research community. Its research value, if validated and scientifically legitimised, is continued in a sustained manner by other remarkable representatives of the tradition. In the case of interactional sociolinguistics, Gumperz and Hymes' outstanding work was not continued consistently by prominent sociolinguists. Instead, only some research assumptions of their original tradition were carried further and led to other, more consistent traditions.

The survival of any tradition depends on its acceptability, on its validation by the broader research community, on its legitimate status and capacity to resist research challenges. Furthermore, any standing and lasting approach or paradigm must bring research benefits to the community in which it is used in terms of sustainable results and contributions, whereas interactional sociolinguistics failed to continue to fuel its old tradition.

On the other hand, many scholars (e.g. Blommaert 2005; Coupland et al (ed) 2001; Jacquemet 2005; Perez-Milans 2013; Rampton 2006, 2016) contribute new insights to the relationship between interactional episodes and the work of social science scholars. Given the strong move of scientific research towards interdisciplinarity and social sciences, in particular, a continuation of the topics investigated by interactional sociolinguistics can be easily foreseen. Furthermore, social issues play an increased role in the world and scholars must come to terms with the contemporary social changes and, eventually, investigate them. The contemporary world is dominated by revolutionary technological changes that affect all scholarly disciplines and all investigative concerns. Sociologists have warned the world of the unprecedented technological advancement. These changes must be duly monitored and investigated in order to be known, controlled, anticipated and dealt with. Computers, television, tablets, online platforms and the new "online sociality" (van Dijck 2013) have created a new configuration of the world human society based on a neoliberal market, on new forms of social control, on a "dual society" where a "fully networked zone coexists with a marginal sector of non-achievers" (Fraser 2003:169). The new world is a world where asylum seekers, immigrants, ethnic minorities interact with bureaucratic or institutional experts—immigration control officers, police, military, intelligence, private companies, lawyers and researchers in an effort to settle political, social and cultural issues. All these major world processes and phenomena require a careful sociological investigation based on communicative and interactional episodes. In order to capture and interpret these interactions many scholars refer to Foucault's notion of "governmentality" (1978/2003: 229-245) and try to relate small-scale encounters with higher level coordination. Rose (1999:5) opined that to study governmentality one should "track force relations at the molecular level, as they flow through a multitude of human technologies, in all the practices, arenas and spaces where programmes for the administration of others intersect with techniques for the administration of ourselves". Gumperzian analysis can contribute to this new research path. Gumperz's work on code-switching management, cognitive inferencing and shifts in interactional footing and cultural repositioning can provide a useful base for the investigation of everyday use

of digital technologies. In order to expand code-switching framework interpretations to the interpretation of different media, these frameworks must be expanded beyond register and language use.

Besides investigating the participants' *here-and-now* performance, Gumperz noticed the unperceived communicative sensibilities operating in the background, an issue taken up by van Dijk in an attempt to "make the hidden layer visible" (2013: 122). The concern for the unperceived and hidden communicative information can shed light on the "communicative styles" in on-line Web 2.0 environments, which are ultimately logics of control expertly designed to generate profit (Rampton 2017).

Gumperz' concern for the way institutions construe and assess individuals during intercultural and institutional interactions is manifest in Haggerty & Ericson's work in which the authors refer to the profiles constructed by institutions through surveillance. They admit that "knowledge of the population is now manifest in discrete bits of information which break the individual down into flows for purposes of management, profit and entertainment" (2000:614). At the same time, interaction sociolinguistics might be useful in investigating the experience of surveillance itself (Rampton 2017), since according to Ball, surveillance "has not been addressed in any detail" (2009: 640). Thus, in a world in which everything is surveyed and inventorised, interactional sociolinguistics may open new research perspectives into these processes that involve human and technological interaction.

Furthermore, if scholars and researchers will commit themselves more to the study of socio-communicative practices and forms of control that involve both individuals and technology they will have to collaborate more with digital communication experts. Nevertheless, apart from the two elements, there is yet another element that comes into sight, the institutions and the way they use the technological information to reach their ends. Finally, technology has changed the face of the world and has affected its population with the result that researchers should try to find out more about how technologies affect the "institutional regimes and participant practices in offices, clinics and schools" (Rampton 2017:11). This quest in which a major point of reference is Foucault's notion of 'governmentality' may help scientists make sense of the world developments and provide interactional sociolinguistics with the opportunity to carry out its interdisciplinary work.

Conclusions

The present article put forward a plethora of arguments that account for both the survival of interactional sociolinguistics and its gradual dissipation into other, dominant and more principled branches.

However, Hymes and Gumperz's work represents their early efforts to develop a general theory of language, society and culture, a branch of linguistics (and/or sociolinguistics) built around the notions of "inference" and "contextualisation". Their work reached out to other researchers and enriched their contribution to sociolinguistics. Still, in spite of the merits interactional sociolinguistics has earned, it can be subject to further changes and give in to other more rigorous "turns".

On the other hand, its possible links with Foucault's, Giddens' and other prominent sociologists' works might revive the old tradition. Moreover, the basis it can lay down for other society investigations (surveillance control, the individuals' assessment, web 2.0 environments, investigation of the rapport individuals- technology, etc.) can assure its survival. Finally, its capacity to draw in other socially relevant investigations and adapt to the requirements of the new 'governmentality' of the 21st century might guarantee its survival.

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Use of Narratives as a Pedagogical Tool for Students to Change the Perspective of Society and Their Person through the Course

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Abstract

Traditionally, education was considered a process in which the main protagonist was the teacher, the only bearer and guarantor of knowledge, where the communicative relationship established was unidirectional, the students neither said anything nor expressed any opinion. The purpose of this work is to share a didactic experience in the application of narrative diaries as a pedagogical tool in the subject of Television, Culture and New Customs, held in the first semester of 2018. Through the narrative diaries, students are expected to reflect critically on their past, that of his immediate surroundings and his society so that, with this background, his present can be explained in a clearer way. The narrative diary used in this experience is made up of three questions (Testimonial Perspective: what happened and what happened to you?) How did they experience it in class? How did other people experience it? / Personal Perspective: Why was this situation relevant and / or meaningful to you? / Professional Perspective: How has the experience transformed the view of the profession?). The subject is developed using collaborative techniques forming small groups of work which shows the direction to follow in the subject, around which are structured a series of more limited problematic situations, which allow to address the different contents of it during the semester. Students are motivated and think favorably about its implementation.

Keywords: Pedagogical narrative, Humanities learning, collaborative work, Active methodologies

Introduction

The educational institutions recognize that training models have a strong instrumental focus, which overvalues the theoretical over practical experience, wasting the potential of the classroom as a professional learning space. Thus, under the dominant educational model, future professionals are expected to learn a set of theoretical knowledge in the training institutions that they should use to solve the problems they face in the exercise of the profession. University teaching remains anchored to a positivist tradition that, instead of prioritizing a dialogical relationship, theory and practice adheres to an objectivist epistemology that reinforces the value of the memorization of disciplinary and pedagogical contents as the basis of the formation processes. The students would be a mere applicator of techniques and the student body, passive subjects who receive education in educational establishments (Domingo, 2013; Galaz, 2011; Grundy, 1994).

In the previous context, it is important to explain what is meant by teacher reflection and in this sense, some contributions that are key to understanding the use of this concept in the framework of this research project are highlighted. John Dewey (1933) coined the concept of reflective thought, understood as the "active, persistent and careful examination of any belief or supposed form of knowledge based on the foundations that sustain it and the conclusions to which they tend. He highlights the relevance of experience as part of the process of learning based on reflection, becoming the experience itself in the substrate from which we learn from and for practice. Thus, while exploration and analysis of one's thinking is activated, the understanding of the exercise of the profession increases, favoring training and professional development processes. This idea should make us think about what opportunities we offer during the initial training to the students to examine their beliefs about the exercise of the profession. This is particularly important in practical training, since when the student faces the process of teaching and training in the real classroom, he/she usually experiences that "what he/she has learned in college" loses its effectiveness, questioning his/her beliefs. This leads them, sometimes, to "despise" the theoretical, instead of opening a process of construction of teaching knowledge that articulate theoretical aspects and practical

knowledge, which would be very valuable in the perspective of the construction or reconstruction of the pedagogical look and the profession itself. On the other hand, Donald Schön (1992) links thought and action, developing the notion of reflective practice and with it, the proposal of the formation of reflective professionals, who would be distinguished by a practical thought that considers knowledge in action, the reflection in the action and the reflection on the action. The reflection on the action is that which emerges a posteriori of the professional action and assesses it to foresee possible future problems. It has been observed that in the students who are beginning in the profession, this reflection is the one that predominates. In addition, this type of reflection, usually, has an instrumental nature that is directly associated with the intention to change, instead of becoming the substrate to devise new forms of professional performance in the future teacher (Nocetti, 2016). In view of the above, we should recognize that teacher educators - many times - leave it up to the student to look for ways to develop reflection processes about the action, assuming that the student knows what a reflexive analysis consists of and how to do it. This idea turns out to be, in part wrong, as many students, including practicing teachers, recognize that reflection is important, but at the same time they declare that they do not know how to carry out this process (Nocetti, Otondo y Lema, 2016). In this sense, it is not enough for trainers to ask students to develop a reflexive analysis of what happened in the classroom - reflection on the action - we have to offer them experiences that favor learning how to carry out this process.

On the other hand, Schön proposes the notion of reflection in action, understood as the questioning that occurs during the course of professional action and that arises as a result of an unexpected situation that cannot be faced with routine answers or the repertoire of knowledge that is available at that time. This type of reflection leads to new strategies and also to the restructuring of those already used (Schön, 1992). In this perspective, in universities we should ask ourselves to what extent formative experiences -especially those related to pedagogical and professional practice subjects- favor that the student develops a favorable disposition towards reflection in the middle of the action and in this way, stimulate learning based on real teaching experiences. On the other hand, the prospective component of reflection occurs when reflecting on future actions-for example, when teaching is planned in the case of teachers-or when a problem or event is anticipated. In this case it could be presumed that the main function of the reflection is to foresee how it will act in the future and in what sense it will be done. In addition, this feature of reflection could be related to the intention of a certain level of experimentation and/or inquiry in future teaching practice.

Narratives allow us to study the way in which students experience the world and allows them to be close to the real experience, giving meaning to the rest of the members of the course. In the narratives it is possible to describe, analyze and interpret the meanings produced by the people who relate their experience, putting themselves in relation with the practical contexts that emerge (Ripamonti, Lizana, Yori, 2016).

Methodology

An interpretative study was developed focused on clarifying learning acquired by students developed with a reflexive approach (Álvarez - Gayou, 2013; Crotty, 1988; Sandin, 2003). According to several authors, this type of research is linked to symbolic interactionism which is focused on the construction of meanings as a product of social interaction and hermeneutics interested in the interpretation (Bisquerra, 2014; Flick, 2015; Rodríguez, Gil, García, 1999 y Sandin, 2003).

A case study was developed according to the proposal of Stake (2013), in which the interest is to study the learning that students build when they are urged to write, rescuing the meaning of these experiences and how they give meaning to the profession. Thus, the purpose of this study will be descriptive and interpretative, thus contributing to the understanding of a particular training experience (Simons, 2011). Thus, we adhere to the epistemological turn of training that is consistent with the notion of Experiential Learning, which recognizes that the subject learns from direct contact with the situation and product of the reflective analysis of this experience. (Kolb, 1984). This type of learning is not only associated with a positive experience, but requires effective reflection (Boud, Cohen y Walker, 2011).

In this research the informants will be 14 narratives of students from different engineering careers of the Universidad del Bio Bio. Each one of the participants will contribute their perspective regarding the learning that emerges from the analysis of the experiences in the class through a writing strategy developed with a narrative approach. It should be noted that the stories were worked with the aim that the student identify in his own experience, events that are relevant to him or her and from these, become aware of how those experiences are triggering practical knowledge and at the same time, they configure a certain sense of their profession. The modality of work was 4 narratives to the semester and to write why this story becomes significant and in what sense it transforms the professional view.

Results

To begin with the analysis of the narrative diaries, an encoding was carried out to later organize the codes found and group them into categories, which allowed to develop an interpretation and synthesis of the information found in the narrative diaries.

The first category found is called Global Reflection of Students, it refers to how students have a broad view when reflecting through the narrative diary proposed in the subject. A subcategory called Way to Develop the Course, was found which refers to how the teacher develops the course during the semester.

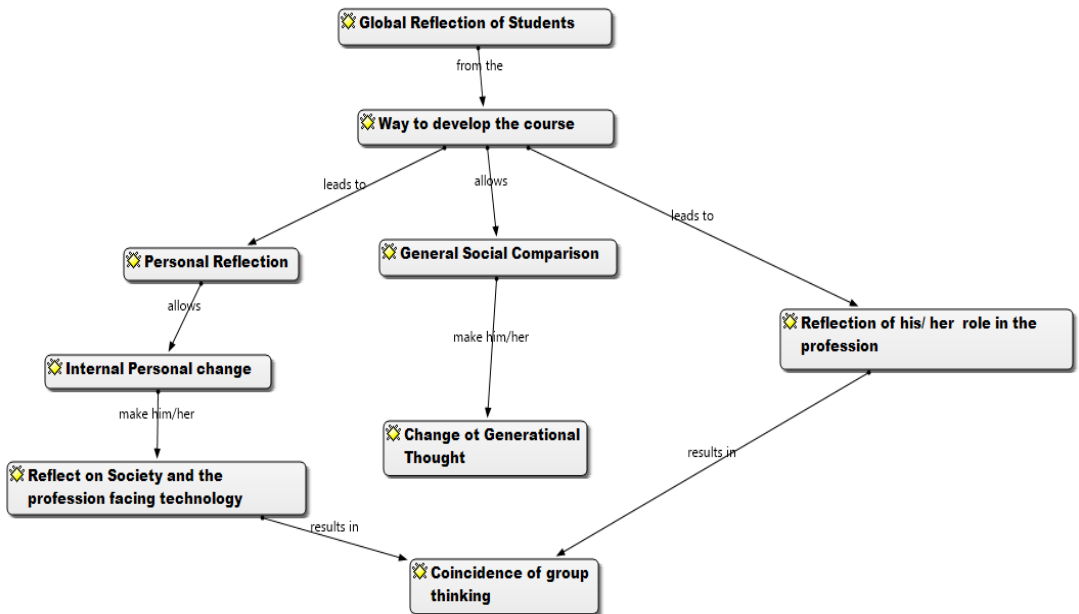


Figure 1. Semantic network Global Reflection of Students.

The figure presents the category Global Reflection of Students, you can see a subcategory called Way to Develop the Course, this allowed to promote personal reflection in the students, producing an internal change in them, this is related to how the teacher has been developing the course. This also allows the students to make a personal reflection to make a generational comparison between them and their parents or grandparents. They also make a comparison with the evolution of society, allowing a reflection on this and how they will develop in their profession to contribute to improve society. This reflection is done within the class, giving the opportunity for all participants to share it and realize they have common ideas.

The second category found is named Incorporation of the Humanities in engineering studies. It refers to how humanist issues have been incorporated in the training of engineers. Two subcategories were determined, the first one is called Personal Change, it refers to how students change their look by having knowledge of humanities in their training.

The second subcategory is called Social Environment, it refers to how students develop a broad view regarding social phenomena.

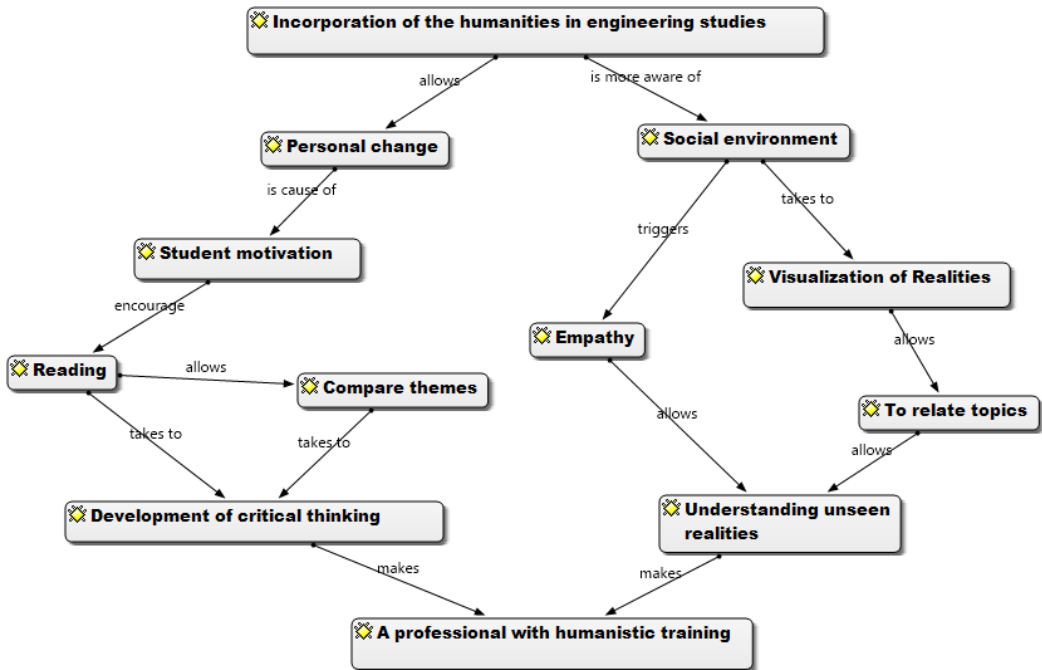


Figure 2. Semantic network Incorporation of the Humanities in engineering studies.

Figure 2 shows the category Incorporation of the Humanities in engineering studies that promotes a personal change in them. This leads to develop a motivation in students to encourage reading, which allows them to compare previous historical issues, encouraging the development of critical thinking. Knowing the social environment allows students to have a visualization of diverse realities that foster the relationship between subjects allowing an understanding of realities not perceived before. Both subcategories lead to the formation of a professional with a humanistic background.

Conclusions

It is expected to describe the practical knowledge that students acquire in the context of the experience of the course of Television, Culture and New Customs to promote reflection on the importance of the Humanities in their professional training and personal life. The importance of complementary training in engineering studies has been recognized in most universities around the world.

The subject confronts them with real life events of the past and/or present which are very important at the moment of understanding the world and its present situation. They find an explanation for their present when they study the recent history.

The proposed activities in classes, plus the writing of the narratives produce reflection that promote the change of perspective of personal and professional life. They understand that technology help us have a better life, but they also get to the general knowledge that Humanities give an answer to the questions of what and why we need to develop things by means of such technology. Thus they find an easier way to give meaning to life and their profession, to find their place in our society. To achieve these goals it is necessary that engineering students have a broad humanistic background, which allows them to see their social and professional responsibility.

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John Heartfield's Photomontages as a Political Tool

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Abstract

It is the fact that art often involves with politics. It can work both of sides, either with a political ideology or against of it. The strong relationship between art and politic was occurred during the World War I and World War II. As a member of Berlin Dadaist Art Movement, John Heartfield made sharp opposition with his photomontage works against the Hitler regime in Germany. Since photomontage became anti-art technique against traditional painting in Dada Movement, Heartfield used this technique to criticize his opponents, Adolph Hitler and Mussolini. This research will focus on how Heartfield attacked and disrupted with his photomontages to his opponents. Later on, I will analyze photomontages of Peter Kennard and Klaus Staeck, contemporary artists and designers, who were inspired by Heartfield's photomontage methodology and his artistic activism. The qualitative research and comparative methodology were used in this research. The findings of the research showed that Heartfield became the pioneer of using photomontage technique in his time. He realized that he could use photography to express his politic thoughts and ideas in collage making. He used photomontage as a political weapon against his political oppositions. Kennard and Staeck, like Heartfield, used photomontage to support and defend their political issues in their time, too. Finantly, this research shows that Dada artist, John Heartfield as well as contemporary designer and artist Peter Kennard and Klaus Staeck used the photomontage to make a social criticism through their conceptual and powerful works. Their initial approaches were not making design for a client or gallery to sell their works, but they wanted to be, as "artists-activists", part of social changes in their time.

Keywords: Heartfield, Photomontage, Hitler, Kennard, and Staeck

Introduction

Although John Heartfield and his photomontages made big impact in his time, during World War I and II, his influences and inspirations affected many designers and artists. In this research, I will analyze the works of Heartfield and his position in Berlin Dada Movement. I will also research the direct and indirect relationship between the photomontage of John Heartfield and his inspired designers and artists, Peter Kennard and Klaus Staeck. This comparison will help us to understand the way of using photomontage in politic and social issues.

The term photomontage was invented after World War I (Ades, 1976, p. 42), and just a couple of years prior to the official establishment of the Zurich Dada movement in 1917. Edwin Smitt explains the methodology of photomontage as "cutting out parts of one or more prints and pasting them over parts of another print, a photo background, or on a plain neutral sheet to form a design." (Smitt, 1973, p. 120). On the other hand, Maun Levin stresses the importance of this technique as "an intelligent assembling of parts to allow for a rational efficient consumption" and "allowing for the quick grasp of several images at once." (Levin, 1992, p. 40). Therefore, the photomontage technique was accepted among the Berlin Dadaists, particularly Heartfield, as a "social criticism" medium (Heartfield, 1977, p.2).

John Heartfield

In his research, Sherwin Simmon researches the relationship between the artists of the Berlin Dada movement and the world of advertising and states that Heartfield studied in the *Royal Bavarian School of Applied Arts* and later studied graphic art in Munich (Simmon, 1999, p.126). However, Evans writes that Heartfield had worked as a commercial artist after graduating from school." (Evans, 1992, p. 10). Evans also mentions that Heartfield later settled in Berlin and was producing creative works at the studio of Ernst Neumann, the prominent advertiser of the period. In 1916 and 1917, Heartfield, his brother Herzfelde and their close friend George Grosz together published a satirical magazine called *Neue Jugend* (New

Youth) in which they made political criticisms. Evans also added that the magazine served as a vehicle for their antiwar and pacifist views (p.10).

When Heartfield introduced photomontage, he used it, as Peter Selz says, “rationally and purposefully” (Selz, 1977, p.11). Hitler and the Nazi regime were perfect targets for Heartfield’s photomontage. Smitt describes Heartfield’s Nazi period photomontage works as “political weapons”. (Smitt, 1973, p. 31). Heartfield relayed the political significance of this technique in his visit to Moscow, where he stated that photomontage should be used as a “weapon” in the schools, factories and state institutes (Evans, 1992, p.35). This indicates that photomontage became “a weapon in the hand of Heartfield” against Nazis, Fascists and even Social Democrats.” (Pachnicke and Hannef, 1992, p. 11). Heiner Muller defines Heartfield’s position as an “Openierende Kunstler” (activist-artist) for reflecting his political views to the large masses by means of his photomontage works (Muller, 1992, p.8). In this regard, Heartfield could be considered an “activist” for his expression and dynamic attitude toward political decisions he deemed wrong. Heartfield’s status as “activist-artist” is verified due to his intellectual activity and expression of his political views via the language of art.

Up to now, Heartfield was I have referred to as a Dada artist who used the photomontage technique most effectively as compared to the other artists in the Berlin Group. I defined the presentation of his works in a political context and described his “activist-artist” character. Now, how did Dada artist Heartfield use photomontage as a language on political issues? Evans connects results obtained by Heartfield’s photomontages with the following fundamental characteristics: “Metamorphosis; hybridization; contrasts of large and small, high and low; and unmasking.” (Evans, 1992, p.16). I would like to give and discuss some examples of Heartfield’s works regarding using photomontage as way of language.

Heartfield’s *The Face of Fascism* (1928), Figure 1, is an example of the “hybridization” method in photomontage. Slez states that this photo-collage was for a book cover, *Italien Ketetten* (Italy in Chains) published by the KPD (German Communist Party) (Selz, 1977, p.9). In this work, Heartfield has a facial portrait of the Italian dictator Mussolini in the center of the collage. Heartfield associates the visual elements belonging to the skull of a dead person with the face of Mussolini. Although the eyes, hair, ears and forehead belong to Mussolini, the teeth and rotten nose reminding us that death is also present. Heartfield merged Mussolini’s facial portrait with the figure of a skull to make the point that Mussolini represents death. Heartfield succeed in this connection by using hybridization, which is described as “mixing of binary opposites, particularly of high and low, such that there is a heterodox merging of elements usually perceived.” (Evans, 1992, p.16). Heartfield collaged a portrait of Mussolini with a face of that represents horror and death.

In Figure 1, Heartfield placed a portrait of a wealthy man on the left and two men on the upper-right whom I consider to represent religion. On the lower right of this repulsive yet attractive portrait, a group of armed people moves forward in a vehicle of that period, and, finally, some dead people lie on the ground on the lower right and are attached using the collage technique. The verbal slogan, “Das Gesicht” (The Face) is written in German on the left and “Des Faschismus” (of Fascism) is on the right.

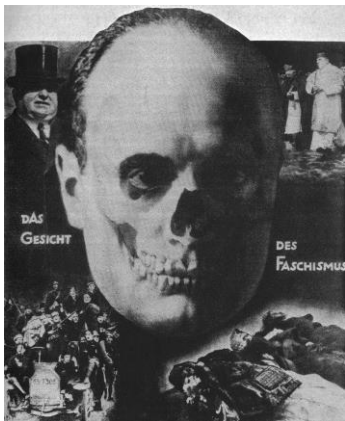


Figure 4. *The Crises Party Congress of the SPD* (1931), by John Heartfield

In this collage Heartfield skillfully hybridizes the face of death with the face of Mussolini and uses the slogan *The Face of Fascism*. The artist has turned the portrait of Mussolini into a strange and frightening form that contributes negativity to the portrayal. The purpose of Heartfield's work is to give us an idea that Mussolini's politics is horrific and based on violence. I think that Heartfield's work reflects historic and horrible experiences of German and Italian Fascism in Europe during first half of the 20th century when Dada art appeared. While talking about the characteristics of Dada art, Levin says they are "violent and enthusiastic, shocking and ironic, whimsical and witty." (p.5). Violence and shock are the most striking aspects of Figure 1. I can say that such a violent and destructive Dada photomontage was the result of World War I. I think that Heartfield's destructive photomontage of Mussolini's face is related with the artist's own stress and worries about the dictator's political action. Disfiguration of Mussolini's facial portrait can be "actually sign of psychological stress." (Levin, 1993, p. 144). Rothschild perceives Heartfield's aim as being "to irritate the comfortable classes through shock tactic so that they would take a hard look at themselves." (Rothschild, p.14, 1998). This approach is considered to be a Dadaist tactic.

The frightening face of Mussolini also relates to four different photographs integrated into the collage. Heartfield wants us to draw a correlation between the face of Mussolini and the skull and the other photographs. For example, a wealthy man was shown as a collaborator of Mussolini in the left part of the collage. The two men on the upper-right represent religion and the group of armed people on the lower-left represents the position caused by Mussolini himself and by the people who supported him. While depicting such a large point of view, using photographic elements representing reality, Heartfield contributes to the visual plausibility of this collage. I think that using a photographic source in such a montage can be more convincing and powerful than painting the same scenery. Although this collage is the result of juxtaposed photographic images, and not one photo without manipulation, it can still convince people through its use of photography as proof of the reality of it.

Heartfield's criticism of Mussolini in his collage is dependent on his skill in photojournalism as well as on his artistic talent. Heartfield aligns the photographic elements with the concept. I think Levin's view on the general character of Heartfield is also valid for the photo collage, Figure 1: "Heartfield invoked the verism connected by photojournalistic fragments in creating this illusion, and thus photomontages imply a mere "truly" seen event; they seem to reveal the absurdities inherent in the real." (p.94). Heartfield's collage can be considered 'illusion' for the people who have supported Mussolini and his policies; however, it is equally realistic and true for the ones who were against Mussolini. This realism and truth are not acquired in the form of photomontage but in the meaning of the collage.

Heartfield's presentation of Mussolini's face together with the skull of a dead man is a manipulation of reality. Dead civilians suggest to us that Mussolini is a brutal political leader. The deathly Mussolini face in the collage gives us a clue that he caused or ordered the death of the civilians. On the one hand, Levin evaluates Heartfield's works in the scope of "manipulation of reality" (p.93); on the other, Walker states that Heartfield has "deconstructed and subverted" the reality through photomontage. "He did not attempt, as some avant-garde artists do, to invent a completely new symbolic language, but to deconstruct and subvert those, which already existed." (p. 102). Although some other Dadaists, such as Hoch and Hausmann, worked with photomontage, the nonsense and humorous political-criticism obtained by means of photography differentiates Heartfield in his period. Evans supports this claim: "Heartfield's use of photomontage for political satire distinguished him from all other avant-garde artists who worked with the technique in 1920s and 1930s." (Evans, 1992, p. 9). The elements of violence and humor in Heartfield's photo-collages are presented in an aesthetic and intellectual manner. Levin appreciates Heartfield's intellectual photo-collages as a "poster-like" style, and claims that these works should be evaluated in an "art context" (Levin, 1985, p.73).

Peter Kennard

Dada and Heartfield impacted the art world in the 1920s through the 1950s, and continue to do so even today. John Walker supports this assertion: "A significant number of contemporary artists in Europe and North America are indebted to Heartfield and contribute to the evolving tradition of political photomontage." (Walker, 1990, p.102). Although time, location and people change, certain visual symbolic languages remain intact and thread through different cultures and social life. I claim that Heartfield's manipulation and juxtaposition in photomontages influence today's designer and artist's works. I believe that the works of the British photomontage artist Peter Kennard can be traced to Heartfield's clever, political, humorous and conceptual photomontages. Kennard's photomontages are a continuation of Heartfield's political and artistic struggle.

It is possible to evaluate Heartfield's influence on today's artist and designer' works: In this regard, it is possible to include the political photomontages of Peter Kennard in this research. Richard Slocombe considered Kennard to be the "predecessor" of Heartfield. (Slocombe, Internet 1, 12/18/2018).

Kennard was born in London in 1949. His visual book, *Images for the End of the Century*, comprises photo-collages. Most of these works have certain representations not requiring verbal slogans. Such representations include the visual images produced by Kennard against nuclear armament. The intensive criticism in the collages of Kennard represents an opposition to nuclear weapons and the arms race.

In her book, *Photomontage*, Dawn Ades evaluates the political photomontages of Kennard in the same context as the works of Heartfield. (Ades, 1976, p. 60-61). She offers Kennard's political photomontage works, *Haywain with Cruise Missiles* (1980), and *Defended to Death* (1982), as examples. In the work *Haywain with Cruise Missiles*, Kennard breaks the innocence of nature by using Constable's *The Haywain* painting and adding nuclear heads. He creates a contradiction in the image. There are two human figures moving in the river with a horse-cart. Kennard destroys this purely painted nature by creating visual shock and placing the photograph of nuclear heads in the horse-cart, next to these two humans.

As fascism was criticized in the above-mentioned work of Heartfield, here Kennard criticizes nuclear weapons and the ones who gain these weapons. Kennard wanted us to think critically about political and environmental issues. Kennard's photomontage works opposing nuclear weapons after 1980 were published in various media such as newspapers, postcards, T-shirts, posters and albums under the title, *CND* (Campaign for Nuclear Disarmament). No matter how many of Kennard's works were published in poster form, e.g. *Broken Missile* (1979), *Defended to Death* (1980), and *Gone with the Wind* (1980), it would be wrong to limit his recognition only to posters. I think the description made for Heartfield's photomontage works, "poster-like", is also valid for the works of Kennard. Kennard's works not only aimed to illustrate newspapers and magazines but also to be displayed in galleries too. Although Kennard's work, *Defended to Death*, would be a good illustration for an article written on nuclear disarmament, this work could have been utilized as postcards, posters or other media. This is also true for Heartfield. He prepared most of his works for the cover of *AIZ Magazine*, yet some of his works were displayed in Dada exhibitions or were re-published in poster form in subsequent years. For instance, although Heartfield's photomontage, *The Moral of Geneva*, was published in the 1932 issue of *AIZ Magazine*, after a long time it was turned into a poster called *Never Again!* in 1960. (Herzfelde, 1977, p. 16). The story of this photomontage is as follows: In a demonstration carried out by the employees against fascism in Geneva, 15 people were killed and more than 60 people were injured by the attack of governmental forces. Heartfield's photomontage work concerning this event was published on the cover of *AIZ Magazine* in 1932. Later, in 1960, he revisited the same event with his poster "Never Again".

Here, I would like to compare Heartfield's *The Face of Fascism*, with Kennard's photomontage entitled *Iraq* (2003), (see following page, Figure 2), first published in his photomontage book, *Images for the End of the Century* (1990), later published for the *CND* and recently re-published in 2003 due to the war in Iraq. (Sanity Catalogue, 2003, p.16). In Figure 2, Kennard deforms the human portrait by using a gas mask and nuclear weapons. Kennard places a soldier's helmet on the head of this human figure and puts a world figure on the helmet. In this photomontage, designed in black and white, the disturbing elements are the gas mask, the soldier's helmet and the nuclear weapons together forming a human-like figure. Kennard externally interrupts this human portrait by means of mounting nuclear weapons and a gas mask. The new human type achieved by the so-called interruption is a modern creature of weapons, gas mask and helmet. Kennard's photomontage suggests the possible result of the use of nuclear bombs. The illustrated human is both equipped with war-gear as well as doomed by it. Although the figure is helmeted and gas-masked, his mouth is plugged with nuclear warheads. He is both in the position to ignite them, as well as to be exploded by them. Caroline Tisdall agrees that Kennard's photomontages are "suggesting rather than answering" events. She also explains the aim of Kennard's photomontage as setting "a mental process going that links visual perception to emotional impact." (Tisdall, 1973, p. 40). Walker accepts Kennard's collage as an "anti-war" image and says, "Missiles are stuffed inside the figure's mouth. Nuclear weapons, Kennard makes clear, pose a threat to the planet; they also dehumanize." (Walker, 1990, p. 104).



Figure 2. *Iraq (2003)*, by Peter Kennard

In his collage, Kennard depicts the human relationship to a nuclear bomb threat. Regardless of how the artist creates an imaginative human using photomontage, the main importance is the meaning it conveys. In this collage, Kennard used his imaginative idea to create such a machine-man figure. Sidra Stich, an art historian specializing in Surrealism, suggests that World War I was “the first wholly industrialized war” that involved “the suppression of the individual”. (Stich, 1990, p. 51). I think that Kennard reflects Stich’s observations in his photomontage. Kennard, as Heartfield did in his collage, Figure 1, manipulates the face of a human figure with a helmet, gas mask and nuclear warheads. Both artists focused on human figures to make an impact. This impact results in a grotesque human figure. Although Kennard’s collage is ominous for all human beings, it also skillfully combines cold metallic parts into a human face as a beautiful visual image. This beauty comes from the arrangement of disparate images. Susan Sontag says “The grotesque were not all horrible. Some were amusing, some almost beautiful.” (Sontag, 1978, p. 74). Kennard’s collage creates an idea that is worth a thousand words. While Walker defines Kennard’s works as “eye catching “and as “visual intelligence” (p. 102). Amanda Hopkinson analyzes the artist’s collage more broadly: “His work has moved from the dying streets of our inner cities to the killing fields of the former Yugoslavia.” (Hopkinson, 1996, p. 25). Kennard considers photomontage as an art form that “speaks about the politics of everyday life.” (Roberts, 1990, p. 101). Heartfield also reflected on his own time of dirty politics in his photomontages, and, as we mentioned earlier, his political identity as a Communist. John Roberts argues that Kennard’s photomontages “are inseparable from much of the British Left’s public identity in their period.” (Roberts, 1990, p. 101).

Kennard’s approach in this successful work is achieved by means of his skillful combination of photographic elements. The human figure in this work is a deformation and alienation with the use of symbolic objects such as the gas mask and helmet. Chris Townsend describes the deformed photographic works as “ugliness”. (Townsend, 1998, p. 10). Although the new human figure in Kennard’s work is ugly, it proves to be an aesthetic work through his creativity. Kennard not only created beautiful collages through photographic resources, but he dramatized and interpreted a disastrous threat to human kind. Rosalind Krauss’ remarks could be applied to Kennard’s photomontage: “... Dada photo collage disrupts in an attempt to infiltrate reality with interpretation.” (Krauss, and Livingston, 1986, p. 28). Kennard’s visual interpretation of the new image through manipulation of photographic resources constitutes the centre of the work. On the one hand, Heartfield criticizes fascism in his work (Figure 1); on the other, Kennard, in Figure 2, criticizes the countries and the people who further the nuclear arms race. I think both artists are politically critical in their works and try to reflect their own feelings and thoughts.

To return to Kennard’s photomontage, Figure 2, I can say that the artist visualized conflicts of human nature. The figure represents war. Val Williams agrees that Kennard’s “photo pieces deal explicitly with the complicated fantasies of conflict.” (Williams, 1991, p. 45). The conflict in the photomontage is that the depicted man, dressed for war and destruction in an attempt to save himself, will inadvertently destroy himself. Williams understands that the foundation of Kennard’s critique, his “starting point”, lies in the “absurdity” of the conflicting intention and result. Kennard explains, “The point of my work is

to use these easily recognizable iconic images, but to render them unacceptable.” (Williams, 1991, p. 45). Kennard’s photomontage “pleads examination of the reality behind the appearance.” (Dorner, 1981, p. 29).

As the face of Mussolini in Heartfield’s work is visually curious and surprising, Kennard’s human figure in its new form with the weapons and gas mask creates curiosity and wonder in the audience at first glance. Despite such parallelisms in the photomontages, some different aspects are examined too. For instance, while Kennard used more than one symbol to manipulate the human figure in his work (a gas mask, nuclear warheads, a helmet and a globe), Heartfield placed only one symbolic skull on the face of Mussolini to signify death. Besides, Heartfield places other photographic resources on the portrait of Mussolini. I have mentioned above that the “hybridization” language was applied in Heartfield’s work by means of unifying the face of Mussolini with the skull. I think this position is also valid for the human figure in the collage work of Kennard as well as the excellent harmony obtained among the other objects.

The similarities in the works of these two artists are also observed in some parts of their lives. Kennard has been a member of British *CND* and *The Workers Revolutionary Party*, which was a leftist party in Britain in the 1970s. In the beginning of my research, I mentioned that Heartfield was a member of the German Communist Party, in the 1920’s the most influential, leftist party of the period, and then, he produced photomontage works criticizing capitalism and fascism in the *AIZ Magazine*. Another difference that I determined between these two artists is that, within his photomontage works, Heartfield especially criticized Hitler and the leading people around him in this period. For example, in his work *Mimicry* (1934), the artist mocks Hitler and his assistant Goebbels, and he satirizes the speeches of Hitler in his works, *Once Again First in the World* (1936), and *The Meaning of the Hitler Salute* (1932). On the other hand, Kennard does not usually depict individuals but criticizes the political structure of his own country in his works and also the negative points of global policy in general. For instance, as Kennard’s *Broken Missile* poster represents the power of world peace against nuclear disarmament, his other works like *Defended to Death*, and *Haywain* also reflect the threat of nuclear weapons to world peace.

To summarize, Although Kennard and Heartfield worked in different historical periods and moved in different social, cultural and political spheres, their shared artistic medium served similar effects and results.

Klaus Staeck

I would like to compare the works of the German modern photomontage artist Klaus Staeck to Heartfield’s works. The reason I picked Staeck’s works for this comparison is that he embodied a role of “activist-artist” from the 1970s through the present time. His concern regards immigration, racism, and the rich versus the poor, justice, peace and corruption. He found himself in the middle of East and West Germany’s political conflicts and he deeply desired to reflect his political, social paradigms. He created numerous posters regarding such issues. I think that Staeck’s photomontages imbue a visual approach extremely similar to Heartfield’s. This comparison will examine the similar, as well as varying, approaches between Heartfield and Staeck.



Figure 3. *Building Tycoon* (1975), by Klaus Staeck

Klaus Honnef urges that Staeck's *Building Tycoon* (1975) (see below, Figure 3) be viewed as a present-day continuation of Heartfield's political collages. (Honnef, 1992, p. 63). Staeck's is a continuation based on the similar collage technique of combining disparate images from different sources and thus catapulting political criticism as an "artist-activist". Bern Heimberger also considers Staeck to be a "continuation of John Heartfield in the second half of the 20th Century" and identifies Staeck as a "political artist" from the nature of his posters. (Heimberger, Internet 2, 12/18/2018). Satire is also an undeniably strong connector between Heartfield and Staeck's works. They share the skill for composing absurd, yet satirically meaningful, visual combinations. Staeck places a human portrait in the centre of his work, Figure 3, which was published both as a poster and as a postcard. This portrait is an impression of a wealthy businessman in a suit, bow tie and old-fashioned felt hat.

The most important and striking visual focal point of this poster is the scoop part of a digger truck replacing the face of the depicted man. Jutting clothing pins substitute sharp, hungry-looking teeth. Seeing a digger scoop instead of the businessman's face draws attention. My interpretation of this poster is that it is an allegorical representation and critique of a tycoon's insatiable desire for more and more at the expense of all, and everyone, else. Finding a truck part instead of a face we would have expected to see is an absurdity. The expediting factor between absurdity and humor is the scoop's resemblance to a mouth. This resemblance allows one to make sense of the substitution and to imagine the possible symbolism. Staeck points out the importance of humor in his works: "Satire was always for me the most effective method". (Jvergerson, Internet 3, 12/18/2018).

The verbal slogan, *Und der Haifisch der hat Zohne*, translated into English as "Building Tycoon", placed on the discrete upper part of the poster, helps us understand this bizarre human. This man of great wealth and power in the poster gives the impression that he continuously desires to devour with his aggressive mouth. The fact that he is a building tycoon means that he gains and exercises his power and wealth in the building and construction arena. This allows us to understand why a digger truck part, of all things, was used as a symbolic replacement. Another meaning can be that the wealthy businessman exerts his power over society so much so that he seems like an inhumane, senseless machine stripped of human characteristics and care. We can understand the poster artist's criticism of businessmen and their danger, harm and threat to society.

It would have been possible to more directly depict the message and meaning of this photomontage through straightforward language. For example, Staeck's message could be directly explained rather than depicted: Businessmen can be very destructive, greedy and insatiable. The same meaning is shared and can be derived from either the direct statement or the symbolic imagery. The reason for moving towards such a different and more complex method of expression through the use of symbolic connotations and away from the direct and simple expression is at the heart of this dissertation.

In Staeck's poster image, the artist used two different photographic sources to express his meaningful idea. For example, we can consider the scoop of the digger truck to be one element and the rich businessman image to be another element, and their coming together by means of the collage technique consequently creating a meaningful new image and message. This "new message" is essentially combined quotations from different photographic sources. (Evans, and Gohl, 1987, p. 42). The so-called "new message" is acquired through symbolic means. While commenting on the Dada effect obtained by the coming together of disparate elements by means of the photomontage technique, Teitelbaum states that, "Montage practice sought not merely to represent the real (as Cubism did through the integration of new material) but, also, to extend the idea of the real to something not yet seen." (Teitelbaum, 1992, p. 8)

Staeck reflects his feelings and beliefs about various subjects through his posters. For instance, Staeck draws attention to the relation between the church and money in his poster work, *At the Beginning was the Money* (1993). Moreover, he talks about the tragic situations of the workers in Germany in his *Immigrant Workers* poster made in 1995. In another poster, *Nothing Against Foreigners* (1994), he implies that some of the country's politicians still maintain historical Nazi ideology. The posters mentioned above are similar to Staeck's poster work in Figure 3 as they are photomontages. Staeck creates his poster collages in ways similar to those of Heartfield's, and in this sense, he reflects the elements of Dada art in his works.

I would like to study the correlation between Staeck's poster work *Building Tycoon* and Heartfield's collage *The Crises Party Congress of the SPD* (1931), (see Following page, Figure 4). There is a human portrait at the centre of Heartfield's photomontage. The face of this human portrait is replaced with the face of a roaring, wild tiger using the hybridization language. I can describe this portrait as half human and half animal-tiger. What does this wild human-like creature mean?

What does it symbolize? The title *The Crises Party Congress of the SPD* placed above the portrait aids us in answering these questions, as well as the following textual information placed below the portrait: "Social democracy does not want the collapse of capitalism. Like a doctor it wants to heal and improve it." (Fritz Tarnow, chairman, Woodworkers Federation). The veterinarian of Leipzig: "Of course we shall draw the teeth of the tiger, but first we must feed him and nurse him back to health." (Heartfield, 1977, p. 120).



Figure 4. *The Crises Party Congress of the SPD* (1931), by John Heartfield

In this collage, Heartfield, as a Communist, criticizes the German Social Democrat Party (SPD) because of their tolerance for Capitalism, and he illustrates Capitalism with the figure of a wild creature represented by the mixture of tiger and human. Ades points out that Heartfield's depiction of this frightening human figure is a warning for the SPD, and claims that this work is one of Heartfield's best photomontages (p. 50).

As Heartfield criticizes capitalism by means of the tiger-human mixture symbolized in his work, he tries to attribute negativity to it. The same situation is also observed in Steack's poster, Figure 3. Steack uses a ridiculous portrait of an object in order to satire and mock businessmen. Thus, the human portraits centered in the photomontages of both artists are interrupted externally via collage technique. Use of an animal head in Heartfield's work, and the scoop of a grater in Steack's work, support this interruption.

The Dada artist Heartfield and the poster artist Steack have changed the human image in their works and both have inclined to an allegorical presentation through symbolic figures and objects. I think photomontage is an important language of art in allegorical presentations. Grosz refers to the following effect of photomontage in the works of the Berlin Dada artists: "Photomontage allowed the Berlin Dadaists to say allegorically 'in pictures' what would have been banned by the censors". (Levin, 1985, p. 24). While pointing out the claim of art historian Benjamin Buchloh that "photomontage is inherently allegorical", Levin states that photomontage has "hidden meanings." (p.24). It is possible to produce alternative meanings from different points of view, in addition to my general definition of the symbolic photomontage works of Heartfield and Steack. For instance, the businessmen criticized in the collage of Steack can be interpreted as the people who are useful for the development of the country from another point of view. The scoop of grater used in place of the human head in the artist's work can also be interpreted as the useful contribution of the businessmen to the production activities in the country. In this regard, it is possible to talk about different interpretations in the allegorical works achieved by the photomontage technique. Levin supports this idea as: "... an allegorical representation opened up a range of interpretations and a play of significations for the viewer." (p.24).

The audiences are to obtain meanings along with symbolic images by means of their experiences in the allegorical works of these two artists; thus, the audiences have an active role in the said interpretations. Levin supports this idea by saying that "Allegorical is not prescriptive. The viewer is an active, creative proponent in constructing meaning rather than a passive recipient." (p.24).

I think the existence of alternative meanings in the works of both artists' results from the symbolic elements used in the collages and their different meanings to individuals. Although the tiger figure represents wildness and fear in Heartfield's

collage, it may represent nature and freedom according to another symbolic point of view. Another difference in the works of Heartfield and Staeck is the difference in the hybridization method used in their collages. Because these works are in black-white, no problem occurs in the harmony of the figures and objects in the photomontage. Although the face of the tiger is skillfully hybridized with the human face in Heartfield's work, the grater scoop is placed directly in place of the human head in Staeck's poster. Nevertheless, I believe that these two artists reflect the visual effect of their ideas in their works. Another common feature is that both artists retain verbal information in their photomontages, and they use such information in order to define the visual images in their works.

Conclusion

In this research, I concluded that Dada art movement was under the influence of the period's prevailing social, cultural and political processes. The psychological consequences of the First World War such as "destruction", "negativity" and "fright" were reflected in the artistic works of this movement. Therefore, most of the works of Dada artists, including John Heartfield, had "pessimistic", "anarchistic" and "subversive" attributes that all turned out to be a kind of "social criticism". Besides, I have also identified that the association of the Dada movement with slogans of "Dada is political" and "anti-art" is in parallel relationship to the fact that this movement is against the bourgeoisie and traditional arts.

I observed that a "photomontage" method was intensively used in the Dada movement. In this sense I have stated that many photographic figures, animals and objects were produced into "absurd" and humorous representations through the "juxtaposed" method using this technique. In order to establish a comparative methodology in my research, I have analyzed the works of John Heartfield, the most significant photomontage artist in Berlin Dada group, as an exemplification. In these analyses, I have elucidated my observation of the visual methodology languages such as hybridization, metamorphosis, and in Heartfield's and other artists' works, with specific examples.

For instance, having stated that the photomontage work of Heartfield formed within an "idea" created a "social criticism" I compared some posters of the "artist-activist" Peter Kennard with the works of Heartfield. In this comparison I explained with several examples that both artists applied mainly "juxtaposed" method in their works based on photomontage technique and hence its results brought about similarities. Accordingly, I realized that there was correspondence in the employment of a visual language such as "hybridization", as both artists were using the same technique in their artworks, with the intent to create political propaganda.

Later on, I compared the works of Heartfield with the photomontage works of Klaus Staeck. I observed that the visual language and method Staeck used in especially "absurd", "satirical" and "allegorical" photomontage illustrations had very close similarities to Heartfield's works. For that reason I have stated that the "hybridization" visual language of the figures and objects in Staeck's art was parallel with Heartfield's works.

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Dido and Aeneas: An Archetypal Myth at the Roots of the Cultural Dialogue between the Two Shores of the Mediterranean

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Abstract

The aim of this paper is to examine the famous Virgilian myth of Dido, queen of Carthage, and Aeneas, the legendary ancestor of Rome, as an archetype of the cultural dialogue between different Mediterranean cultures. Not only will this allow us to underline the preeminent role of the classical heritage in the construction of the European identity, but also to demonstrate how this ancient legend, dealing with very current topic such as interculturality, immigration and hospitality – which appear, on a lexical level, in the insistence on such terms as *sociare*, *miscere*, *iungere* in the first (as well as in the fourth) book of the *Aeneid* – should be still deserving attention by scholars and European citizens in general.

Keywords: Interculturality, Classics, Myth, Aeneid, Identity, Mediterranean cultures

Introduction

The story of Dido, queen of Carthage, and Aeneas, the legendary ancestor of Rome, is not only a myth of love, abandonment and death. The famous story told in Virgil's *Aeneid* is actually one of the foundative myths of our Western identity, whose archetypal values deserve to be rediscovered and duly valued. This ancient legend, in particular, could be read as an archetype of the cultural dialogue between different Mediterranean cultures, as it deals with present-day issues such as interculturality, immigration and hospitality. In this regard, Virgil develops an interesting dialogue between the main characters in the first book of the *Aeneid*, which can be read with a particular focus on the topic of *alteritas* and acceptance of diversity. In the following pages, therefore, I will provide an 'actualized' reinterpretation of the poem, by analyzing Virgil's insistence on the specific lexicon of cooperation and solidarity¹.

As is known, in Virgil's account the Trojan leader Aeneas was shipwrecked on the shore near Carthage after the destruction of Troy, at the time when Dido, the Phoenician princess who had been forced to leave her original country and flee to the coast of Africa, was building the city that would later become one of the powerful centers of the western Mediterranean. In this part of the story, Aeneas is presented as the emblem of the lonely and distressed man, standing for all those migrants and refugees of war, who hoped – and still hope – to be able to start again elsewhere. This is indeed the meaningful sentence that Virgil makes him pronounce, which is even more so as Aeneas is one of the greatest epic heroes: *ipse ignotus egens Libyae deserta peragro, / Europa atque Asia pulsus...* "Myself unknown and destitute, I wander over the Libyan wastes, driven from Europe and from Asia" (1, 384-385)². After the fall of Troy, the whole world refuses Aeneas – even Asia, his own land. It didn't matter who he was or had been. Even the son of a goddess could find himself in such a miserable condition.

Dido, on the other hand, was then the queen of a flourishing kingdom, the only one who could offer help to the Trojan refugees escaping the terrible shipwreck that had caused the deaths of many of them. Moreover, she was, *per se*, an example of a successful integration, being a Tyrian princess who had fled from her native country, from the tyranny of her brother Pygmalion who had killed her husband for greed, and having succeeded in securing herself a position in a foreign land before founding a new city on the coast of Africa. Carthage is described as a city still under construction, but destined

¹ On the Virgilian myth of Dido and Aeneas the bibliography is extensive. For a general overview on the 'stories' of Dido and their related bibliography, see Iulietto 2014; Iulietto 2015 *et alii*.

² As for the Latin original text, I refer to Conte 2009. The English translations are from Rushton Fairclough 1999.

to a grand future; a place where justice and civilization reigned (1, 421-436) and whose queen was going to give a lesson in civility to the Trojans (and all the readers, ancient and modern, of Virgil).

At l. 507 the queen is intent on dictating her laws to her subjects and directing the works of construction. Hesitant and fearful, the Trojans decide to remain hidden at first, until one of them, Ilioneus, takes courage and becomes the spokesman of his fellows, asking to be welcomed and helped. In a long speech (1, 522-558), Ilioneus presents the Trojans as exiles arrived in that land not to destroy but as themselves defeated (*victi*) by a cruel fate that made them shipwreck (*non nos aut ferro Libyos populare penatis / venimus aut raptas ad litora vertere praedas; / non ea vis animo nec tanta superbia victis*, "we have not come to spoil with the sword your Lybian homes or to drive stolen booty to the shore. No such violence is in our hearts, nor have the vanquished such assurance", 1, 527-529). Then, Ilioneus accuses the Carthaginians of having previously denied the refuge on the beach to other men in need (although there is no reference to such episode in Virgil), thus blaming their barbarism: *quod genus hoc hominum? quaeve hunc tam barbara morem / permittit patria? hospitio prohibemur harenae; / bella cient primaque vetant consistere terra*, "what race of men is this? What land is so barbarous as to allow this custom? We are debarred the welcome of the beach; they stir up wars and forbid us to set foot on the border of their land" (1, 539-541). Those who behave like this, Ilioneus remarks, have contempt for the whole human race (1, 542). In this regard, according to the ancient legal practice, as both Servius and Servius Danielinus – two famous ancient commentators of Virgil – point out in reference to this passage, seashores were actually considered "goods" common to all men¹. For this reason, Ilioneus concludes his oration with an appeal to *humanitas* and divine justice and with a request of *hospitium* – a term probably indicating the earliest example of an international relationship² –, so that the Trojans could rebuild their fleet and resume their journey, to Italy if Aeneas lives, to Sicily if he is dead (1, 551-558).

Dido's magnanimous response astonishes us for political foresight and straightforwardness. After apologizing for the precautionary measures she had had to take (the *res dura* and the *regni novitas* imposed to control the borders on a sensible queen)³, Dido proudly states that her city is founded on justice and that they will offer help and means to the refugees. The demonstration of the high civilisation of her people is reinforced with a further proposal: she proves willing to help Aeneas and his men, not only out of mere hospitality but also because she evidently hopes for a possible cultural integration. As a matter of fact, she allows them to settle down in Carthage and enjoy the same rights as the Tyrians, thus overcoming any ethnic difference or partiality:

auxilio tutos dimittam opibusque iuvabo.

vultis et his mecum pariter considerare regnis:

urbem quam statuo, vestra est; subducite navis;

Tros Tyriusque mihi nullo discrimine agetur⁴.

(1, 571-574)

¹ See Serv. *ad Aen.* 540: "HOSPITIO PROHIBEMUR HARENAE ut alibi litusque rogamus; occupantis est enim possessio litoris. unde ostenduntur crudeles qui etiam a communibus prohibeant". Servius Danielinus, *ad loc.*, quotes Cicero's oratio *Pro Roscio Amerino* 26, 72: "litus enim iure gentium commune omnibus fuit et occupantis solebat eius esse possessio. Cicero in Rosciana nam quid est tam commune quam spiritus vivis, terra mortuis, mare fluctuantibus, litus eiectis?". Among the goods common to all men, Cicero mentions the air for the living, the land for the dead, the sea for the shipwrecked and the seashore for those who were repulsed by the waves. On the legal issue of the *litus maris* as *res communis* see, for instance, Fiorentini 2003 and Sini 2008.

² *Hospitium* and *hospes* are key-words in a "poema come l'Eneide incentrato sul motivo delle peregrinazioni e del viaggio e poi sul sistema di alleanze che prelude alla guerra nel Lazio" (Degl'Innocenti Pierini 1985, p. 860). According to Virgilian exegesis the term *hospitium* (attested 14 times in the *Aeneid*) originally designated the act by which the foreigner was welcome and protected, and then came to indicate the reciprocal bond resulting from the act itself (see, for instance, Serv. Dan. *ad Aen.* 11, 114).

³ Dido refers to the miserable situation from which she escaped (the murder of her husband by Pygmalion and the escape from Tyre) and to the dangerous hostility of the neighbouring peoples of *Lybia* (Stégen 1975, p. 257).

⁴ "I will send you hence guarded by an escort, and aid you with my wealth. Or is it your wish to settle with me on even terms within these realms? The city I build is yours; draw up your ships; Trojan and Tyrian I shall treat alike". It should be noted that Dido offers donatives to her *hospites* (1, 633 ff.), following the practice of *hospitium publicum*, thus concretely showing the high degree of civilization of her people (Degl'Innocenti Pierini 1985, p. 860).

It is only at this point that Aeneas, reassured, reveals himself to Dido (he had remained invisible while the Trojans pleaded for the mercy of the queen and implored her help). With a heartfelt prayer, the hero thanks the queen for having associated them, exhausted and needy as they were, to the city and her kingdom (*urbe, domo socias*):

o sola infandos Troiae miserata labores,
quae nos, reliquias Danaum, terraeque marisque
omnibus exhaustos iam casibus, omnium egenos,
urbe, domo socias, grates persolvere dignas
non opis est nostrae, Dido...¹

(1, 597-601)

Dido concludes their conversation by reaffirming² and further developing his proposal for integration. This evidently stems from her profound sense of solidarity, which is the result of her past experience³. In other words, Dido proves that she has not forgotten her past as an exile and fugitive herself, on the contrary, she has learned to be empathetic and well-disposed to accepting others. As mentioned above, she had to flee from her homeland in search for a new land, where she could start anew (1, 628-630). This is indeed the common fate that binds her to Aeneas, and that she does not overlook: *Non ignara mali miseris succurrere disco*. "Notignorant of ill I learn to aid distress" (1, 630). Anyone who knows and understands pain, the queen thus teaches, should learn to help those in need.

The hypothesis envisaged by Dido – responding to the criteria of justice (*iustitia*) and conscience of the good (*mens sibi conscia recti*, 1, 604) – is defined in terms of a political cooperation based on the intercultural dialogue and on the integration between the two peoples. Her proposal is significantly defined through the repeated use of the lexicon of solidarity (*iuvare, succurrere, auxilium, hospitium*) and of terms proper to the semantic sphere of the union (*sociare, miscere, iungere*).

In this regard, Virgil begins to draw on this semantic area even before Dido's mentioned proposal, in order to anticipate narratologically the yearning for this ethnic fusion, with his recourse to the allusive prolepsis arisen from the amphibological use of these terms⁴. When Aeneas enters the city, silent and frightened, veiled in a foggy cloud that protects him, for instance, the poet says that the hero manages to mingle with the crowd (*miscetque viris*, 1, 440), without anyone noticing. Virgil uses the verb *miscere*, technically indicating the effect of the blending of various substances, especially liquids, to indicate the fusion of peoples from which a *foedus* could originate. In this regard, l. 440 seems to anticipate the idea of the blending of the Carthaginians and the Trojans evoked by Venus in 4, 112 (*miscerive probet populos aut foedera iungi*)⁵.

Similarly, the expression *iungere dextram*, which properly concerns the settling of a *foedus* and defines, in Virgil, the agreement between the parties in a pact of *hospitium*⁶, is used for the first time when Aeneas, just landed in Carthage, met his mother Venus in disguise. When he finally acknowledges her as his mother, he regrets not being able to clasp hands with her, nor being able to establish a real and authentic contact (*dextrae iungere dextram*, 1, 408). In this case the formulation is refunctionalized in a sentimental way, to indicate Aeneas's yearning to be welcome, in a moment of extreme solitude, when he feels rejected by everyone.

¹ "O you who alone have pitied Troy's unutterable woes, you who grant us – the remnant left by the Greeks, now outworn by every mischance of land and sea, and destitute of all – a share in your city and home, to pay you fitting thanks, Dido, is not in our power..."

² See Serv. *ad Aen.* 1, 627: "TECTIS SUCCEDITENOSTRIS ad convivium vocat; nam iam supra dixit *urbe, domo socias*".

³ Note that both Aeneas and Dido are qualified as wanderers: *profectus* is Aeneas with his fellows (4, 111); *profecta*, / *Germanum fugiens* is Dido (1, 340-341), also defined *errans* by Iarbas (4, 211).

⁴ Servius too remarks, moreover, that Virgil makes use of terms that act as proleptic elements of the narration; see *ad Aen.* 1, 613: "OBSTIPUIT animo percussa est, quo iam futuri amoris est signum".

⁵ Senis 1987, p. 541. The same verb will be also used later in reference to the fusion of Teucri and Latini (*Teucri mixtque... Latini*, 11, 134).

⁶ Virgil shares the opinion that the sanction of the agreement between the parties in a pact of hospitality had to be defined by a hand shake, so as to underline the *fides* on which the relationship was being built. This is how the renewed pact of friendship between Anius, king of Delus, and Anchises is sanctioned (*iungimus hospitio dextras*, 3, 83). Evandrus too recalls the pact he had made with Aeneas with the same formula (*nec quas iunximus hospitio dextras*, 11, 164-165). See Degl'Innocenti Pierini 1985, p. 861.

This same expression, with a slight variation, is also used a little below. At the sight of Dido, sitting royally while imparting her laws, the Trojans eagerly wish to clasp their hands (*avidī coniungere dexteras / ardebant*, 1, 514) with the Carthaginians. In this context, the expression is used in a properly political sense, which however does not elide the broader idea of the union as foundation of an authentic relationship, be it private or political.

Moreover, this formula could also allusively anticipate the theme of *coniugium* (a noun that shares the same root as *iungo*), which is in Book IV of the *Aeneid*. In fact, the amphibological use of such lexicon becomes a tool to show the inevitable sliding of Dido's political project on a private and sentimental level: as we are perfectly aware, the fusion of the two peoples – by will of divine intervention – cannot be separated from the union of the two respective leaders.

In Book IV, indeed, the verb *iungo* (in the simple form as well as in its compounds *adiungo* and *coniungo*)¹ appears variously declined in its multiple semantic values. It expresses the idea of the political fusion of the Carthaginians and the Trojans emerging from the conversation between Venus and Juno (... *populos aut foedera iungi*, 4, 112), which is ideally foreseen in the union of their respective fellows led by Dido and Aeneas in the famous hunting scene (*infert se socium Aeneas atque agmina iungit*, "Aeneas himself, advances to join her and unites his band with hers", 4, 142). In its turn, this first 'merging' of the two groups seems to allude to the *coniugium/conubium* between Dido and Aeneas that will take place in the course of the hunting scene: *conubio iungam stabili*, "I will link them in sure wedlock", says Iuno (4, 126).

Through lexical spies, the space of narration itself also contributes to foresee this new private union. The evocation of the mountain ridges (*iugum* too is etimologically linked to *iungo*; 4, 153) and the image of the blending of the natural elements (*Interea magno misceri murmure caelum / incipit, insequitur commixta grandine nimbus*, "Meanwhile in the sky begins the turmoil of a wild uproar; rain follows, mingled with hail", 4, 160-161) are an ideal forshadowing of the sexual fusion and the sexual intercourse of the two characters².

Therefore, not only does Virgil use the verb *iungo* in reference to political alliances, but also with the meaning of joining people in marriage and, specifically, a wife to her husband: ... *se pulchra viro dignetur iungere Dido*, "in marriage fair Dido deigns to join herself", says the personified Fama (4, 192)³.

This sliding from Dido's first political project to the private motif of *coniugium* is also already implied in the amphibological use of the verb *sociare*, as emphasized by Servius in his comment on the expression *urbe, domo socias* (1, 600): "Hoc est et publico et privato dignaris hospitio". In this case too, as with the verbs *iungo* and *misceo*, the term ranges from the bonds between peoples pertaining the public law to interpersonal relationships. To the political meaning⁴, therefore, Virgil steadily combines the marriage implications⁵, in the sense that marriage bond also represents the basis of *societas*⁶.

As is known, the cultural and political integration hoped by Dido will not occur. The Fate commands that Aeneas and the Trojans have to settle down in a new land. *Et nos fas extera quaerere regna*, "we, too, have the right to seek a foreign realm" (4, 350), states Aeneas, by implicitly underscoring the analogy between his personal story of exile to that of *errans* Dido, and thus anticipating the success of that union between other peoples from which Rome will originate. In the following books, Virgil will tell the migrations of the Trojans, their journey in search of a new homeland, and their impact on the

¹ On the different meanings of *iungo* see Tibiletti Bruno 1987.

² The verb *misceo*, after all, apart from indicating the fusion of the elements and metaphorically the merging of people in a group, alliance or association, also indicates the union by marriage as well as the sexual union in Virgil; see, for example, Verg. *Aen.* 7, 661 (*mixta deo mulier*). See *Oxford Latin Dictionary*, s.v. *misceo*, 4-5, p. 1116.

³ See *Oxford Latin Dictionary*, s.v. *iungo*, 7 "to unite or attach (persons) as friends, allies, or sim."; "to unite in marriage or sim.": see *Aen.* 7, 546 (*in amicitiam coeant et foedera iungant*); *Aen.* 11, 128-129 (*et te... Latino / iungemus regi*); 4, 28-29 (*ille meos, primus qui me sibi iunxit, amores / abstulit*).

⁴ The term *socius*, in its meaning of 'ally', recalls the juridical and political spheres and allows for the identification of a relationship legally limited by reciprocal obligations. These are relationships concerning international law, as they are meant to link the economical, political, and militaristic interests of single communities (Évrard - Pollera 1988, p. 913); in this regard see, for instance, *Aen.* 8, 120.

⁵ The verb implies a reference to the marriage bond as it emerges from *Aen.* 4, 16 (*vincolo... sociare iugali*), in relation to which Servius comments as follows: "*iugali* autem propter iugum, quod imponebatur matrimonio coniungendis" (and Servius Danielinus: "quidam *iugali* accipiunt pro *coniugali*").

⁶ The representation of the marriage bond in terms of *societas* is found in literature (*illas tamen in matrimonio, in societate fortunarum omnium*, Liv. 1, 9, 14; *uxor est que foemina viro nuptiis collocata in societatem vitae venit*, Quint. *Dedam.* 247) but also in juridical texts (*Dig.* 25, 1, 2; *Cod.* 9, 32, 4). See Évrard - Pollera 1988.

geopolitical reality of Ancient Italy, in the perspective of the future merging under the aegis of *Gens Iulia*¹. The whole *Aeneid*, after all, is the story of a man in search of a land and of the possibility, first ideal and then concrete, of a positive fusion between different Mediterranean cultures.

In conclusion, even if the integration proposed by Dido in Book I of *Aeneid* remains a mere possibility, its formulation is representative of an ancient cogitation about the importance of overcoming ethnic differences in order to build a fruitful dialogue between cultures and peoples. Like Arianna and Medea, Dido is one of the 'barbaric' princesses, eternalized by classical literature, who facilitated the creation of a European-Mediterranean identity².

In this light, the myth of Dido and Aeneas, in its archetypal aspects, still contributes to the current political reflection on the importance of a profound and fruitful intercultural dialogue, based on values such as equality, tolerance, the acceptance of diversity, and the centrality of the human being. It proves that we can still learn from our ancestors, and that it is always fruitful to go back to reinterpreting Virgil: as a matter of fact, every age and almost every generation has its new and peculiar questions to ask him.

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¹ See Fo 2012, p. LV.

² Lala 2006, 43.

Possibilities for the Application of Alternative Dispute Resolution Methods in the Administrative Procedure

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Abstract

The public administration, in particular to the administrative procedure follows a firm objective: to create of the customer friendly approach. Also, there is more and more emphasis recently on improving the efficiency and speed of the procedure. These are the two most important keywords of the decision planning and documentation. The aim of the research in this scientific paper is to detect and analyse the decision-making methods, concurrently being ready to incorporate them into the national administrative procedure systems. These methods are to provide lawful and effectively applicable alternative dispute settlement methods ready to use in Hungarian legal system and also to assist - apart from the aim to reach the basic aims of the administrative procedure - to create a fundament of the decisions made by the authority, having regard to circumstances in real life cases, viewpoint of customers and other parties, and the balance of the public interest. The scope of the paper also covers the theoretical and practical aspects of general mediation and mediation in administrative procedure, in view with the appearance of the topic within the renewing and current administrative procedural law regime. While examining the mediation in administrative procedure in a novel point of view, this work also analyses the role of this special type of mediation in terms of efficiency and characteristics of the current and future legal solutions in administrative cases often involving parties with adverse interests. Conclusions and propositions in the paper may provide contribution to the spreading and correct treatment of alternative decision making methods in the administrative procedure. The publication of this scientific paper supported by the the Ministry of Justice (Hungary) in the program of increasing of the quality of Hungarian legal studies.

Keywords: administrative procedure, ADR, alternative dispute resolution, customer friendly approach

Introduction

A dual approach seems most effective to assess the applicability of mediation in administrative procedure: an analysis of the theory, practice and development of alternative dispute resolution methods and review of their integration into administrative application of the law and the role and effectiveness of such methods.

Consequently, first we should take a look at the development, scope of application and experience of alternative dispute resolution methods, including especially mediation (otherwise known as ADR methods) (Allison, 1989; Fiafjoe, 2013, p. 2), and then such experience should be analysed in terms of its integration into the administrative procedure.

Observing the globally conditions and legal trends, the general administrative structure modifications related to administrative bureaucracy reduction, that are essentially transforming the rules, requirements, and directions of the administrative authority, are in many respects consistent with the earlier development and reform concepts of the administration and also with its fast and inexpensive nature.

These are important goals given that, due to the volume of public administration activities, the administrative proceedings concern a wide range of society, but they cannot, without any other measure of value realize the basic aims of the administrative proceedings.

However, in the administrative proceedings, much more emphasis should be placed on making the decision-making of the authorities based on the full consideration and application of legal requirements and, in addition, taking into consideration

the possibilities, reflect on the real circumstances, the client's aspects, the balance of public interest, and a number of other long-drawn, but only recently-focused, issues.

Looking at European and overseas developmental directions, in states where public administration is developed and operating at a high level, developmental needs are more likely focused on involving the public and local communities in decision-making, social control of public activities and the influence of globalization on the administrative proceedings as well as its adequate management.

In this approach - when the issues of public administration's socialization, transparency and efficiency are of particular importance in terms of administrative practice and regulation of administrative activities - it may be of great importance to what extent the decision of the authority and the process for taking it takes the aspects of the client or aspects of other interested parties into account. The extent of this can have a significant influence on the acceptance and voluntary implementation of the decision by the client, which is also an emphasized element and explicit goal of modern procedural rules.

The question may be even more important if not only the client but also the opposing party are involved in the proceedings. Taking into consideration the standardized aspects of mediating between competing interests, it can undoubtedly result in easier acceptance of the authority's decision and, consequently, consistent implementation of the vast majority of cases.

The apparent disinterest of population and law enforcement on the applicability of alternative dispute resolution methods to administrative actions, cannot be traced back to the low relevance of the problem, but to the lack of legal knowledge of the clients involved in public administration, the lack of information of the public administration in this regard, and the orientation of public administration to other values (inexpensive and fast proceedings).

The main objective of this paper is therefore to identify and analyse the methods that can be integrated into the administrative system to take into account the abovementioned, which, by taking into account the domestic legal systems, but also using international experiences, are legal and can be used in alternative legal dispute resolution methods. The present content unit especially focuses on the practice of mediation in the field of administrative proceedings, with the help of which it intends to provide a client-oriented guidance capable of development regarding the public administration for a wide range of legislators and lawmakers.

Theoretical-historical approach

The applicability of the possibilities of mediation in an administrative authority media can be best investigated by a dual approach: on the one hand, by analysing the theory, practice, and development of alternative dispute resolution methods, and on the other hand by putting them into law enforcement, examining their roles and their effectiveness.

Accordingly, the chapter first deals with the development, scope, and experience of alternative dispute resolution methods, in particular mediation (i.e. ADR methods), and then it analyses these experiences in terms of their insertion into the administrative proceedings.

The prevention and resolution of conflicts and disputes arising from socially renewed challenges facing society and their social, economic, political, and recently environmental and nature conservation have made it necessary to develop alternative versions of dispute resolution methods and to apply them widely (Goldberg, Eric, and Frank, 1985).

The history of conflict management and the use of alternative methods other than traditional solutions are almost identical to the history of humanity (Blake, Browne, Sime, p. 22). In fact, we can say that the judicial, administrative system, and the dispute resolution and legal structure, considered today as traditional, have only appeared as the follow-up of the first methods to resolve disputes today called alternatives. Among the first methods of resolving conflicts with the exclusion of violence, one can mention the conciliation and negotiation, from which only one step was the involvement of an independent third party, thus establishing the archetypes of ADR methods (Barrett, Barrett, 2004). Ancient China was one of the fundamental bases and is currently one of the major representatives of peaceful dispute resolution, where it has gained such a strong social embeddedness that is still a major substitute for the justice system, a key form of conflict resolution (Han, 2012). Based on these, it can be stated that the roots of mediation can have a centuries-old history, their novelty content is rather given by its rediscovery in modern times (Carver, Vondra, 1994).

The first sources of mediation in Europe are from the 15th century, which record several cases during the reign of the Lancaster House, when British noblemen arranged their conflicts in this way (Decastello, 2008., pp. 14-15). In this respect, the law enforcement in Hungary was no longer behind, and from the 1400's onwards, it gained a growing role in mediating the parties in dispute, first among village communities and judges, and then the rules referring to individual agreements became gradually legally recognized, and finally, the re-emergence of the Habsburg House in the 18th century attempted to complete the practice of mediation in that era

Throughout the world, and especially in Europe, with the establishment and extension of the state monopoly of justice, the originally traditional methods became alternatives and they only returned to the focus of scientific research in the second half of the 20th century as complementary, substitute methods of traditional enforcement of claims.

In parallel to the adjacent development of legal systems, in addition to domestic law, international law also started to apply ADR methods for resolving international disputes, while both mediation and conciliation have been highlighted in this arena and became realistic alternatives to conflict resolution (Ginsburg; McAdams, 2003).

Review of the technical literature

The alternative dispute settlement methods and their applicability are becoming an increasingly important topic in legislation, the application of law and legal sciences.

Nevertheless, the ADR methods (mediation, intermediation, employment of an official mediator, etc.) are rather undervalued in the Hungarian technical literature on public administration and in the practical application of the public administration law and are a topic not researched intensively.

The expansion of the reviews of the applicability in the Hungarian public administration system by the technical literature may be impeded by a previously established apparent problem that the ADR methods and mediation and intermediation, constituting the main topic of this part were used primarily for the settlement of private law, more specifically civil law and labour law disputes and their applicability in public law and public administration law was not analysed for a long time. However, as the previous sections indicate, it is not right and the applicability of these methods should be analysed both in theory and in practice due to their significant practical aspects and their impact on the development of public administration.

In the technical literature synthesis of the chapter, an attempt is made to overcome the deficit of the Hungarian technical literature and the limited applicability in Hungary of certain methods introduced abroad by analysing the features identified during the application of the ADR methods over decades on the basis of their roles played in administrative proceedings.

Main features of mediation

a. Amicable, out of court settlement of a dispute

The authors refer to out of court dispute settlement as one of the most important features of mediation (Hensler, 1994). Naturally, in terms of public administration and, more specifically, administrative proceedings, it means a lot more a reduction in the exhaustion of legal remedies, the final resolution of a case in first instance proceedings (Fiadjoe, 2013, p. 1), and pushing the judicial review of an administrative resolution into the background (Harter, 1984, p. 1394).

b. Simpler and faster proceeding

It is a frequently used argument in practical mediation and ADR methods that they make easier, simpler and faster (Ábrahám et al., 2013, p. 38) the process of a legal or interest dispute concluded with a decision and thereby may become true alternatives to traditional justice or administrative proceedings.

Looking at the public administration aspect of this feature, the authors use case law analyses and a number of examples illustrating how intermediation may simplify the efforts of administrative proceedings to clarify the facts and provide reasoning for a resolution both within and outside the administrative proceedings (Zack, 2014; Decastello, 2008, p. 47).

c. Cost efficiency

One of the most important arguments used by authors promoting mediation as a method is its extreme cost efficiency and the lack of advanced costs (Blake, Browne, Sime 2014, p. 23). All this appears in public administration indirectly, because

for clients the generally faster mediation is a most effective solution in terms of material expenses (postal expenses, photocopying, printing expenses) and personal expenses (travel expenses, loss of income, etc.) associated with administrative proceedings, while

for an authority resources allocated to the case may be released if the case can be 'decided' by the parties even if the authority is still involved and when the case can be settled outside any administrative proceedings with a resolution approved by the authority.

d. Involvement of external, independent and impartial parties

Mediation requires the involvement of an external party who makes it easier for the parties to resolve the dispute by focusing on the solution rather than on the conflict (Blake, Browne, Sime 2014, p. 28; Barrett, Barrett, 2004, p. 20).

In terms of public administration, this requires high-level conflict-oriented and practice centred training of the administrative staff (Manring, 1994, pp. 197-203) with increased openness towards ADR methods. In addition, it also calls for better accessibility of intermediaries and mediators associated with administrative proceedings and up-to-date records kept of them.

e. The framework rules of the proceedings are well defined

Intermediation functions effectively when its borders (Harter, 1984, p. 1404) are clear and the parties also understand their rights and obligations in the proceedings, as it will increase their confidence. This also means that the parties can freely decide on the method of dispute settlement and intermediation within the limits of legal regulations (Carver, Vondra, 1994). This framework is in place in terms of public administration: the basic rules and guarantee provisions of administrative proceedings determine the options in the case of an attempt to make a settlement or intermediation by an external party. However, within that framework the parties have relative freedom in how they intend to resolve their dispute. If, however, intermediation fails, according to the currently effective provisions of the procedural law, the normal procedures continue in first instance proceedings ensuring that the case is closed by an authority.

f. Negative features

The authors of the reviewed technical literature refer to very few negative features that may occur in mediation (Carver, Vondra, 1994, p. 125). The statements concerning administrative proceedings mention 'bad bargains' (Harter, 1984, p. 1396), which relate to the legal effects of the approval of the settlement, more specifically, the radical reduction of legal remedy options and typically relate to the limits of the review of inadequately considered settlement criteria. They also mention extended mediation as another problem (Moore, 2014, p. 105), which in the end is refuted by all authors either logically or empirically.

g. Settlement

Intermediation focuses on a compromise agreement and the settlement resulting from it (Fiadjoe, 2013, p. 63). The settlement, regardless its legal form or whether it is recognised with the approval of an authority, is a synthesis of proposals and alternative solutions (Blake, Browne, Sime 2014, p. 290; Barrett, Barrett, 2004, p. 108), which makes it suitable for reconciling the parties and resolving primarily personal and, only secondly and thirdly legal, problems (Lovas, Herczog, 1999, p. 15).

2. The aspects of international technical literature

A number of internationally recognised authors already conducted complex analyses of the role of alternative dispute settlement methods through the public administration practice of other nations. These authors typically argue for the integration of ADR methods into administrative proceedings and the application of the methods in other types of administrative proceedings based on their efficiency, speed and simplicity.

Below we shall take a look at the characteristics of the individual nations and legal cultures through the conclusions of the authors.

The alternative dispute settlement methods continue to play an incredibly important role in China, which has already been identified as the place of origin of mediation in primarily private law disputes beyond public administration (Yanming, 2016),

as well as in other forms closely related to public administrative and administrative proceedings. The Chinese authors focus intensively not only on the clarification of the basic concepts of mediation and the fundamental analysis of the aspects included in it (Bing, 2003), but also the embeddedness of ADR methods into public administration (Liu, 2006; Palmer, 2007). Numerous publications are dedicated to the role of mediation in certain sectors of public administration, which clearly illustrates the importance of the methods for the Chinese society and the operation of public administration. These publications present successes in the application of the method in social administration and administrative proceedings relating to intellectual property rights (Zhu, 2006; Han, 2012).

The other Far East countries also follow the Chinese example: mediation has an important role in their legislation, e.g., in Japan, where the relationship with mediation and its public administration implications were analysed intensively by Ishikawa, one of the most important authors writing about mediative methods (Ishikawa, 1995) and in South Korea (Sohn, 2014), where the ADR methods are in their prime again.

The analysis of European countries do not lag behind in the analyses of this object: this issue is a major issue for authors analysing the French public administration (Brown, Bell, Galabert, 1998, p. 30) but there are also comparative legal works focusing on the three mostly separable legal systems and therefore analysing primarily the French, German and Anglo-Saxon practices (Boyron, 2007, pp. 263-288), pointing out that the ADR methods may be applied, even in a vertical dimension, irrespective of the types of the public administration systems (Salvija, Saudargaite, 2011, pp. 253-261; Litvins, 2013, pp. 66-77).

Basic concept of mediation

Mediation (also introduced into the technical literature and the legislative environment as such) may be defined as a consultation (Ábrahám et al., 2013, p. 37; Bing, 2003), where the main component is a natural third party (mediator) who proceeds, either upon the initiative or with the consent of the parties, in a legal or interest dispute of the opponents (at least two or more) with the objective of assisting in the resolution of the dispute.

Various authors assigned a number of functions to mediation, of which the approach applied by Ishikawa (2001, pp. 1-15) is the most complex, grasping the essence of mediation the best. In general, the author deemed de-legalisation, de-professionalisation and de-formalisation functions of outstanding importance in the practice of alternative dispute resolution methods and especially in mediation. On the basis of Ishikawa's theory and by interpreting and further developing it, we can state that

- in the mediation practice, apart from the legal norms a lot of emphasis is laid on other aspects, which must be stressed and taken into account in the process of reaching an agreement (de-legalisation function),
- nonetheless, the legal norms provide the framework of the procedure and they cannot and should not be disregarded either because they constitute part of the basis of the procedure (de-legalisation limit),
- primarily individuals experienced in dispute resolution and not experts with legal qualifications take part in conflict resolution as impartial third parties. The degree of professionalism may vary by country and also by procedure within countries (de-professionalisation function),
- mediation and the ADR methods are the least formalised dispute resolution options, but it does not mean that the framework rules of the procedure cannot be established or there are no minimum rules for the good practice of the procedure (de-formalisation function).

In this context, the main responsibility of the mediator (Bush and Folger, 1994) is to identify the basis and nature of the legal or interest dispute and to assist the parties in reaching a consensus. The process involves the identification of the common interests of the parties and the definition strengthening and confirmation of potential key points in the evolving agreement.

As mediation, i.e., an alternative dispute resolution method, is extremely important in out-of-court agreements and in avoiding court procedures, a mediation procedure must satisfy the following requirements (Folberg and Taylor, 1986; Moore, 2014) in order to achieve its goals and functions:

- a well structured approach, which can encourage the parties to find a common solution with the help of communication and other methods to ultimately reach an agreement,

- the differences between the parties in power and influence need to be reduced in order to reach a decision with adequate content,
- in the majority of cases, the procedure must be based on voluntary participation, as only that can lead to reasonable solutions. If the procedure is based on any force, the parties will be much less open to finding a common solution,
- the procedure must be adjusted to the parties and their aspects should drive the process towards an agreement (and the legal regulations should only provide a framework for the procedure as an ultimate aspect),
- even though the procedure must come up with an answer to events of the past, its main objective is to regulate future conduct.

The mediation must reflect the following principles (European Judicial Network, 2004) in order to be successful:

- independence - mediation may only be successful when the individual acting as mediator (and the organisation employing and commissioning them) is independent from the parties and has not, or did not have, any previous economic, personal or any other relationship with them,
- impartiality - apart from independence, mediation cannot be partial and may not create an agreement in which the views of one party are in unlimited dominance depressing the views of the other party,
- secrecy - the procedure is based on confidence, which can only be maintained when the parties can make sure that the data provided by them during the procedure cannot be disclosed to a 3rd party without authorisation or their consent,
- confidentiality (Bush and Folger, 1994, p. 231) - the parties' agreement can only be reached if they fundamentally trust the mediator (the individual and their professional knowledge) in the course of mediation and they also trust each other with the help of the mediator.

ADR methods in public administration

On the basis of the technical literature references indicated above, mediation is primarily applied in various civil law and, primarily, labour law disputes. The applicability of ADR methods in public or administrative law has never occurred in any legal or legislative approach for a long time. The methods were generally focused on resolving a legal or interest dispute and, as such, could not be interpreted in the administrative relationship between an authority and a customer, as the customer was always in a subordinated position and the parties could not be equal.

One of the expressions of the open nature expected from public administration (Doombos, 2001, p. 101) and, within that, from the administrative procedure with increasing professional interest was the rigid role which necessarily stemmed from the subordination in administrative legal relationships and in the modern times could no longer be consistent with the expectations for public administration.

During the law enforcement-type public administration period it would have been unimaginable that any public administration performing almost all public power functions of the state would take into account the interests of legal subjects who then had the subject status but have developed into clients by now or would try to reach a consensus between the parties of the procedure, or within authorities and individuals.

The alternative dispute resolution options had to be introduced into public administration to bring a fundamental change in the methods of exercising public power in administrative proceedings (Radnor, Osborne, and Glennon, 2016). That is why certain public administration systems no longer approached customers from their original power position as a concept (Kettl, 2000, pp. 488-497) and less felt the need to enforce and protect public interests, identified as the fundamental function of public administration, at any cost, even by applying legal or physical force and compulsion. However, that required a relatively long period even on a historic scale (Rosenbloom and Goldman, 1993), and a customer-centred development in law enforcement-type administration as well as scientific assessment followed by practical application of innovative approaches (Bingham, Nabatchi, O'Leary, 2005, pp. 547-558; Liu, 2006) such as governance (Kettl, 2015) and its impact.

Horizontal dimension of mediation and other ADR methods in administrative procedure

The ADR methods are applied horizontally when they are used in an administrative procedure between customers. In such cases, there are two parties with identical or closely identical positions in terms of their procedural rights and obligations. Multi-positions also occur very often, when a number of parties and, apart from the ordinary customers of administrative

proceedings, occasionally a number of organisations representing public interests, social groups or some other interest, act in support of one or the other opponent and their interests.

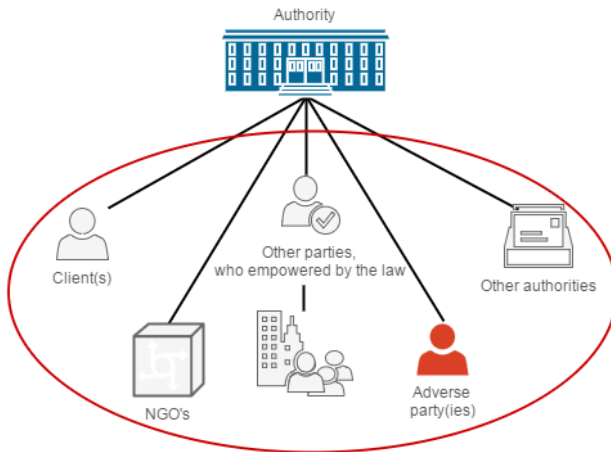


Figure 1. Horizontal dimension of mediation in administrative procedure (constructed by the author)

In such a case, the main responsibility of the authority is to assist the parties of different interests in reaching a compromise, either within or outside the procedure. The authority usually enters the agreement reflecting the mediation result into a resolution or authenticates it in some other way, thus guaranteeing the execution of the agreement.

Vertical dimension of mediation and other ADR methods in administrative procedure

While the horizontal approach to mediation was extremely close to the original scope of application of the method, as in fact only the involvement of an authority and recognition represented a surplus compared to the methodology applied in private law, the vertical approach to mediation may open completely new interpretation issues.

In this approach, the agreement is reached between a customer and an authority and not between individual customers or persons and organisations with similar statuses. Consequently, the previously outlined strong rights of an authority, which even extend to the application of force, can be applied less in such a relationship than in an ordinary administrative procedure.

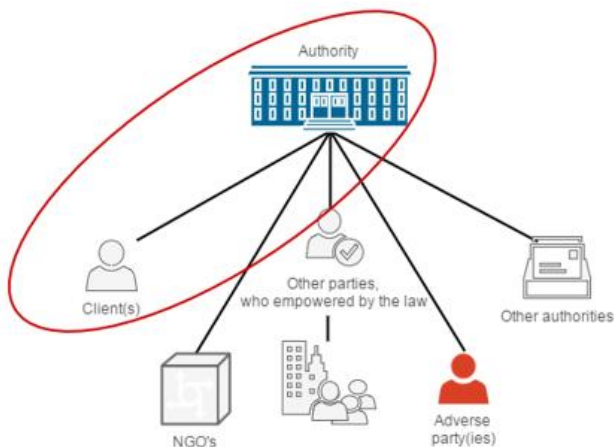


Figure 2. Vertical dimension of mediation in administrative procedure (constructed by the author)

The role of the authority changes a lot compared to what it is in the horizontal version: in this context the authority is not only responsible for trying to assist the parties in reaching an agreement but will also be a part of it. The solution, which is on the borderline between public law and private law will lead to a fundamental effect that the authority will be a quasi contracting party and not an authority in the relationship and will use compelling tools of mainly private law nature as a result of the agreement in the case examined within the administrative procedure. It will return to its role as an authority with the help of the public law compelling and enforcement tools provided by law only when the previously mentioned tools have failed.

In this role, the authority will not only have to enforce a public interest and consistently apply the law, it must also pay attention to the interests of the other parties of the procedure irrespective of whether or not they take part in the mediation process.

The agreement is often assisted by an external layman, or by a qualified external independent third party. Thus in the Hungarian procedural law this role is played by a mediator proceeding in administrative mediation as described in detail below.

According to the final outcome of mediation, there may be a traditional agreement, but in many other cases the outcome could be an extremely special administrative contract reflecting the process of its establishment (Chen, 2013) and containing both private and public law features.

Summary

Public administration in the 21st century is compelled to permanent adaptation due to the constantly changing conditions of life and global challenges.

The process can be viewed with an approach where the new conditions are negative tendencies, focusing on the additional resources required for public administration and on its system-alien nature, which can definitely be felt during its introduction.

However, when the new conditions are considered the most important development engines of public administration and an opportunity instead of a necessary task, the innovative methods introduced to manage changes will become an important innovation factor in making the current public administration system more effective.

The application of alternative dispute resolution methods, i.e., mainly mediation, seems the most appropriate with this approach: prima facie, it is a solution which is extremely alien to public administration and especially administrative application of the law, operating with strong private law components and seemingly not compatible with the traditional elements of an administrative legal relationship.

However, approaching the effectiveness of ADR methods from the final solution in a matter constituting the subject of an administrative procedure, a strong legitimacy effect of an agreement, more easily acceptable to the parties and reflecting their own aspects, as well as the reduction of the administrative force, the methods become an important part of administrative decisions, which is already partially present with incredible development opportunities.

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The Antic City of Borsh

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Abstract

The antic center of Borsh is situated in a 310 meters high hill, to the north of nowadays Borsh village, in the Southwestern part of Albania, on the shores of the Ionian Sea. In antiquity this region was part of antic Chaonia. On this site there have been research and excavations up to 1990 - after that year it remained out of the focus of the archeologists. Renewed fieldwork efforts, coupled with the evaluation of the conservation of this site, shows us that this center has been presented only with the fortification and the results of the archeological excavations in the necropolis, without considering urbanistic and the organization of the settlement. The documentation of all the antic structures identified through archaeological survey helped to create a better idea of the organization of this center, by presenting in these paper the houses and other fortification elements that were not presented on previous publications on this center. Fieldwork combined with the unpublished documentation of archeological excavations conducted in the 1980s offer a new perspective that arises out of the study of the urbanistic, architectural, stratigraphic and role of this site in the regional context. Borsh is a hilly city that serves as a very good representation of this category of antic cities in Chaonia's region.

Keywords: Borsh, Chaonia, Epirus, Fortification, Ionian sea, Hellenistic period, Stratigraphy.

Introduction

The ruins of the ancient city of Borshi are located in the south west of Albania, on a hill high about 310 m above sea level, north of the modern residential area of Borshi, by the Ionian Sea. The hill has natural protection from the north and north west, while the hilltop and other sites have a somewhat milder slope. Borshi's geographic position, between the Ionian Sea coast and the Shushica valley, enabled trade, cultural and political relations with the ancient centres of the territory of Kaonia and Amantia, as it was in a road link connecting these two areas. The coastal road provided communication with the ancient centre of Himara in the north and through Llogara with Orik in the bay of Vlora. The road to the south helped to communicate with Phoinike, the Harbour of Onhezmus and Buthrotum, while access to the sea offered an advantage in using sea routes, to keep contacts with other Mediterranean centres and the island of Korkyra, which is opposite.

The history and problems of archaeological research

This site has attracted the attention of foreign archaeologists since the beginning of the 20th century and after the Second World War until 1990, it has been subject of archaeological research for different Albanian archaeologists. The first information in the form of short descriptions of topography and fortification is found in the Greek archaeologist Evangelidhu (1919) and the English Hammond (1967). Evangelidhu (1919), among other things, mentions some marble elements in the castle mosque, which can still be distinguished. More detailed descriptions and complete typological analysis of the fortification walls, along with the respective layouts, began to be published around the 1970s by several Albanian archaeologists, such as Budina (1971), Komata (1974), Ceka (1975) and Koçi (1977-1978). Between 1980-1990, Jano Koçi undertook several campaigns and conducted surveys, as well as archaeological excavations on the fortification walls, antique dwellings and the city's necropolis (Koçi, 1986, 1989, 1990). Only the results of the excavations in the necropolis (Koçi, 1987) and the material of the prehistoric period (Koçi, 1991) resulting from these campaigns, have had been published. After the 1990s, this site has been out of the attention of the archaeological projects and has only been mentioned in the general archaeological maps of the Albanian territory (Cabanes et al., 2008) and of the territory of Kaonia (Giorgi & Bogdani, 2012). Only the fortification of the settlement has been introduced, lacking a treatment of its internal organization. Although archaeological research has been partial, its data are the only ones that help to recognize the development stages of the

settlement in ancient times, as there are no historical sources and epigraphic materials that might show its history, and the ancient name of which still remains unknown.



Fig. 1 General map with the localization of Borsh and the nearest centers in the Hellenistic period (K. Çipa).

Fortification

The ruins of the medieval fortress and Hellenistic city are preserved on the hill, but the earliest stages of this settlement relate to the period of late Bronze Age and Archaic and Classical period. The fortification of the late Bronze Age should have been surrounding the hill ridge. This period is evidenced by test pits in the south west and south of the settlement, in the surrounding wall, in the southern tower and in a part of the acropolis at the medieval entrance (Koçi, 1986, 1989, 1990). Outside the walls of Acropolis is also found a dwelling of similar material (Koçi, 1991). Near the medieval entrance there is a wall of 4.30 m long and 1.40 m height, with quite primitive and not very elaborated blocks compared to the fortification walls of the Hellenistic period. The wall must belong to the archaic and classical period (Çipa & Meshini, 2017). The pre-urban fortification surrounded the highest part of the hill, an area of about 1.02 ha. In the Hellenistic period, this part is converted into a fortified acropolis, while the settlement extends to the terraced slopes that are surrounded by a second fortification wall. The Hellenistic Acropolis wall, which is not very well preserved, serves as the foundation for the medieval fortress. Regarding the fortification, the south western wall is better preserved. It is about 60 m long and a height of 4 m has been preserved. The fortification line can also be tracked on the north west side, where a part of about 15.40 m long has been well preserved. This line ends at the north eastern edge at a ruined quadrilateral tower. Another tower is located on the south eastern edge of the fortification, on a rocky ground. A fragment of a Hellenistic wall which extends to the north of this tower was carved in a more primitive way than the rest of the fortification and probably belongs to a later reconstruction (Cabanès et al, 2008).



Fig. 2 The hill where Borshi is located (photo K. Çipa). Fig. 3 View of the south western wall (photo K. Çipa).

In the fortification there can be evidenced two construction techniques. One of the techniques is the one with trapezoidal blocks of the pseudo isodomic type, where, in some cases, the brackets used often break the rows. This technique was used to built south western, north western and acropolis' walls. Another technique used is that of the isodomic type, with rectangular blocks of regular rows and equal height. This technique is found to have been applied at the south eastern tower and at a part of the wall extending to the west of the tower. The technique of pseudo isodomic trapezoidal blocks in the territory of South Illyria and Epirus dates back to the IV-III century B. C. The tower and wall of isodomic technique should be a later construction of the III Century B. C.

Settlement stratigraphy

The excavations so far are insufficient to speak concretely about the stratigraphy of this settlement. Test pits conducted in the south western wall of the settlement in 1986 give a good idea of the stratigraphy. The first layer of stratigraphy is represented by late bronze ceramics (Koçi, 1986). During other test pits, this layer was also found at the part of Acropolis, where there was a fortification of this period (Koçi, 1991). A second layer is represented by archaic and classical material, Corinthian amphora of type A, as well as pots characteristic for the 5th-4th century BC (Koçi, 1986). A third layer is represented by the material of the III-II Century BC, also found during the excavation of dwellings on the south-west and eastern terrace (Koçi, 1986, 1989). Life has continued even during the Roman period, as evidenced by the cups and plates of the I-III century AD (Koçi, 1986). Borshi continues to be an important centre during the Middle Ages, a period which is represented by a rich layer of pottery of the XIV-XV century. The occupation periods in this centre, documented by the material found in the stratigraphy, matches very well with the ceramics reported from the superficial findings (Komata, 1974).

Architecture of houses

The ruins of the antique dwellings are mainly located on the south western and eastern side of the hill. In order to place the dwellings, the steep hillside is organized by building walled terraces. Much of it is placed inside the fortification, but there are also some outside of it. They are partially oriented towards the sun and partly leaning on the natural rock site. Some of them are single-room dwellings, with a simple utilitarian function adapted to the steep terrain. Some of the dwellings, which have been excavated and documented in 1986-89, are two-story buildings, where the second-floor rooms are leaning on a rock carved to create floors and bases for setting up the side walls. The side walls are build up of large trapezoidal blocks, and separation walls with normal stones attached with mud. The first floor communicated with the second floor through a few stairs carved on stone. In some cases, as floor has served natural rock or compressed soil in clay form. The large presence of tiles discovered during their excavation (Koci, 1986) is an indication that the roof of the dwellings has been covered with tiles. The rocky settlements are well spread in the hilly settlements of South Illyria and Epirus, we find them very often in the ancient city of Oriq as well as in the Acropolis of Amantia, but in terms of their plan and construction technique, Borshi dwelling are very similar to those of Çuka e Ajtoit (Baçe & Bushati, 1989), (Bogdani, 2007-2008), (Islami, 2008). For the use and storage of water, common public water tanks have been used, as there are no tanks or wells in Borshi dwellings, as found in the dwellings of Oriq and Çuka e Ajtoit. Fragments of daily use vessels, tiles, and some Epirus coins found in the archaeological layer covering their floor (Koçi, 1986, 1989) date the dwellings back to the III century B. C.



Fig. 4 View of an ancient dwelling in Borsh (J. Koçi 1986). Fig.5 View of the Monumental Tomb (J. Koçi 1986)

Necropolis

The necropolis is located on the southern side off the fortification and, just like the inhabited part, due to the steep terrain, is arranged on terraces. Archaeological excavations carried out in the cemetery in 1980-84, revealed 13 cysti graves with simple architecture and a monumental tomb (Koçi, 1987). The necropolis started to be used in the Hellenistic period and was reused in the Middle Ages. Some of the Hellenistic tombs had a rich inventory, dating back to the III century B. C. In most of the graves the burial ritual consists of body placement, and in some cases cremation. The monumental tomb has a quadrilateral layout, fitted with a 7 stair *dromos*, leading to the burial room equipped with sofas (*Kline*), with a polychrome mosaic and side walls plastered with waterproof mortar (Koçi, 1987). The barrel-vault roof, covering the room, has not been preserved. The southern side of the tomb was made with isodomic technique. It was exposed in front of Jonian sea, while the other sides were under ground. The tomb was dated based on the typological analogy with the monumental tombs of Amantia, Selca and Matchasanaj, in the III century B. C. It has been stolen in antiquity and no material was found to decide on a more accurate date. The context where it is placed, in the centre of the Hellenistic tombs, justifies this date. As it can be seen from the distribution of the tombs, around the monumental tomb there are grouped some cyst tombs, just as it happened in the Amantian necropolis (Buzo & Hobdari, 2014). The architecture of the monumental tomb of Borshi is very rare and the only similar case is evidenced in the Drinos valley, in Jorgucatë (Giorgi, 2003). The excavations carried out in the early 1980 s give only a partial idea of the organization of this necropolis and of the architecture of the graves.

Conclusions

The stratigraphy of the ancient town of Borshi shows that this settlement has experienced the same developmental stages as similar cities of the Kaonia coast, as Butrinti and Himara and Triport and Olympe in Amantias territory. The hill of Borshi began to be frequented and fortified in the late Bronze period. During the archaic and classical periods, it is re-fortified and it expanded on the hillsides during the Hellenistic period when it experienced a flourishing period. From the position chosen for setting up a residence, the way of interior organization with terraces, and the architecture of the dwellings, make it a typical example of the hilly towns of South Illyria and Epirus. Borshi is similar to Çuka e Ajtait in the territory of Butrint, but

considering the layout composition with acropolis and extension on two sides of the hill, it is quite different. The existence of graves of monumental architecture shows that, in this ancient city, there were individuals who had a special status. From the topographic point of view and the territory organisation, Borshi should be considered as a Kaonia fortification that controlled the border with the territory of Amantia. Archaeological findings show that the city continues to be frequented in the Roman period, but it had already lost the importance it enjoyed in earlier periods, as in this period, due to the *pax romana*, hilly towns like Borshi were abandoned.

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Evaluating Challenges and Opportunities in the Development and Management of Physical Activity in Albania to Increase the Involvement of the Population in It

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Abstract

The study aims to assess the challenges, opportunities for development and management of physical activity in Albania compared to other countries in the region. The data collection tool included interviews, and the questionnaire used in all gyms in Albania. The result speaks of a huge gap with regard to the development of sports and the inclusion of populations in physical activities. According to the findings of the study, the number of population frequented by gyms in Albania. It is also worrying the very low number of female participants in the gym compared to the total number of women in the national level and the large difference in the number of males participating in physical activity and mainly in gymnasiums with the number of women that correctly reflected that in Albania it needs the revival and strengthening of gender mechanisms at national and local level. The result also revealed a lack of trained human resources, lack of policies and sound development strategies to increase population participation in physical activities. To this end, the National Sports and Regional Institutions, the Albanian Sports Federation and other relevant sports authorities should take all necessary measures to develop and expand the inclusion of populations into physical activities as a necessary means to increase the quality of life.

Keywords: challenges and opportunities, development, participation policies

Introduction

With increasing age, there is an increased risk of developing non-communicable chronic health conditions.² In a recently published review, Blair et al emphasised the direct link between physical inactivity, low cardiovascular fitness and the presence of chronic health conditions.³

Five leading risk factors for death are high blood pressure, smoking, high blood glucose, physical inactivity and obesity.⁴ A glance at these risk factors reveals that high blood pressure and glucose levels as well as obesity are connected with physical inactivity.³ Alongside the increasing incidence of these risk factors with ageing, there is a decline in many physiological systems; a loss of muscle mass, a decline in balance ability, a reduction in muscle strength and endurance⁵ and a decline in cognitive performance,⁶ all of which impact on functional independence. Paterson *et al*¹ suggested that increasing physical activity levels is the most important intervention to improve health in populations. For older adults, extending life is an important factor, but the maintenance of functional independence is also of high importance, both to maintain quality of life and to manage health resources.⁷ Therefore, it is important for anyone to spend some time doing sports recreational activities in closed encounters, in nature, in gyms to enhance the quality of life.

Methodology

A standardized questionnaire comprising open questions was used as an evaluating instrument and was submitted to owners, administrators and managers of fitness centers (when there was one in the surveyed areas) and Zumba, Pilates, Taekwondo and Kickboxing gyms. Data obtained from the questionnaire were further processed statistically to draw the results of the study.

309 fitness centers within the territory of Albania were the subject of the study.

The aim of the study

The aim of this study is to highlight the participation of the Albanian population in organized sporting activities for all ages, to see and record the adequacy of sports centers in our country to meet the needs of the population and if we are working with professionalism from certified specialists such as one of the most important things to increase the participation. This study will serve to give a great help in participating in recreational activities for all age groups by increasing the quality of life.

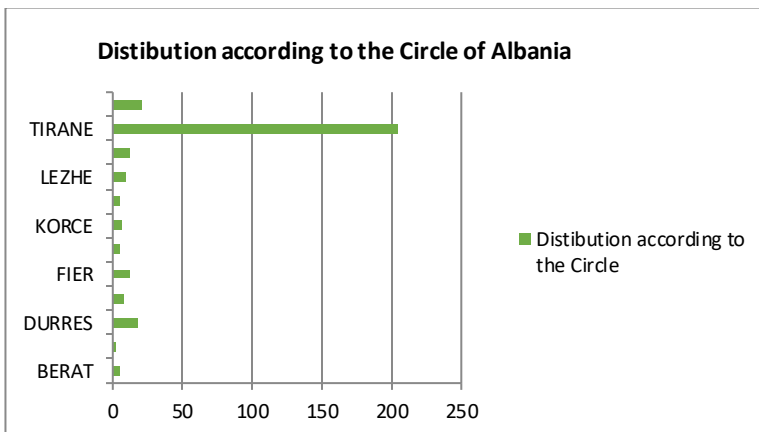
No work has been done so far for the number of people involved and that are in the process in this area at Albanian institutions.

Results

1-Referring to the data on the number of gyms within the territory of the Republic of Albania, the results are as follow. What strikes from the data listed in the table is the low number of gyms in most cities and districts, and the sharp contrast with the situation in the capital of the country, where the number of gyms outdoes by many times that of the gyms in districts such as Vlora, Shkodra, Durresi, Lezha, and the insignificant number found in the districts of Dibra, Kukes Gjirokaster, Berat, etc.

The following tables reflect the distribution of the gyms according to the Circles in Albania

| Valid | | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|----------|-----------|---------|---------------|--------------------|
| | BERAT | 5 | 1.7 | 1.7 | 1.7 |
| | DIBER | 2 | 0.7 | 0.7 | 2.4 |
| | DURRES | 15 | 5.1 | 5.1 | 7.5 |
| | ELBASAN | 4 | 1.4 | 1.4 | 8.8 |
| | FIER | 9 | 3.1 | 3.1 | 11.9 |
| | GJIROKAS | 5 | 1.7 | 1.7 | 13.6 |
| | KORCE | 6 | 2.0 | 2.0 | 15.6 |
| | KUKES | 5 | 1.7 | 1.7 | 17.3 |
| | LEZHE | 10 | 3.4 | 3.4 | 20.7 |
| | SHKODER | 12 | 4.1 | 4.1 | 24.8 |
| | TIRANE | 200 | 68.0 | 68.0 | 92.9 |
| | VLORE | 21 | 7.1 | 7.1 | 100.0 |
| | Total | 309 | 100.0 | 100.0 | |

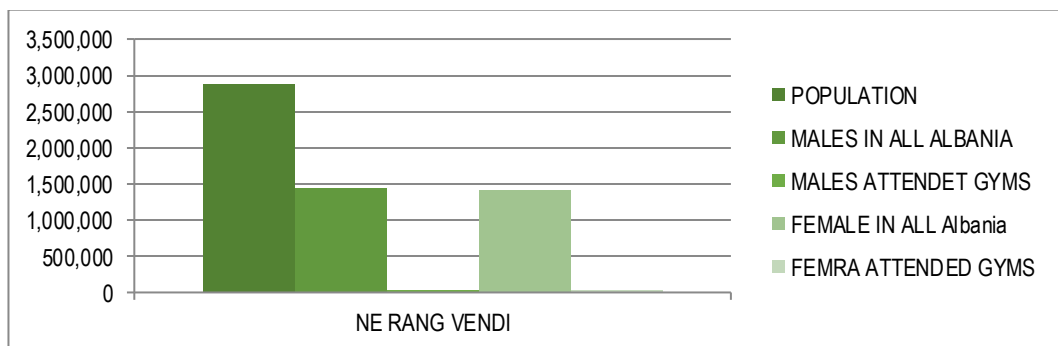


| Distribution according to the Citys of Albania | | Frequency | Percent | Valid Percent | Cumulative Percent |
|--|---------------|-----------|---------|---------------|--------------------|
| Valid | BERAT | 4 | 1.4 | 1.4 | 1.4 |
| | BIBER | 1 | 0.3 | 0.3 | 1.7 |
| | DURRES | 12 | 4.1 | 4.1 | 5.8 |
| | ELBASAN | 6 | 1.0 | 1.0 | 6.8 |
| | ERSEKE | 1 | 0.3 | 0.3 | 13.9 |
| | FIER | 6 | 2.0 | 2.0 | 8.8 |
| | FUSHE KRUJE | 3 | 1.0 | 1.0 | 17.3 |
| | GJIROKAS | 3 | 1.0 | 1.0 | 9.9 |
| | KAVAJE | 3 | 1.0 | 1.0 | 9.9 |
| | GRAMSH | 1 | 0.3 | 0.3 | 10.2 |
| | KORCE | 3 | 1.0 | 1.0 | 11.2 |
| | KRUJE | 6 | 1.0 | 1.0 | 12.2 |
| | KUCOV | 1 | 0.3 | 0.3 | 12.6 |
| | KUKES | 2 | 0.7 | 0.7 | 13.3 |
| | KURBIN | 1 | 0.3 | 0.3 | 13.6 |
| | LAC,KURB | 1 | 0.3 | 0.3 | 13.9 |
| | LEZHE | 7 | 2.4 | 2.4 | 16.3 |
| | LIBRAZHD | 1 | 0.3 | 0.3 | 13.9 |
| | LUSHNJE | 3 | 1.0 | 1.0 | 17.3 |
| | MALLAKASTER | 1 | 0.3 | 0.3 | 13.9 |
| | MALESIE MADHE | 1 | 0.3 | 0.3 | 13.9 |
| | MAMURRAS | 1 | 0.3 | 0.3 | 17.7 |
| | MAT | 1 | 0.3 | 0.3 | 18.0 |
| | MIRDITE | 1 | 0.3 | 0.3 | 19.7 |
| | PERMET | 1 | 0.3 | 0.3 | 18.4 |
| | POGRADEC | 3 | 1.0 | 1.0 | 19.4 |
| | RROGOZHINE | 1 | 0.3 | 0.3 | 25.5 |
| | PUKE | 1 | 0.3 | 0.3 | 19.7 |
| | SARANDE | 5 | 1.7 | 1.7 | 21.4 |
| | SHKODER | 11 | 3.7 | 3.7 | 25.2 |
| TEPELENE | 1 | 0.3 | 0.3 | 25.5 | |
| TIRANE | 200 | 68.0 | 68.0 | 93.5 | |
| TROPOJE | 3 | 1.0 | 1.0 | 94.6 | |
| VLORE | 16 | 5.4 | 5.4 | 100.0 | |
| Total | 309 | 100.0 | 100.0 | 100.0 | |

In the tables and graphs that follow you find the number of population having a gym membership at district and country level, and the number according to gender divisions as compared to the number of population. From the data obtained it results that the number of people working out in gyms is relatively low as compared to the overall population at district and country level pointing to the fact that physical activity is not an important aspect in the life of people in general, what might be due to economical, social, cultural and psychological factors. Another important finding from the study is that the number of boys that frequent gyms is many times higher than that of women for all districts and at national level.

| Qarku | YEAR 2017 | | | | | | | | |
|-------|----------------------|---------------------|---|-----------------------|----------------------|---|------------------------------|------------|---|
| | MALES IN ALL ALBANIA | MALES ATTENDED GYMS | % | FEMALE IN ALL ALBANIA | FEMALE ATTENDED GYMS | % | POPULATION NUMBER OF ALBANIA | POPULATION | % |
| | | | | | | | | | |

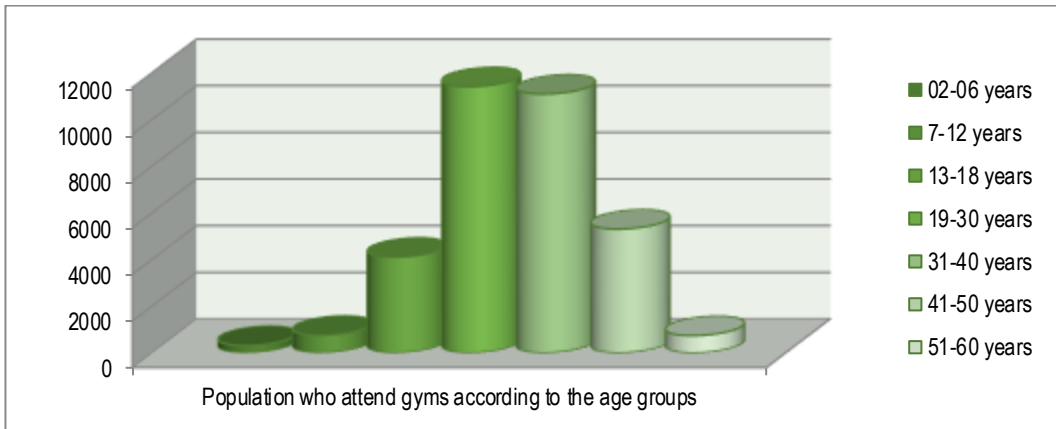
| | | | | | | | | ATTENDE D GYMS | |
|---------------------|-----------|----------|-----|-----------|----------|-----|-----------|-------------------|-----|
| Berat | 67,397 | 280.00 | 0.4 | 64,545 | 46.00 | 0.1 | 131,942 | 326 | 0.2 |
| Dibër | 65,742 | 110.00 | 0.2 | 59,837 | 50.00 | 0.1 | 125,579 | 160 | 0.1 |
| Durrës | 145,390 | 1012.00 | 0.7 | 139,433 | 969.00 | 0.7 | 284,823 | 1,981 | 0.7 |
| Elbasan | 144,258 | 180.00 | 0.1 | 139,564 | 210.00 | 0.2 | 283,822 | 390 | 0.1 |
| Fier | 155,524 | 620.00 | 0.4 | 146,983 | 270.00 | 0.2 | 302,507 | 890 | 0.3 |
| Gjirokastrë | 33,191 | 222.00 | 0.7 | 32,748 | 90.00 | 0.3 | 65,939 | 312 | 0.5 |
| Korçë | 108,337 | 342.00 | 0.3 | 105,984 | 278.00 | 0.3 | 214,321 | 620 | 0.3 |
| Kukës | 40,925 | 340.00 | 0.8 | 38,634 | 80.00 | 0.2 | 79,559 | 420 | 0.5 |
| Lezhë | 65,642 | 317.00 | 0.5 | 63,377 | 107.00 | 0.2 | 129,019 | 424 | 0.3 |
| Shkodër | 103,370 | 690.00 | 0.7 | 104,554 | 445.00 | 0.4 | 207,924 | 1,135 | 0.5 |
| Tiranë | 427,915 | 14696.00 | 3.4 | 434,446 | 10642.00 | 2.4 | 862,361 | 25,338 | 2.9 |
| Vlorë | 95,850 | 1172.00 | 1.2 | 92,945 | 635.00 | 0.7 | 188,795 | 1,807 | 1.0 |
| Gjithsej / Total | 1,453,541 | 19981.00 | 1.4 | 1,423,050 | 13822.00 | 1.0 | 2,876,591 | 33,803 | 1.2 |



Besides results according to gender divisions, the study also obtained data on the number of gym memberships based on age divisions. In the table and graph displayed we have included results for every age, but I'd like to clarify that the data for the age groups of 2-6 years and 7-12 years have resulted from sports centers which include pools and which offer swimming classes for these age groups. Whereas gym memberships are held by adults more precisely; youngsters, middle aged and elderly people. The data collected speak for a considerable number of youngsters aged 18-30 years having a gym membership, a tendency observed even in the group of 31-40 years of age, while a plummeting of the numbers is recorded in the age group of 41-50 years and an insignificant number can be observed among the age group of 51-60 years.

| CIRCLE | 02-06 years | 7-12 years | 13-18 years | 19-30 years | 31-40 years | 41-50 years | 51-60 years | 61+ | TOTAL |
|----------|-------------|------------|-------------|-------------|-------------|-------------|-------------|--------|----------|
| | ALL | ALL | ALL | ALL | ALL | ALL | ALL | ALL | |
| BERAT | 0.00 | 0.00 | 39.00 | 138.00 | 149.00 | 0.00 | 0.00 | 0.00 | 326.00 |
| DIBER | 0.00 | 0.00 | 40.00 | 80.00 | 40.00 | 0.00 | 0.00 | 0.00 | 160.00 |
| DURRES | 0.00 | 0.00 | 295.00 | 717.00 | 480.00 | 430.00 | 59.00 | 10.00 | 1991.00 |
| ELBASAN | 0.00 | 0.00 | 10.00 | 100.00 | 190.00 | 90.00 | 0.00 | 0.00 | 390.00 |
| FIER | 0.00 | 0.00 | 80.00 | 360.00 | 320.00 | 130.00 | 0.00 | 0.00 | 890.00 |
| GJIROKAS | 0.00 | 0.00 | 25.00 | 101.00 | 145.00 | 41.00 | 0.00 | 0.00 | 312.00 |
| KORCE | 10.00 | 13.00 | 92.00 | 255.00 | 165.00 | 77.00 | 8.00 | 0.00 | 620.00 |
| KUKES | 0.00 | 0.00 | 100.00 | 110.00 | 210.00 | 0.00 | 0.00 | 0.00 | 420.00 |
| LEZHE | 0.00 | 13.00 | 49.00 | 228.00 | 96.00 | 38.00 | 0.00 | 0.00 | 424.00 |
| SHKODER | 0.00 | 0.00 | 199.00 | 410.00 | 305.00 | 201.00 | 10.00 | 10.00 | 1135.00 |
| TIRANE | 260.00 | 636.00 | 2938.00 | 8193.00 | 8580.00 | 4063.00 | 593.00 | 85.00 | 25348.00 |
| VLORE | 43.00 | 89.00 | 233.00 | 719.00 | 417.00 | 237.00 | 67.00 | 2.00 | 1807.00 |
| TOTAL | 313.00 | 751.00 | 4100.00 | 11411.00 | 11097.00 | 5307.00 | 737.00 | 107.00 | 33823.00 |

| CIRCLE | 02-06 VJEC | 7-12 VJEC | 13-18 VJEC | 19-30 VJEC | 31-40 VJEC | 41-50 VJEC | 51-60 VJEC | 61+ |
|----------|------------|-----------|------------|------------|------------|------------|------------|-------|
| | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL | TOTAL |
| BERAT | 0.00 | 0.00 | 11.96 | 42.33 | 45.71 | 0.00 | 0.00 | 0.00 |
| DIBER | 0.00 | 0.00 | 25.00 | 50.00 | 25.00 | 0.00 | 0.00 | 0.00 |
| DURRES | 0.00 | 0.00 | 14.82 | 36.01 | 24.11 | 21.60 | 2.96 | 0.50 |
| ELBASAN | 0.00 | 0.00 | 2.56 | 25.64 | 48.72 | 23.08 | 0.00 | 0.00 |
| FIER | 0.00 | 0.00 | 8.99 | 40.45 | 35.96 | 14.61 | 0.00 | 0.00 |
| GJIROKAS | 0.00 | 0.00 | 8.01 | 32.37 | 46.47 | 13.14 | 0.00 | 0.00 |
| KORCE | 1.61 | 2.10 | 14.84 | 41.13 | 26.61 | 12.42 | 1.29 | 0.00 |
| KUKES | 0.00 | 0.00 | 23.81 | 26.19 | 50.00 | 0.00 | 0.00 | 0.00 |
| LEZHE | 0.00 | 3.07 | 11.56 | 53.77 | 22.64 | 8.96 | 0.00 | 0.00 |
| SHKODER | 0.00 | 0.00 | 17.53 | 36.12 | 26.87 | 17.71 | 0.88 | 0.88 |
| TIRANE | 1.03 | 2.51 | 11.59 | 32.32 | 33.85 | 16.03 | 2.34 | 0.34 |
| VLORE | 2.38 | 4.93 | 12.89 | 39.79 | 23.08 | 13.12 | 3.71 | 0.11 |
| TOTAL | 0.93 | 2.22 | 12.12 | 33.74 | 32.81 | 15.69 | 2.18 | 0.32 |



Discussion and Conclusion

Data on the number of gyms located in the territory of the Republic of Albania are a clear indication of the low number of gyms in most of the cities and regions and the difference of the number of gyms in the capital city with the number of gyms in the regions, which is many times more than in regions including Vloera, Shkodra, Durres, Lezha and an insignificant number in other regions including Dibra, Kukes, Gjirokastra, Berat etc. The number of the population enrolled in these gyms at regional and national level and the number by gender categories compared to the total number of the population show that the number of people enrolled in these gyms is very much low compared to the total number of the population in regions and at national level. This is a proof that in our country physical activity is not an important part of the life of the population, and this phenomenon may be happening because of different economic, social, cultural or psychological phenomena.

Another important result of this study is the number of males enrolled in the gyms which is higher compared to the number of females in all the regions and at national level. It must be noted that in the smaller regions including Berat, Dibra, Gjirokastra, Kukes etc the participation of females is quite low, compared to males.

The study, in addition to the gender category, considers even the age groups enrolled in the fitness centers. The gyms are mostly attended by adults: young people, middle age and third age. There is a high number of the young people aged 13-18 and the involvement of the population of the age group 19-30 and 31-40 years of age. There is a sharp decrease of the number of those aged 41-50 and even more so of those aged 51-60. Such low number of persons of this age group attending the gyms must be studied from a broader point of view, in all the possible social, economic, cultural, physiological, psychological components etc.

An important aspect pointed out in this study is the shortage of the professional trainers and their education as an important factor to have professional gyms as the key to having an increase number of people attending them. The statistics show that the gyms in our country do not provide services of the proper standards because there are only a limited number of trainers, two per each gym, and an average number of clients of 90 persons, which means that 1 trainer must prepare a training plan for 45 clients per day and it is impossible in this situation to perform quality service. Not only does the high number of clients per trainer infringe the standards, but also their education does not correspond to the work they carry out. The results show that most of the trainers are teachers of physical education, other are trainers who have completed another education, and only a few of them are trainers who have the relevant education for this occupation. Physical activity and recreation "fitness trainer.

Further Implication

Further study will be needed to find the reason why there are few fitness center in most of the cities in our country and why are they attended by a low number of the population. There is a big difference of these components with the capital city. Additional study should consider as well the third age group in several physiological, psychological, social etc aspects as they do not go to the fitness center, but maybe they are involved in other recreational activity. Another study must concern

the considerable difference between the number of males and females attending the gyms, the reason behind, whether for economic reasons or social conservative reasons.

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A Study on Public-Private Partnerships with reference to Municipality of Korca, Albania

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Abstract.

Public private partnership is in central of good governance with emphasis on efficiency, inclusion and partnership. The main point is that the partnership does not mean competition, but cooperation between different organizations. It means a formal link between public and private sectors and involves cooperation in planning, financing and implementation of joint projects to achieve common goals. The state assists in its mission from many actors, and above all from the private sector. This article aims to explore the concept of Public Private Partnership as an approach that provides mutual benefits to both public and private sectors. Albania has great potential to develop successful forms of Public Private Partnerships and the public interest is quite high, however, it is important to learn from own successful and not successful experiences of the past, as well as from the experience of the others. This study focused in experience of Municipality of Korca, main region in southeast of Albania.

Keywords: Public- Private Partnership; local government; good governance; social projects; efficiency.

Introduction.

Changes at the present time are characterized by dynamism, speed and complexity, therefore the public sector, local governments are actively under these rapid changes in socio-economic context. Today the modern state should act as a promoter of strategic, economic and social development. Main objectives of public authorities can be summarized as follows: To protect the public interest and undertaking the regulatory acts in those areas where the market is not functioning properly; to planning and to manage the imolementation of public policies; to create an enabling environment to encourage entrepreneurship and investment. Public private partnership (PPP or P3) is central to good governance with emphasis on efficiency and involvement or partnership. Old regulatory role of the state changed. Now the new role of the state is partner aimed development. This is a cultural change that is characterized by mutual trust between the public and private sectors, as well as a greater economic understanding by the government on the one hand, and a stronger orientation towards a common goal of private enterprises, on the other. Public-Private Partnerships are widely accepted and recognized in public sector management. It is the new mentality in Albanian society. On one hand, public institutions have made efforts to adopt advanced models of development, have undertaken reforms and are all-reformed itself, have approximated with EU legislation, have made efforts to implement, have decentralized the responsibilities from central government to local governments. On the other hand, private business has demonstrated progress in increasing the business contribution to local GDP; they have begun to improve the level of management, have advanced the institutionalization of business representation and its perfection by European standards. In the same time civil society is represented by a consolidated network of non-profit organizations growing in national and local level. The purpose of this study is to identify the values of solidarity, the obligation of individuals to contribute to solving community problems. Local actors have begun dialogue on issues of common interest, but rarely noticed premise that goes against the principle of dialogue and partnership in development.

Literature Review.

Public Private Partnerships are defined as a form of collaboration between public and private sector, taking different legal forms and being implemented in several sectors. There is a wide spread of these types of partnerships, different literature acknowledge that there is not a clear definition of such a partnership. From the 1980s, the key words of the New Public Management were privatization, market mechanism, the distribution of public goods and services, competitiveness and

reinventing the role of government. The aims of New Public Management were: reduction of public sector expenditure, delegation of responsibilities to the private sector and promotion of voluntary commitment of private sector to providing public goods (Mitchell-Weaver; Manning 1991). In a competitive global environment, governments around the world were focusing on new ways to finance projects, build infrastructure and deliver services. Initially, most public-private partnerships were negotiated individually, as one-off deals, and much of this activity began in the early 1990s. The 1990s saw the creation of PPPs as the main means of public policies worldwide (Osborne 2000, p.1), as a novelty of the New Public Management. The principles of New Public Management encouraged the establishment of Public-Private Partnership as a new management tool. Nowadays there is a large variety of public-private partnership definitions worldwide. The European Commission (2004) defines PPPs as “forms of cooperation between public authorities and the world of business which aim to ensure the funding, construction, renovation, management or maintenance of an infrastructure or the provision of a service” OECD (2008) defines PPP as “an arrangement between the government and one or more private partners (which may include the operators and the financiers) according to which the private partners deliver the service in such a manner that the service delivery objectives of the government are aligned with the profit objectives of the private partners, and where the effectiveness of the alignment depends on a sufficient transfer of risk to the private partners”.

Methodology.

This is a conceptual study with explorative methodology. The preparation of this article is based on secondary research, primarily in the form of literature review. The secondary data was collected from different sources like textbooks, research papers, articles, reports, surveys, strategic documents. This study was made to have an insight of Public Private Partnerships with reference to Municipality of Korca's projects and to analyses difficulties and benefits. This article aims to raise attention not only to the benefits of PPPs through exploring the trends of development, pointing out successful cases, but also to the need of properly understanding the concept of PPPs in order to reach successful agreements. These partnerships are considered to give a positive contribution not only to the economic development but also to the social welfare of a region.

Why is necessary the Public Private Partnership?

In this way, we can group the causes for the development of PPPs in economic and social reasons: the former are further classified into macroeconomic factors related to the availability of public and secondly microeconomic investment related to the efficiency of public investment. In general, public authorities can consider PPP arrangements in any of the following circumstances. When:

- The project cannot be provided with the financial resources or expertise of the public sector alone;
- A private partner would increase the quality or level of service over that provided by the public sector on its own;
- A private partner would allow the project to be implemented sooner than if only the public sector was involved;
- There is support from users for the involvement of a private partner;
- There is an opportunity for competition among prospective private partners;
- There are no regulatory or legislative prohibitions to involving a private partner in the provision of a project;
- The cost of the project can be recovered through the implementation of user fees;
- The project provides an opportunity for innovation;
- There is a track record of partnerships between government and the private sector;
- There are opportunities to foster economic development.

The public sector is importing private initiatives, knowledge, skills and experience, but at the same time maintaining responsibility, democratic control, policy-making and protecting the public's interests. At the strategic level, arguments can be raised that the public sector is striving to increase efficiency through the use of business methods and entrepreneurial know-how, but private companies are interested in sharing their approach as a way to gain competitive advantage. Private partners receive new contracts, experience and at the same time expand their network, employ their people, use technological innovations. It is also in the interest of the private and public sector to gain access to public policy when co-

operating and co-participating. When we talk about PPP at the same time we have also highlighted its advantages. In addition to alleviating pressure on public finances and helping to allocate them to other indispensable places, there are also some other useful advantages to be mentioned. In the context of PPP, the risks are transferred to the private sector, involving private sector know-how; the private sector takes an active part in public policy, cost transparency is high, services are cheaper and more qualitative, etc. Public-Private Partnerships can provide innovative and competitive solutions for the same amount of committed money, risk is allocated to the partner who manages it better and mitigates or reduces it, and at the same time processes are open, fair and transparent.

Experiences of Municipality of Korca

Korca Municipality is the major urban centre in Southeast Albania. Korca Region neighbours the Elbasan Region to the Northwest, the Berat Region to the West, the Gjirokastrer Region to the Southwest, while it shares borders with Macedonia to the Northeast and Greece to the Southeast. Currently Korca Municipality is working to implement some PPP with aim revitalization of some areas that are not functioning. Some of Korca Municipality initiatives are:

1. Establishment of a Public Private Partnership Center (PPP), as a study and coordination center in the function of local economic development. This center will identify various issues, coordinate the work of all actors to define project ideas and then draft project proposals to subsequently apply to potential donors to provide the necessary funding by monitoring the implementation of projects. It will become a center for different studies that precede the drafting of specific strategies or plans, concrete projects etc. The establishment of this center will also help to concretize the cooperation of local government, business and community in the interest of everyone. Expected results will be: Creating partnerships among stakeholders; identifying the real needs of economic development; drafting project proposals in a professional manner; finding potential funds for project implementation. Target groups are: Local community, businesses, local government institutions.

2. The PPP program for social housing and neighborhood improvement in the city of Korça. The main objective of this project is to improve local property management and attracting private sector investment with competition and transparency to rebuild urban lands, to provide housing and relevant services to the community. Completed of the project will offer affordable housing and social housing opportunities for some families that are unable to access market financial instruments. The project will include space for trading or for rent, open areas, parking and improvements necessary public infrastructure. This project was assisted by USAID project for Local Governance (LGPA) through its partner, the Urban Research Institute (URI). The project is expected to produce up to 463 apartments, of which 80% will be sold at the price of market and 20% will be subsidized for social housing. The project aims to general increase of living standards in a well-defined neighborhood community, while at the same time increasing the capacity of the municipality to influence private investment with through a Public Private Partnership structure (PPP). The main goals of the project are: to increase the value of public properties that are little used and owned municipality; to increase of the investment portfolio of the municipality in infrastructure and improving public services by developing skills for analyzing feasibility of the project and identifying appropriate alternatives for project financing; meeting the needs for social housing by investing in investments directly with the private sector through the PPP mechanism. The activities of this project will help the Municipality of Korça for overcoming problems in property management, evidencing the use it will maximize the proper and productive use of these properties, thus creating resources that can be used to increase the quality of public services provided by hall. Also, this project can help the municipality increase its experience and capacity local administration and elected officials in property management, treatment of issues such as local government property management, based on internationally accepted approaches. Enhance property management will enable it the municipality uses its assets more strategically to generate revenue necessary and to reduce the cost of providing the best public services. Identification of the correctness of the key parameters of the project will provide a competitive situation that will enable a transparent and quality assessment process for selecting the right private investor. The community also benefits from the processes as this is the right to benefit from one property (gained) and not given. As the final beneficiary of planning activities and municipal development programs, it is expected that a considerable number of families of registered as homeless in Korça will benefit from the realization of the proposed project public-private partnership. The private sector will benefit from the opportunity to compete in a fair and equitable way transparent for the right to build a major project with different uses in one an important city in Albania. The municipality will select the proposal it meets basic building parameters determined by the municipality, a project that is feasible and realist as a business venture and offering the greatest benefits or benefits to community. However, it is understood that the builder will also realize a fair profit as well the result of his involvement in this project.

The most important achievement of this project is the introduction of public-private partnership as one an effective alternative to managing local properties by establishing a relationship long-term relationship between the private sector and the local government unit. Partnership structure private public establish a stable cooperation between the two parties by sharing risks, contribution capital, and profitability from the successful implementation of the project. In this way, two goals are achieved: This project is an important stage in starting a 10-year program housing designed by the Municipality of Korça, which aims to cut to 13% of the demand homeless families in the years to come. Today, Korça has about 1,500 homeless families out of it which 738 have reapplied for housing under Law 9232, dated 13.05.2004, "On the Program Social Security for Housing Citizens in Urban Areas".

Conclusions and recommendations.

Public Private Partnerships are widely known to be the new face of development and growth where the collaboration between public and private actors aims to the achievement of common goals. PPPs have proven to be an effective approach in terms of providing investments and public services, in several European countries. Albania is a country with great potential for PPPs. Good PPPs should be built on basis of trust, mutual agreement, transparency and accountability. Some recommendations:

- Legal institutionalization of business relations / power central / local government and civil society. This should be accomplished through an open social dialogue.
- Extension of the tools of partnership with 'game rules' even at the local level. This relates to the transfer of some important powers from central government to local government, particularly fiscal powers.
- The important thing is to ensure greater transparency of public-private cooperation, which should also be provided for this law.
- Redefining the role of the state as the creator of a framework of stable and secure for everyone (citizens, various interest groups, business, etc.)
- Rules defining fair game and not taking their managing experience of developed countries: Modern state as a partner and as a guarantor.
- Continuation / deepening of the decentralization process as it ensures democracy, stability and promotes local economic development; It is also associated with financial decentralization process, at the same time strengthening the capacity of local units, training, and recognition of the positive experience in this area them;
- Building public private partnerships requires the focus of reforms and partnerships citizen - thus building a society with human face. Changing the mentality of local and central administration as part of public administration reform, promotion of cooperation among local units at home and abroad, including cross-border cooperation;
- Approximation of Albanian legislation with EU countries, and highlight the role of local government units in this process.
- Strengthening associations of local elected officials; institutionalization of relations with business and civil society, with laws and by laws.

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Concept for Common European TVChannel

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Abstract

One of the problems, which lies ahead of the EU and the European Integration is how can people from different nationalities learn more about each other. In this problem, there is a severe lacking of progress. Thus, in light of European's people natural desire of better understanding and successful collaboration in the advancement of common European values, comes the need of a Pan-European TV channel. TV PanEurope+ will help in an effective way for the common understanding of the history, the culture, the tourism, the customs of the European people.

Keywords: mutual understanding; cultural variety; Paneuropean TV channel; missing audiovisual face of EC, increase the understanding of the European elections significance.

1. Introduction

Two important questions bother us.

To what extend do we know the cultural variety of the peoples in the European Unity and from where and how do we form our notion?

And how do the other European peoples envisage the Bulgarians?

We very often witness malevolence, lack of mutual understanding, inaccuracy which does irritate us. These are usually the things, which happen when someone is an object of somebody else's retelling. Even more so when this story retold is a product of relayed information. In television the report "a priori" contains some sort of a retelling of particular events and as such it carries the personal take of its author. What do the TV channels do? As general rule, they broadcast the current information of their correspondents and in a didactic way they teach what the EU is. The slogan "This is the way it is in Europe!" has reached a mantra status. **But in Europe there is a big diversity.** Nevertheless, **a big deficit** exists on global level. Eleven years ago, the Leader of the Negotiating Team for Bulgaria on the part of the European Commission Mrs. Brigitte Chemota gave us the advice to showcase more often the positive contemporary Bulgarian people. The important question is how they can become known not only to the European administration, but to the European peoples as well. Precisely in this we can find an empty niche.

We do know what is happening in Japan, USA, Iraq, Afghanistan and so many other places, **but we lack** information about Slovenia, Croatia, Iceland, Denmark, Norway, Estonia and so on. Not even to mention Cyprus and Malta. The International Information Agencies and Radio Stations has become one giant mechanism, reducing the information. The mechanically operating international editors of the Bulgarian televisions are no different. What then? How are we then to understand more, meaning, to draw closer, to get to know and start appreciating each other with the Portuguese, Spanish, Swedish, Irish and the rest of the European peoples?

2. Preconditions and means for resolving the problem

Ahead of us lies an immense deficit. In the context of the mutual desire of all the European countries and peoples to understand each other more fully and to build up a common value system, it won't be hard to **notice the lack of one common PanEurope+ TV channel. A channel similar to BBC, but for the European Union.** A supreme model of European digital public TV.

PanEurope+ channel would have to produce its own information for the European Institutions during the day and for the rest of the time to broadcast programme submitted by the different national public television channels from all the European countries and independent producers. The TV PanEurope+ channel can be developed on the foundation of the already existing EUROPE BY SATELITE, which gives institutional information about the activity of the EU and EC broadcasted by satellite.

In the future, the channel would have to produce its own information for its daily programme and for the rest of the time to broadcast programme submitted by the different television channels /as a start submitted by the national public televisions/ from all the European countries and independent producers. These will be programmes produced and aired by its national public TV stations.

Each country will select and send its own programme once per month. The programmes will be collected in the studio of EUROPE BY SATELITE in Brussels and will be transmitted from there. The digitalization eliminates the problem with the limited resources. This means that it shouldn't be difficult each country to allot a frequency for the **PanEurope+ TV channel**. The programme will consist of different panels of information covering common European topics. The national programmes will be produced by each country member of the EU and the countries candidates for membership in the union.

For example – the morning block “Good morning Europe” will broadcast the news of the day from Brussels, Strasbourg, the work of the commissions, departments, Council of Europe, European Court of Human Rights, PACE and other prominent European institutions.

A second block will present the economical information, service information /the weather, etc for the whole Europe/, information of utmost importance in the circumstances of the looming financial crisis.

A third block will broadcast the news from the European capitals and news about the relationships between the country members and information for the currency, energy, labor market, refugees, and merchandise exchange in Europe.

The two hour block will be repeated two times during the time period from 06.00 until 10.00 o'clock.

After 10.00 o'clock the programme will consist of movies and abundant cultural, science, educational, entertainment, youth, religious and ethnical programmes from all the different countries, focusing on the integration. The programme needs to present the cultural differences in one attractive way and not to be enigmatic in their representation of the peoples. The unknown is still frightening, but the globalization above all in the domain of the electronic mass media, unifies and depersonalizes, rather than to support the variety. Willingly or unwillingly whole army of editors is reducing the information received, forming it according to its own personal notions. For example, Japan is always the country of the high technology, tea ceremonies, the seppuku and similar cliché. Is Japan only that? That is a rhetorical question.

The evening programme will be set aside for gala programme of the different country members. This will include concerts of symphonic, jazz, pop, rock and other genres of music, opera, theater, movies, exhibitions, youth programmes. What is entertaining for other nations, what makes them laugh, what touches them, how do they study and work, what are their cultural messages – all these are questions of utmost importance for all Europeans.

Central part will have the programmes for the historical, cultural and custom varieties of the different peoples and ethnical minorities.

TV programme dealing with the problems product of the communication differences, the problems with the different requirements encountered by the travelers through the countries of the EU, the common and extremely hard problems connected with the migrants, traffic of women and drugs, the struggle with organized crime etc... Information like this is needed and I would say of vital importance for the future of the European Union, but regrettably this type of information is missing.

This channel /PanEurope+ channel/ will be the main cultural forum for common understanding of the European peoples.

The night programme will be the time for the big concerts, premiere movies, theater plays, and film-portraits of the great personalities from different countries, which took part in the European development.

TV channel PanEurope+ will help for effective cultural exchange and sharing of our different values. The differences will be reduced as a result of the integration around the common European values. There won't be anymore need for the different countries to try to guess what the others mean, and this is the most important outcome of it. No one could retell about the other peoples. Everyone could tell personal about himself.

It will be a cultural forum, a crossing point for the cultural variety and its immediate apperception. At the later stage on the analogy of TV ARTE this common channel become into place for film,s, teatriacal and musical europeans coproductions. TV PanEurope+ will be the place for gathering idea,s of makers, producers and distributors from different europeans nationalities. The targets of this later stage is the coproduction, s full force advance of the investigation of cases; the documentaries and future films, theatrical, operas and ballet dancing performances.

TV PanEurope+ will become not only the audiovisual face, but the spirit of united Europe. For the present EU not possess suchlike.

TV PanEurope+ will increase the tourism in the europians countries.

The TV channel can solve one more problem. Everybody knows that the level of participation of the voters for the elections for the European parliament is low in each European country – sometimes as low as 20% . We hope that **TV channel PanEurope+** will increase the understanding of the European elections significance and will additional motivate European citizens for the elections of members for the European parliament.

3. Conclusion

In short, PanEurope+ will be the audiovisual face of United Europe. Up until now this face is still missing.

The most important is that by the help of **PanEurope+ channel** the different ethnicities will come out of their anonymity and many preconceived notions will die out, notions which often are the reason for ill-founded and irrational animosity. The people will take part in the common political debates on European level and become active citizens. Through the means of this channel people will break trough the narrow, outdated frame of the 20th century classical country and applying their positions and interests will be able to naturally integrate themselves.

Only then we will be able to give answer to the questions for the information's quality, the stable development of the trend for adopting the European values and their implementation on local level, from all the peoples, not only the Bulgarians.

The integral programme of **TV channel PanEurope+** will adopt the working model of ARD, FRANCE 3 and EURONEWS. In this way it won't be too financially burdensome, but it will be only matter of organization and composition of the programme...

4. Expenses

The TV studio complex and the satellite transmitter "EUROPE BY SATELITE" are available. No more investitions are needed for now. The TV studio complex and the satellite transmitter "EUROPE BY SATELITE" will broadcast every day TV programme from different European country. This programme will be kept available for viewing online.

The programme will be sent in its original language and subtitled in English. The most professional approach is the program to be translated to the respective language with a subtitlprogram.

This could happen in every country, which will translate the programme in advance on the official languages of the EU. The countries will receive the translated programme from the central server. The programme will be sent a month before its broadcasting, which will define its lasting nature. As we already said, the different countries will show already prepared TV programme and the translation is purely a technological problem, easily solved with English subtitles. This, however, may cause a feeling of cultural inequality.

It should be mentioned that the translation program EMITEX, from "Screen electronics" is already in development and in several years time will be likely able to translate simultaneously and automatically unlimited ammount of text.

5. Literature.

"TV programming in the general audiovisual context" – Draganov I. New Bulgarian University press, 2012

P.S. During the years 1993 and 1994, Mrs Elena Tomalevska-Tsankova, selected, translated and organized the broadcasting of 10 hour Bulgarian TV programme through the French channel TV 5, represented under the title The day of Bulgaria on TV 5. Our production was watched by many people and was accepted very cordially. Regrettably after a change of the BNT's executives, the new one declined to support Elena's excellent initiative further. What remains is the two years of good practice. What could stand on the way of multiplying this experience and carry it on pan European level?

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Processes of European (Dis)Integration in Context of New Medievalism

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Abstract

What is the source of the European Union's crisis? Are disintegrating tendencies so serious? How the scope and content of member states' sovereignty has changed within the years of integration process? The paper puts out a thesis that the answer to these questions can be found in the concept of new medievalism. This concept allows us to look at the EU from the perspective of historiosophy and civilization studies as well as globalization processes and qualitative changes in international politics. More broadly, this concept concerns the entire West, regarding social, political and economic changes which affect the position of western civilization in terms of its global domination. The "New Middle Ages" (another name for "new medievalism" in civilization studies) also refers to the European integration theory, providing a fresh look at the European history (this concept strongly refers to history) and interpretation of the presence at once. In the field of European Studies known is model of Europe as neo-medieval Empire, which provides the theoretical apparatus for research on changes of politics and power in Europe. The concept of new medievalism also investigates the risks of disintegration – that's why it helps to understand the possible consequences of EU's breakup. The aim of the paper is to present the interpretations of new medievalism, regarding the causes and possible outcomes of EU's disintegration.

Keywords: European integration, disintegration, new medievalism, the West, civilization, globalization

Introduction. New medievalism, its scope and content

A concept that pays particular attention to the changes in the structure of the world we are used to, and which we often overlook (or do not want to see) is the idea of the New Middle Ages. This approach is setting into the current of postmodernism and broadly understood history of ideas, and can be considered as a certain historiosophical concept and vision of the future not only of Europe and Western civilization, but also of the global scene of international relations. In the context of the European Union there are also comparisons to the Roman Empire, both in terms of the shape of the political organization and the consequences of a possible collapse. Moreover, in the question of the future of Europe, the idea of new medievalism was applied in the creation of a new model of integration (the model of Europe as the neo-medieval empire of Jan Zielonka), and in this case it is not only an approach, but even a paradigm that competes with the prevailing in political science paradigm of the Westphalian nation-state as it defines European integration in an increasingly critical way, evaluating the direction in which it is heading, as well as rejecting the conceptual grid, typical for the Westphalian paradigm. That makes a great importance of new medievalism for the development of European Studies as the academic discipline.

Increasingly, the question of the future of the European Union (since 2004 because of eastern enlargement) has raised in the public debate. Will the idea of European integration survive the current crises? What is the EU phenomenon? Can the idea of the New Middle Ages be applied in European Studies? Can we talk about risk of a disintegration? If so, what phenomena in the social, political, economic or cultural spheres can be the proof for this? In what direction does the Union head, do the traditional social movements or political parties participate in it? What could be the consequences of disintegration of the EU? Is it possible to identify the source of overlapping crises? Finding answers to these questions is the key issue to understanding the changing world of Europe and the world as well as the condition of Western civilization and the shaping of world order. The paper puts out a thesis that the answer to these questions can be found in the concept of new medievalism.

Idea of the "New Middle Ages" as a concept in the field of civilization studies consist of a concept of civilization in the philosophy of history (according to philosophy of Nikolai Berdyaev) (Berdyaev, 2003), a theory of social-economic system

(transformations and current phenomena in the world economy, the transition of power from the nation-state to the supranational and transnational levels, migrations, social inequalities at global scale) so-called "impressions" of the "spirit of our times" and of perspectives on the attitude towards future as well as the past, to precise – European (Western) past. Despite the crucial issue of the Global Era we must remember that this concept considers Europe (and, more specifically, the political and social structure of the European Union) and, more widely, the West at all. Apart from civilization studies, the most influential interpretation of new medievalism comes from the field of international relations. In this area new medievalism concerns the studies of the position and role of non-state actors as well as the scope and content of states' sovereignty. In some aspects, e.g. terrorism, it is close to the issues of security, too. Thanks to this complexity, we can look at the present form of politics and civilization from the theoretical perspective in various aspects. Therefore, the aim of the paper is to present the interpretations of new medievalism, regarding the causes and possible outcomes of EU's disintegration. The chosen research method in the work is the analysis of interpretations of new medievalism in the existing literature.

"New Middle Ages" in civilization studies – the unclear future of the West

The foundation of the idea of the New Middle Ages is its close relationship with historiography and cultural changes. It is part of the philosophy of Nikolai Berdyaev (as it was already mentioned above), a Russian thinker who introduced his ideas after the First World War. The distinctive feature of his approach is a religious and existential approach to historiography and from this perspective a critical evaluation of modernity (Berdyaev, 2003). Berdyaev presented an alternative vision of social development based on the spiritual unity of the West. The classification of Berdyaev's concept as historiography raises some doubts, but it can certainly be regarded as a kind of vision of the future of Western civilization, which the author considered necessary for survival of the mankind.

Berdyaev very negatively assessed capitalism, mass society, the domination of rationalism and materialism. According to him, capitalism has already reached the peak of its development. Moreover, the retreat from religion, distinctive for Western civilization, will be the main cause of its collapse. Berdyaev also has been against the "institutional" products of rationalism: liberal democracy, secularism of the state (in the Westphalian model), separation of the private and public sphere. The negative assessment of rationalism and anthropocentrism has made Berdyaev to announce the "twilight of the Renaissance" and the expectation of the end of capitalism as the end of modern history and at the same time the beginning of the "New Middle Ages" (Berdyaev, 2003). The Russian philosopher the era in the history of humanity divided into sensual and intuitive. This division is the basis of his historiography (Berdyaev, 2003). Berdyaev compared Renaissance to the day (sensual age), and the Middle Ages to the night (intuitive age). This comparison has the most positive character - according to Russian philosopher night allows you to stop and reflect on your life, and also directs the human mind on spiritual matters that obscures the light of the day (Berdyaev, 2003).

"New Middle Ages" and the Global Era – outcomes of neoliberal capitalism

The concept of the New Middle Ages returned to the humanities and social sciences back several dozen years ago and corresponds with numerous interpretations of the post-modern world (Bauman, 1997) (Castells, 2000) (Little Richard, 2006) In addition, comparisons to the Middle Ages have permeated the public debate. In this context, these comparisons relate to changes in international relations and factors determining them and the growth of social inequalities (both on a supranational and regional scale). The current situation is the effect of the neoliberal doctrine in the economy and the technological revolution (Kahneman, 4.04.2015). After the transformations initiated in the second half of the 20th century, relations within the world economy will be crucial for the whole of social and individual life. This means, e.g. very strong tensions between the rich and the poor, between the ideas of elitism and the concepts that emerged from egalitarianism. This can lead to the end of liberal democracy, which is a condition for the efficient functioning of a strong middle class and a belief in the equality of all people.

An important factor is also already mentioned globalization, which in connection with the dominance of neoliberal solutions in the economy emphasizes stronger economic centers. There are disputes in the literature about whether we are dealing with the globalization of trade or its regionalization. The concept of the new medievalism, for which the division of world trade and production is particularly important, also draws attention to such questions. The common denominator for these important issues is the structural crisis of capitalism (especially after the financial breakdown of 2008). Parag Khanna even puts forward the thesis of "postmodern Middle Ages" (Khanna, 2009), pointing to further weakening of the nation-state towards the establishment of (really) global governance and the importance of cities as independent subjects of the global

economy (Khanna, 2009). Also multipolar shape of contemporary the world and the increase in the importance of non-state actors (from large corporations to non-governmental organizations), in international relations indicate similarities to the Middle Ages (Khanna, 2010). The issue that is decisive for the shape of the "postmodern Middle Ages" is, as mentioned, an increase in social inequalities on a global scale, resulting from the strengthening of divisions between the center and the periphery.

New medievalism in international relations theory – a claim for a new picture of politics

Therefore, it's the time to think of international politics indirectly. New medievalism in the field of international relations theory has its source in the premonition about the significance of the transition period after World War II, inter alia in the works by Hedley Bull (Bull, 2002), created on the assumption that the second part of the 20th century could be similar to the times of the Middle Ages in political aspects – mainly in the supposed "End of Westphalia" in terms of falling domination of the nation-state as a category of actors on the global stage (Matthews, 1997, p. 65). In addition, it is certainly worthwhile to mention that Arnold Wolfers, writing in the 1960s about the condition of international relations as an academic discipline, saw a trend that, in his opinion, was a sign of the blurring of borders between the external and the internal. According to Wolfers, the reason for this tendency were the conditions which changed the world after World War II, and in which we can find the elements of internationalist ideologies and homogeneous nation-state, the transnational co-operation and selfish nationalism, and the wars, difficult to classify as external or internal (Wolfers, 1962, p. 242). This trend Wolfers called "new medievalism", although it is Hedley Bull, who is considered to be the creator of this concept, known as *the system of overlapping authority and multiple loyalty* (Bull, 2002, p. 245).

"Westphalia" in this context is seen as a metaphor for the origin of the European system of states in the Early Modern Period and as a symbol of political order based on the nation-state as the main and only subject of international politics. The "New Middle Ages" instead is a metaphor for the future of international system and its evolution in terms of its organization, governance, and its subjects in a way that can make the system similar to the medieval one (Kobrin, 1998, pp. 365-366). Actually, it concerns the role of non-state actors, so the multinational corporations, non-governmental organizations, megacities and global cities (some of them even make a claim for independence), informal groups and networks (like terrorists), subregional communities on a path towards autonomy or independence (like Catalonia or Scotland) and forms of regional, international or supranational cooperation or integration like the European Union. In addition, it is connected to interplay between the public authority and private sphere which denies the "traditional" boundary between the public and the private. In this last context, new medievalism is an approach to understand the transitions and changes on a global scale, regarding power shifts, expected decline of the US and crisis of neoliberal capitalism. The condition of economy is close to social issues – in this aspect there appears a notion of "neofeudalism" which refers to informal side of social life. This side develops strongly because of governance and security deficit alongside with growing economic inequalities (Williams, 2008, p. 11). From the other side, the power shifts (both formal and informal) as well as expected decline of the superpower of the US are creating the vision of multipolar and more diverse world.

Concept of Europe as neo-medieval Empire in European integration theory. A claim for a new paradigm of integration

Also, more precisely, the concept of new medievalism regards new, expected after the eastern enlargement, shape of European integration – the neo-medieval paradigm, created by Jan Zielonka. Furthermore, it concerns the position and influence of Europe in expected multipolar world after the decline of the US superpower. In the analysis of European crises (financial, economic, social, migration and democracy) it reflects European reality between the daydream and the nightmare. In this case, empire as the form of authority and power – in the contrast to the nation-state – is not designed to be homogeneous. Moreover, the main issue is the distinction between the nation-state and empire (neo-medieval empire, not Westphalian like the United Kingdom in 19th century) in terms of administrative organization, economic governance, structure of borders, means of law enforcement, factors which create the common polity and features which are distinctive for a demos, and model of connections and relationships (*de facto* and *de iure*) between subjects which create the nation-state and the empire. The empire in this case is an alternative option to the state and indicate that we would be able to establish political organization which would not be a kind of state.

New medievalism in the field of European studies, just like in the international relations theory, is connected to works by Hedley Bull (Bull, 2002), mainly with expected "End of Westphalia" in terms of fading the nation-state away as a sort of actors on the global stage (Matthews, 1997, p. 65). What is important, in the field of European integration theory,

suggestions for changing the model of European integration began to appear before the outbreak of the economic crisis, and even before the Lisbon Treaty had been accepted. It was the perspective of Eastern enlargement that raised doubts about the proper shape of integration and even its future. Then the economic crisis and, particularly, the financial crisis of the Eurozone drew attention to the shortcomings of the European economic project. A few years later, war on Ukraine raised doubts about the EU enlargement policy, as well as the effectiveness of its diplomatic abilities as a whole. At present, the challenge for integration is the refugee and migration crisis, which concerns the loyalty and solidarity of member states. An issue important to integration process is also the war on terrorism with the Islamic State whose actions threaten the internal security of the Union.

This is the empirical as well as the mindset background of the model of Europe as the neo-medieval empire, created by Jan Zielonka, which was based on the assumption that EU *finalité politique* would resemble the neo-medieval empire rather than the Westphalian nation-state. The crucial circumstances for this concept were the eastern enlargement of the EU and the rejection of the Constitutional Treaty (Zielonka, 2007). In the field of European Studies, the job for the neo-medieval paradigm of integration is to replace the conceptual apparatus and worldview of the Westphalian nation-state for the case of EU political system. According to the model of Europe as empire, the Union cannot be seen as the “superstate”, because it is too diverse and too large (Zielonka, 2007, pp. 10-11). The diversity in this case affects not only culture, but also social or economic systems, political traditions, technological development or political regimes. In this context, the main problem of thinking on the future of the EU is the involuntarily reference to the notions and phrases applied for the nation-state in Westphalian model. In the labyrinth of historical analogies one has to point out that the model neo-medieval empire is an abstract concept, referring only a little to the organization of political units in the Middle Ages. The contemporary model of the nation-state (Westphalian or, rather, neo-Westphalian), which Zielonka opposes the construction of empire, is also the ideal type and is referring to the form of political organization that started to emerge in the Early Modern Period.

The starting point for seeking the analogy between contemporary Europe and the medieval empire is the shape of the EU borders after the 2004 enlargement and the prospect of further territorial development (Zielonka, 2007, p. 4). The shape of borders is the crucial factor here, as it reflects the way in which power is enforced – the borders of the Westphalian states are tight and precise, both on maps and on the ground, and the territorial scope of the Westphalian states overlaps with the boundaries of a particular legal, administrative and economic order. On the other hand, in medieval empire, the borders are semi-open, fuzzy and permeable, and the territorial scope of the formal authority does not overlap with legal or economic jurisdiction. Today we can see certain derogations from the rule of homogenous boundaries – for example the agreements on local border traffic that let the residents of external border districts enter the EU without a visa – this solution was applied, e.g. for border traffic between Poland and Russia and between Poland and Ukraine. Also it should be noted that the territorial scope of the Union does not overlap with its functional dimension – the single market also includes members of the European Economic Area which are not in the EU. A similar situation concerns the Schengen system.

The next issue, related to the structure of borders, is the political system. Of course, it is a democratic regime, but the organization of authority and power in a neo-medieval way changes the way democracy works, compared to the model we get used to live in inside the nation-states. First and foremost, the structure of authority is different – while in the Westphalian model we are dealing with hierarchical and closed governance, in the neo-medieval empire power will be dispersed and disjoint, creating multi-layered structures with a variable number of “rungs” and with varying territorial and functional range, that shapes them into a form of “concentric circles” (Zielonka, 2007, pp. 153-159). It should be noted that such a “cascade” layout of governance is relevant to the problems of the Community with regard to the difficulties in defining leadership and political loyalties. The question of identity is also a meaningful factor of relations between citizens and the authority in the empire – European identification is weak and fades away in the multiplicity of identities and loyalties that cross each other in the strongly differentiated society of the whole empire.

New medievalism and the anxiety of disintegration. The risk of no action and no mindset change

Apart from all the mentioned topics “new medievalism” deals with the issue of disintegration in Europe as well as the other parts of the world. In European Studies it especially concerns the risk of disintegration of the EU, supporting the search for new modes of integration (Zielonka, 2014). In this aspect it is close to new medievalism in international relations theory, as it was mentioned previously. For the research agenda in social sciences it is especially important because among the scholarship there is a call for disintegration theory (Vollard, 25th-27th September 2008) – we have to face the risk of disintegration of the EU despite there is no full and established theory of disintegration. In the contrary, we have many approaches to integration, both explanatory and normative. This call is strongly connected with similar problem of

international relations fieldwork where there is no full and systematic approach of the international politics in the global and multipolar world, which would consider also the changes of the scope and content of the sovereignty. It is especially necessary because of Brexit and its possible outcomes. Certainly, as in the case of integration, we can talk about disintegration as the process, and even the processes, taking into account the overlapping phenomena, events and processes in different areas at different times. Regarding the specific vision of the world and man in it, the New Middle Ages is also a meta-narration – both for the case of the person within the society and political affairs at the global level – which can change the way we got used to think about the politics.

Conclusions. Wide range of interpretations and narrow scope of clarifications in face of insecure future

It is difficult to predict what Nikolai Berdyaev – as well as Hedley Bull – would say, observing civilization changes at the beginning of 21st century, including postmodernism, technological revolution, the Internet or the crisis of capitalism. Apart from the individual assessments of the present “organization of the world” in social and economic terms or the condition of Western civilization, concepts and views that create the idea of the New Middle Ages (or representing a similar viewpoint) allow you to look at the changes from different perspectives. They also help to realize the processes in which the man at the turn of the 20th and 21st century participates. This also applies to the causes of current events and the possible way of their development. At this point, questions about the future (what will happen next - what will the world look like?) meet the concerns about the past (why it happens? When did it start?), which also forces us to reflect on the present. The idea of the New Middle Ages as an approach within the theory of civilization (primarily in the philosophical and cultural dimension) in combination with the concept of the socio-economic system (on a global scale) and transformation of social relations and threats. This why it enables a holistic view of how the modern world functions, both at the level of global processes and in the case of an individual, due to the importance of change and their direct impact on human life and functioning in the 21st century. The concept of the New Middle Ages combines different perspectives that complement each other.

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Spiritual Development in Social Context: The Role of Christian Psychotherapy in the Formation of Identity

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Abstract

Spiritual growth and development enable complete self-actualization. In the three stages of spiritual development – described in Christian psychotherapy and based on a practical spiritual life established in Christian patology – man from an individual becomes a person. He builds his identity during this process. The main goal of this paper is to represent the practical aspect of spiritual Christian life and its impact in a social context. In addition, it offers a representation of the spiritual development process – a model in Christian psychotherapy, as well as a description of each stage at which spiritual identity is formed. It is a descriptive paper where the basic methods of this process are elaborated: establishing a personal relationship with a spiritual father – psychotherapist, implementing the FCP and metanoia. Analysis of identity is made by utilizing two dimensions: personal and social one. The concept of personality is profoundly connected with the ego, identity, self and identification. Identification outside of the Divine Person with partial forms of existence leads to individual and social splitting, and polarization of particles. Building a spiritual identity enables formation of personality that exists out of their spiritual self and builds a pastoral relationship in all life areas: personal, family and social. A spiritually realized person – out of the borders of individual script – is socially useful, creative and functional in the wider social context.

Keywords: spiritual development, social context, spiritual identity, spiritual self, autonomy

Introduction

The spiritual personality development is not a magical act (if you eat from the fruit, you will become like gods – *cf.* 1 Gen. 3, 4), but it is a process of growth and development – in obedience (Митрополит Струмички Наум, 2018).

This paper gives a description of this process from an evolutionary perspective as a concrete development model with stadia and stages of maturation. In addition, the description is made in relation to two dimensions: the individual and the social one. The subject of interest is creation of a spiritual aspect of identity and the role of Christian psychotherapy in the spiritual development process.

Some of the personality development theories in the domain of psychology regard spiritual development as the highest level in the general adult development. This is represented in Erik Erikson's theory of psychosocial development (Erikson, 1998, as cited in Sadock & Sadock, 2005, p. 746).

Within the frames of transpersonal psychology, whose founder is Abraham Maslow, spiritual development – besides as an evolutionary stadium – is also considered as an element of spiritual transformation and the individual's capacity for self-transcendence (Maslow, 1971, p. 259).

According to Christian psychotherapy, love ethos is the essence of the practical Christian spiritual life. Spiritual identity in Christian psychotherapy is built according to this central premise. Thus, a personality is formed that is not only individually

responsible, but also possesses full self-awareness, pastoral intrapersonal and interpersonal relationships, as well as a wider social responsibility.

Psychological Dimension of Identity – Relations to the Individual and the Ego

Many authors have reviewed the concept of identity, its meaning and development. It is defined as “the fact of being who or what a person or thing is” (Oxford Advanced Learner’s Dictionary, 2005). Etymologically, the term originates from the Latin root *idem*, meaning the same.

Identity may be explored and defined from several aspects: social, psychological, philosophical, anthropological and theological. It is deeply interwoven with the concepts of the individual, the personality, the ego, the self and the psychological defense mechanism – identification.

As opposed to the person, which is an authentic and complete human existence, according to the structural tripartite model of psychoanalysis (id, ego, superego – Freud, 1923), the individual is a mode of existence only at the level of the psychological structures of the psyche that is realized through the secondary function of the mind – the intellect (Ilievski, 2015, p. 168).

The individual has formed ego identity with ego limits, which enables individual functioning and differentiating from other beings. The individual establishes a dynamic equilibrium between *I – the others* and *I – the world*. Vital functioning is provided through equilibrium between the intrapsychic world and the extero-psyche at one level, and congruence in the relation between the self and the imago at a deeper personal level (described by Jung with the term *mask* – Jung, 1967). The individual is in the domain of the anthropocentric and egocentric model.

According to Christian patrology and anthropology, man is predetermined in his own center – the spiritual heart, that is, he is predetermined for a theocentric model of existence (Ilievski and Ilievska, 2018, p. 210). This model is achieved through a continuous, practical spiritual life, which aids spiritual identity to be developed; the ultimate goal is identification and uniting with the Archetype of good – God, which is the highest stage in spiritual development.

In modern psychotherapy, identity is reviewed from the aspect of its psychological dimension. The Italian therapist M. T. Tosi (2018, pp. 139-151) proposes that personal identity is based on two dimensions: the individual and the interpersonal one. “Personal identity is based on two fundamental dimensions that deserve special attention in psychotherapy: one that grounds personal identity in autobiography along with core needs, wishes, and intentions, and another that sees moral traits – one’s sense of interpersonal responsibility – as the most important part of personal identity as recognized by others.”

Spiritual Dimension of Identity – Autonomy beyond the Self

To be a person with an established identity implies complete identity formation – not only at a psychological, but also at a spiritual level. The person with a formed spiritual identity reaches the level of awareness, freedom and autonomy.

According to the Transactional analyst E. Berne (1966), the healing of the client – after a successfully terminated psychotherapeutic process – is a “script cure,” that is, healing of his individual scenario and breaking up the limited frames of that given life script (“unconscious life plan”). This kind of healing is a Bernian understanding of autonomy and its components – awareness, spontaneity and intimacy (Berne, 1972, p. 438).

Autonomy is the key element in the formation of man and his spiritual identity. It is closely connected to the concepts of the spiritual self, the personality and its realization in freedom. Autonomy enables openness to the spiritual dimension and a further unobstructed personal growth. According to Kandathil G. and Kandathil C. (1997, pp. 24-29), who implemented the spiritual component into psychotherapy, “autonomy is an open door towards spirituality.”

Spiritual identity is closely connected to the spiritual self. The self is an essential manifestation, whereas the identity is man’s individual manifestation. In a certain way, the self manifests itself through the identity and serves to its functioning, too.

Spiritual Identity Development Model

In Christian psychotherapy, identity implies identity of a person that is spiritually realized through his spiritual self. The creation of spiritual identity is a process with synchronized phases that follow the harmony of spiritual life through the three-stage spiritual development.

The process of identity-building is a two-way process, from a person to a Person. The individual – through spiritual growth, the three-stage development and the process of establishing a personal relationship with his spiritual father (psychotherapist) – builds his personal relationship with God. Direct identification with the Image of the Creator (God) takes place during that process.

| Stages of spiritual development | What is the prayer like | What is purified | What is stressed in the struggle | The temptations are mainly | The mode of organization of monastic life | Clerical rank | Obedience | Love |
|---------------------------------|---|---|--|--|---|---------------|---|------------------------|
| I. PURIFICATION | oral or with the mind | the energy of the mind | placing of the mind in a process of healing (ascetic humility) | from within (due to the captivity to passions) | coenobium | deacon | absolute or blind obedience | eros |
| II. ILLUMINATION | ascetic mind-and-heart prayer | the essence of the mind (which is in the heart) | keeping of the mind within the heart and love toward one's enemies | from outside (through people) | skete | presbyter | depends on the level at which one's spiritual father is | friendship (closeness) |
| III. GODLIKENESS | unceasing or graceful mind-and-heart prayer | deification of the whole man – both body and soul | prayer and mourning for the whole world | from outside (through people and from the demon himself) | hermitage | bishop | not to a man | love |

Fig. 1. – Table of the Harmony of the Ascetic-hesychastic Struggle

(according to which everyone can find their place on the ladder of spiritual development, become aware of and reconcile the mode of his personal struggle in accordance with his spiritual development and position in the Church)

The stages of formation of spiritual identity are described below (Ilievska and Ilievski, 2018):

In the first stage of spiritual development, man is an individual and he identifies himself with his spiritual father – psychotherapist. His spiritual identity is in a beginning phase.

In the second stage of spiritual development, man becomes a person and identifies himself with the Creator Himself – God. He has already built his spiritual identity.

In the third stage of spiritual development, the process is beyond the identification level. The person IS. There is no identification anymore; in this stage, it has occurred a complete unity – likeness of the person to the Image. Spiritual analogy is manifested when man is in God and God is in man; a complete spiritual identity is built.

Elements of Spiritual Development

The process of spiritual growth and development is based on the following crucial components (Ilievska and Ilievski, 2018):

Building a personal relationship (with a spiritual father – psychotherapist)

Entering into obedience

Appliance of the FCP method

Metanoia (Greek: μετάνοια – change of mind).

The method of Five Control Points (FCP) is a core concept in Christian psychotherapy that is pivotal in the practical spiritual Christian life (systematized by the author – Ilievski, 2017, pp. 93-98). These are the following:

Acceptance (accepting negative life events as a gift of God). The key is in acceptance. He who accepts negative life events correctly has reached the end before setting out on his journey. It is the main turning point as an initial position. A sign that the situation is accepted as a gift is when without changing itself at all – except our attitude towards it – it becomes to us a source of joy, consolation and grace.

Thanksgiving (giving thanks to God). Gratitude as a positive emotional and spiritual state that enables the person an unhindered access to the greatest power of the spiritual self, as well as building a positive and constructive attitude towards various life occasions.

Self-discernment (self-examining with a humble self-conscience). Keeping the locus of control to oneself, with an insight into one's own conduct and understanding his role into concrete life situations.

Quiescence (stillness with a behavioral peacefulness). Not showing outwardly with some gesture that one is being tempted.

Prayer (not as a battle against negative life events, but as a continuous struggle of building union with God). Prayerfully collecting its energy into God—in the heart, the mind comes to knowledge of God and realizes its own primary function. On the other hand, when scattering its energy through the senses in the world, the mind realizes its secondary function as intellect.

In contrast to the most common methods in modern psychology for coping with negative life events that bring imbalance in the psychosocial equilibrium, the FCP method is a referential framework; the FCP are merely referential and serve for a quick and efficient practical self-estimation – whether one acts in the right manner when he faces serious life challenges.

By accepting these challenges, the process is realized at a spiritual level and results in personal growth and development of the individual into a person. In all other cases of non-acceptance, the individual goes through a long process of grief and grieving (Kübler-Ross, 1969, p. 91), at the same time exhausting his mental energy and defense ego mechanisms.

Hence, there is an essential difference between the ego and the spiritual self. A challenging question is posed: "What kind of being is man and what is the development to a perfect man supposed to be?" If it is taken into consideration only his biological, psychological and social dimension, there would hardly ever be offered profound, let alone full answers.

According to the theories of personality in psychology, man has developmental tasks analogous to each developmental phase; correct development implies that man actualizes himself at different stages and is realized by achieving the psychological goals. Thus, man achieves psychological growth and development, and is formed into a psychologically healthy person, with an inward equilibrium and an outward healthy functioning in relation to the reality, the other people and the world surrounding him.

In Christian psychotherapy, the basics of Christian anthropology are employed. According to these basics, man is created in the Image of the Creator – God; accordingly, each man has a potential for spiritual growth, self-realization and self-actualization as a supreme reach in one's personal existence. Therefore, man is predetermined to reach the third stage of spiritual development – deification or Godlikeness. Undoubtedly, spirituality plays a key role in man's formation and development.

Social Dimension of Spiritual Life

Human identity is characterized by uniqueness, singularity, diversity, and it is susceptible to dynamic changes in the complex relations of the wider social context family, community and society.

Generally speaking, spirituality has a positive impact in the formation of one's personality and identity. It activates the meaning of life, the sense of purpose and belongingness, the transpersonal experience and the transcendent feeling of universality.

This is a sufficient reason to make life creative process, whose existence is lifted to a higher, spiritual level, where man becomes a person – what he has ontologically been predetermined for, since his creation.

A person with formed spiritual identity has a pastoral approach towards other people – interpersonally, in all life areas: personal, family, social, and the wider social context – national and state. Such a person is socially responsible, useful and able to implement positive values and principles, not only the moral and ethical ones, but also the aesthetic and spiritual values, and contributes to an overall social prosperity.

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The Implementation of Textual Coherence on the Albanian Subtitles of “Great Gatsby” Film

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Abstract

Coherence as one of the most significant elements of text analysis will be the main focus of this research paper. Based upon relevant theoretical background it presents empirical study of coherence in Albanian subtitles of “Great Gatsby” film. This paper will elaborate on the theory of coherence focusing on its role and importance in the text, as well as the difficulties of implementing it during the translation process. The empirical research has been realized on the analysis of fourteen Albanian subtitles from the “Great Gatsby” film, furthermore the study based on the translation (Albanian subtitles) elaborates the implementation of coherence and changes that are made during the translation process. In addition, there are identified the problems, structural changes, cultural loss, parts of the film that were not translated, and at the same time recommendations are given for each selected Albanian subtitle.

Keywords Albanian subtitles, coherence implementation, grammatical changes, text analysis

Introduction

“Coherence it refers to functions on the base of which elements of textual coherence or as the outline of concepts and relations which are those that support surface text, and are reciprocal comprehensible and distinguished/distinct” (Beaugrande and Dressler, 1985:28). Based on Danielle S. McNamara in elaboration about coherence (2001:51) has stated that coherence and structure of a text play an important role in text comprehension, text coherence is the “the extent to which relationships between ideas in a text are explicit and coherence essentially refers to the number of conceptual gaps in the text”. Coherence deals with the internal part of text, in addition is the “...result of structural activity and the dynamic result of subjective interpretation, which issues conclusions also infers its knowledge to construct a world of textual coherence (Dibra&Varfi,1999:43). Coherence includes all parameters of the text in order to be produced in successful way, since cohesion deals or it is oriented to morphology and syntax premises, in other side coherence is “... a semantic property of discourse, based on interpretation of each individual sentence, relative to the interpretation of other sentences” (Dijk, 1980:96).

For example: (4) Në qiellin e kaltër shkëlqen një diell i mrekullueshëm, toka është me baltë dhe plotë ujë. (In the blue sky shines a wonderful sun, the earth is full of mud and water)

(5) Në qiellin e kaltër shkëlqen një diell i mrekullueshëm, por meqenëse shiu ka pak qe ka pushuar, toka është me baltë dhe plotë ujë. (In the blue sky shines a wonderful sun, but since the rain has just stopped, the earth is full of mud and water) (1999:40, 41).

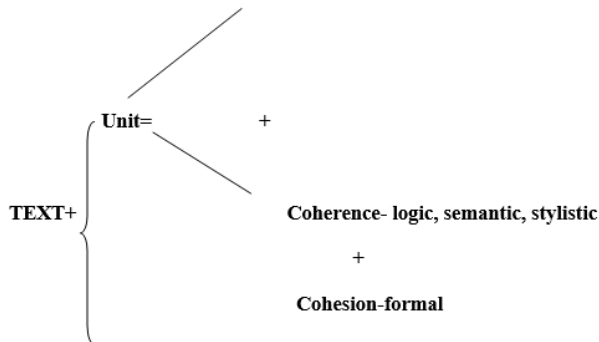
In the first example the text consist of cohesion, all the elements of the sentence are well organized in the sentences, but it makes no sense because the description of the weather do not make logic-semantic relation with the next description of earth. If the weather is sunny then how can the earth be “full of mud and water”? So the coherence is not present in the first text and the text is meaningless. Whereas in the second text everything is clear enough, because the text consist by connective “But” which justifies the fact that even the weather is sunny the earth is with mud and water because of the rain which has just stopped, which makes coherent text.

“The term coherence has been defined in various ways. Some researchers apply the term cohesion to the surface structure of the text and the term coherence to the concepts and relations underlying its meaning. Cohesion has sometimes been applied to smaller units of language in the text, and coherence, to some general overall interrelatedness in the text. Other

researchers have defined cohesion as continuity in word and sentence structure, and coherence as continuity in meaning and context" (Louwerse, M.M. & Graesser, A.C. (2005).

According to Dijk (1999:93) it is elaborated for the importance of coherence in realization of discourse, where sentences or proposition in a discourse may form a coherent discourse, however even if there are not all connected to every other sentence or proposition.

Scheduling (the organization of subtopic related to the central topic, starting from a determined purpose



Fullness= A complete sequence with a purpose in which a text is projected and constructed with context, which has been involved. (Dibra & Varfi, 1999:64)

According to the scheme shown above coherence includes all logic-semantic aspects in the text. According to Dibra & Varfi (1999:64) logic coherence realizes the balance of thematic completeness of a text, a theme which is realized to show the purpose of the central topic. In other part semantic coherence has to deal with lexicon, in addition with words' meaning of present text, and also realizes the semantically continuity of a text. Stylistic coherence is represented as a useful element of a text, when we have to deal with descriptive or narrative texts (a text which require a special language use). Another division of text coherence is presented in the book "Textual Coherence" (Çeliku, 2005:60) where we can find: global coherence and local coherence. Global coherence studies text as an entirety, whereas local coherence deals with the relation of propositions in the text. Coherence is another characteristic of text which has to deal with the logic organization of text, in order to gain the text coherence the great importance it has the way how are linked the concepts in sentences to express logic and semantic relations in the text (Memushaj, 2002:260)

"Coherence cannot be understood as a simple textual criteria, but as a result of cognitive perspective operations, which it means "coherence" can happen if we can express in particular speaker's mind and to his/her conversation partner, which it has to deal with the text process and text comprehension" (Çeliku, 2005:60). Based on Çeliku' statement a successful communication is realized if between the sender and receiver exist coherence. Other divisions of text coherence are done by other linguistics such as: Rickheit/Schader/Langer/Rutz/Sichelschmidt: Modeler scheduling, Modeler extension, modeler enrichment, modeler integration, modeler revision (for more elaboration of these divisions (Çeliku, 2005:61).

2.1 Linguistic concepts in realizing text coherence

Coherence as an important part of text linguistics it has its coherent devices in order to function in text linguistics, furthermore those coherent devices help the realization of text coherence. Based on Çeliku, (2005:67) linguistics concepts are divided into: Isotopy concept, presuppositions, and text theme.

2.1.1 Isotopy concept

The "isotopy" term has been taken from chemistry, which it means the same chemistry elements and also has been elaborated by French linguistic J, Algridas Greimas. (Çeliku, 2005:67)

"Isotopy can be defined as the repetition of series of certain abstract and concrete schemes throughout a text. It is like a semantic line that is present along the whole text and guarantees the coherence of the text. However it must be stated that the repetition of same words or semantic items is not enough to guarantee textual coherence" (Kazazi, 2014:195). Linguistic isotopy deals with the internal studies of text coherence, rather with external studies of it. According to Gremias (1984) defines isotopy as "... the principal that allows semantic concatenation", furthermore more he represented the theory of textual coherence on the basis of the concept of textual schemes.). Gremias made a distinction between three types of isotopes:

-Simple isotopes- when a text has just one interpretation

-Bi isotopes- belongs to text that provide two simultaneous readings

-Poly isotopes- which occur in cases of superimposition of several semantic levels in a text (2014: 195).

Based on "isotopy concept" text coherence can be easily understood since this concept serves as "... guide for the reader who after organizing the semantic and lexical field in coherent networks will be able to understand the information and indices revealed by the text" (Kazazi, 2014:196).

According to the "Isotopy in Camaj's fiction" (Kazazi, 2014:195), below are represented some examples:

Seme: Mal (mountain):

- vend shumë i ngritur (very high place)

-i dukshëm (noticeable)

-masë e madhe (big)

-i thepisur (craggy), etc

Seme: Fushe (field)

-vend i rrafshët (flat place)

- i gjerë (vast)

- pa male e pa kodra (with no mountains

or hills), etc

The translation was done according to the Dictionary of Albanian language (1984:521)

2.1.2 Presuppositions

Presuppositions are considered as a part of semantic deal with semantic relations between sentences. "In ordinary language to presuppose something means to assume it, and the narrower technical use in semantic is related to this" (Saeed, 2003:101)

(6) He is wife is fool

(7) He has a wife

Based on these examples the elements of first sentence automatically give hearer/receiver the presupposition of second sentence. As coherence device "Presupposition" helps the reader to understand the internal part of the text, even if it is not written or presented in the text. A division of presuppositions are found on Çeliku, 2005:69) based on Linke/ Nausbaum /Portman (Studenbuch Linguistik, 1996:211):

-Presuppositions which are related to their use,

-Presuppositions which are related with their signifying character of language.

Both types of presuppositions help to understand the situation of the text, its unwritten information, and create on us some "mental" imaginations, according to represented details we can presuppose next sentence and to find our own conclusion related to the text.

The second division of presuppositions it is divided in two more groups: Referential presuppositions which deals with "...verification of persons or things and to their semantic meaning in the text" (Çeliku, 2005:71) and Semantic presuppositions which deal with "... the realization from its semantic of words, linguistic expressions, discursive text, as indirect representations of text" (ibid).

3.0 Cognitive Models of textual coherence

Coherence as a part of text study helps the text even when the cohesion is absent, but in contrary if the sentence is well structured and does not consist of coherence elements it makes no sense to receiver or hearer.

For e.g I am a teacher. The teacher was late for class, the weather is sunny today, and it is raining a lot..

If we begin by its structure or grammar aspects all sentences are well organized consist of subject, verb, and other parts, but its internal part of comprehending it is absent. The matter that

the teacher was late do not have connection with *weather matter*, in addition if the weather was presented as “sunny” how we can make sense to us the fourth sentence *it is raining?*

In contrary coherence can be realized even when the cohesion might be absent, or the structure of the sentence is not well organized. This realization can be achieved based on “Background knowledge” that participant might share, and it is included more to “Pragmatics” premises.

“Generally what language users have most in mind is an assumption of coherence, that what is said or written will make sense in terms of their normal experience of things. That “normal” experience will be locally interpreted by each individual and hence will be tied to the familiar and the expected” (Yule, 1996:84)

a)Plant Sale b) Garage Sale

(10)A motor vehicle accident was reported in front of Kennedy. Theatre involving a male and a female

(11)Man robs hotel with sandwiches.

According to Yule 9a example means that someone is selling plants, whereas in 9b we do not mean the same thing or that someone is selling garages. Despite the fact that both sentences have the same structure, they consist of different interpretation. The interpretation of 9b sentence can be that someone is selling household items of garage or something related to it.

The second example gives us information that the accident happened and there were females and males too, or they could be driving a motor vehicles, etc. So we try to make coherent sentence by ourselves in order to make sense to us. The same creation of coherence we may use in fourth example: analyzing from subject “Man”, verb: robs; hotel with sandwich, we may create different interpretations of it. “Sandwich” can be gun, or any dangerous object or he was eating while he robbed the hotel and so on. “Our ability to arrive automatically at interpretations of the unwritten and the unsaid must be based in pre-existing knowledge structures, in addition these structures function like familiar patterns from previous experience that we use to interpret new experiences” (Yule, 1996:85-86). A great division of these patterns is divided in: Schemes, Frame, Projections, and Scripts, which are presented by Beaugrande and Dressler (1986:129). In order the text to be coherent, its linguistic devices or linguistics concepts are not sufficient to be realized. An important role for textual coherence Çeliku (2005:78) gives also to “Cognitive models for textual coherence”.

“Through cognitive models we cannot treat only people or concepts or the identity between them, but also time relations, space relations, and causality relation which refers to specific aims” (Çeliku, 2005:79, based on Linke/Nussbaumer/Portman, 1996:359). The same divisions of cognitive models are presented on Çeliku’s book such as: scripts, frames, reference, conceptual metaphors, maxims and conversational implicatures, repairs, and reformulation for the realization of textual coherence.

3.1 Reference

Reference has been used or elaborated in different fields of linguistics:

“By reference speaker indicates which things in the world are being talked” (Stefanovski, .2006:35).

“We might best think of ‘reference’ as an act in which a speaker or writer uses linguistic forms to enable a listener, or reader to identify something” (Yule,1996:17), whereas in “... new linguistics texts, reference has been seen as mental process” (Çeliku, 2005:85).

According to Çeliku people through linguistic expressions refer to different aspects such as: objects, events, etc, furthermore in order to have or gain coherent reference it is depended from speaker/sender' skills and to his/her conversation partner of linguistic community. In addition their comprehension of linguistic expressions of language which they possess enables them to "...identify the objects as prototypes of a specific category".

For example:

(12). Doctor Foster went to Gloucester in a shower of rain.

(13). He stepped in puddle right up to his middle.

(14). And never went there again.

(Halliday, M.A.K, Hasan, R, 1976:31)

As we can see below each of the examples consist of an reference elements, in second sentence the personal pronoun "He" refers to the "Doctor Foster" (Anaphoric reference), and "there" (spatial deixis) refers to "Gloucester". In some way "reference" deals with "Cohesion" too (1976:30). According to Halliday and Hasan (1976:31) reference deals with the location of information, and for stylistic matter of textuality, furthermore it enables us as writers not to repeat in the same way; things, places or persons. Reference also deals with presuppositions) the relation of the elements of text. On other side Çeliku (2005:87) based on Sxhwaz (2002:24) makes a division between two types of reference: Token and type reference.

Token reference it indicates to represent some facts, events, feeling, or "concrete instances of reference", whereas type reference is "...reference toward class mental representations" (ibid.)

3.2 Conceptual metaphor in textual coherence

The metaphor as a stylistic figure or figurative meaning of text has been served for text decoration since Aristotle's time and its use is massively being applied in all most poetries, politics, and philosophical discourse, in order to give stronger emotional effects (Çeliku, 2005:88). Metaphor is "the understanding of once concept in terms of another or hidden comparisons" (Stefanovski, 2006:94).

"Conceptual metaphors should be understood as linguistic expressions in linguistic level, as well as abstracts which are ingrained in our conceptual level" (Çeliku, 2005:89)

The comparison between English language and Albanian language can be perfectly seen in the level of conceptual expressions while we try to try to translate specific metaphoric expressions from English to Albanian or vice versa. Since conceptual metaphor is to reinforce or to give great emotional effects to text these effects might get lost or do not give the intentional opinion during the translation process from one language to another.

On the third volume of Çeliku are presented some translation examples of conceptual metaphoric expressions, taken from "Realization of Text Coherence in English and Albanian languages through "Conceptual metaphors".

Ai është ujë Mali (He is a wolf)

Ai është qen i punës (He is a dog of the work)

Ai është derr (He is a swine)

According to Çeliku these kinds of translation do not transmit the emotional effect of metaphor in English language. As we can analyze there is a comparison between a man and an animal; "Qen i punës" ("Dog of the work"), which it means "He" works hard and possesses great skills, etc.

In his book "Textual Coherence" Çeliku (2005:90) represents a delineation of conceptual level in comparing man with animal, for example: "Akil was strong as a lion"

According to George Lakoff and Mark Johnson (1980:453-486) conceptual metaphor is reflected in our every day language, since "...conceptual system is not something we are normally aware of and in most of the little things we do every day, we simply think and act more or less automatically along certain lines. Just what these lines are is by no means obvious. One

way to find out is by looking at language. Since communication is based on the same conceptual system that we use in thinking and acting, language is an important source of evidence for what that system is like". According to them in order to clarify opinions for a concept to be metaphorical and for such a concept to structure an everyday activity, let us start with the concept ARGUMENT and the conceptual metaphor ARGUMENT IS WAR. This metaphor is reflected in our everyday language by a wide variety of expressions:

ARGUMENT IS WAR

Your claims are *indefensible*.

He *attacked* every weak point in my argument.

His criticisms were right on *target*.

I *demolished* his argument.

I've never *won* an argument with him.

You disagree? Okay, *shoot!*

If you use that *strategy*, he'll *wipe you out*.

He *shot down* all of my arguments.

As we can see below the derived example from conceptual metaphoric expression "Argument is war" it does not deal with the physical way, but it deals with debates which the principal "Weapons" of the "War" are considered arguments in metaphoric way. Mainly of the things that we argue are partly war terms, we have to defend ourselves and attacks or we have to give up and take another attack. The "procedure" it resembles to war logically because we "... talk about arguments that way because we conceive of them that way, and we act according to the way we conceive of things" (Lakoff and Johnson, 1980: 453-486). Another systemic of conceptual metaphoric examples and which other expression has been derived is "Time is money", in which many places "time" is considered as a precisely element in achieving successes, even more that we know we cannot go back for it.

Time is money:

You're *wasting* my time.

This gadget will save you hours. I don't have the time to give you.

How do you spend your time these days? That flat tire cost me an hour.

I've invested a lot of time in her.

I don't have enough time to spare for that. You're running out of time.

You need to budget your time.

Put aside some time for ping pong.

Is that *worth your while*?

Do you have much time *left*?

He's living on *borrowed* time.

You don't use your time, *profitably*.

I *lost* a lot of time when I got sick.

Thank you for your time.

According to George Lakoff and Mark Johnson (1980: 453-486) we are adopting the practice of using the most specific metaphorical concept, in this case TIME IS MONEY to characterize the entire system. Of the expressions listed under the TIME IS MONEY metaphor, some refer specifically to money (spend, invest, budget, probably cost), others to limited resources (use, use up, have enough of, run out of), and still others to valuable commodities (have, give, lose, thank you for). This is an example of the way in which metaphorical entailments can characterize a coherent system of metaphorical concepts and a corresponding coherent system of metaphorical expressions for those concepts.

3.3 Maxims and conversational implicatures of textual coherence

For a successful communication maxims and conversational implicatures take an important place in order to gain the comprehension of conversations and 'Maxims' of communication. The term "conversational implicatures was introduced by the philosopher Paul Grice (1977:204) which is a nonconventional implicature based on an addressee's assumption that the speaker is following the conversational maxims or at least the cooperative principle. In discussing the relation between coherence and cooperative principle it can be stated on the coherence terms as "ultimately based on the assumption that when speakers speak they say things that cohere with each other" (Hasan, 1985:95). In addition "a coherent text is one where the interpreter can readily reconstruct the speaker's plan for an enterprise understood to be at hand" (Green, Gm, 1996:106).

According to Çeliku (2005) in understanding the communication or speech acts is very important in comprehending the text. Furthermore, the theory of speech acts it is fulfilled with Maxims and conversational implicatures in which is based text coherence. For example: "Business is Business", "Boys will be boys", in these examples we can conclude that "...when a listener hears the expression she/he first has to assume that the speaker is being cooperative and intends to communicate something. That something must be more than just what the words mean. It is an additional conveyed meaning, called IMPLICATURE" (Yule, 1996:34). Conversational implicatures are considered as pragmatic inferences; unlike entailments and presuppositions which are not linked to any particular word or phrase in an utterance but arise instead from contextual factors and understanding that conventions are observed in conversation (Saeed, 1997:204).

Based on Maxims of conversation we can assume that they are telling the truth, being relevant and trying to be as clear as they can (Yule, 1996:37). According to Grice (1975) are shown four Maxims' types:

1. *Quantity*

- Make your contribution as informative as is required (for the current purposes of the exchange).
- Do not make your contribution more informative than is required.

2. *Quality*

- Do not say what you believe to be false
- Do not say that for which you lack adequate evidence

3. *Relation*

- Be relevant

4. *Manner*

Be perspicuous

- Avoid obscurity of expression
- Avoid ambiguity
- Be brief (avoid unnecessary prolixity)
- Be orderly.

Logically Maxims of conversation cannot be always present in our speech acts or in written form, because it depends also to receiver; especially in text coherence which is depended from extent which the receiver has got the message or information from sender (Çeliku, 2005:96).

3.4 Repairs and Reformation

Above was mentioned that in being disable to have all Maxims in conversation between sender and receiver we can rely on "Repairs" and "Reformation" of textual coherence. During the speech acts or in communicating with others we usually make mistakes in language use, which may lead us to some misunderstanding during communication. Repairs are significant especially in logic-semantic mistakes, which undermine the text coherence (Çeliku, 2005:97). A great example for logic-semantic mistakes Çeliku gives to politics discussions that interrupt each other in order to damage his/her opponent discursive power. As word repairs are considered "Hedges" in order to protect from their disability of realizing conversational maxims such as: Anyway, well, as you probably, or by the way, etc in the absence of quality, quantity, and manner maxims. Reformulation also deals in group of text organization, which helps in transcending the misunderstandings and in the realization of text coherence. A perspective of reformulation can be understood as linguistic formative text activity and reformulation as the result of this activity. (Çeliku, 2005:98). In this sense speaker/writer reformulates word by word what has been said or written by another one (direct and indirect speech) (ibid). All these kinds of repairs and reformulations should be carried out if we want to realize successful text coherence, in enabling receiver/hearer to understand a message, or the information.

4.0 Methodology

The methodology which has been used in this scientific research is empirical, based on analysis of Albanian subtitles of the "Great Gatsby" film. There were carefully selected 16 parts of Albanian subtitles of the film, which have been analyzed and elaborated due to the implementation of textual coherence. The selected Albanian subtitles that have been chosen for this scientific research contain translation of idioms, proverbs, grammatical changes, cultural translation, omission of translation, etc. The selection of Albanian subtitles has been conducted in three phases.

The first phase included the selection of translated idioms, proverbs, and phrases

The second phase included the selection of Albanian subtitles with grammatical changes

The third phase included the selection of non translated parts of the film

4.1 Aim of the study

The aim of this scientific paper is to:

To analyze the translation of English proverbs, idioms, and phrases.

To identify grammatical changes during the implementation of coherence

To elaborate on parts that have not been translated

4.2 Hypothesis

1. The implementation of coherence during the translation of idioms or proverbs of "Great Gatsby" film is hardly achieved
2. The changes during the translation of the film are almost grammatical
3. There are parts of the film which are not translated at all.

4.3 Data analysis

1. "She lived across the bay, *in old money*, East Egg" - Ajo jetonte përgjatë gjirit, *atje ku jetonin ata që kishin para që në kohet e vjetra* (Albanian subtitle)

On the first selected Albanian subtitles above it can be seen the translation of the prepositional phrase in Albanian language. If we translate directly it in Albanian language we have "në paratë e vjetra" which does not have meaning in this context. In realizing the coherence from a prepositional phrase the translator has transformed it in adverbial clause of place. This

happens usually in these kinds of expressions which do not have a similar or same phrase in other language. Americans understand this "expression" because it pertains in their corpus of language, whereas Albanians do not use this term to describe rich people.

"The old money"- "Old money" families have fortunes dating from the 19th century or before, have built up powerful and influential social connections, and tend to hide their wealth and superiority behind a veneer of civility. The "new money" class made their fortunes in the 1920s boom and therefore has no social connections and tends to overcompensate for this lack with lavish displays of wealth"

Whereas the "East Egg" is not translated at all, maybe can be the fact that the translator did find an appropriate translation which would be coherent and would have cohesion elements in the sentence. Also this noun phrase for Americans is familiar and it covers a lot of things gathered just in one noun phrase:

" Egg is symbolic of the established social order (the old money) while West Egg is home to the newcomers, people who may have equal wealth, but haven't had it nearly as long"

2. "Catching with the wolf back"- "Të flasim për të kaluarat" (Albanian subtitle)

The second expression found on the film it is very interesting one, as was elaborated above each language it has their expressions form of talking for any event, situation, for past, present and future. If we try to analyze this expression in Albanian language we might get this translation " Duke e kapur ujkun nga mbrapa" which does not have meaning in this context, the translator has transformed in non metaphoric way, since the expressions in English language it is said/written in metaphoric form, logically you cannot catch the wolf back. In addition the use of this animal "Wolf" (as it is known as wild animal) it is leaded to be understood that the past times were not so good for characters on the book. Hence, the translator has transformed the metaphoric expression in directly way, because otherwise would have no sense in translating word by word. So in gaining the coherent transformation we have the verb form "Te flasim" (Subjunctive mood, present simple, third person in plural) from "Catching" the cohesion element is introduced in Albanian language in order to be coherent with the previous sentence and the next one. Also it is important to mention the fact that this expression is not used in Albanian language, further more in Albanian language if we want to talk for something in the past which is not good for us, we do not use these kinds of comparisons with bad memories companied with wild dangerous animals.

3. "Forest Hills, played the prince of Wales" -"Kjo mu dha nga Princi i Uellsit" (Albanian subtitle)

On third example it can be noticed that the expression in English language does not have an organized structure of elements, usually this can be found in films, especially Americans films. Whereas its translation in Albania language form the expression by cohesion elements and it sounds more coherent, such as : the addition of determiner "Kjo" (this), addition of preposition which tells from whom was given "Nga"- "From", and all these complete the absence of cohesion elements in English expression.

4. "Live is something you dominate Nick! If you are any good"-no translation

Mostly the translation of English subtitles are not all translated in Albanian language the matter can be among the differences in the cultures of both languages, simply translators cannot find an appropriate translation for some expressions. The fourth example is not translated in Albanian language, analyzing its structure the word "Live" in English grammar is verb, whereas in this sentence is used as noun instead of "Life". This can be one of the principal elements that cause doubts to translators, and sometimes in these cases we have no translation. On the other hand the sentence it has coherence, because it elaborates on issues of being good in life and if you work hard and fight for your future, you will be that person who dominates the life. A simple translation of this expression in Albanian language might be: "Të jetosh është dicka që ti e zotëron Nick! Nëse je i zoti (I menqur, punëtor, etj), "Jetën e zotëron ti Nick, nëse investon në të", "Jetesën e sundon ti Nick! Nëse lufton për të", these are some expressions which intend the same meaning and are coherent within the dialog.

5. "I'm paralyzed with happiness" -"Jam e paralizuar nga gëzimi" (Albanian subtitle)

Sometimes the translations of English scripts in Albanian language seem ridiculous maybe because Albanians do not use them in their books, films, everyday life, and so on. Translation is the matter of transformation from one language to another one relying on the adoption of words in transforming with the same meaning. The seventh example is logically written in

metaphoric way, being paralyzed means a disease (your parts of body cannot move) but in this situation it enables the reader to understand that “she” is fulfilled by happiness; maybe expressing in these forms the level of happiness it means the peak of it. The translator has transformed it in the same way which for Albanian vocabulary seems somehow strange and not used before. This expression could be translated in Albanian language such as “Jam shume e lumtur”, “Nuk mundem te leviz nga kjo lumturi”, “Jam ne kulmin e lumturise”. We cannot make a direct translation of specific American expression to Albanian language because it might confuse readers/viewers because such translated expression it can be appeared to them as strange one or with no sense.

6. Big day on the job tomorrow”- “Filloj punën neser” (Albanian subtitle)

On the sixth expression it is usually found in Americans films which in Albanian language means “Per mua do te jete nje dite madhe” which infers the “new job” or anything important to a person. As can be seen the translation of this expression means in the firm “I start to work tomorrow” which for him/her means a lot and describes it as “A big day”. The coherence of English expression realizes the cohesion in Albanian language by the addition of the verb “Filloj” (Subjunctive) which does not have the same meaning and form in English language. Usually these kinds of expressions in Albanian language can be such as: “E neserëmja, është një ditë e madhe per mua” (Tomorrow is a big day for me).

7. “This summer, I’ll sort of pulling you together”- “Këtë verë do t’ju bashkojë të dy” (Albanian subtitle)

8. “I will push you into linen closets and out to sea in boats”- No translation

The seventh and eighth expressions are related to each other, used for the same purpose “to unite two persons together”. The expression used for this intention is quite interesting in English language whereas in Albanian language does not reflect the same emotion. The incompatibility of verb forms in two languages breaks the metaphoric and interesting expression during the transformation. On eighth expression we do not have translation; the reason can be that the description of “uniting them” seems incoherent during the translation into Albanian language. The eighth example describes the way of would be the “uniting” but not expressed in simply way. If we see the elements like “linen closets”, “out to sea in boats” we can make our own opinions related to the friendship of the characters on the film. Coherence is obvious realized by these words, such as Daisy was selfish character she did not love anyone, she was jealous to her friend, and these expressions “pulling them together, in the sea, on the boat” it reflects somehow her wish to get away from her cousin and her “friend”.

9. “Throwing you ladder with those social climbing primitive new money types”- “Dhe punon për ata pasanikët ambicioz” (Albanian subtitle)

The theme of “Great Gatsby” film from the beginning till the ending of the film treats the differences among “old money” and “new money”, the American dream and the fight that people did to become rich but at the end they were always considered as primitive one, and not well educated. The tenth expression explains the hate of “East” toward “West”, and their judgments toward them. If we analyze the translation of this expression we can notice that the structure of it is better than in English language, but the strong emotions of hate expressed by words such as “Climbing”, “primitive”, “new money types” are not shown in the translation. Obviously as was stated above usually translation cannot transmit the effect of an expression to another language as the result of the culture of language. But analyzing the Albanian translation does not make a lot of sense because if we say “Pasaniket ambicioz” (Ambition wealthy people) it means that there are other group of rich people which lack ambition and seems meaningless, in addition if we have to deal with “new money” (new rich people who were poor aftertime they did their money with legal and illegal jobs) means they had great ambition in being rich otherwise they could not be, logically ambition people are rich one. The expression in English it is coherent but somehow lacks cohesion, despite of the lack of cohesion it makes sense such as; the relation of “Social climbing primitive, and “new money”, in these cases background knowledge it plays an important role to understand the coherence between phrases used in the sentence.

10. “God knows where”- “As nuk e dija se ku është” (Albanian subtitle)

In some cases the translation from English language to Albanian language functions as coherent relying on the inferences that a reader/viewer makes. As it can be seen on the example above the translator has not include the noun “God” in translation, the matter does not stand for the cause that the translation of this sentence cannot have the same one in Albanian language but this is the matter of translators who want to underline the fact if “I” do not know where person X is than just the “GOD” knows the location of that person. The whole sentence:

“As nuk e dija se ku është”
(Albanian subtitle)

It refers to “GOD” (who only knows where he was)

“Vetëm Zoti e dinte se ku
ishte” (Albanian language)

From translation of this expression from English language to Albanian language the cohesion element “*Ellipsis*” is realized as the matter of not repetition of words and in more comprehensible way which means in the same way as it is written or said in original version. In addition also in Albanian books or films we can find the same expression, when the speaker want to tell the fact that a person X has been disappeared and no human being have seen him or her uses the noun “GOD” (in the means that GOD knows everything)

It implies the negative thought of a person pronoun “I” toward a person location.

10. “A willingness of the heart that burst thunderously upon as all” - “Si çakallët që iu rreh zemra fort për dëshirën e mishit” (Albanian subtitle)

Not accidently it has been chosen this expression which it covers an important part of realization of coherence relying on conceptual metaphor which has been elaborated above. From translation of English language to Albanian language a translator has made the coherence using the comparison between an animal and people. Even the “jackal” is not mentioned in English expression the translator has used to give a clear description of how they were.

“A willingness of the heart that burst thunderously upon as all” - JACAKLS

It is generally known that “Jackals” are wild wolves or dogs that are fed on carrion, fruit, and hunt cooperatively. The same description of this animal can be seen on the scene of the film such as: how men betray their wives and run for a young women who are married and immoral too. Also the music which is played on this scene is like the sound of jackals as wide range of vocal sound. “Jackals” as conceptual metaphor is used also in everyday life, if we want to describe a person who is unfaithful and have bad habits. For example definitions of jackals found on Thefreedictionary are:

- a. An accomplice or a lackey who aids in the commission of base or disreputable acts.
- b. One who performs menial tasks for another.
- c. a person who performs dishonest or base deeds as the accomplice of another.
- d. unsavory people who won't hesitate to rob or kill you for your paper, usually come out at night.

In Albanian language especially on books in order to give a clear image of a character the author uses the conceptual metaphor “Jackals” to make comparisons with people (in describing with one word the person's attributes). Also in communication people refer to someone as “jackal” when two people are talking and the third person interrupts their conversation and uses a special vocal sound (I cannot stand him/her, he/she is like a jackal). Based on the description of “jackals” as wild animals we can make inferences about the person who is being compared to it.

11. “He is greasy little scumbag” - “Ai është një zëngjin i vogël” (Albanian subtitle)

This example it has to deal with description of man, the word “scumbag” is used in American English as an offensive word, not a real man, poor one, while in Albanian language the translator has transformed covering to one word “Zëngjin i vogël”, which means he does not have too much money and does not pertain in the high class of people. But this translation seems a bit poor because the information which this word gives in English language seems non coherent in Albanian language.

"A little greasy scumbag" it is not used to inform reader for the class of the man but describes some absent skills of man. In Albanian dictionary the definition of "Zëngjin" means "Rich" and does not divide it as "little" or "more" one. This can be seen also on the text below how the writer makes the translation of this word:

"Njeriu "old money", pëmdryshe "zëngjin i vjetër", mbiemrin e të cilit ish-sekretarja e Shtetit e kishte trashëguar krenarisht edhe pas divorcit, iu bashkëngjiti helikopterëve "Apash"... (Artur Lazbeu, "Muaji i mjaltit ka mbaruar" **Gazeta shqip**, published on 9 Dhjetor 2013).

Old Money (Zëngjin i vjetër)-which mean a well educated person, who has great skills, pertains in high class, and rich one (legal money)

Based on the scenes of the film we make coherence between the character that is presented on it, and the translation which is made. But if we read the book of "Great Gatsby" (in Albanian language) we might get confuse and would not be coherent with the real description. This may happen as the matter of ambiguous meaning which the majority of English words have. As was mentioned in above expressions the lack of coherence in some translated sentences or expressions may come up from the differences in culture of both languages which take a great place in the process of translation, and in most of the cases we do not have the translation of specific expressions or they do not seem coherent with the rest of the text or situation.

12. "Pennyless panty wase" - No translation

As usually happens in Albanian subtitles where some sentences or expression are not translated at all from English language, the mater might stands on translators who cannot find an appropriate or close translation to specific expression or simple some expression cannot be translated in another language because they will be meaningless or would have no sense. Usually offensive expressions are hardly or seldom translated in another language, because they lack meaning during the process of transformation. The selected expression it is used in "Gatsby" film as an offensive expression toward a person, who is not rich or well educated.

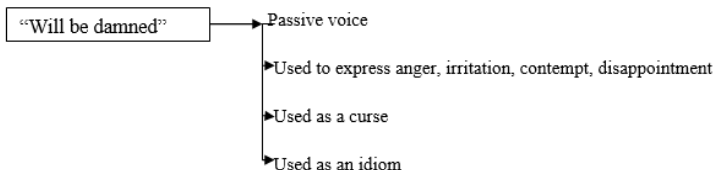
Pantywaist → A man or a boy considered as a childish, lacking in courage (Free dictionary)

This expression is partly synonymous with word as: "Gay" or a man who dresses like a woman, speaks like a woman, and talks like a woman. A man who does not have a strong character in American films is described with the expression above, which cannot be coherent if we translate in another language (as a matter of language's culture).

13. "And I will be dammed if I know how you got within a mile of her" - "Mallkuar qofsha nëse do mund ti afrohesha asaj rreth një milje" (Albanian subtitle)

14. "Goddamn lie" - "Gënjeshtër e mallkuar" (Albanian subtitle)

On the example below we can find some syntactic differences between two languages when the coherence of the translation from English language is realized in Albanian language through a specific mood which consists in Albanian language as optative verb mood. The form of the verb "will be dammed" it is in passive form of future tense, which during the translation into Albanian language the form of the verb is formed in optative verb mood in present tense (Qofsha, Rafsha, Lafsha-irregular forms of verbs).



While in Albanian language especially in the sentences when someone curses a person or an object they express their angriness through the optative verb mood (that lacks in English language) which at the end of the verb take allomorphs -fish and -sh (also it depends of which group verb is classified, for example: pifsha, present tense, first person singular). In terms of the curses the expression of anger situations we have another example "Goddamn lie" which is translated in Albanian language as "Gënjeshtër e mallkuar", usually it can be found on American films/books as it is used often. Intonation

element takes an important role in these expressions; the character rises and makes an angry pronunciation of the word "Goddamn" which implies on the speaker the feelings of character toward the "lie". On other hand "e mallkuar" do not transmit the level of anger of the character with the same potential as in English language.

Conclusion

In general, based on the theoretical part and empirical study that were done in this scientific paper, it can be stated that the differences among English and Albanian language cause great problems in translation of subtitles of films. These kinds of differences were mostly in grammatical changes, especially to verb moods among two languages. In order to implement coherence in all fourteen Albanian subtitles, the translator used conceptual metaphor, omission of words, addition of subjunctive and optative verb moods, and the transformations from idioms to declarative sentence. According to the analysis of these Albanian subtitles of the "Great Gatsby" film it can be said that the translation of cultural expressions sometimes is impossible to be translated or hardly can have a coherent translation. The modifications/changes that were necessary to be done during the translation of the English to Albanian subtitles show that the literary translation or cultural translation of such films cannot be done via direct translation or literal translation because the readers or viewers cannot link the scene of the film and its translated subtitle if they are not coherently interrelated.

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Is Public Sector More Attractive than Private Sector for Albanian Millennial Employees?

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Abstract

Millennials generation is very discussed today as they seem to be different from elder generations. They have been judged about the way they think, act, and expect things from others, but despite that, it is very important to know their characteristics and expectations, in order to get in with them in every relation. Millennials as employees are the challenge for every employer today, as they have to react according to millennials' expectations, while managing the three current generations simultaneously in the workplace. This paper presents discussion of some of the most important activities that public sector in Albania is engaged to get in with millennials' expectations and attract them. Internship programs, participation in work fairs, specific meetings with students, financing studies, trainings, use of social networks are some of the activities that public sector is mostly using to help on this, but are they attractive enough to Albanian millennials?

Keywords: millennials, public sector, banking sector, expectations, Albania

Introduction

Millennials are today one of the most discussed generations in different areas of life. Although there is no precise timeframes of each generation, demographers and market researchers refer more or less to the same years. Millennial is the generation born between years 1982 to roughly 2005 (Strauss & Howe, 2007). Elder generations are discussing how to treat them in families, schools, society, institutions and in every relation they might have with this new generation. In order to know how to do this, it is of great importance to know at first their characteristics. Different researches have been conducted for this purpose, to find out their characteristics, expectations, motivators, and differences from the previous generations. In the Table 1 below, there are shown some of the characteristics, potential conflicts and motivators of millennials, according to Allan Schweyer, 2015.

Table1. Characteristics, potential conflicts and prime motivators of Millennials

| Characteristics (stereotypes) | Potential Conflicts | Prime Motivators |
|---|--|---|
| Raised by "helicopter parents" | Strong sense of entitlement | Competitive pay |
| Told can be whatever they want | Where, how, when work is done is unimportant, results count | Coaching |
| Continuous (mostly) positive feedback and recognition | Equality should trump hierarchy | Regular, detailed feedback & recognition (public) |
| Formed by 9/11, digital & connected world, technology, 24/7 | Why? Why? Why? Want explanations, don't want to be told what to do without reasons | Personal Development |
| Formed by student debt, Great Recession | Impatience (open to and may even prefer constant change) | Purposeful work |
| Career oriented, hard work, achievement but with balance | Where leaders are unfair, condescending and/or inconsistent | Giving back to community |
| Seeks recognition, detailed feedback | | Experiences (travel, assignments) |

| | | |
|--|--|--|
| Community orientation (global & local) | | Fun |
| Work/life blending | | Free flowing, digital & mobile information |
| | | Egalitarianism |

Sometimes they are judged, as lazy, individualistic, non-loyal, but anyone needs to know that millennials are now an important part of the society and workforce, and must be treated with all the pros and cons that elder generation might think of them. According to Fry (2018), referring to a Pew Research Center analysis of U.S. Census Bureau, millennials are the largest generation in USA labor force. It is challenging for every employer to make profitable the diversity created by the three different generations that are currently part of the workforce. Millennials put the greatest importance on individualistic aspects of a job, as Eddy S. W. Ng. et al (2010) found out, millennials have realistic expectations of their first job and salary but they look for rapid advancement and the development of new skills, while ensuring also a meaningful and satisfying life outside of work. In the study conducted by Deloitte in 2018, diversity and flexibility were found to be key factors to loyalty. Good pay and positive cultures were most likely to attract millennials but diversity/inclusion and flexibility were important keys to keep them happy. All the current literature and findings must be taken in consideration when deciding to welcome them in the organization.

Despite the fact that millennials are a part of the working power now, the great part of research comes from the USA. In Albanian, it was hard to find any publication with "native" characteristics of this generation. Although most of foreign knowledge might be valid for millennials in other countries, there are some differences coming from culture, history and economic development that have to be understood. A slight difference in the interval of years when Albanian millennials were born is presumed here, and the focus of this paper will be mostly in students, who have just entered or will be soon part of the workforce. One of the big choices they make is between employing sectors a.c.a. public and private. Broadly based on literature Curry C. (2017) and Snowden A. (2016), where it comes out that millennials are (a) digital natives and evolve with technology over time, and (b) have demand for competitive salaries, Mitllari & Kasimati (2018a) found out for sample of 71 young graduates and undergraduates from Tirana University in Albania, that they are of the belief that their expectations can be better met within the private sector. The most evaluated factors (in a Likert scale of 5) that are used by them in making the decision about the sector to be employed, are in a decreasing line: promotion, financial rewards, latest technology, trainings, recognition from supervisor, flexible working hours, and teamwork. When asked to choose among a list of reasons for which they would leave an organization, they reported that they would move for unmet expectations in salary rise 35% of them, in work and life balance 29% of them, in lack of promotion 25% of them, inappropriate or lack of training 9% of them; 84% of the respondents believe the private sector allows them meet these expectations better than the public one. These findings go against the general belief that finding a job in public administration is the dream of everyone in this country

Public sector in Albania consists in independent institutions, Central Government and Local Government institutions. The total number of public sector employees, according INSTAT (Institute of Statistics in Albania), in 2017 was 164'339. In the last 18 years, the number has decreased by 14% (it was 191,166 in year 2000), but has slightly increased from 2014 to 2017. Recruitment processes for the institutions of the Central Government institutions are organized by Department of Public Administration (DoPA), which covers this function of HR in a centralized way. The other two categories of institutions cover this function individually. Every new administration focuses on newcomers as a way of materializing their reforms in Albania. More and more millennials find themselves welcomed in the public administration in terms of work places. But is this administration considering the millennials expectations, other than offering placement? Some activities of the public administration and the intention to attract millennials are discussed in the following paragraph.

Methodology

A literature review was conducted to understand some of the characteristics of millennials, their work expectations and challenges that employers are facing with the newest generation in the workforce. Primary information was gathered through a structured search in the official website and social media of DoPA in autumn 2018. Information was then compared with that for the private sector (considering banking sector as one of the most consolidated employment sectors in Albania) that was previously gathered and discussed by the authors in another paper. Discussion focuses on understanding which sector seem to be more attractive for young employees.

Discussion of findings

Internship programs

Many internship programs for Public administration are publicly advertised recently. In the official website of DoPA, there is a "National Program of Work Internship", aiming to train young people interested to enter in the civil service, and keep the bests of them. In a specific website for this program, all the needed information about age (21-26 years old), education (bachelor's degree), duration time (3 months), application forms, and a list of all public institutions involved in the program are published. Some private institutions collaborate in this program, too. This is an unpaid program, but it counts as work experience in future employment applications in the sector. The last announcement for internship program in the website was at the beginning of the year 2017, but the application link was not valid at the moment of visiting. Meanwhile, the private banking sector in Albania offers internship programs too. In a sample of 63% of private banks operating in Albania, 80% of them offer internship programs and this is made known through their web page (Mittlari&Kasimati 2018b). It is not possible to make comparisons of number of people enrolled in these internship programs in both sectors, as neither has published reliable statistics on this. As in the DoPA's Monthly Bulletin of July 2018 "from 600 young people participating in the program, one year employment contract was given to the best 200 of them". The period of the participation was not specified. The number though, is encouraging for young people, but the lack of reliable statistics makes not possible a chances' evaluation. It comes out from information made public that the private banking system is more attracting working students while the public administration attracts young people only after graduation.

Participation in work and study fairs

With the Government's initiative, some working fairs are organized. DoPA has participated in all of them. But the most used practice is to go to public universities to promote job opportunities in civil service and invite students to apply for them after graduation. Meanwhile, most of the banks participating almost every year in work fairs and work & study fairs organized by the Government, municipalities and Tirana Chamber of Industry and Commerce, and mostly in fairs organized by the Faculty of Economy, University of Tirana or other private universities (Mittlari&Kasimati 2018b). DoPA keeps the recruiting activities separated by not participating in the same activities with the private sector. The one to one relation with universities, especially the public ones, seems to be an easier organized kind of activity for DoPa than for private organizations. No information about participating in virtual fairs was found in public sector; meantime for some of the banks it is a new trend.

Announcing a job vacancy in social network

It is obvious that with the massive usage of it, social media is a way of getting more information than years before. In year 2013, 62% of HR professionals reported to use job boards and corporate websites to recruit millennials, 9% LinkedIn, 3% Facebook, and 1% Twitter (Schawbel 2013). DoPA is currently using Facebook and Twitter to promote and announce its activities. Comparing to banks' profile, that have a specific menu for announcing job vacancies and activities related to employment, DoPA's profile is dedicated to human resources field, with a lot of information and video tutorial published to attract young people. From a structured search in DoPA's Facebook, there were found a lot of different announcements for job vacancies, trainings, activities organized by DoPA, and videos to promote and attract young people. Comparing to banking sector where all the banks in the sample were using LinkedIn and Facebook for their job announcement, DoPA is not using LinkedIn. In the official website and Facebook profile of DoPA are also announced rotation and promotion places. This doesn't happen in banking sector; rotation or promotion possibilities are not published in their website, they usually are placed in intranet for internal employees. This difference can be explained by the fact that DoPA serves as a page where employees of different public institutions can be informed about promotion, rotation or training possibilities in the Public Administration.

Financing studies

Albanian Government supports education by financing different categories of students based on merit or need. This comes indistinctive of the future employment of the graduates. A lot of information can be found in different sources for those interested. Private sector is entering the financing process only for those students that considers potential employees. Only 13% of them (two banks) report to support employees' education (one for bachelor's, the other for master's degree level), and only one of them has been doing this for almost 11 years now in joint efforts with one university in Albania. It can be the only case, or one of the few cases in the country if there are others in other industries, when one business and one

university offer integrated theoretical and practical studies in business' profile, with employment opportunity at the end (Mittlari, Kasimati 2018b).

Transparency in recruitment, opportunity to develop and other benefits

Recruitment process. Every job vacancy in Administration of State is announced in DOPA official website and Facebook, and there is full information about the procedures and phases, information needed for tests and interviews, and some advices for people to follow. These are shown in written forms and lately in video tutorials. Comparing to banking sector, DoPA announces even the lists of applicants and appointments, which can be seen in two perspectives, as transparency in one side but in the other side as lack of privacy for the applicant. Applications for job vacancies in DoPA for almost 4 years now can be done only online, and all documents are submitted there, no need to mail documents as before. This is an attractive way for millennials who find it easy to use technology and online services for everything in life. DoPA is promoting this new way of application and is sharing it with other countries civil service in the Balkan region. For private banks this is not new, as some of them have been using online application or/and application by email for years now. In the DoPA's Annual Report for year 2017, it is shown a raise in the number of applicants per job vacancies published; from 13 applicants for one position in year 2016 to 18 in the year 2017. This not only shows a great interest for this sector, but is a good advertisement at the same time. Compared to banking sector, where only 25% of them give information about phases of the recruitment process, DoPA seems to be more transparent and the information given is more complete.

Career development and trainings. As mentioned above, DoPA promotes vacancies within institutions by inviting the inside employees to apply and be the first to be considered. Vacancies and from inside promotion procedures in both written and video tutorial forms are published and are very similar with the advertising for the new entries.

Trainings possibilities and statistics about previous training are published in website and Facebook profile of DoPA, inviting civil employees to apply for. Most of the trainings are organized by the Albanian School of Public Administration (ASPA), a public institution, responsible to train professionally civil employees and other individuals who are not part of civil service but meet the required criteria; and Regional School of Public Administration (ReSPA), an international organization entrusted with the mission of boosting regional cooperation in the field of public administration in the Western Balkans. Public sector has been offering even some specific internship programs for its civil servants in European countries, financed by the European Union.

Private sector is not so explicit about career and training possibilities and respective statistics. Only 30% of them all (50% of the sample) have published information about promotion and training, and related statistics in their web pages; in some cases information is very generic. Number of training hours could be found in public as well as in some of the banks, but number of people promoted within each sector could not be deducted. These statistics could help millennials pre-calculate their possibilities for development in each sector.

Rewards/ benefits.

There cannot be found information on rewards and benefits published in DoPA's website. Information about wages for each category of civil service can be accessed in internet, but it takes some careful exploration, and we can say that in general, information about remuneration in public service is not shown in an attractive and informative form as millennial would like to have it. In banking sector, the situation is quite the same; only one bank has listed some of the rewards/benefits employee can have while working there. In a few cases, some scarce information about monetary reward and bonuses, and general criteria for gaining them could be found. Although the information is scarce, it seems that banks are more aware of promoting them as a way to attract millennials. Referring only to financial rewards, ranked the first factor for which young undergraduates/graduates would leave their employer in case of unmet expectations, private sector is way better positioned. According to INSTAT, average pay in financial and insurance industry for year 2017 was 103,641 ALL, and for public sector 59,921 ALL.

Conclusions and Recommendations

Public sector is an important sector of employment in Albania, but it is exposed today to changes in the expectations of the workforce, especially from the Millennials generation. Through a review conducted in the official website and Facebook of DoPA, it can be found that public sector is engaged in some activities that help it attract millennials. In the perspective of a millennial, it was a bit difficult to find some information in a fast and structured manner in DoPA's official website. In

recruitment process, information about places and criteria in public sector is more transparent and abundant than in private banking sector. As the banking sector, it is offering also financing studies, internship programs, and trainings, but why do many young people in Albania see private sector as the one which can better meet their needs? There is possible for the authors to make some speculation between myth and reality, but deeper research is needed in order to give an answer to that question.

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The Landscape, Its Narrative Identity and Man's Well-Being

Dr. Vereno Brugiattelli

Abstract

In this study I intend to put forward a reflection on the landscape and, in particular, on the relationships that man establishes with it. From the *European Landscape Convention* (Florence, 20.X.2000), which considers the landscape a socio-cultural product, I aim to analyze this concept in order to determine: 1. what the identity of a certain landscape consists of and what constitutes it; 2. the relationship between the identity of the landscape and the identity of its inhabitants; 3. the importance of the identity of the landscape when planning and implementing interventions to safeguard and enhance it; 4. the ethical and cultural bases influencing urban planners and architects when intervening in the landscape; 5. the importance of the landscape to man's well-being.

Keywords: Landscape; Identity of the landscape; Narrative; Innovation; Well-being.

1. Introduction

The *European Landscape Convention* (Florence, 20.X.2000) interprets, protects and enhances the landscape as a dynamic process of man's cultural relations with the environment and the territory; it states that the landscape is a social and cultural product. The *Convention* calls upon the citizens and institutions to identify suitable criteria, actions and objectives to promote the quality of the landscape. In order to achieve this, the citizens need to develop awareness, knowledge and responsibility with regard to the territory, environment and landscape. From these assumptions, in this study I aim to focus on: 1. what the identity of a certain landscape consists of and what constitutes it; 2. the relationship between the identity of the landscape and the identity of its inhabitants; 3. the importance of the identity of the landscape when planning and implementing interventions to safeguard and enhance it; 4. the ethical and cultural bases influencing urban planners and architects when intervening in the landscape; 5. the importance of the landscape to man's well-being.

2. Territory, environment and landscape

Territory, environment and landscape are distinct dimensions but, at the same time, they are closely linked. By "territory" we refer to the extension of the earth's surface with its morphological characteristics, which are often subject to man's intervention, and come to our knowledge through Geography. The term "environment" refers to all the biological conditions permitting the life of organisms including the presence of water, seasonal temperatures, altitude above sea-level, precipitation, latitude, longitude and the geological soil conformation etc. Furthermore, the term "environment" also has a historical-cultural meaning referring to the human dimension including agriculture, live-stock farming, industry, urban areas, cultural events, traces of past and present populations and artistic remains etc. The environment shapes and is inclusive of the territory, but the territory can do without the environment considered in both the biological and historical-cultural sense.

The landscape, in turn, includes the territory and the environment to which man's involvement can be added, in other words, the interventions of value and cultural works. Therefore, the cultural landscape can be considered a visible expression of the culture of the different populations that have shaped it. The cultural landscape presents itself to the observer in the form of sentimental, intellectual and spiritual interventions, which are dynamically linked together in the narrative memory (past), which, in turn, form the basis for (future) projects and present actions. The cultural landscape exhibits the distinctive characteristics of the culture of its inhabitants. These distinctive traits confer upon the landscape its features and identity thus distinguishing it from other landscapes. Each intervention in the landscape should, therefore, take into consideration the different elements competing to endow it with its specific identity. At this point, it is necessary to clarify how the identity of a landscape is formed and of what it consists.

3. The identity of a landscape

The identity of a landscape and its formation can be likened to that of a person and that of a community of persons. In general, identity is intended as something that remains over time. Identity implies both the idea of equality and the idea of difference. It is not an immutable entity, to the contrary, it is a continuously evolving reality becoming recognizable despite the passage of time. The collective and individual identity building process is not achieved in isolation since it is of a social and cultural nature. It is defined through man's practical and interpretative relationships with others and with the territory and environment. As claimed by the philosopher Paul Ricoeur, identity is constructed in the dialectics between equality and difference (Ricoeur, 1994). It reflects the need to be identified, "to feel similar to..." and, to the contrary, the need to affirm uniqueness, "to be distinguished from..." (Remotti, 2001, p. 63). Man's identity emerges through difference by assimilation and distinction in social and cultural contexts and is formed by dynamic processes of circular interactions between man and the landscape. As far as the identity of a landscape is concerned, it is the result of cultural processes, interpretations and the narrative elaborated by populations over various generations. The *European Landscape Convention* highlights the landscape as the foundation of a population's identity and emphasizes the fact that, in turn, the population contributes to bestowing the landscape its identity. The cultural identity of a landscape emerges from a constant process of interpretations, narratives and actions. Two fundamental dimensions can be distinguished: 1. a specific dimension of a certain territory-environment; 2. a socio-cultural dimension. The former dimension is made up of the measurable and quantifiable elements of a particular territory-environment such as temperature, altitude, longitude, presence of mountains, plains, valleys, lakes, rivers and the geological conformation of the territory etc.

All these aspects, examined by geologists and geographers, give the landscape specific characteristics, recognizable over long periods of time, and it is in this way that they contribute to the identity of the landscape. The latter socio-cultural dimension relates to the totality of man's actions and works on a particular territory-environment including pastoralism, agriculture, construction of roads, canals, urban areas, forts, dams, ports, monuments and places of worship. In short, it includes testimonies constituting the memories of man's relationships with the territory-environment and with other people. The socio-cultural dimension can profoundly affect the former by altering the identity of the landscape over a short period of time. The two dimensions are, therefore, closely linked through the theoretical and practical interactions between man and the territory-environment. However, these dimensions do not yet fully constitute the identity of the landscape, only becoming so in the cultural narrative context. By building a narrative the quantitative aspects are linked to the sphere of man's socio-cultural actions. The identity of a landscape takes shape and is fully recognizable in the narrative, which is founded on man's interpretations at a territorial-environmental level and factors regarding man's actions with and on the territory-environment. Interpreting and narrating are fundamental procedures in forming the identity of a landscape thereby rendering a certain landscape recognizable for its distinctive and unique aspects, and differentiating it from other landscapes. From this viewpoint, the identity of a landscape is a narrative identity made up of a complex of interpretations and narratives elaborated over time.

The formation of a narrative identity implies the same process of *settling* and *innovation* underway in every *tradition*. For this reason, the narrative identity, if influenced by cultural and traditional elements, can be continuously reinterpreted. The narrative identity of the landscape, similarly to that of a person, is to be understood in a dynamic sense, as a continual historical-interpretative process evolving from new events and new interpretations.

4. Identity, tradition and innovation

But what is it that makes the landscape maintain its specific identity and continue to be recognizable as *that* landscape, despite the dynamic dimension of its narrative identity? Most interpretations are passed on through memory, which constitutes the basis of a tradition. Tradition is that which remains over time, representing a central theme for the narrative identity. However, traditions that are handed down from one generation to another in turn require interpretation, which involves innovation. There is a time for tradition and a time for interpretation. These two temporal dimensions are inter-related: a tradition stays alive thanks to its interpretation and, to a certain extent, the time for interpretation belongs to the timing of a tradition. There is a further third temporal dimension: the timing of sense. This temporality explains the significance of sense of the landscape making the intertwining of the two other temporalities possible. The sense temporality makes the continuous exchange between the transmission temporality (tradition) and the renewal temporality (interpretation) possible. The sense temporality is constituted by these two temporalities and, at the same time, adds to them: a sense potential adding to knowledge and to man's emotional, aesthetic, practical and interpretative participation in the landscape. The sense temporality confers value to the landscape providing man with a sentimental, intellectual and

practical sense of affinity with the landscape. The timing of sense is the timing of cultural identity which includes the two former temporal dimensions exceeding them as far as its manifestation is concerned. A live tradition is one which, by embracing innovations, manages to warm the hearts of people, motivating them to interact with the landscape, thus enabling them to live and perceive the landscape as if it were part of them. Live tradition comprises innovation which introduces a new interpretation of the landscape aiming to reactivate some of its specific features in order to contribute to the extension of its potential of sense.

5. Conserve or innovate?

Continuous reciprocal exchanges and transformations take place between man, the environment and territory implying that any intervention in one of these dimensions affects the others. Thus, intervening on a territorial scale by building an artificial water reserve with a dam, for example, involves modifications to the environment and, consequently, to the entire landscape and the population. Therefore, any intervention should not only be based upon the knowledge and interpretations of the physical-territorial dimension, but also upon the biological-environmental and cultural dimensions. Territorial policies should encompass the environmental dimension and the complex of cultural aspects.

In Article 5 of the General measures the *Convention* calls for the recognition of the landscape as cultural identity and the following actions: "Each Party undertakes: a) to recognize landscapes in law as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity; b) to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of the specific measures set out in Article 6; c) to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b) above; d) to integrate landscape into its regional and town planning policies and in its cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape". According to this perspective, landscape needs to be integrated into policies regarding environmental, territorial, urban, cultural, social and economic planning paying utmost attention to its distinctive and specific features while respecting the identity of places which add value. Conservation, recuperation and protection of a landscape's distinctive features are all factors which should be taken into account in landscape policies. Such actions need to be based on a well-informed and responsible interpretation of the territory, environment and landscape from the viewpoint of their general and specific aspects. As far as the landscape is concerned, care needs to be taken of both the general features it has in common with other landscapes together with its individual and unique characteristics, which distinguish it from other landscapes, making it recognizable as *that* landscape. Neglect, degradation and distortion of the nature of the landscape are often accompanied by the negligence and obscurity of such features. Their retrieval involves the rediscovery of narratives passed down and elaborated over time by the local inhabitants, who have transformed and constructed that landscape with its specific traits through their narratives. An unrecognizable landscape is a landscape that has lost such features and, with them, its narratives.

Landscape identity is therefore a "cultural identity" which is not only recognizable by its appearance but, above all, by its narratives. Appreciation of a landscape can not overlook the story forming its basis and constituting its narratives. In other words, viewing and admiring are subjective behaviours which come to life from the narratives elaborated by the various inhabitants. In order to recognize a landscape, the visual element cannot fail to consider the narratives. Without such references little would be understood about the landscape: much would be seen, but little would be fully appreciated. Recognizing a landscape is always a cultural process which can contribute to its renewal by reactivating the unique aspects that have either been obscured or simply never fully enhanced. From this point of view, it is not a matter of passing on the same narratives and, therefore, leaving an unaltered landscape over time. Obstructing any intervention in the landscape implies betraying the sense of tradition thus turning it into an abstract element of an a-historical and artificial nature. Recognizing the historical relationships between culture and landscape should not only involve conservation of the landscape and natural heritage with static duplication of the traditional forms of typical cultural and artistic expressions, but, on the other hand, it should stimulate new forms of interpretation of the landscape's specific, identifying characteristics in close connection with global-scale interpretations (Claval, 2001). In this case, complete enhancement of a particular landscape can be realized in relation to the global cultural panorama. Indeed, since ancient times man has acquired ideas for building from non-indigenous cultures thus contributing to the reinterpretation of the landscape and the redefinition of its identity by innovating its spirit, its memory and its traditions. This perspective is confirmed by the fact that, throughout

the world, many landscapes are the result of transformations over time made by inhabitants of differing cultures, who have contributed to broadening the richness of sense and the natural heritage.

6. Enhancing the landscape and man's well-being

The enhancement of the landscape cannot be detached from actions aimed at promoting the safeguarding of the territory and environment. Enhancing the landscape does not only regard the aesthetic dimension as, together with safeguarding the territory and environment, it affects well-being. Once we have overcome the dominant cultural perspective that man is isolated from his territory-environment, he needs to be considered in terms of co-belonging to the territory-environment-landscape. In this sense, territory, environment and landscape are also the result of man's transforming actions over time. In turn, man is what he is also by virtue of the transformations produced upon him by the territory-environment-landscape. From this viewpoint, close inter-relationships are formed between a population's collective and individual identity and the landscape involving reciprocal influences and transformations. While animals have an environment, only man possesses a landscape. Abundant neuro-scientific, psychological and philosophical research into the mind has shown that the dynamics of the psyche and cultural practices are closely correlated with the territory-environment-landscape. For this reason, I believe that a person's and a population's psychological well-being cannot disregard the territorial, environmental and landscape context in which they live. Neglect of the landscape and environment impoverishes man's life. Thus, it is for this reason that the enhancement of the landscape relates to aesthetics and, at the same time, the successful formation of an individual and collective identity.

Landscape has an impact on general well-being in so far as it plays a role in a person's daily life. In this regard, Prieur observes that "The landscape is a familiar part of everyone's daily scene and plays a part in people's sense of belonging to a particular place and a particular community. So on a conscious or even unconscious level it contributes to mental well-being." (Prieur, 2006, p.14). The landscape, with its territorial and environmental components, communicates with man both on a conscious and unconscious level; it is the result of a population's socio-cultural actions, but man's actions on the landscape, in return, have an emotional, psychological and sentimental-aesthetic effect. Devastating the landscape therefore means harming the population emotionally, sentimentally and psychologically leading to alienation and detachment both as far as the man-landscape relationship is concerned as well as man's relationships with others. This is due to the fact that the devastation of the landscape involves various forms of human fragmentation, relating to memory, sentimental and emotional connections, which have an effect on people's lives generally up to the point that they live a landscape as a "non-place".

In this sense, not only does environmental pollution have harmful consequences for people's health, but also landscape devastation does too, since it has a direct impact on the sense of being in the world and, therefore, on general well-being. Thus, caring for the landscape means caring for oneself.

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From Civil Religion to Presidential Public Theology—A Re-evaluation of the American Civil Religion Phenomenon. The Case of George H. W. Bush

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Abstract

Since the inauguration of the civil religion debate in the United States in 1967, it has been argued that the religious dimension of American presidency should be understood as a kind of civil religion, normally based upon the definition of Jean Jacques Rousseau, or variations of this his definition. However, in this article the author argues, based upon the empirical material presented in Public Papers of the President and elsewhere, that a more accurate description of the religion dimension of some modern presidencies is public theology. He uses the presidency of George H. W. Bush as a case study.

Keywords: Civil religion, Public Theology, American presidents, Robert N. Bellah, George H. W. Bush

Introduction

The Civil Religion Debate

Sociologist Robert N. Bellah's 1967 article "Civil Religion in America" in *Daedalus, The Journal of the American Academy of Arts*, inaugurated the contemporary American civil religion debate.¹ The article established Bellah "as a major interpreter of American religion in the second half of the twentieth century," according to the *Encyclopedia of Religion and Society*.² Since its publication, popular and scholarly attention have been paid to this article's subject of the civil religion phenomenon, which he defines as the "transcendent universal religion of the nation"³ and the religious dimension of a nation's "beliefs, symbols, and rituals."⁴

Bellah argues that there actually exists alongside of and rather clearly differentiated from the churches an elaborate and well-institutionalized civil religion in America.⁵ He used President John F. Kennedy's Inaugural Address of January 20, 1961 as an example and introduction to the complex subject of civil religion, "or perhaps better, this religious dimension" of American political life.⁶ There are certain common elements of religious orientation that the great majority of Americans share, Bellah claimed, and they play "a crucial role in the development of American institutions and still provide a religious dimension for the whole fabric of American life, including the political sphere."⁷

Bellah used the phrase "civil religion" to describe this religious dimension and argued both here and also later in *The Broken Covenant* (1975) that this civil religion "interprets its historical experience in the light of transcendental reality."⁸ He claimed that the inauguration of a president is an important event because "it reaffirms, among other things, the religious legitimation of the highest political authority" in the United States.⁹ Also, Bellah underlines that there is "a consensus that it is a useful way of talking about things that indubitably are out there."¹⁰

¹ According to Bellah, it was Talcott Parsons (Bellah's mentor) who had originally been asked to write the article for *Daedalus*. *Encyclopedia of religion and society* 1998. Retrieved Sept. 21, 2011, from <http://hrr.hartsem.edu/ency/civilrel.htm>.

² Swatos 1998

³ Swatos 1998

⁴ Bellah 1967: 4

⁵ Bellah 1967: 1

⁶ Bellah 1967: 12

⁷ Bellah 1967: 3–4

⁸ Bellah 1986: 3. See also Angrosino 2002: 263

⁹ Bellah 1986: 4. See also Fowler, Hertzke, & Laura R. Olson 2004: 301

¹⁰ Marty 1976: 185

Undoubtedly, the term civil religion has been debated since the appearance of Bellah's article in *Daedalus*, and others have used other terms, for example, a "democratic faith" (a secular form presented for example by Gunnar Myrdal), "religious nationalism" (Charles Henderson) or "religion in general" (Martin Marty).¹ Historian Sidney Mead describes it as a "religion of the republic" and "national religion," and argues that there are two forms of faith in the United States: a) the faith of specific groups and denominations, and b) an "American faith," i.e. civil religion.² Other terms used are: "civic," "public" and "societal religion;" civic "faith," and even "American Shinto."³

William H. Swatos, Jr. argues that Bellah's early approach "resonates well with the functional sociology of Emile Durkheim and Bellah's mentor, Talcott Parsons."⁴ Crucial is the claim that "civil religion definitionally is an 'objective social fact'."⁵ Perry C. Cotham comments on the role of the president in his *Politics, Americanism, and Christianity* (1976): "Despite the official separation of church and state in our nation, candidates for the highest executive office are competing for a religious office."⁶ The President has also been characterized as "the high priest" or "the chaplain" of the nation's civil religion.⁷ Robert S. Alley argues that the strengths of the personalities of the presidents as well as the mood of the nation and the international balance have an essential impact on the message.⁸ Definitely, different aspects of the civil religious heritage are stressed by the presidents. And as I argue, the expressions of civil religion during the presidency of George H. W. Bush (and other modern presidents), stress content of the puritan heritage in a way that it is more correctly to describe the phenomenon as a *public theology*; certainly if we compare it with Bellah's basic definition used in his 1967 article which is one that reflects the definition presented by Jean-Jacques Rousseau in *Du Contrat Social ou Principes Du Droit Politique* (Livre Quatrieme, Chapitre huitieme: "De la religion civile."⁹ Rousseau wrote:

There is therefore a pure civil profession of faith of which the Sovereign [the political ruler] should fix the articles, not exactly as religious dogmas, but as social sentiment without which a man cannot be a good citizen or faithful subject... The dogmas of civil religion ought to be few, simple, and exactly worded, without explanation or comment. The existence of a mighty, intelligent, and beneficent Divinity, possessed of foresight and providence; the life to come, the happiness of the just, the punishment of the wicked; the sanctity of the social contract and the laws: these are the positive dogmas.¹⁰

Thus, he argues that the dogmas of a civil religion are expressed in the beliefs in

- a) the existence of God,
- b) the survival of the soul after death/the life to come,
- c) the reward of virtue/the happiness of the just and punishment of vice/punishment for the wicked. In this context, he also stressed
- d) the exclusion of religious intolerance or the tolerance of diversity when it comes to private religious opinions.

Religion, in this form—and not in organized traditional forms—was seen as a key element in the social order of a society. In contradiction to Plato's civic religion, based upon strict state control and explicit dogma, Rousseau stressed voluntary agreement and the sovereignty of the will of the people. For both, though, the purpose was to free the *polis* or society from

¹ Angrosino 2002: 245; Swatos 2011; Pierard 2010: 482

² Fowler, Hertzke and Olson 2004, 302; Swatos 2011: 481

³ Pierard 2010: 480–83

⁴ Swatos 2011

⁵ Swatos 2011

⁶ Cotham 1976: 127

⁷ Dunn 1984: 158. Journalist James Reston, *New York Times*, writes that "the White House is the pulpit of the nation and the president is its chaplain." Cited in the *Congressional Record* (Oct 5, 1970), S17106.

⁸ Alley 1972: 18. This is true, but Alley exaggerates when he says that these factors "tend to construct a new civil religion in every generation." More correct is to say that what is basically changing is the emphasis on different aspects of the civil religious heritage.

⁹ Rousseau 1762

¹⁰ Pierard 2010: 484–485

factions and create the possibility of developing a positive character in this *polis* or society.¹ Thus, the main purpose of civil religion is to work as a unifying force in a society.

This thought, and its repercussions, has further been discussed with reference to America. Charles W. Dunn writes that in “an effort not to be offensive, presidents usually identify with mainline churches and use inoffensive language of ‘civil religion’ that attracts, but does not alienate, a cross-section of the religious among the electorate.”² Ronald C. Wimberley and William H. Swatos, Jr., states, in the *Encyclopedia of Religion and Society* (1998), that available social scientific research finds that civil religious beliefs in America “are widely shared and provide a basis for pluralistic social integration across the society.”³ Also, in *The Oxford Handbook on Church and State* of 2010, Richard V. Pierard emphasizes this, stating that civil religion contributes to “national integration” and “functions as social glue.”⁴

It is interesting to note that Pierard argues, no doubt with some right, that civil religion has “grown from evangelical consensus to Protestantism-in-general, to Christianity-in-general, to Judeo-Christian tradition-in-general, and finally to deism-in-general.”⁵ But, at the same time, I can very clearly describe something of a break in the historical line or development presented by Pierard, since the forms of civil religion used by presidents Ronald Reagan, Bush Sr. and other modern presidents have characteristics that go beyond a deism-in-general type of civil religion. Examples of this phenomenon will be given in the following case study of George H.W. Bush.

George H. W. Bush⁶

Bush Sr. surprised many by making the following statement at the beginning of his inaugural address on January 20, 1989:

And my first act as President is a prayer. I ask you to bow your heads.

Heavenly Father, we bow our heads and thank You for Your love. Accept our thanks for the peace that yields this day and the shared faith that makes its continuance likely. Make us strong to do Your work, willing to heed and hear Your will, and write on our hearts these words: “Use power to help people”. For we are given power not to advance our own purposes, nor to make a great show in the world, nor a name. There is but one just use of power, and it is to serve people. Help us remember, Lord. Amen.⁷

Bush Sr. also stated: “Our challenges are great, but our will is greater. And if our flaws are endless, God’s love is truly boundless.”⁸ Thus, already during the first political ceremony of his presidency, a theological message was sent. Bush declared that there is a God, a Heavenly Father, who is worthy of thanks for His boundless love, who has a purpose and will, who listens to prayers and interacts with human lives and the life of the nation, and who blesses the nation. In addition, when the word “Lord” is used in contexts like these, at least a Christian listener most likely connects the words to Jesus Christ.

Prayer was a major theme for Bush Sr. One of the best examples of this is his speech at the **Annual National Prayer Breakfast** on February 2, 1989. Of course, some interpreters might say that his emphasis on prayer at such an occasion was simply an attempt to win stronger support from the Christian groups represented at the breakfast. But other interpreters might say that this was an opportunity for Bush to talk to people that really understood his personal belief in and reliance on prayer. Bush’s statement could have been part of any sermon ever delivered in the Evangelical tradition.

There is no greater peace than that which comes from prayer and no greater fellowship than to join in prayer with others. And coming to the prayer breakfast is, for us, at least, like coming home. The Lord works in mysterious ways. There is nothing

¹ Angrosino 2002: 244–245

² Dunn 1984: 169

³ Swatos 2011

⁴ Pierard 2010: 480. See, for example, also Wilsey 2015: 20

⁵ Pierard 2010: 488

⁶ For the religious dimensions of the politics of George H. W. Bush, see Lejon 2014.

⁷ *Inaugural Address* (Jan. 20, 1989). Weekly Compilation of Presidential Documents (WCPD), 1989, 100. By including a prayer, he followed the example of Eisenhower on his inauguration on Jan. 20, 1953.

⁸ WCPD 1989: 101. *Inaugural Address* (Jan. 20, 1989)

mysterious, however, about His priorities ... Let us thank the Lord for having granted us this day, making it possible for us to spend this time together ... we're facing some serious opportunities and some great opportunities in our country—tough problems and great opportunities. And I believe that a wonderful resource in dealing with them is prayer—not just prayer for what we want but prayer for what is in the heart of God for us individually and as a nation. And shouldn't we also remember, with all that we have to be grateful for, to pause each day to offer a prayer of thanksgiving. All of us should not attempt to fulfil the responsibilities we now have without prayer and strong faith in God. Abraham Lincoln said: 'I've been driven many times to my knees by the overwhelming conviction that I have nowhere else to go.' Surely he was not the first President, certainly not the last, to realize that ... I can also tell you from my heart that I freely acknowledge my need to hear and to heed the voice of Almighty God. I began my Inaugural Address with a prayer out of deep sense of need and desire of God's wisdom in the decisions we face. And if we're to walk together toward a more caring, more generous America, let us all share in paving with a prayer.¹

In Proclamation 6104 National Day of Prayer, in 1990, Bush first asked his fellow Americans to join him in prayer for our children and then continued, "Let us strive to help each of them sink their roots into the rich soil of God's love for the beings He has made in His own image. Let us show them through prayer that we, too, like our Nation's Founders, seek our shelter—our rock and our salvation in the Arms of God."²

Throughout his presidency, Bush referred to God. It can be noted that the expression "God bless" occurs an astounding 916 times in Bush's official remarks and addresses etc., during his presidency.³ Bush describes God as someone who listens to and answers prayers,⁴ who is the primary reason for the existence of human beings,⁵ the Creator that has given man unalienable rights, who has a plan,⁶ a will and has given man his free will.⁷ God is Almighty,⁸ Providence,⁹ and a heavenly Father before whom you should be humble,¹⁰ a just Father of all.¹¹ God is someone to whom you turn for help and guidance,¹² who you should obey,¹³ someone to whom you should give praise and thanks,¹⁴ who calls people to do things,¹⁵ who loves and whose love is

¹ WCPD 1989: 141–142. *Remarks at the Annual National Prayer Breakfast* (Feb. 2, 1989)

² WCPD 1989: 371. Proclamation 6104—National Day of Prayer (March 6, 1990)

³ See: <http://www.presidency.ucsb.edu/ws/index.php#axzz1MJr2AOa9>, search Keywords: God bless. Records found: 916

⁴ WCPD 1990: 370. *Proclamation 6104—National Day of Prayer* (March 6, 1990), "The Bible tells us what we have often seen for ourselves: that God answers the prayers of those who place their trust in Him."

⁵ WCPD 1990: 140. *Remarks at the Annual Convention of the National Religious Broadcasters* (Jan. 29, 1990), "While God can live without man, man cannot live without God."; WCPD 1989: 1683. *Remarks at the Bicentennial Convocation at Phillips Academy in Andover, Massachusetts* (Nov. 5, 1989), "without God's help we can do nothing."; WCPD 1991: 197. *Proclamation 6253—Nation Doctors Day* (Feb. 21, 1991), "the Almighty has reserved for Himself the power to create life."; WCPD 1989: 1250. *Proclamation 6012—National Pledge of Alliance Day* (Aug. 15, 1989). "We believe in God: we believe that all men are created equal."

⁶ WCPD 1989: 1708. *Remarks at the Welcoming Ceremony for President Corazon C. Aquino of the Philippines* (Nov. 9, 1989), "President Aquino has often spoken of her belief that God has a plan. And I don't doubt it."

⁷ WCPD 1990: 1411. *Proclamation 6181—Religious Freedom Week* (Sept. 20, 1990), "His will...recognizing Man's free will as both the design and gift of the Creator."

⁸ WCPD 1989: 733. *Remarks Signing the Martin Luther King Jr. Federal Holiday Commission Extension Act* (May 17, 1989), "The Almighty God..."

⁹ WCPD 1989: 643. *Remarks at the Bicentennial Celebration of George Washington's Inauguration in New York City* (April 30, 1989), "He turned to God ... surely depend on Providence."

¹⁰ WCPD 1989: 102. *Proclamation 5936—National Day of Prayer and Thanksgiving* (Jan. 20, 1989). "I am humble before God ... let us all Americans kneel humbly before our Heavenly Father."

¹¹ WCPD 1990: 954. *Proclamation 6147—Father's Day* (June 14, 1990), "...the one who is the just and loving Father of us all."

¹² WCPD 1991: 97; *Remarks at the 50th Anniversary Observance of Franklin D. Roosevelt's Four Freedom Speech* (Jan. 30, 1991), "So we ask God to bless us, to guide us, and to help us through whatever dark nights we still may face; WCPD 1989: 102. *Proclamation 5936* (Jan. 20, 1989), "... seek His counsel ..."

¹³ WCPD 1991: 505; 102. *Proclamation 6280—National Day of Prayer* (April 25, 1991): "... obey His Commandments."

¹⁴ WCPD 1989: 1767. *Proclamation 6073—Thanksgiving Day* (Nov. 17, 1989), "Praise to God for His goodness and generosity...we also remember that one gives praise to God not only through prayers of Thanksgiving, but also through obedience to His Commandments and service to others, especially those less fortunate than ourselves."

¹⁵ WCPD 1990: 416 *Message on the Observance of St. Patrick's Day* (March 13, 1990), "God was calling him to take part in yet another extraordinary adventure."

boundless.¹ God is a God before whom you live,² who cares about His people.³ In His arms you can seek shelter.⁴ He is our rock and our salvation,⁵ a merciful Father,⁶ who will, finally, call us home.⁷

In summary, Bush's picture of God is portrayed in pieces, like pieces in a mosaic. All of these pieces seem to reflect the traditional Christian understanding of the God of the Bible in America. It can be noted that, many passages are directly quoted from the Scriptures. It almost seems as if Bush is teaching Americans about God and who God is. It is likely that there is a connection to something in his background. As he said: "I did teach Sunday school."⁸

When it comes to Jesus, Bush declared that "at Christmas, we, too, rejoice in the mystery of God's love for us—love revealed through the gift of Christ's birth." Jesus is called our Savior, who came to live among ordinary men. The incarnation was of "miraculous nature;" the birth of Christ "changed the course of history" and brought "light of hope to a world dwelling in the darkness of sin and death." Two thousand years later, Bush reflected, "the shining promise of that first Christmas continues to give our lives a sense of peace and purpose." If we are guided by the example of Christ's life, our deeds and words can help others share in "the joy of man's Redemption," he said. Kind and selfless deeds performed for others can "rekindle in our hearts and in our communities the light of that first Christmas." We should "recall what our Savior's life means to the world," rededicate ourselves to sharing the love that gives greater meaning and joy to Christmas and to every moment of life.⁹

One year later, in preparation for the celebration of Christmas in 1990, Bush brought up an old prophesy from the book of Isaiah. He mentioned the fulfillment of prophesy, again called Jesus "our Savior" and used the description "the Christ Child," noting that the incarnation radically altered human history, and mentioned the teachings of Jesus.

Christ's brief time on Earth was devoted to tending the physical and spiritual needs of His flock: healing the sick, feeding the hungry, and illuminating the path to eternal salvation. His Incarnation radically altered the course of human history by challenging men and women to live according to the will of our just and merciful Father in Heaven ... let us be mindful of the true meaning of His life on earth and especially of His greatest commandment: to love God with all our heart and to love our neighbor as ourself ... let us strive, by following Christ's example in word and deed, to make peace on Earth a reality for all of God's children.¹⁰

Concerning the Bible, Bush Sr. that it contains the "revelations of God's intervention in human history, the Bible offers moving testimony to His love for mankind." He cited Abraham Lincoln, who called the Bible "the best gift God has given to man," and Woodrow Wilson, who said, "The Bible is the word of life ... When you have read the Bible you will know that it is the Word of God, because you will have found it the key to your own heart, your own happiness, your own duty." Furthermore, Bush declared that the Bible's value is timeless and that its significance transcends the boundaries between nations and languages since it holds a universal message. He finally invited all "Americans to discover the great inspiration and knowledge that can be obtained

¹ WCPD 1990: 371. *Proclamation 6104—National Day of Prayer* (March 6, 1990). "...guarded by the love of God"; WCPD 1989: 101. *Inaugural Address* (Jan. 20, 1989), "God's love is truly boundless"; WCPD 1989: 1072. *Message to the National Assembly in Warsaw, Poland* (July 10, 1989), "God, in His infinite wisdom and love."

² WCPD 1989: 643. *Remarks at the Bicentennial Celebration of George Washington's Inauguration in New York City* (April 30, 1989), "Before... the eyes of God."

³ WCPD 1990: 370. *Proclamation 6104—National Day of Prayer* (March 6, 1990), "our Creator looks for His children, longing for them to come to Him and to do His will."

⁴ WCPD 1990: 371. *Proclamation 6104—National Day of Prayer* (March 6, 1990)

⁵ WCPD 1990: 371. *Proclamation 6104—National Day of Prayer* (March 6, 1990). "... seek our shelter ... in the arms of God."

⁶ *Message on the Observance of Christmas* (Dec. 18, 1990), retrieved Aug. 25, 2017, from <http://www.presidency.ucsb.edu/ws/index.php?pid=19165&st=christmas&st1=http://www.presidency.ucsb.edu/ws/index.php?pid=19165&st=&st1=#axzz1MUr2AOa9>

⁷ WCPD 1989: 603. *Remarks at the Memorial Service for Crewmembers of the U.S.S. Iowa in Norfolk, Virginia* (April 24, 1989), "We will not—cannot, as long as we live—know why God has called them home."

⁸ WCPD 1989: 1341. *Remarks to the National Baptist Convention in New Orleans, Louisiana* (Sept. 8, 1989)

⁹ WCPD 1989: 1968–1969. *Message on the Observance of Christmas* (Dec. 18, 1989)

¹⁰ *Message on the Observance of Christmas* (Dec. 18, 1990). Retrieved May 17, 2011, from <http://www.presidency.ucsb.edu/ws/index.php?pid=19165&st=&st1=#axzz1MUr2AOa9>

through thoughtful reading of the Bible.”¹ The teachings of the Scriptures are eternal.² The official material yields plenty of evidence of direct or indirect quotations from the Bible.³ They are used in a variety of circumstances and for a variety of purposes.

Bush Sr. viewed religion as foundational to American freedom and for this reason he called on people to always “remember that we are one nation under God and that we honor Him with the lives we lead.”⁴ Bush blended American history and faith by asserting that Americans have “a heritage of bravery, of faith in God, of liberty and human dignity, and the Golden Rule: ‘Do unto others as you would have them do unto you.’”⁵ The three pillars of society were seen as faith in God, faith in country, and faith in one another.⁶ The United States is stated to be “one nation under God” and Bush underlined that “without God’s help we can do nothing. With God’s help there is nothing we cannot do, for our children and for the world.”⁷

In summary, an examination of the presidential material during Bush Sr.’s presidency clearly provides extensive material that underlines not only a general civil religion or a deism-in-general, but a theistic approach to God, a classical Christian understanding of Jesus, a traditional Evangelical understanding of the Bible and an interpretation that connects an active God with the United States. The United States is portrayed as a nation under God.

Conclusion

For the reasons presented above, I argue that there is relevance in defining the religious views of Bush Sr. as a *public theology* or maybe *presidential public theology* rather than a civil religion. This conclusion is based upon the president’s official pronouncements and his adherence to and reliance upon a transcendental or religious reality with a vocabulary and content steeped deeply in the traditional American-Evangelical form of Christianity and partly, but to a lesser extent, to the Enlightenment heritage, which have permeated the American experience throughout the nation’s history. Similar theological themes are apparent, for example, when examining statements made by Bush Sr.’s predecessor, president Ronald Reagan.⁸

The phenomenon be best described as a *public theology* since it is *public* and not private or in any sense classified. Also, it is public since it addresses all; it is concerned with the individual citizen and it is perceived as having relevance for all citizens as well as for the wellbeing of the society as a whole. Both the presidential messages and “the message of the nation” can be characterized as *theology* since they deal with a transcendental dimension which clarifies that the nation is a nation “under God,” that the motto of the nation is “In God We Trust,” and that we relate to God as an active God in foundational national documents, and that we describe God, God’s work, His incarnation in Jesus Christ etc., and other religious (mostly outspokenly traditional Christian) aspects in various ways through presidential addresses remarks and proclamations etc. Theology literally means “knowledge about God,” and that theology is manifested in frequent messages on God, describing who God is, what God does etc. It can also be viewed as theology in a broader sense, since theology can be used as a foundational base, not least ethically, in ordering civil society and morally guiding the nation as well as the individuals of the society. It is a religious dimension that is intended to be the purpose and vision of the nation and its individuals—including, and not least the President of the United States.

Thus, the public theology exhibited during the Bush Sr. presidency is different from the classical civil religion definition used by Robert N. Bellah, rooted in Jean-Jacques Rousseau in *Du Contrat Social ou Principes Du Droit Politique*, aligned with

¹ WCPD 1990: 293–294. *Proclamation 6100—International Year of Bible Reading* (February 22, 1990)

² WCPD 1991: 87. *Remarks at the Annual Convention of the National Religious Broadcasters* (Jan. 28, 1991)

³ See, for example, WCPD 1989: 1768. *Proclamation 6073—Thanksgiving Day* (Nov. 1989); WCPD 1991: 88. *Remarks at the Annual Convention of the National Religious Broadcasters* (Jan. 28, 1991); WCPD 1989: 1178. *Remarks at the Annual Meeting of the National League of POW/MIA Families and on Signing the National POW/MIA Recognition Day Proclamation* (July 28, 1989); WCPD 1990: 760. *Remarks at the Liberty University Commencement Ceremony in Lynchburg, Virginia* (May 12, 1990); WCPD 1990: 551. *Message on the Observance of Passover* (April 9, 1990); WCPD 1990: 1902. *Remarks to the United States Army Troops Near Dhahran, Saudi Arabia* (Nov. 22, 1990); WCPD 1990: 373. *Remarks to Members of the American Society of Associations Executives* (March 6, 1990). See Lejon 2014: 123–124

⁴ WCPD 1989: 616. *Remarks to Members of the Hispanic-American Community in Los Angeles, California* (April 25, 1989)

⁵ WCPD 1989: 935. *Remarks at the Cheltenham High School Commencement Ceremony in Wyncote, Pennsylvania* (June 19, 1989)

⁶ WCPD 1989: 1388. *Remarks at the South Dakota Centennial Celebration in Sioux Falls* (Sept. 18, 1989)

⁷ WCPD 1989: 1683. *Remarks at the Bicentennial Convention at Phillips Academy in Andover, Massachusetts* (Nov. 5, 1989)

⁸ Lejon 1988

conventional Enlightenment thought. Neither is it correctly defined as a “religions nationalism” (as “state Shinto” in Japan), nor a non-theistic simple “democratic faith” a la Myrdal, John Dewey or J. Paul William.¹ The civil religion that Bellah describes is rooted heavily in secular rational thought based on the Enlightenment’s reliance on reason, empiricism, and the scientific method. In contrast, the presidential public theology advocated by President H. W. Bush (and other modern presidents) is grounded in the Bible and a Christian faith based on revelation and the American Christian religious tradition. In many ways, the tension between these two competing intellectual traditions has shaped American public and private life.²

Therefore, even though the presidential era of Bush Sr. includes some elements of what has traditionally been labelled civil religion, I argue that it is more meaningful to characterize his pronouncements as *public theology* or *presidential public theology*, since these terms more accurately define the religious foundations and dimensions of their presidencies.

In further research, an in-depth comparison between the religio-political rhetoric of Bush Sr. and his successors’ is of interest, as well as Bush’s use of history, i.e. how historical places, artefacts, events and persons are used in Bush’s official presidential material, and thereby adequately reveal Bush’s underlining both of the importance of a historical consciousness among Americans and the need of a cultural memory in order to accentuate a national identity. By this, light can also be shed on Bush’s saluted interpretation of the U.S. history.

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¹ Pierard 2010: 482

² Singer 1969: 19: “American history is characterized in its political aspects by a continuing conflict between the Puritan political philosophy on the one hand and the rise of the democratic conception of the state and human liberty which has emanated from non-Biblical sources.”

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Ethics in Public Administration in Kosovo

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Abstract

It is important for the state to maintain and increase public confidence in the Public Administration. This trust grows and is kept in public only when civil servants, officials, perform duties with integrity, impartiality and fairness. Ethics is being discussed very recently and it is becoming an extremely mention topic for the business, public administration and in social private environments. Unethical and corrupt behaviour can not only be prevented by punitive measures, from inside and outside analysis, it has a negative perception on corruption in state institutions. Every day in the media, we can encounter information about the bad behaviour of public administration officials regarding corruption, Kosovo is ranked in unsatisfactory positions regarding this phenomenon. It is important to prepare the self-public manual institution guide, which should rely on international standards and policy implementation in practice. The question is whether only legal and sublegal acts are enough to keep this problem under control? In this paper we will study the legislation, covering the field of ethical behaviour and good practices of combating these negative phenomena.

Keywords: Ethics, The code of conduct, Integrity, Public officials, Public administration.

Introduction

Every day in the media, but also in our work, we can find information about the misconduct of public administration officials, as well as various corruption-related studies or rankings; Kosovo is ranked in unsatisfactory positions regarding this phenomenon. Will it be analysed in terms of legislation, ethics and corruption, are they regulated, in public institutions? Do they have internal regulations and action plans for maintaining integrity? Are the designed plans enough? Legal Infrastructure and Anti-Corruption Plans are just one step towards achieving the goal of fighting corruption and preventing unethical behaviour, while the main part of prevention of negative phenomena remains the education of employees, training of officials and taking criminal-administrative actions by competent bodies for offenders. In this paper there will be recommendations aimed at combating corruption and promoting ethical behaviours in public administration.

The paper combines the method of conceptual elaboration of the most important issues of the law and other guidelines in such a way as to become guide examples to public officials.

In these works will be studied issues related to: Ethics in public administration; ethical decision making; the concept of integrity and state integrity system; understanding the role and accountability of public officials towards increasing the perception of the public; transparency in the Public Administration; solving different situations for the conflict of interest.

Research Methodology

The work was done based on the research in the area of ethics in Public Administration which deals with and analyses with particular emphasis issues of this field, the regulation applicable to the rules of this field. During this research I have used the notes, data and publications from the official websites of the Ministry of Public Administration, Tax Administration, Corruption Agency, and other relevant institutions.

The meaning of Ethics in Public Administration

Life in the civil service, the public wants to walk on the road that foretell the written and unwritten principles of good manners. The term ethics in everyday life is encountered in many spheres of life such as professional ethics, ethics, business ethics, political ethics, etc., but by defining the notion of ethics, we try to elaborate ethics in public administration. The life of being a civil servant, public, differs from the life of being student, student, employee, businessman, politician, etc. and the higher

the level of education and occupation, the higher the responsibility for the public, and the higher the consequences for the person who behaves in an unfair way.

Starting from what was said above, the notion of "ethics" is vast and involves not only civil servants, public servants in the public administration but touching the highest personalities of a state to the most simple individuals.

The word ethics stems from the Greek expression "ethos", "ethikos" that implies morality. It has the meaning of tradition, doctrine and habits.

Ethics is a system of moral principles or a behavioural code of social groups, religious or civil which clarified the good of evil and the choice of the individual to do what is good.

According to the definition of today's Albanian dictionary, ethics is:

1. Science that studies morality, principles, norms and rules of people's behaviour in society.
2. Morality of a society, of a class, of a social group etc. For example, Professional ethics (scientific).

Ethics can be considered as a study of what is good or right for human beings actions.

Seven Important Points for Ethics

Ethics is not a new topic for discussion. Ethics has been discussed, debated over thousands of years in all cultures, religions, countries, states, communities and regions of the world. Whether the context is public or private, international or local, at the organizational or private level, the issue of ethics has been and is essential of these raised problems.

Ethics has been to the attention of great thinkers and ordinary people since mankind could distinguish right from wrong. Ethics as a theoretical construct and operational strategy has described the thoughts of Plato, Confettius, Buddha, Muhammad, Jesus, and many others. The values associated with applied ethics are at the heart of the Quran, the Bible, and the respective codes that they should follow. Ethics has been the "stuff" of great artwork for centuries. This means that we are dealing with important ideas, timely tested and highly honoured for centuries.

Ethics or its absence is determined by behaviour or by the so-called "applied ethics" – since as a concept of ethics there is a need for concrete examples. As a result, we use as reference "applied ethics" that refers to the application of values, principles and different standards.

Endless discussions about what is right and wrong, acceptable or unacceptable behaviour in organizations, communities, and society have not banned the need or commitment of mankind to "translate" behavioural norms that are agreed upon in code of ethics or codes of conduct - "right" and "wrong" are highly open terms to various interpretations that often result in confusion. However, these terms are also the main components on which we build ethical notions.

Ethics or its absence in the Organization, but today in the Institutions is a topic that is debated very much. "Transparency International", which is a coalition against corruption, evolved from a concept into a worldwide operational reality in less than 10 years. Ethics has become a growing industry. The fact that 10 years before Ethics was a non-compulsory subject in Business Schools in the world and today is one of the most studied and compulsory courses in the teaching process, it speaks of the importance of this science.

We may not have anything new to write about ethics or its absence in Organizations, Institutions - so we can refer to existing concepts. Referring to Ludwig Wittgenstein's commentary "... that problems are solved, not by providing new information but by arranging what we have known long ago".

Referring to the last comment, there may still be ways, opportunities and time to "pack" the conventional wisdom that exists around ethics to serve the specific needs of individuals and groups. Because the number of practices where ethics is embodied is among the most, and the ethical judgments that we offer are different, this means that this "ingenuity" is enriched every day.

There are many ethical dilemmas that public officials often face or may face in the life of being civil servants, and these can be grouped into four categories:

The first type of dilemma that are facing public officials is when none of the options they have are completely satisfactory and should choose the worst or better option compared to the others we have available.

The second type of dilemma is when we have more than one good option or all of the options are good and when we have to choose one. In that case, our venue will result in the rejection of other good options and the public official has to make a choice between "the best options".

The third type of dilemma occurs when a decision that is likely to lead to different effects. From the decision will be satisfy a group of people, while the other group will be dissatisfied. In this case, the option that will satisfy a larger number of people needs to be solved.

The fourth and last type of dilemma occurs when the official has to make a decision, which has a positive or negative effect on the decision maker of the institution or his relatives.

To make sure that the decision cannot be interpreted differently, we must find answers between these questions:

- Is the decision lawful based on legal proceedings?
- Is the decision ethical?
- Is the effective decision?

Rarely, in the above three questions we find many answers, but if we have two or three choices for decision-making we have to decide on the alternative that most responds to the above-mentioned questions.

Code of Conduct for Civil Servants in Kosovo Civil Service

Part of the process of reforming public administration in Kosovo is the drafting and adoption of the Civil Servant's Code of Civil Procedure, which was approved by the Government of the Republic of Kosovo. The Code of Conduct for Civil Servants is the integrity of the principles and norms on the basis of which all civil servants and other staff engaged in state institutions will act. The Code of Conduct for Civil Servants aims to establish behavioural rules for civil servants and other staff engaged, protect their status as well as regulating the rights and duties of civil servants in relation to institutions and citizens in accordance with the legislation in force.

The purpose of the Code of Conduct is to promote the quality of public services for citizens, ethics in work and the public interest, characterized by integrity, honesty, objectivity and impartiality in fulfilling their duties and other staff engaged:

The Principle of Legality;

The Principle of Non-Discrimination;

The obligation to respond the requests;

Efficiency and effectiveness;

Responsibility;

Impartiality and professional independence;

Transparent ;

Avoiding conflict of interest;

Principle of Equal Opportunities for Communities and Gender;

The key goals of the Code to Conduct are:

Defining the rules of civil servants reception,

protection of the status employees and other staff, regulating their rights and obligations in relation to the citizens and the institution.

In addition, the code is based on the principles in which civil servants work on: legality, non-discrimination, political neutrality, impartiality and transparency in the fulfilment of their duties.

Non-formal economy at the global level¹ is estimated to be equal to 33% of GDP Global. In EU²¹, the average size was 18.5% in 2012. Recently the macroeconomic calculations regarding the informal economy in Kosovo are from 2007. The team of an EU project² has estimated that the rate of the informal economy in Kosovo during 2004-2006 was 26.67 - 34.75% of Kosovo's GDP. In absolute terms is varied between EUR 605 000 000 and EUR 793 000 000 per year. However, the same level of the informal economy meant an absolute value between EUR 1,312,678,800 and EUR 1,691,241,600 in 2012³. A study involving companies was conducted in Kosovo in 2013 to assess the degree of informal economy.⁴ The end of this study was 34.4% of GDP.

The level of informal economy in Kosovo is estimated to be at the same level as in other Western Balkan countries. The rate of informal economy in neighbouring Kosovo varies between 23-38.8% of GDP.

Conflict of interest and its types

Conflict of interest has become a global issue in both the public and private sectors and requires institutional treatment as required by the law and practices of developed countries.

We are aware that the conflict of interest cannot be prevented by punitive measures only, although numerous efforts have been made in Kosovo to prevent this phenomenon, such as through legislation, workshops, trainings. We come across information on day to day basis, both in media and in our work, that officials with or without knowledge fall into situations of conflict of interest.

Therefore, a conflict of interest situation can be at present, or it can be ascertained that it existed at a given time in the past. Conversely, it can be said that there is a *visible* conflict of interest when an official's private interests might erroneously affect the performance of their duties *but in fact it is not the case*.

A potential conflict arises where a public official has a private interests that are as such that a conflict of interest may arise, if the official becomes involved in an official (conflicting) responsibility in future.

Where a private interest has in fact compromised the proper performance of public duties, that specific situation is rather considered as a case of misconduct or 'abuse of duties' or even corruption, rather than a 'conflict of interest'. In this definition, 'private interests' are not limited to financial, monetary or interest generating a direct personal benefit to the public official.

Subject to legislation governing the issue of conflict of interest, civil servant, once employed or appointed, are obliged to refrain from any activity that leads to conflict of interest. The Law on Conflict of Interest but also the Civil Servants Code of Conduct as well as certain guidelines of the institutions define the personal and private interests.

Conflict of interest occurs in various forms, where among the most important are the following:

Exercise of influence - occurs when a civil servant tries to influence a decision in favor of a third party in which the servant has a particular interest. For example, when a senior decision-maker rightly issues an order to carry out a work where his private enterprise makes a significant contribution

Misuse of Information - This is where officials use official information that is not open to the general public and they use it for their personal purposes.

Bribery - This is the unlawful acceptance of money or other valuables, benefit of various favours by civil servants who use their official positions. In general, bribery relates to money, but may also include other benefits such as sexual favours, promises of favourable publicity, or bids to become a member of exclusive social circles.

¹ European Platform to increase European co-operation in preventing and stopping unspecified work, European Commission Roadmap, 04/2013.

² Study on the Scale and Prevention of Informal Economy and Money Laundering in Kosovo, EU Project 05KOS01 / 03/03/001, 2007

³ Kosovo Gross Domestic Product, Kosovo Agency of Statistics, 2013.

⁴ Business Perspectives of Informality in Kosovo Friedrich Ebert Stiftung and Kosovo Foundation for Kosovo Open Society and Riinvest Institute for Research and Development, 2013.

Financial Transactions - are about those cases where the civil servant has direct or indirect financial interests that directly conflict with the performance of the work performed. E.g. The Planning Director builds an airport in a place where he has private property and not elsewhere where it could be more convenient for citizens. The choice of place is made to pursue his private interests.

Gifts and entertainment – acceptance of gifts or "hospitality" create conflict if they affect the impartial performance of the duties by a servant. These include low priced purchases, theatre tickets, holidays, sexual favours, improper use of vehicles, equipment etc.

External employment – Part-time employment, consultancy, may cause a conflict of interest with official duties. We have a conflict when it comes to jobs that are related to mutual interests. For unrelated jobs, we do not have a conflict of interest, but we may have activities that conflict with the nature of the job.

Future Employment – If an employee of the Public Administration performs an action today in favour of a third party in order to start working at the entity, to which it has done the favour, after finishing the working hours, then we are dealing with Conflict of Interest.

Relationships with Relatives - Situations when a civil servant can make favours to a relative, constitutes a conflict per se. This kind of conflict may have roots in uneconomic interests.

Types of the conflict of interest

For the purpose of this paper we will address the following types of conflict of interest.

Potential conflict of interest;

Perceived or apparent conflict of interest ;

Factual or actual conflict of interest;

Continuing conflict of interest;

Case by case conflict of interest.

Potential conflict of interest, occurs in a situation or situations in which the private interests of the official may present a future conflict of interest or apparent conflict of interest if the official is involved in certain duties and responsibilities. This type of conflict of interest needs to be monitored by the institution and prevented, if we manage to establish mechanisms of self-declaration or detection before they occur.

Perceived or apparent conflict of interest, is a situation in which the private interests of the official appear in appearance or form, as if they have influenced or may influence the improper conduct of his official duties or responsibilities, but in reality the influence does not occur, it cannot happen or it is unlikely to happen. A perceived conflict of interest may exist when a third party can form the view that a person's private interest may unlawfully influence the performance of their duties now or in the future.

Factual or actual conflict of interest is a situation in which the private interests of the official influence, have influenced or may influence the unfair conduct of his official duties or responsibilities;

A factual conflict of interest is the situation where there is a factual conflict between a person's public duties and his private interests (e.g. an official votes himself to be a board member in a public company). According to the meaning of the case by case factual conflict of interest, we are dealing with a conflict that is occurring, has occurred, as a result of a decision-making that has already taken effect, it may have occurred in a decision-making that has already taken effect.

Continuing conflict of interest The continuing conflict of interest is when conflict of interest occurs repeatedly when conflicts of interest arise frequently.

Case by case conflict of interest, is a situation of conflict of interest that occurs case by case and relates to a particular decision-making. It is a situation of conflict of interest in one of three types: Factual, Potential and Perceived conflict of interest e.g. the official who has to issue a decision based on the residential plan drafted by his wife should withdraw from

that case and does not need to quit the job but rather does not participate directly or indirectly in the review and analysis of that case.

To come to a conclusion as to whether or not there is a case-by-case conflict of interest, it is advisable to follow the following methodological steps:

What are the specific and detailed duties and competencies of the official in question?

Does he have a fundamental and decisive competence in decision-making for issuing normative and / or individual concrete acts?

What is the sphere (field, scope) of the impact of this act?

How strong is the impact of this act on this sphere?

What are the private interests of the official in question?

What is the likelihood for this act to influence the private interests of this officer in his favor?

What is the likelihood that the private interests of the official negatively influence on his role in decision-making for this act?

Is there a strong cause-effect relationship between the interests and the act, such that public decision-making may be, for this reason and only to him, an unjust decision-making?

Based on the definitions of case by case conflict of interest and the continuous one, the difference is that the act, by the official, in case by case conflict officer is not repeated, while in the continuing conflict of interest it is repeated.

One of the cases of conflict of interest may occur influencing these factors: *the "sake, friendship, revenge, profit, etc."*.

Determining the risk level:

This determination is made by combining the assessment of the likelihood of occurrence of the risk and the consequences of the risk presented.

Figure 1. Risk presentation matrix.

| | | | |
|----------------------------|-------------------|----------|----------|
| | Moderate | High | High |
| | Low | Moderate | High |
| Risk occurrence likelihood | Low | Low | Moderate |
| | Risk consequences | | |

The figure of risk ranked according to the levels of integrity risk enables us to create the integrity plan for the institution.

Conclusions and recommendations

In the framework of the public administration, the legislation that regulates the norms of conduct is: Code of Conduct for Civil Servants, Law on Civil Servants, Law on Access to Public Documents, Law on Public Procurement, other regulations and internal acts issued by organizations.

No public or private institution may allow the acceptable behaviour in the organization not to be governed through written acts. Personality, culture, behaviours are not a safeguard for the public administration that the official will not make unusual

actions in particular cases. Therefore, in view of this risk, it is imperative that the institution has clear actions for ethical behaviour. These goals are often summarized and referred to as codes of conduct or ethics.

Codes of ethics increase the certainty of the organization that officials will behave in certain ways according to the guidelines or prohibitions that are contained to that code.

Officials shall respect the rules in part by focusing on the personality of their actions and partly by focusing on sanctions for violations. Additionally, referring to the Code may prevent the motive or self-denial to commit an unethical action.

Codes of ethics can function as a professional statement that expresses public service commitments for a particular set of moral standards. Codes can help ensure that you are a part of civil service. Pride is an important emotion in motivating individuals to see themselves as professionals.

Ethical standards for civil servants should be clear, the public official should know the basic principles and standards expected to apply in his work, and know where the limits of acceptable behaviour are and what behaviours are not acceptable to the organization. The rules of ethics must correspond to the vision and mission of the organization.

There should be clear guidelines for interactions between the private and public sectors. Public life is different from life in the private sector, various pressures that may violate the integrity of the institution. The institution should be prepared to overcome the non-ethical behaviour promoted by the private sector and vice versa.

The Government's budget for financial years 2019 includes national-level targets regarding the prevention of informal economy and the necessary procedures for responsible administrative and law enforcement institutions.

Responsible law enforcement institutions for the prevention of informal economy, conflict of interest and other necessary procedures prepare performance plans. These plans should include precise institutional objectives, measures for their implementation, and key performance indicators related to the prevention of informal economy related to conflicts of interest that may have as a preventative measure. Performance plans' objectives at the institutional level should derive from the Government's budget goals and therefore their drafting should start simultaneously with the government budget for the financial year.

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Museum Collections as a Reflection of Cultural Landscape: the Interpretation of Collective Memory

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Abstract

The article deals with the relationship between the local community, museum collections, collective memory and the cultural landscape. The ICOM Code of Museum Ethics defines a museum collection as a cultural and natural heritage of the communities from which they have been derived. The collections, especially in regional museums, are inextricably linked to the community. The cultural landscape can be read also as a bridge between the society and natural environment. The cultural landscape is vitally connected with a national, regional, local, ethnic, religious or political identity. Furthermore, the cultural landscape is a reflection of the community's activities. Therefore, private collections are the foundation of the collective memory and empower museums for important social tasks. They offer an opportunity for multilayered interpretation of the past and give a possibility for museums to work on the inclusion of vulnerable groups. The collections could be a mediator and unique tool for recovering of the "broken" memory. In this way certain tragic past events, ignored or only bigotedly mentioned by history, can be re-evaluated.

Keywords: museum collections, cultural landscape, collective memory, inclusion, Regional Museum Maribor, Sveta Trojica v Slovenskih goricah

Introduction

The cultural landscape as a narration of its inhabitants and the past

This article is founded on the holistic concept of the contemporary heritological discipline, which interprets the landscape as a wholesome cultural phenomenon (Pirkovič, 2017). The cultural landscape is a palimpsest image of the inseparable human experience (the life and workings of man through time in his place of origin) and natural endowments, considering the climate as a reflection of anthropogenic activities, which becomes most apparent in the case of microclimatic conditions (Mlekuž, 2017). The landscape is the foundation of cultural heritage and the key to understanding related communities. Discovering, exploring, observing, and also evaluating and enjoying the environment, as well as, sadly, its destruction, are all part of the basic human activities. The understanding of cultural heritage, torn from the entirety of an environment, enables merely a partial and one-sided interpretation of the past, and opens a way for manipulative (political) interventions.

From a museological standpoint the holistic approach towards understanding cultural heritage, and consequently the landscape, has made a large contribution to the changes of content in the process of evaluating collections. Museum collections were and are emerging as a reflection of societal conditions, and are more or less the result of certain policies and social order, and last but not least of the social elites. They are (analogous to the museum artefact) object of scientific research, document of time,¹ and the foundation of a regional and national identity, which has a strong influence on their evaluation (Maroevič, 1993, pp. 158 – 160). Private collections on the other hand reflect foremost the personal interests of the collector. In the process of a museum accession, the items undergo the processes of musealization, which most often means the partition of a collection based on the material and the scientific classification within the museum and its societal

¹Theodor Schmidt from Lenigrad University already in the year 1931 opposed the subjectivation of a museum item with a new definition as an object of scientific knowledge and a document of time (Maroevič, 1993, p. 53).

mission. A museum collection is divided into that what is kept in depots and rarely, if ever, visible to the public, and that which is incorporated into permanent or temporary exhibitions. Private collections are in the scope of the museum contexts usually presented to the public selectively and subordinate in the relations towards the context of a museum entirety and its social meaning. These are the factors that are reducing the value and esteem of private collections from a museum and the scientific interest viewpoint. With the new heritological concept, which perceives heritage (and not only museums) as a basic foundation of man's existence and discoveries (Šola, 2003), private collections have been given greater meaning, which is especially important for the eastern, formerly communist countries (V. Perko, D. Cerovski 2017). Private collections are a direct reflection of their collector's personal and often very focused perception of an item as a value and a material witness of its place of origin, and man's activities. They are usually not created from a scientific interest, but from a personal curiosity and an emotional favour. As such, they can crucially contribute to the broaden of an institutionalised perception, and they represent the bridging of the authorized heritage discourse, which is heavily present in the case of museum collections. Private collections are otherwise less important from the basic disciplines' standpoint. But they are reflecting at least some of marginalised groups and their values, thus enabling a more complete understanding of the past and landscape as a wholesome, socially natural phenomenon. From the museum collections aspect, they are presenting often overlooked or even consciously neglected themes, events, activities, sometimes also language¹ and the values which may be of critical importance to a certain environment. Cases when private collections are connected to places of memory are vitally contributing to the preservation and the formation of the collective memory (Nora, 1984; Perko, 2016). The collective memory signifies a multilayered interpretation and a more wholesome understanding of the past, which indirectly enables a more democratic approach in the processes of managing heritage, and leads to a more equal society.

Private collections and the cultural landscape

The comprehensibility of a cultural landscape includes nearly all the areas of man's endeavours. The landscape is reflecting the cultural image of a certain region: it is a living organism of symbolic forms, an object of idolatry, and a muse of creative processes - especially that of artistry. The landscape is often a symbol of national identity, power, and authority; it is a part of tourism, environmentalism, and last but not least of politics. The European convention defines it as a bridge towards a common identity of peoples living in the area of a landscape, which by itself is complementing the now surpassed notion of the landscape as a home, a habitat, and a place of the former population's existence (Sassatelli, 2006, p. 192; J. Pirković, 2017).

The holistic concept of heritage enables us to understand the landscape as an inseparable part of man's environment. It is the result of natural endowments, the activities of man, and the human intellect (Milani, 2006, p. 125). The aesthetics of a landscape originates in the presumption that the experiencing of a landscape is determined by man and his values that, along with his feelings and emotions, run through him when experiencing the environment. The experience of a landscape is reflected in the artistic creation, sculpture, paintings, music... and also in its destruction, and is leaving a specific, palimpsest trace in all areas of man's activities (D. Mlekuž, 2017).

The landscape can be interpreted through different perceptions: metaphysics enables us to understand the landscape through landscape itself without the help of aesthetics or other philosophical disciplines, through its existence, which allows other disciplines to form a relationship toward it with its assistance. The metaphysical aspect of perception is largely a matter of a contemplative approach; its particular aspect of aesthetics that leads towards the formation of an entirely specific, spiritualised experience of phenomena, which science cannot encompass. Its phenomenology originates in an active relationship of man towards the landscape, "being in the world" it means to form a relation towards the world, to defend one's existence. Consequently, man has always gravitated towards things themselves, ready to create, to build. Heidegger speaks of a "house of being", through which man is only forming himself. It is a matter of dialectics between the object and the subject in the essence of being. Man is part of the landscape and the landscape is merely a part of man. The phenomenological aspect clearly sheds light on a museological problem unveiled decades ago - the problem of the objectified museum item, and consequently the collection as a part of the entirety of the environment (Maroević, 1993, p. 56).

¹ In totalitarian societies, the so-called linguistic iconoclasm was often established, a process of "*language purge*" in which all politically unacceptable phenomena (and therefore also material culture) were named by new, neutral terms. A new specific terminology has emerged as a reflection of new social values.

The result of the history of a landscape's perception is today best reflected through the art, which is triggering reminiscences of man's primary relationship between man and landscape (Kemal, 1993, p. 7). On the other hand, the landscape with the emergence of capitalism and a rapid, ruthless exploitation has become a subject of a profit-based logic and manipulation (Ross, 1993, p. 158). For the economist it possessed a real-estate value, for the sociologist it is a place of socialisation, for the architect it is a place in need of construction, the legal expert sees it as an opportunity to resolve a border dispute, the ecologist considers it as a natural habitat, the biologist as a region with biotic diversity. The archaeologist sees it as an archaeological site and a source of information on human's activity in the past.

Following Thomas Cook's expeditions, the discovery of Lake District, the crossing of the Alps, and the incorporation of the Italian peninsula into the "Grand Tour", when discoveries are being familiar with the cultural landscape of the Renaissance Italy became part of the educative process of European elites, the concept of landscapes shifted towards the field of aesthetics, philosophy, and science (Schnapp, 1996).

Rationalism and empirism of the contemporary era brought about the triumph of man over nature, which began with Newton, Descartes, Bacon, Leibnitz, and has manifested itself in the rapid evolution of technology and industry (Sloterdijk, 2003). The domination over nature and the manifestation of power reached its zenith with the destruction in the last few decades of the 20th century that followed the conquest of technological obstacles at macro- and microcosmic areas, unattainable and unknown to the man of the 19th century. In the name of ideals, and in the last decades mostly in the name of consumerism and capital, the landscape has become an object of entertainment and a ruthless exploitation. Jean Baudrillard with his theory of simulacrum most direly expressed the situation. He finds that the contemporary man has lost touch with reality (by which he means nature), and replaced it with an artificial image, *the simulacrum*. Built upon (artificial) images and models it creates a world of hyperreality, a world more real than the actual world. To make things even more grotesque, Baudrillard adds that the purpose of the simulacrum is primarily a total control. Social and natural sciences are often an excuse for man's exploitation endeavours, even towards the landscape (Baudrillard, 1988). Museums, at least those more traditional ones, serving foremost the interests of science, with a museological instrumentalization of collections and items are indirectly promoting science and imperialistic, colonial principles of the western world (Šola, 2003).

In art history, we encounter two different paradigms: for the notion and reality, or for the relationship between the image of a landscape, and a referent in the real world. The question is, whether or not this is the image of a landscape or the image of an painting, or the aforementioned aesthetic view on the perception of the landscape.

Archaeology is perceiving a landscape as a container and the past as a large cake with separate historical periods of time. The needs of the current scientific paradigm are usually dictating contents and modes of interpretation of the past. Museums are uncritically adopting scientific paradigms in which nature, including the animal world, is the object of research. They focus solely on its aspects of use, and their depiction as a raw material. Are we allowed to claim that an uncritical adoption of the scientific concept in processes of musealization leads toward the objectification of material culture in the role of a museum item (Mareović, 1993, p. 56)?

Anthropology, sociology and history treat the landscape as an open social unit in which man expresses his different beliefs. However, we know today that the landscape is not merely a single place but a sum and a mutual insemination of different places (Pirković, 2017). The landscape has to be interpreted through a space as a typology of place through an intersection of time (Perko, 2014, p. 169). It may also repeat, naturally in another time and place, and in the light of transformed values. Each landscape is exclusive, unique, that cannot repeat itself in a certain time period. As emphasised by James McGlade, it is necessary to view the landscape as a social construct trackable through history (McGlade, 1999, p. 475).

Stephen Daniels interprets the meaning of the landscape through identity processes. He claims that the mutual national identity is the product of the age of national states. National identities are accompanied by metanarratives, anecdotes, legends, stories of "the golden age", unique landscapes are depicting the nation, symbolise its spirit, its ethos. The landscape functions like a national icon; it is a reflection of ideology (Daniels, 1993).

Of paramount significance are also the communication networks through which the cultural landscape is enabled, maintained, and transferred. In it various ecological dynamics are inscribed as the result of the activities in different layers, different social formations of inhabitants. Each changes in human nature influences the ecodynamic structures and reflects in the image of the landscape. The change of the landscape is inseparably connected to the change in behaviour (McGlade,

1999, p. 475) as a complex reflection of beliefs, systems of value, and the pragmatic responses to the everyday environment.

Simon Schama is connecting the landscape to memory. The landscape is a product of man's consciousness and allows us to understand man's role in the world (Schama, 1995, 9. 7). The internalised historical memory leads to identifying with the landscape. It allows for the discovery and the understanding of a part of that which we once already were. Man simultaneously takes notes and discerns the landscape as his own memory of the past (cemeteries, memorial parks, plague memorials, sacred structures,...), with its assistance he builds upon myths and his own glory, letting everybody else and our descendants know of his presence and dominance. The landscapes tells stories to those willing to listen. Each landscapes carries within itself a unique history that allows the place to become something special, to become *sui generis*; it accumulates memories and emotions in certain place and time. It is a place of both private and collective property. Today the landscape is all but objectified, adapted to culture, empirical sciences, and thusly trapped in the mechanisms of valuation of the contemporary consumer society and its needs.¹ In its philosophical and psychological dimension and due to its palimpsest nature it is only partially intelligible to the scientific disciplines. The landscape is first and foremost a place of collective memory (Halbwachs, 2001; Nora, 1984).

For a wholesome perception of the landscape and its palimpsest intertwined meanings and values through time it is necessary to view it through the "eyes" of the local population. This aspect is uniquely allowed by private collections, which are usually created without the presence of large influences of scientific concepts and methods, and are not exposed to the authorized heritage discourse, maintaining the subjective role of an item.

The museum collection and identity

The International Council of Museums (ICOM) in its code emphasised that museum collections mirror the cultural and natural heritage of the community in which the items originate. The collection comes into being insofar it as a representative value, or is tied to an idea, or is merely a part of a greater whole (Durost, 1932, p. 158). We may then speak of a certain planned collection policy. Russell W. Belk a good half century later finds that the collecting process has to be an active, selective, and a long-term one (Belk W., 1994, p.158).

Museology in the 70s of the previous century has established the museum item as an information-documentation object, part of the INDOK System, it assigned to it the role of a cultural information messenger (Tudman, 1983, pp. 73-80), upgrading the needs of the scientific realizations of fundamental scientific disciplines (Maroević 1993, p. 58). By definition from Maroević the cultural information gives value to a museum item, and more or less tightly connects it to the national, regional, local, ethnic, religious, or political identity.

The heritage movement that appeared as a response to groundbreaking social changes of the 60s in the 20th century shocked traditional museums with the revolutionary idea of the ecomuseum as a form of a holistic interpretation of place (Šola, 2010). The idea eventually spread to the rest of the world and in some parts, it became a successful practice of preserving heritage in the place of origin.

The ecomuseum's philosophy is based on an active inclusion of the public and is a multiinterpretation of a place (Šola, 2003). The local population is the bearer of heritage processes, which are, based on the traditional way of life, while the expert services adopt the role of advisors. In the concept of the ecomuseum the private collections have been granted a similar role as the local public: from a previously passive role of a side observer it adopted the role of the agent, the subject by means of active inclusion. Similarly, this also applies to the role of ecomuseum collections, which become the subject

¹ Božidar Kante perceives the landscapes as artefacts offering answers from the past, through which they are subjected to the will and the shaping by man. By artefact he understands an item changed by labour, that is what does not originate in the natural state. The other meaning is connected to the cultural process, which demands further interpretation. In the first sense we are dealing with two different artefacts; a thing that was, and a thing that was subsequently changed. The second one's form remains unchanged. He understands the landscape not only as a territory or a scenery, but also as an alliance of communities, justice, nature, and environmental endowments, that is as a social dialogue, as an "alliance" of man and landscape (Kante, 2009, p. 14).

and an important element of collective memory. They are most often also a physical, symbolic, and functional witness of places of memory / *lieu de mémoire*.¹

Private collections in the process of landscape interpretation have thus been assigned a key role, which is otherwise denied to them by the traditional museological doctrine and the authorised heritage discourse. Private collections frequently mirror alternative political and social viewpoints, and are a reflection of religious and ideological beliefs, or they reflect a special, often intimate and unspoken relationship of their owner towards the world and society. Private collections represent a peculiar preserved microcosm in the often highly corroded macrocosm of museums. Unlike museum collections, private collections are not ordinarily divided to depot and exhibition material. In many cases they are equipped with a very personally conceived catalogues and informative notes, which preserves the original folk terminology. Sometimes they are created out of the owner's special interest in an area which from the authorised heritage discourse's viewpoint has been neglected or even overlooked. In these cases, the collections are accompanied by the owner's exhaustive knowledge on matter, which represents a valuable alternative to institutionalised standpoints.

Private collections are the key to "discerning" and understanding the landscape. They are the material foundation of a collective memory, because they preserve specific values and lore tied to places of origin. Collections of artefacts are not only a document of time and space but also a reflection of a specific, personal relationship towards the social and natural environment, and they preserve crucial knowledge not ordinarily encompassed by scientific methods. This is mostly the so-called convivial knowledge according to Ivan Illich, that relate to inherited observations of the environment and the society, and are most often reflected in specific concepts, forms, decor, or in ways of use with a certain material culture. Convivial knowledge is frequently and inseparably tied to the place of origin and is implicitly encompassed in contexts of use and related customs (Perko, 2018).

Case study: the museum collection of the Franciscan monastery at Sveta Trojica in Slovenske gorice

The Franciscan monastery in Sveta Trojica in Slovenske gorice is located in the Northeast part of Slovenia. The region with the monastery and a church was already mentioned in 1445 CE in documents as *Verhoczen - Vrhovški*. During the church's construction the name *Purkstattberg* (also *Purgstallberg*), that is *Porčki vrh* (after a nearby settlement) became common, and among the locals in the midst 17th century the name *Grädisch*, as a synonym for the Slovenian name *Gradišče* (Habjanič, 2014, p. 70; Vidmar, 2016, p. 91), was in use. On a hill rising above the Drava river basin and the nearby town of Lenart, a wooden chapel dedicated to the Holy Spirit was built in 1631 CE. It soon became too small to accommodate the needs of the locals, therefore in 1636 the foundation stone was laid for a church finalised in 1640 or 1643, and dedicated to the Holy Trinity. With the arrival of Augustinian eremites in 1663 the construction on a monastery began, followed by several reconstructions of the entire sacral facility. The extensive reforms of Emperor Joseph II., affecting the Church, brought about the abolishment of many monasteries in Austrian lands. In 1787 the Augustinian monastery was shut down, a year before the parish of Sveta Trojica was already founded, and spiritual care was taken over by priests from the nearby parish of St. Lenart. In 1854 Franciscans arrived to the parish who manage the monastery and the church to this day. The prominent position of the structure and its size left a mark in Slovenian literature as "the Slovenian Jerusalem", and is considered the most beautiful Baroque sacral complex in today's Lavantinska bishopric (Mlinarič, 1996, p. 68).

The church with its monastery gives the region as the landmark a characteristic position and recognisability. Around the church and the monastery, a settlement gradually sprang to life, which in 2006 became an independent municipality with three distinguishable bell towers in its coat of arms. The church in the very beginning adopted the role of a pilgrim destination, and among the most important pilgrimages we should mention the spring pilgrimage on St. Florian's name day, the Pentecost pilgrimage on the Holy Trinity day, the August pilgrimage on Porcijunkula, and the Autumn pilgrimage on fourth Sunday. This lead to the appearance of smaller and larger town fairs that connected local inhabitants to the church.

¹ *Lieu de mémoire* is a concept related to collective memory, stating that certain places, objects or events can have special significance related to group's remembrance. Pierre Nora defines them as "complex things. At once natural and artificial, simple and ambiguous, concrete and abstract, they are lieux—places, sites, causes—in three senses—material, symbolic and functional".

The Franciscan monastery museum collection in Sveta Trojica in Slovenske gorice

Items relating to the monastery collection have been finding their way into the monastery museum for centuries. The collection encompasses 1060 artefacts,¹ along with an extensive library with over 1550 books.²

The Sv. Trojica monastery museum collection could be thematically divided into several parts. Liturgical garments of 497 artefacts, such as chasubles, albs, dalmatics, pluvials, stoles, maniples, pales, purses, vels, and banderas, form its basis. The oldest ones originate in the 17th or 18th century, while the youngest dated are still in everyday use. After the dissolution of the Augustinian monastery in 1787 most of the chasubles was transferred to the parish churches in Maribor, Sv. Lenart, and Sv. Marjeta. The largest part of the items still kept in the monastery was not received until the arrival of the Franciscans in 1854.³

The second part of the collection entails votive paintings from the 17th and 18th century and they divulge the significance of the Sv. Trojica church as a pilgrimage center. Among them several supplication of pilgrims from the region of contemporary Austria, the city of Strass, St. Peter im Sulmtal, Wagendorf beim Vogau have survived, the most important being the supplication of the count Szapari from 1761 who lived in Murska Sobota at the time, and supplications of believers from Radgona and Slatinski dol.

A part of the museum collection also represents collection of paintings. It largely entails works from the 19th and 20th century which arrived to the monastery mostly at the same time the Franciscans did, as well as valuable smaller sculpture works from the 18th century which were removed from the church and transferred to the museum. The sacral art collection also encompasses reliquaries and liturgical vessels.

A special attention in the museum was devoted to the Black Madonna with Child, a work by an unknown sculptor, supposedly dated to the 17th century, which was found in the Loretan chapel, annexed to the church in the 17th century. The sculpture was located in the interior part of the "secondary" Black Madonna from the 19th century as part of the altar. A crown from allegedly the 17th century has also survived, and was assigned to the Madonna's ornament from the 19th century.

Economic endeavors of the monastery are evident through vineyard and wine-making implements, numerous barrels, and other agricultural tools, which was not only a part of the monastery life, but also of the surrounding inhabitants, who still nurture the wine production with great enthusiasm today. A part of the museum collection is connected to the Holy Trinity and other pilgrimage destinations. In some contexts many devotionalia, sacred images, and items from pilgrimage centers brought to the monastery by different people, vicars and the surrounding inhabitants have also survived. We should also mention the many banderas which are related to the pilgrimages from nearby settlements, mostly Radgona and Lenart, and church processions.

The deep connection of local inhabitants with the monastery is also evident in the richly preserved photographic material documenting important events from the time of the Franciscans, both secular and otherwise, that are revealing the popularity and the important role of the monastery among the local community. The collection comprises also items pertaining to the activities of the girl's religious group of Marijina družba pri Sv. Trojici, the items of boys section of religious society - Crusaders at Sv. Trojica, as well as many Franciscan ring seals dating back to the second half of the 19th century.

The monastery library keeps over 1550 books. The archive arrived to the Sv. Trojica monastery in the second half of the 20th century. It was part of the repatriation of the archives confiscated by the German Army during World War 2 and as a war booty transported to Graz. The archive was originally part of the Franciscan monastery Brežice's library in the South-Eastern part of Slovenia, where there a Boys school existed from 1668 onward. Two 15th century incunables and over 30

¹ The collection was documented in field work by Oskar Habjanič, Tadej Pungartnik, Maja Hren Brvar between November 2012 and April 2013. The field registry is located in the Regional Museum Maribor under the number RT 2012-4.

² The information on the Sveta Trojica in Slovenske gorice monastery library was kindly relayed to us by our esteemed colleague dr. Vlasta Stavbar from the University Library Maribor, for which we thank her sincerely.

³ Written sources mention extensive supplications pilgrims relayed to the graceful image. The intercessions reveal both a noble and a peasant and market social class of the surrounding inhabitants. For more on this see: Oskar Habjanič, *Avguštinski samostan v Slovenskih goricah v dobi baroka*, p. 70, in: *Kronika, časopis za slovensko krajevno zgodovino*, 62/1, 2014, p. 67 - 90. Among the main church and monastery patrons once should mention the Stubenbergs, Trautmansdorffs, Khislis, and probably the Draškovičes.

manuscripts and books from the 16th century survived in the collection. Among the rarities one should mention the book on physics from 1574 and vast archive from the 18th century, printed in Ljubljana (Stavbar, 2014).

The tourist attraction trail includes the church with the monastery, in which the central role has been adopted by the miracle image of the Holy Trinity from around 1690. The main altar with the Augustinian Order saints (St. Thomas of Villanova, St. Augustine, St. Nicholas of Tolentino, and St. John of Facundo) was made in the mid-18th century. The side altars date back to the time of Augustinians and Franciscans in the second half of the 19th century. Among the altars one should point out the altar of the Holy Cross with a depiction of the crucifixion of Jesus, allegedly the work of the excellent Baroque master J. M. Kremser Schmidt. The sculptures have been attributed to various Styrian artisans. The Loretan chapel was annexed to the church in 1693 and was built by donations from the countess Mary Elisabeth Trauttmansdorff, born countess Khisl. The organ dating to 1833 and made by Karl Schehl from Graz is also a part of the church furnishings.

The current arrangement of the museum collection

The museum collection was displayed in the monastery, and the monastery library has also been included in the exhibition tour. Individual items are placed in different custom made display cases, some in segments, others along the room's wall. Among them we find photographs and postcards revealing the activities of the girls religious study group at the Marijina družba pri Sv. Trojici, and the boys section of religious society - the Holy Trinity Crusaders. A distinct display case holds priest robes, sacral art, and pilgrim devotionalia and accessories. On the walls are displayed votive paintings, and on the side and the upper part of display cases there are items from the monastery's and of the local community economic life.

The museum collection is didactically organized according to the 19th century museum principles. Individual segments are reminiscent of a *Kunstkammer*, known to us from the court life between the 17th and 19th century. The current collection placement is not enabling a sufficient recognisability and narrativeness of otherwise extraordinary artefacts, and is neglecting a more intensive communication with the local environment.

The identity of the town is therefore "only" based on sacral architecture masterpieces of the Baroque era, which was successful in constructing a bridge between the landscape and the community by the placement of recognisable bell towers, which transcends the understanding of the landscape either as a scenery or a territory (Kante, 2009). In this context one could recognise a dialogue between man and the landscape: the latter has become a recognisable symbol of the town, a landmark and an *imago* tailored according to man's actions. It has become an active heritage of past deeds (Beneš, Zvebil, 1999, p. 74).

Museum collection as a dialogue between a cultural landscape and the community

The Regional Museum Maribor in 2013/2014 organised the exhibition *The Treasures of the Holy Trinity*, based on the collection from Sveta Trojica.¹ The temporary exhibition was placed in rooms of the Regional Museum Maribor (The Partisan Cinema). Thematic segments of the exhibition were tied to liturgic garments. The significance of the chasubles, garments, and symbolics (colours, pattern interpretation, dating) was emphasized, and of the pilgrimage in relation to the items (the Loretan Black Madonna, votive paintings and reliquaries). The history and the history of the monastery was presented by the sculpture collection, while the economic significance of the monastery was relayed on working tools and implements. As a part of the exhibition, thematic lectures from the various fields of theology and sacral art were organized.² The exhibition was visited by the entire elementary school of Sveta Trojica in Slovenske gorice. There was an organised field trip from Maribor to Sveta Trojica. Additionally, in cooperation with the school nurses of Sv. Frančišek Kristus Kralj several workshops were organised themed *Embroidering with a Golden Thread*, as a demonstration of how a priest robe is made, and for the purpose of the exhibition restoration - conservation works were performed on artefacts, which were also presented at the lecture.

The museum exhibition took on the role of a contact zone,³ a meeting point and complementing the collective memory. It was focused on dialogue and designed as a process that forms relations with interaction among the contents, artefacts,

¹ Authors of the exhibition: Oskar Habjanič (project leader), Maja Hren Brvar and Tadej Pungartnik.

² Lecturers to be mentioned: ddr. Nataša Golob, dr. Edvard Kovač, Irena Porekar Kacafura, Tadej Pungartnik, Oskar Habjanič.

³ For a more detailed role of museums as contact zones see James Clifford, *Museums as Contact Zones*, in: David Boswell and Jessica Evans (ed), *Representing the Nation: A Reader: Histories, Heritage and Museums*, Routledge, The Open University, 1999, pp. 435 - 457.

place of origin, and the public. The basic characteristic of the meeting point became the reciprocity (Clifford, 1999, pp. 437 - 441) between the museum item and the visitor, who was encouraged by the museum item through memory of past events to strengthen the feeling of belonging and related emotions. In the case of *The Treasures of the Holy Trinity* exhibition - memories of pilgrimage are strongly connected to farewells and loss.

The exhibition concept was based on inclusion and an active participation of the community. The society of countryside women from Sveta Trojica prepared a small banquet at the opening ceremony, while the children choir of Sv. Trojica took part with a music program. Individual thematic segments of the exhibition emphasised the significance of the museum item as a narrator of the past (Pearce, 1994, pp. 19 - 29) at which, according to Saussur, a relationship was established between the designator and designatee (Saussure, 1997), between the museum item or the collection and the community, between the object and the subject. The exhibition narration restored an active role to the museum item in the local community and subjectified it through the interpretational structure of the museum collection.

The name of exhibition *The Treasures of the Holy Trinity* carried a powerful message, and at the same time it functioned as a metaphor and a symbol, or a sign on which the exhibition entirely through interpretation was based upon, while the community recognised itself in it. The title triggered a process of communication and strengthened the interaction between the monastery collection and the community. We can identify it as a repeating cycle among the designator - designatee - sign, through which new social bonds are triggered and formed (Pearce, 1994, p. 25).

Conclusion

The museological problem of the objectifying a museum item was already addressed decades ago (Maroević, 1993, p. 53). The problem can also be identified in the relationship of museums towards private collections. From a phenomenological viewpoint, which emphasises dialectics between an object and a subject, captured in the essence as well as the existing, one can shed a lot of light on the exposed problem. From this viewpoint the role and the meaning of a museum item are inherently encompassed in the entirety of the place of origin. The musealization of an item in the holistic conceived context with its variety of meanings and values means the subjectification of the item. On the other hand the dislodging of an item from its contexts of origin bring about its objectivisation. Symbolically one could speak about the process of "personalization" and "depersonalization" of a museum item, which in an analogue sense also applies to collections.

Private collections from the good practice examples viewpoint mean the material connotation of the collective memory. They enable additional, alternative insights into the subject and are incorporating multiplicity into the interpretation of the past. They reflect values, beliefs, and behavioural patterns that museum collections, subordinated to the principles of scientific research, do not entail or plainly miss. Private collections are not exposed to the authorised heritage discourse and enable a multi-interpretative and inclusive manner of managing heritage. From the museological theory, we can conclude that they enable the subjectivization of items in the processes of musealization as an inherent part of the place of origin.

We can conclude with the statement that a holistic heritological approach is in fact improving the understanding of the social role of private collections, which are presenting often overlooked or consciously neglected values, events, and activities in museums. Along with the places of memory they indispensably contribute to the preservation and the shaping of the collective memory, which in certain social environments enables a more democratic approach in the processes of heritisation and heritage management, and by doing so, a more wholesome understanding of the past.

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Impact of Human Settlement on Land Use/Land Cover Changes in the Middle River Njoro Sub Watershed in Kenya

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Abstract

This study investigated the use of remote sensing and GIS in evaluating the impacts of human settlement on land use /Land cover changes. The study also investigated the drivers behind the change in the middle of River Njoro sub watershed for a period of 27 years. Drivers of land use change were captured by the use of DPSIR model where Drivers (D) represented human needs, Pressures (P), human activities, State (S), the ecosystem, Impact (I) services from the ecosystem and Response (R), the decisions taken by land users. Land sat MSS and Land sat ETM+ (path 185, row 31) were used in this study. The Land sat ETM+ image (June 1987, May, 2000 and July, 2014) was downloaded from USGS Earth Resources Observation Systems data website. Remote sensing image processing was performed by using ERDAS Imagine 9.1. Three land use/land cover (LULC) classes were established as Human settlement, forest and shrub land. Severe land cover changes were found to have occurred from 1987-2000, where human settlement increased by 52% , shrub land reduced by 19% , and forestry reduced by 72% . In the year 2000 – 2014, human settlement increased by 121% , shrub land reduced by 45% , and forestry reduced by 64% . Forestry and shrub land were found to be consistently reducing while human settlement was increasing. It was evident from the images that the LULC changes with corresponding soil quality deterioration mostly occurred in the upper and middle parts of the Middle river Njoro sub watershed which were initially under forest. To minimize the risk of vegetation destruction and soil degradation, it will be necessary to identify socioeconomic safety nets and initiate restoration of the environment to original pre- catastrophe status.

Keywords: watershed. Land use/land cover change, Landsat imagery, Geographic Information System

Introduction

Settlement can be observed directly in the field or by remote sensing. Information collected on land use in form of settlement require the integration of natural and social scientific methods (expert knowledge, interviews with land managers) to determine which human activities resulting from settlements that are occurring in different parts of the landscape. As a result, scientific investigation of the causes and consequences of land use/land cover change (LULCC) requires an interdisciplinary approach integrating both natural and social scientific methods, which has emerged as the new discipline of land-change science. Land use /Land cover (LULC) is continuously changing in the Middle River Njoro ecosystem, thereby threatening sustainability and livelihood systems of the people. Human population increase is causing great pressure to the natural environment resulting in increasing conflict between different human activities and the need for biodiversity conservation. Settlements and other biodiversity modifications have resulted in deforestation, biodiversity loss, global warming and increase of natural disaster like flooding (Fan *et al*, 2007, Dwivedi, *et al*, 2005). Land use/land cover change in most or all cases is associated with environmental problems. Therefore, available data on LULC changes can provide critical input to decision-making of environmental management and planning the future (Fan, *et al*, 2010, Prenzel, 2004). The growing population and increasing socio-economic necessities creates a pressure on land use/land cover. This pressure results in unplanned and uncontrolled changes in LULC (Seto, *et al*, 2002). The LULCC alterations or change in the state of the ecosystem are generally driven by pressures resulting from mismanagement of agricultural, urban, and forest lands which lead to severe environmental impacts such as landslides that require a response to abate disaster.

The driver's – pressure – state – impact - response (DPSIR) framework is a causal chain where the driving forces of LULCC consist of any natural (biophysical) or human-induced (socio-economic) factors like settlement that can lead to environmental pressures. The demand for agricultural land, energy, water, food, transport and housing can serve as examples of driving forces (Giupponi, 2002; Kristensen, 2004; Wood and van Halsema, 2008). Pressures consist of the driving forces' consequences on the environment such as the exploitation of resources (land, water, minerals, fuels, etc.),

pollution and the production of waste or noise (Wood and van Halsema, 2008). As a result of pressures, the 'state' of the environment is affected; that is, the quality of the various natural resources (air, water, soil, etc.) in relation to the functions that these resources fulfill. The 'state of the environment' is thus the combination of the physical, chemical and biological conditions. The support of human and non-human life as well as the depletion of resources can serve as pertinent examples (Kristensen, 2004). Changes in the state may have an impact on human health, ecosystems, biodiversity, amenity value and financial value. Impact may be expressed in terms of the level of environmental harm and finally, the responses demonstrate the social efforts to solve the problems identified by the assessed impacts, e.g. policy measures, and planning actions (EEA, 1999; Giupponi, 2002; Kristensen, 2004; Wood and van Halsema, 2008). To date, DPSIR has been proved as a valuable tool that describes the relationships between the origins and consequences of environmental problems (Leka *et al.*, 2005), it provides a significant fraction of the necessary environmental information (EUROSTAT, 1999), it facilitates decision making (Tscheming *et al.*, 2012) and promotes the core essence of environmental sustainability (Reed *et al.*, 2006). As a result, it has been applied in numerous research efforts including Water Resources Management of various scales as well as in a series of international and multidisciplinary research projects as the main analysis tool (Tscheming *et al.*, 2012).

The middle River Njoro sub Watershed has been undergoing a new phase of rapid land use change to accommodate the increasing rural and urban human settlements. There is therefore need to understand how land use changes affected the environmental sustainability of the study area. This study was therefore aimed at establishing the impact of human settlement on land cover/land use change and its influence on land use decisions in the middle River Njoro sub watershed.

Study Area

Njoro town is located in Nakuru County on the eastern edge of the Mau Forest Complex, the largest single forest blocks in Kenya. The area lies between the forest and Lake Nakuru National Park, a world famous flamingo habitat. The greater Nakuru District is situated between 35° 28' – 35° 36' E longitude and 0° 13' – 1° 10' S latitude. Most of the new settlers were originally pastoralists but are now practicing agro-pastoralists or keeping animals and practising crop farming. In addition to farming, they are using cleared forest areas for grazing livestock, mainly cattle, sheep and donkeys. Besides subsistence farming, these farmers also keep dairy animals and grow wheat as a cash crop. Smaller farms are interspersed with a few remaining large scale farms from the colonial era, including Egerton University's Ngongogeri commercial farm. Urban centres in the middle zone include Njokerio which is around Egerton University Campus and Njoro Township.

The area of study covers about 8,170 Ha and lies between latitudes 0° 15' S and 0° 25' S and longitudes of 35° 50' E and 36° 00' E (Figure 1). The whole watershed has a population of about three hundred thousand (300,000) people with more than three thousand (3000) individual farm holding units (Baldyga, *et al.*, 2003). However, according to Kenya National Bureau of Statistics, Njoro Sub County registered a population of 23,551 people having grown by 3% from a population of 22, 845 people in 1999 (KNBS, 2009). Based on the same growth rate, the watershed population may have also grown to 309, 000 people with may be 3100 households. Due to the heavy settlement in the middle watershed, it is estimated to be home to about 2000 farm holding units in an area of more than 8,000 hectares with slopes ranging from < 2 to > and soils that are predominantly volcanic clay loam except near the lake where silt clay dominates (Mainuri and Owino, 2013).

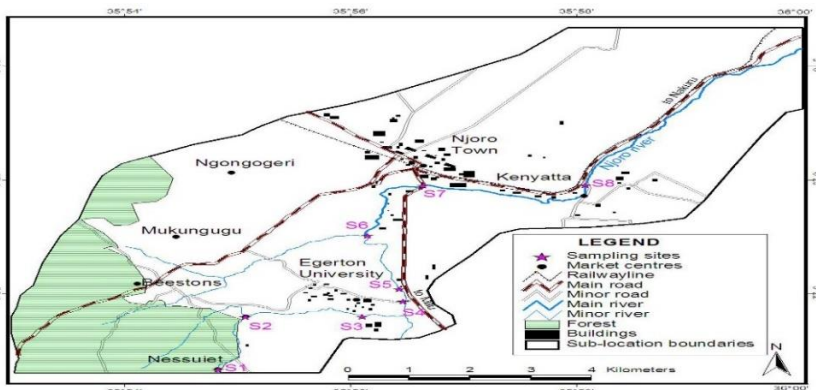


Figure 1: Middle River Njoro Watershed (Source: Mainuri and Owino, 2014)

3.0 Methods

A baseline survey at household-level encompassing socio-economic changes and impacts of land use activities in the middle River Njoro Watershed was established. Additionally, information on factors influencing land use decisions, productivity factors and change in economic activities were sought through use of a questionnaire. The middle River Njoro sub watershed household survey was to target an area of approximately 8000hectares. Three Landsat scenes were selected (1987, 2000 and 2014) for this study. These dates captured the major excision and settlement changes that have taken place in the watershed. Effort was made to acquire imagery that corresponds with major land use/land cover changes within this period.

The study utilized 200 questionnaires which were administered to homesteads that were initially identified at random on both sides of the river. The questionnaires were subjected to scrutiny for completeness and consistency in question answering and the way they addressed the various issues intended to be captured. The questionnaires were sorted out and entered into the SPSS (version 20) work sheet. With the descriptive and categorical nature of most of the questions, simple descriptive analysis was done using SPSS and inferential statistics performed based on the results.

3.1. Land use field data

Data on the driving factors that influence land use decisions in the Middle River Njoro sub watershed drainage basin was gathered through semi-structured interviews with the farmers (land owners) and six (6) key informants selected at random based on the their areas of operation including an agriculturist, environmentalist, social economist and NGOs in the region. Local group officials such as self-help groups, Friends of River Njoro and Water Resource Users Association (WRUA), were also interviewed concerning land use history and the perceived processes driving land use in the area.

3.2 Image classification

Land sat MSS and Land sat ETM+ (path 185, row 31) were used in this study. The Land sat ETM+ images (June 1987, May, 2000 and July, 2014) were downloaded from USGS Earth Resources Observation Systems data. The dates of both images were chosen to be as closely as possible in the same vegetation season. All visible and infrared bands were included in the analysis. Remote sensing image processing was performed using ERDAS Imagine 9.1. Five LULC classes were established as commercial farms, forest, settlement, subsistence farms, and shrub land. Three dated Land sat images (1987, 2000, and 2014) were compared using supervised classification technique. In the supervised classification technique, three images with different dates were independently classified. A Supervised classification method was carried out using training areas. Maximum Likelihood Algorithm was employed to detect the land cover types in ERDAS Imagine9.1.

3.3. Analysis of the Driving Forces of Land Use using DPSIR model

The DPSIR conceptual framework is a causal chain consisting of five elements; **Drivers** (human needs), **Pressures** (human activities), **State** (the ecosystem), **Impact** (services) and **Response** (decisions) which was used as a means to organize the many social, economic and ecological interactions in the sub watershed. Assessment of driving forces behind land use/land cover change (LULCC) was done to capture past patterns and also be able to forecast future patterns. Driving forces on LULCC captured in the survey included most of the factors that influenced human activity, including population increase, poverty, land tenure and markets. Also other underlying factors like local culture, food preference were found to influence the decisions made. Economics or the demand for specific products and financial incentives were also reported to greatly influence the pattern of production. Environmental conditions like soil quality, terrain, moisture availability, land policy and development programs such as agricultural programs, road building, zoning and feedbacks between these factors which included past human activity on the land such as land degradation, irrigation and roads played a major role in the decisions that people made.

4.0. Results

It was observed from the survey that 50 percent of the respondents had obtained up to primary education, while 20% percent had not obtained any formal education. A lower proportion (33%) had obtained secondary and post secondary level of education. 70 percent of the respondents had primary level education and below. The finding indicates that most of the respondents in the middle river Njoro sub watershed had low formal education and this affected the way in which they responded to new information on resource conservation and how they also received innovative ideas. The respondents were interviewed on the changes in natural vegetation and human settlement. 73 % of the respondents agree that human

settlement has been increasing while 27% of them feel that human settlement has not been significant. 93% of the watershed inhabitants have observed massive land use changes taking place with 7% not feeling that there has been any noticeable change in land use. This possibly could be that they have recently settled in the area and since they settled there has been no change. Climate change impacts resulting from human settlement have been felt by 31% of the people with a bigger population of 69% having not experienced any effects of climate change. The pressures exerted by the society through waste disposal, over cultivation and deforestation may have led to unintentional or intentional changes in the state of the ecosystem. However, only 4% of the respondents had observed any pollution or degradation of the ecosystem with a huge population of 96% not feeling or not being aware of the impacts possibly because they had recently purchased the land.

It emerged from the study findings that the biggest proportion (60%) of the land was bought by the current owners. A number of respondents had inherited the land from their fore parents comprising about 20% of the total. There were also cases of people (15%) allocated land by the government while the remaining 5% had acquired their pieces of land through buying shares in cooperative societies (Figure 2).

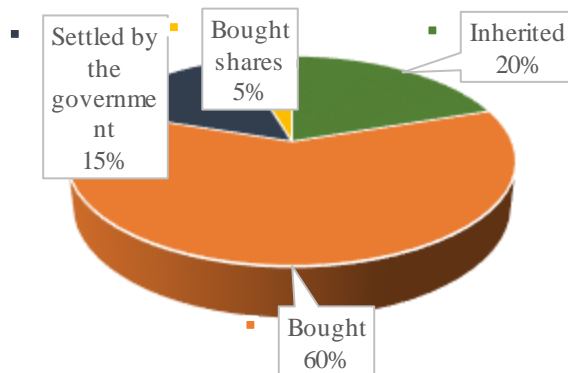


Figure 2: Land tenure

The study also established that most of the land was under cultivation when the current owners acquired as portrayed by 31.7% of the responses. This was closely followed by grass cover which formed 26.6% of the total responses. A significant 19% reported that the land area was under indigenous trees when they initially moved in, while a 15.4% response exhibited presence of exotic trees. However, only 7.3% of the total responses reported the presence of soil and water conservation structures on the land during initial settlement period (Table 1).

Table 1: Nature/ state and extent of Land cover during acquisition by current owners

| Land Use/ Cover | Responses | | |
|--|-----------|---------|------------------|
| | N | Percent | Percent of Cases |
| Presence of soil and water conservation structures | 24 | 7.3% | 12.9% |
| Under cropping | 105 | 31.7% | 56.5% |
| Under grass cover | 88 | 26.6% | 47.3% |
| Under indigenous trees | 63 | 19.0% | 33.9% |
| Under exotic trees | 51 | 15.4% | 27.4% |
| Total | 331 | 100.0% | 178.0% |

An interview was carried out on some key informants concerning the land use activities that have been observed over the period of study (Table 2). The respondents reported that the main environmental impacts were indicated by a general

increase in agricultural activities on riparian zones. This has emanated from pressures exerted by the increase in the number of people settling along the river Njoro. The main economic activity creating impacts to the ecosystem that was reported by these people was usually farming by the many people settling in the sub watershed which has resulted in the reduction of natural vegetation. However, the state of the ecosystem has remained a bit stable despite the heavy human settlement due to agro forestry and scattered natural vegetation that has contributed to the forest which is thriving in some parts of the ecosystem. The impacts of human settlement had altered the state of the ecosystem with most farms being seriously affected by soil erosion as most farmers were not observing any conservation measures. Hence, soil erosion was found to be notably rampant in Lare and Nessuit areas which have higher slopes with 70% of the respondents reporting severe erosion in the steeper slopes, 20% reported severe erosion on gentle slopes and 10% on flat grounds, while 20% of the people reported moderate erosion on steep areas, 69% reported moderate erosion on gentle slopes and 11% on flat grounds. 80% of the respondents reported no erosion on gentle slopes and 20% reporting no erosion on flat areas. Nobody gave any evidence of no erosion on steep slopes (Table 2).

Table 2: Level of soil Erosion

| Slope of the land | Level of erosion | | |
|-------------------|------------------|----------|------------|
| | severe | moderate | No erosion |
| Steep | 70 | 20 | 0 |
| Gentle | 20 | 69 | 80 |
| Flat | 10 | 11 | 20 |

As a result of no proper land ownership, most people are shy to invest in long term development activities and majorities are sluggish or unable apply any resource conservation measures. Driving forces on land use and conservation of natural vegetation included most of the factors that influenced human activity that exerted pressure on the ecosystem, including population increase, poverty, land tenure and markets. Underlying factors that drive actions like food preference demand for specific products, financial incentives and environmental state indicators such as soil quality, terrain and moisture availability played a great role in altering the land cover of the area. Increasing land use/cover changes were observed in the middle river Njoro watershed ecosystem which had more settlements over the last twenty seven (27) years. These changes resulted from a number of factors, but mainly related to habitat loss due to agricultural encroachment and human settlement. Information about changing patterns of land use/cover through time and the factors influencing such changes have been captured in the change detection maps of 1987, 2000 and 2014 and the results summarized in Table 4. The Long *et al.*, (2010) formula computed the rate of change within the three periods (T1, T2, and T3).

$$\Delta = \left\langle \frac{A2 - A1}{A1} \times 100 \right\rangle + \langle T2 - T1 \rangle$$

Where:

Δ = Average annual rate of change (%)

A1= Amount of land cover type in time 1 (T1, 1987)

A2 = Amount of land cover type in time 2 (T2, 2000)

A3 = Amount of land cover type in time 3 (T3, 2014)

Table 3: Change detection

| Class Type | 1987 Area Hectares T1 | 2000 Hectares T2 | 2014 Hectares T3 | Δ Ha 1987-2000 T1-T2 | Δ Ha 2000-2014 T2-T3 |
|------------|--------------------------|---------------------|---------------------|-----------------------------------|-----------------------------------|
| | | | | | |

| | | | | | |
|------------|----------|---------|----------|-------|-------|
| Forest | 1460.898 | 405.351 | 145.712 | -72%. | -64% |
| Settlement | 437.403 | 664.109 | 1470.364 | +52%, | +121% |
| Shrub land | 849.281 | 687.820 | 373.150 | -19%, | -45% |

From the study, it is evident that natural vegetation which was indicated by forest and shrub land (Table 5) has reduced over the period the respondents have resided in the area. The result from image processing and analysis for the years 1987, 2000 and 2014 portrays a general reduction due to settlements in both forests and shrub lands within the study area Figure 3 (a,b,c).

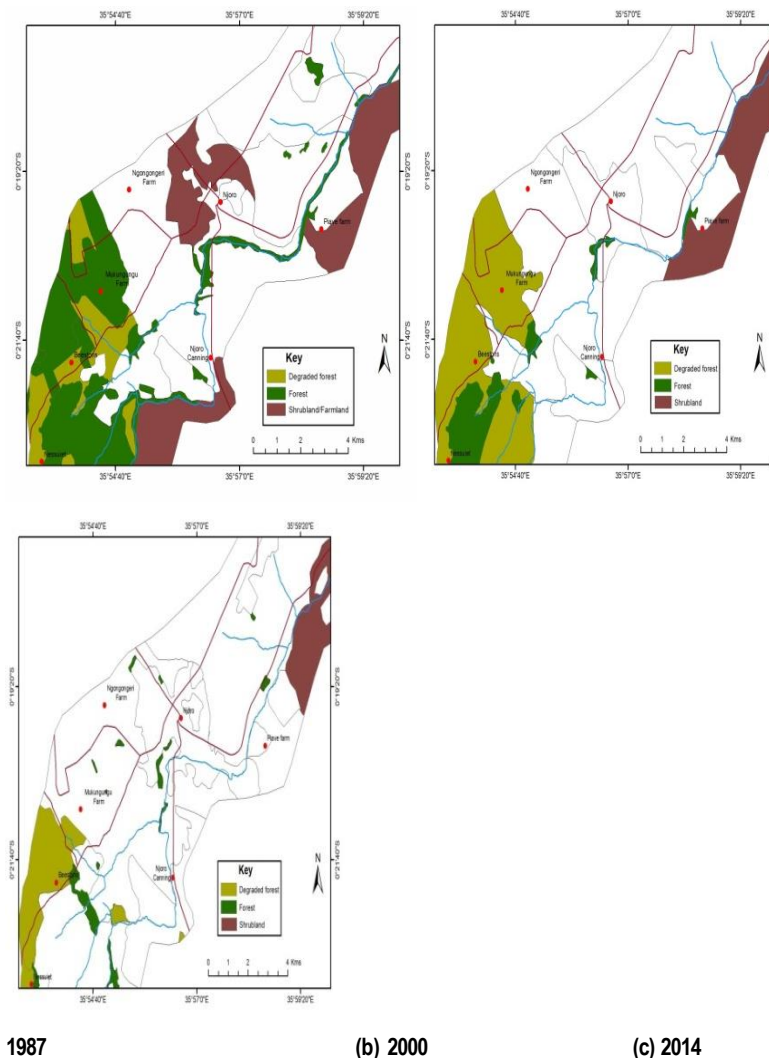


Figure 3: Reduction of Forests and Shrub Lands over the period of study.

We can therefore say that deforestation has been witnessed in the study area for the last two decades due to land use patterns. These patterns resulting from cultivation and human settlement stood out to be the major driving forces that have led to the reduction in natural vegetation cover in these areas, each constituting 33% and 30.9% of the total responses respectively. Other activities included charcoal burning, infrastructural development, and grazing and commercial timber production resulting from the growing population. The population has for the last two decades been growing. Owing to this, respondents' feedback shows that a significant increase in human settlement has been witnessed in the areas covered by the study. An assessment of the values obtained from image analysis of the area, show that there has been an almost four times increase (from about 437 ha in 1987 to 1500 ha in 2014) in the human settlements Figure 4 (a,b,c)

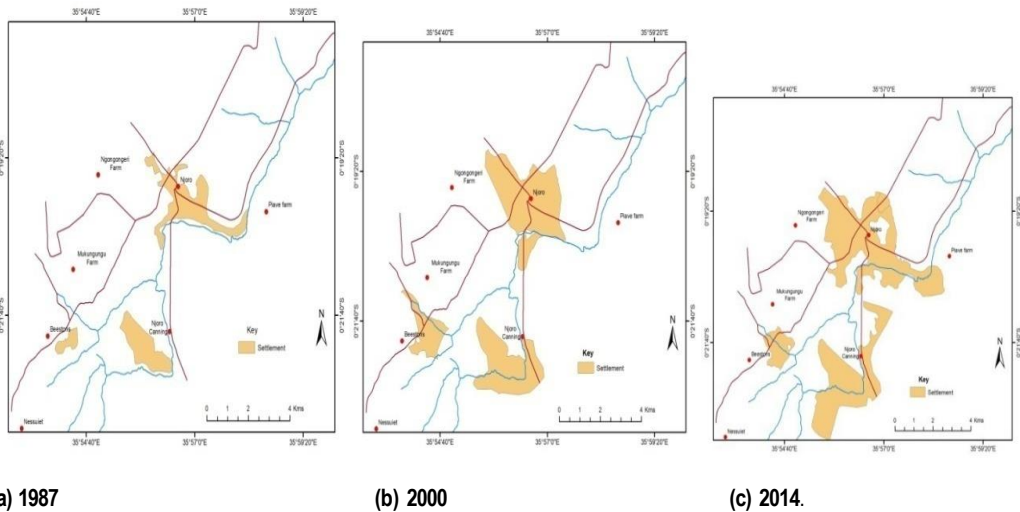


Figure 4 : Human Settlement Variation in the Study for the Period 1987 to 2014

One of the most fundamental and characteristic nature of people is the movement from place to place which most of the time results in change of residence. This phenomenon, otherwise referred to as migration, has played a vital role in elevating the number of people who have settled in the area for the past twenty or more years. Migration was a factor which explained why human settlements in these areas have grown over time greatly reducing the available size of land for each family. It is evident from the responses that the largest piece of land was 15 acres while the minimum land size was 0.125 acres giving a range value of 14.875 acres (Table 4).

Table 4: Land size and duration of ownership

| Items | N | Range | Minimum | Maximum | Mean |
|--|-----|--------|---------|---------|---------|
| Land size | 200 | 14.875 | 0.125 | 15.000 | 3.07661 |
| Duration the owner has lived on the land | 200 | 65.0 | 1.0 | 66.0 | 16.817 |

On average, each respondent owned about 3.08 Acres of land. We had both long term occupants of the land with a period of about 66 years and some quite new occupants who had settled for about 1 year. This gave a range of 65 years which is vital in explaining the changes in the land use/ cover that has been witnessed in this area of study.

5.0 Conclusions and Recommendation

The factors driving land use decisions in the middle River Njoro watershed include human settlement and economic developments in the watershed community, and the corresponding changes in lifestyles, overall levels of consumption and production patterns. These drivers have exerted pressure to the ecosystem in form of waste disposal, over cultivation,

overgrazing and deforestation. These pressures have caused negative changes to the ecosystem which have caused heavy impacts mainly through removal of natural vegetation.

The removal of natural vegetation in the middle River Njoro sub watershed has resulted in the decreasing of the forest area by 1314 hectare and shrub land by 475 hectares with settlement increasing by 1032 hectares.

Land use/land cover changes mostly occurred in the upper parts of Middle river Njoro sub watershed with higher slopes and the middle and lower parts which have gentle and nearly flat slopes experiencing low or no change at all.

The integration of remote sensing and GIS was found to be effective in monitoring and analyzing land cover patterns and also in evaluating the influence of human settlement on land use change for future land development projects by the residents of study areas.

The residents are therefore recommended to develop responses to rehabilitate the degraded environment through soil and water conservation, reducing land use/land cover change (LULCC), choice of crops and crop rotation in order to mitigate the negative outcomes of the ecosystem changes.

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Set of Data Elements for Nautical Charts Cataloging: Analysis Between the RDA Scheme and the IDERA Metadata Profile

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Abstract

The nautical chart is a cartographic resource designed to meet the requirements of maritime navigation, showing the depth of the water and the nature of the seabed, as well as the configuration, features and elevation of the coast and the dangers and aids to navigation. The nautical charts provide a graphic representation of the information required by the navigator to carry out safe navigation. The organization and description of this type of resources is a key element when accessing information. From the scope of librarianship, the current scheme for the processing of information is the RDA standards Resource, description and access), which allow the description of all kinds of information resources. On the other hand, geospatial organizations have developed different specific metadata schemes for the processing of spatial information. Metadata allows a producer to describe a dataset fully so that users can understand the assumptions and limitations and evaluate the dataset's applicability for their intended use. In Argentina, the scheme for processing this kind of information is called IDERA, which is based on the ISO 19115: Standards on geographic information. The present work analyzes the treatment that specific rules of metadata like IDERA and general norms of description of resources like RDA give to the set of specific data present in the digital nautical charts. **Methodology:** from the identification of data elements that allow to describe and identify nautical charts as information resources a comparative table between both schemes was developed. **Results:** Neither of the two schemes has contemplated the totality of data element set established for the identification of nautical charts. The RDA scheme managed to better satisfy the description and identification of nautical charts that IDERA, although neither of them contemplate 100% the established data elements set. **Conclusions and recommendations:** 1) According to the above, neither of the two schemes to process the information complies in its entirety with the information contained in the nautical charts. 2) Some data elements do not fit in any of the two schemes, reducing visibility and information retrieval of the two schemes for processing information, RDA are those that allow a more complete description of the resource, although in a general, non-specific way. 3) The specialized spatial data scheme (IDERA) leaves out important data elements of this kind of resources. 4) IDERA metadata profile, although it was thought for spatial data does not include the special characteristics of the different resources that make it up. 5) It is advisable to develop a metadata profile that, in addition to contemplating the general characteristics of geospatial resources, includes the particularities of each class of its resources

Keywords: Nautical Charts – Metadata – Elements data set – Information retrieval – Information processing – RDA

Introduction

The nautical charts are an essential information resource for safe navigation. The nautical charts, however, are not only a useful resource for navigators; according to the International Hydrological Organization (OHI), they fulfil essentially two functions: 1) Maritime navigation, since most hydrographic services have the obligation to provide coverage of nautical charts of its national waters to the extent and at the scales where the safety of navigation of all types of ships, from the smallest to the largest, in all coastal waters, including important ports, visited by larger ships, and smaller sea arms of purely local interest. In this sense -the best known- nautical charts are navigation tools, and 2) as a source of information, since the national nautical charts present a detailed configuration of the seabed. In this sense, the national hydrographic services have a similar responsibility with respect to their jurisdictional waters to that of the cartographic organisms for terrestrial areas. Information about the shape of the seabed is required by a diversity of national users in addition to the

navigators; for example, engineers interested in onshore construction, dredging contractors, oceanographers, defence agencies, coastal zone managers, etc.

These two functions mentioned above led to the national nautical charts, ie those nautical charts that represent marine spaces of national jurisdiction, that the series of national charts cover national waters in great detail. This situation is reflected in the very large scales used for the port plans and the general existence of at least two continuous coastal series: one large scale relatively large and the other slightly smaller.

Essentially we can identify three classes of nautical charts of national jurisdiction determined at the same time by the scale and the maritime space represented. These are letters from ports or portulans, from landings and coastal charts.

The concept of an international nautical chart emerged in 1967, as a need to provide the same safety in navigation in international waters. Since no country has jurisdiction over this type of chart, a commission constituted within the IHO established an exhaustive set of cartographic specifications to be used in the preparation of medium- and large-scale international charts, which became large progress in standardizing them. As a result of this activity, the international nautical charts covered all navigation charts. On the other hand, bilateral agreements were established between nations for the production of international nautical charts.

In this way, the development of international nautical charts evolved, adding two more classes to those already described: nautical charts of seagoing and oceanic nautical charts

The nautical charts are classified in; ports, seagoing, coastal, landings and oceanic. Being the first three of national jurisdiction and the last international one.

There are nautical charts in analog format, such as paper charts, or digital charts, and they can be obtained from various sources, official and private. Among the digital nautical charts we can differentiate two classes: nautical raster charts and nautical vector charts. The first ones are generated from the printed matrix, there being no difference with them. Vector nautical charts are developed from the superposition of information planes generating greater interception of the document with the user.

From the above it can be inferred that there is an important variety of users who consult and require nautical charts according to different information needs. One of the essential tools for accessing this kind of resources are catalogues and other secondary documents that constitute the first step in accessing information resources. That is, the catalogue is the first element of selection that the user has when looking for information resources

According to the international cataloguing principles (2017) the objectives of the catalogue are:

to find bibliographic resources in a collection as the result of a search using attributes or relationships of the entities

to identify a bibliographic resource or agent (that is, to confirm that the described entity corresponds to the entity sought or to distinguish between two or more entities with similar characteristics)

to select a bibliographic resource that is appropriate to the user's needs (that is, to choose a resource that meets the user's requirements with respect to medium, content, carrier, etc., or to reject a resource as being inappropriate to the user's needs)

to acquire or obtain access to an item described (that is, to provide information that will enable the user to acquire an item through purchase, loan, etc., or to access an item electronically through an online connection to a remote source); or to access, acquire, or obtain authority data or bibliographic data

to navigate and explore

So any instrument that results from the processing of information must comply with these requirements. In general, the cartographic resources and in particular the nautical charts have been processed from two different kinds of regulations. Those generated from librarianship and information science (AACR2, RDA) and those developed in spatial information contexts (ISO 19115, IDERA, etc.). The former can be characterized as norms for the processing of general information,

since they have not been thought to process exclusively cartographic data. The second are rules to process cartographic information exclusively.

Idera metadata

IDERA is an implemented standard for the description, documentation and cataloguing of spatial information resources used in the IDERA project, and recommended for use in other public and private areas of Argentina. It has been developed for vector data processing using the ISO 19115 standard and the ISO 19139 technical application as a basis.

In this standard, five classes identified by the letters A, B, C, D and E have been defined, adopting the following criteria:

- A. Identification Information
- B. Spatial Reference System
- C. Distribution Information
- D. Data Quality Information
- E. Metadata information

On the other hand, each element can be mandatory, optional or conditional. In the first case the geographic metadata element must be present. In the second one it may or may not be present, at the discretion of the producer of the data set and for the case that it is a conditional element implies that the geographic metadata element must be present if the data set exhibits the characteristics defined by the element.

RDA standart

Resource Description and Access (RDA) is an international standard for cataloguing resources developed from the field of librarianship and information sciences. As proposed by Andrew, Moore and Larsgaard (2015) the RDA was developed with an eye to bringing library metadata into the wider data universe.

According to the exposed one of the most important differences between RDA and IDERA is the general character of one and the specific approach of another. Apart from these differences, the two standards must give satisfactory answers when processing cartographic resources. Although of course this expectation is greater specificity in the treatment of information by the IDERA metadata

Objective

know how the analysed standards fit to the nautical charts processing needs from the analysis of the data elements defined for this kind of resources

Methodology

To carry out this research, two steps have been proposed

- 1) Identify the set of data elements that allow to represent and identify the content of the resource. For this purpose, different kinds of resources have been analysed, such as the nautical charts and complementary bibliography developed by the International Hydrological Organization in order to identify all those elements that may be used to represent the resource in question.
- 2) Once the set of data elements for the nautical charts has been defined, the capacity of each analysed rule (RDA, IDERA) to process and represent each of the data elements defined in the first step is analysed.

Results

In order to achieve a clearer presentation of the results, the data elements will be grouped in different tables with the purpose of achieving greater clarity in the visualization.

| Nautical Chats Data element | RDA | | IDERA | |
|-----------------------------|-------------|---------------------------------|-------|-------|
| | instruction | Name | ID | Name |
| Title | 2.3.2.1/8. | Title proper | A.1 | Title |
| | 2.3.2.8.2 | Title include scale | | |
| | 2.3.2.11.2 | Title for cartographic resource | | |

| | | | | |
|-----------------------------|---------|---|------|-------------------------|
| | 2.3.4.5 | Complementary information title for cartographic resource | | |
| Statement of responsibility | 2.4 | Statement of responsibility | A.6 | Contact of data creator |
| Scale statement | 7.25.1 | Scale record | A.13 | Scale |
| | 7.25.3 | Horizontal scale of the cartographic content | | |
| | 7.25.4 | Vertical scale of the cartographic content | | |
| Cartographic projection | 7.26.1 | Record of the projection of the cartographic content | B.1 | Projection |
| Cartographic coordinates | 7.4.1 | Record of the coordinates of the cartographic content | A17 | geographical extension |
| | 7.4.2 | Latitude and longitude | | |
| | 7.4.3 | Chains of coordinate pairs | | |

Table 1. Analyses five data elements that, while common to all cartographic resources, allow for some differences between the two standards considered

Title

RDA establishes a set of three instructions considering a wide range of possibilities according to the characteristics of the resource analyzed, including the scope, sources of information, form of registration, etc. (instructions 2.3.2.1-8) Also as shown in the table considers certain situations such as when the scale is included in the title (instruction 2.3.8.2), description of the title for cartographic resources (2.3.2.11.2), complementary information for cartographic resources. IDERA for its part for the title establishes some guidelines but always of a general nature, recommending that it does not exceed 50 characters, that it does not include acronyms or abbreviations and that it represents as faithfully as possible the content of the resource

Statement of responsibility

RDA establishes a set of possibilities for the registration of the statement of responsibility framed in instruction 2.4. Instruction 2.4.1 indicates how to record the statement of responsibility, 2.4.1.2 establishes sources of information. Instruction 2.4.1.5 establishes the criteria for cases where there is more than one person for the statement of responsibility and instruction 2.4.1.6 in cases where there is more than one mention of responsibility. Instruction 2.4.2 establishes the scope, sources of information and registration for the mentions of responsibility related to the proper title. IDERA in the field A6 establishes the instructions for the creator of the resource, being able to be an organism, institution or person responsible for it. Indicates that the surname should be loaded first and then the name of the creator in the case of people. If they were more than one, they should be separated by a comma (.). It does not establish any instruction for the case of organisms or institutions

Scale statement

RDA proposes a set of instructions for the registration of scale data. The set of instructions 7.25.1 for the registration of the scale includes the scope (instruction 7.25.1.1), information sources (725.1.2) and the scale register (725.1.3). Instruction 7.25.1.4 considers the cases that there is more than one scale and instruction 7.25.1.5 establishes the criteria for recording those non-linear scales. The set of instructions 7.25.3 establishes the scope, sources of information and records of those horizontal scales of cartographic content. The vertical scale of cartographic content including the scope, sources of information and registration is contemplated in instruction 7.25.4. IDERA establishes the instructions for the scale in field A13 (ID13). The data must refer to the scale at which the terrestrial phenomena in the developed resource have been represented. It does not provide any specification or recommendation for the different scales that could be presented and only indicates the way to register.

Cartographic projection

The set of instructions 7.26 establish the criteria for the registration of cartographic projections in RDA including the scope (7.26.1) information sources (7.26.2) and the registry (7.26.3). The set of instructions 7.27 allows to record any other detail of the cartographic content not contemplated in previous instructions. IDERA in field B.1 establishes the instructions for the map projection data. In order to standardize the data load in this field, IDERA proposes to use a set of geodetic parameters developed by the European Petroleum survey group that contains ellipsoids, datum, coordinate systems, cartographic projections, etc.

Cartographic coordinates

The set of instructions 7.4.1 refers to the registration of the coordinates of the cartographic content, including the scope (7.4.1.1), sources of information (7.4.1.2) and registration (7.4.1.3). Instruction set 7.4.2 establishes the criteria for longitude and latitude data. The instruction 7.4.2.1 the scope, 7.4.2.2 sources of information and 7.4.2.3 the record. The set of instructions 7.4.3 establishes the criteria for the registration of chains of coordinate pairs. IDERA considers in the field A17 under the name of geographic extension data of latitude and longitude.

RDA instruction 7.27 allows to record any other detail of the cartographic content not contemplated in previous instructions.

RDA establishes that the title proper, the mention of responsibility related to the title proper and the scale are core elements. IDERA

IDERA establish the title proper and the statement of responsibility are core elements. The scale and the geographic extension are optional data. The data of cartographic coordinates is conditional

| Nautical Chats Data element | RDA | | IDERA | |
|-----------------------------|-------------|---|-------------|------------------|
| | Instruction | Name | Instruction | Name |
| Edition Statements | 2.5.1 | Edition statement record | A.3, D.1 | Edition, lineage |
| | 2.5.2 | Designation of edition | | |
| | 2.5.4 | Statement of responsibility relating to the edition | | |
| | 2.5.6 | Designation of a named revision of an edition | | |
| Nautical Chats Data element | RDA | | IDERA | |
| | Instruction | Name | Instruction | Name |
| Production | 2.7.1 | Production statement | | |
| | 2.7.2 | Place of production | | |
| | 2.7.4 | Producer name | | |
| | 2.7.6 | Date of production | A.2.1 | Creation date |
| Publication | 2.8.1 | Publication statement | | |
| | 2.8.2 | Place of publication | | |
| | 2.8.4 | Publisher name | A.7 | Publisher name |
| | 2.8.6 | Publication date | A.2.1 | Publication date |
| Distribution | 2.9.1 | Distribution statement | | |
| | 2.9.2 | Place of distribution | | |
| | 2.9.4 | Distributor name | | |
| | 2.9.6 | Distribution date | | |

| | | | | |
|----------------|--------|--------------------------|--|--|
| Manufacture | 2.10.1 | Manufacture statement | | |
| | 2.10.2 | Place of manufacture | | |
| | 2.10.4 | Manufacturer name | | |
| | 2.10.6 | Manufacturing date | | |
| Copyright date | 2.11.1 | Copyright date statement | | |

Table 3 shows two sets of data elements “Edition statement” and “production, publication, distribution, manufactures and copyright date”.

Edition Statements

RDA allows to describe data about the edition mention from four sets of instructions. Edition statement record (2.5.1), including the scope (2.5.1.1) information sources (2.5.1.2) and the registry (2.5.1.4). Instruction set 2.5.2 establish the criteria for the designation of the edition including the scope, Is source of information and the record of the edition among others. Instructions sets 2.5.4 allows to describe in the case that the edition is related to the statement of responsibility including the scope (2.5.4.1), information sources (2.5.4.2) and the registry (2.5.4.3). The last instruction in this work related with edition statement is a Designation of a named revision of an edition (2.5.6) including the scope (2.5.6.1), information sources (2.5.6.2) and the registry (2.5.6.3)

IDERA, on the other hand in field A.3, allows to describe data related to edition statement. it could include data on the version of the resource, any change that may occur in the resource. It is a free text field restricted to 30 characters. In field D.1 (lineaje) allows to describe the sources of information from which it derives or from which the resource has been generated under documentation. This field can be matched with the instruction set 2.5.6 “designation of a named revision of an edition”

Production, publication, distribution, manufacture and copyright date

For each of the data elements (production, publication, distribution, manufacture and copyright data) RDA establishes a set of instructions for its description with a general character scheme except for the copyright date. In this way the instructions 2.7.2, 2.8.1, 2.9.1 and 2.10.1 allow to describe data related to production statement, publication statement, distribution statement and manufacture statement. For each case, instructions have been included that establish the scope, the sources of the information and the form of registration of the data. For the copyright date, the instruction 2.11.1 establishes the basic criteria for the registration of the copyright date including the scope (2.11.1), source of information (2.11.2) and the registration (2.11.3)

For these data elements, IDERA has developed three data fields that include that includes dates related to the production, creation or update of resources (A.2.1, A2.2) and the data field A.7 in which it is possible to describe the publisher name of the resource. A.2.1 named reference date. It is the field in which a date must be transcribed that can be of actualization, creation or production of the resource. The data field A.2.2 called Type of reference date. The type of date varies from publication creation and / or revision. But there can not be two of the same.

| Nautical Chats Data element | RDA | | IDERA | |
|----------------------------------|---------------------|--|-------------|-----------------------------|
| | Instruction | Name | Field | Name |
| Physical description | 3.4.2 | Extent of cartographic resources | | |
| | 3.5.2 | Dimensions of cartographic resources | | |
| Format and coding of information | 3.1.5 | Resources on line | C.1,C.3,C.4 | Link (name and description) |
| | 3.3.1 | Type of resource | A.12 | Type of resource |
| | 3.19.1 | feature of the digital file | A.15 | set of data characters |
| | 3.19.2 | type of file | | |
| | 3.19.3 | Format coding | | |
| | 3.19.5 | digital image resolution | | |
| | 3.19.8 | digital representation of the cartographic content | | |
| 3.20.1 | System requirements | | | |

Table 3 shows two sets of data elements related to each other: “physical description” and “format and coding of information”.

Physical description defined by RDA includes *extent of cartographic resources* and *dimensions of cartographic resources*. The first case RDA developed different instructions for the description of the extension of the cartographic resource that includes its application (3.4.2.1) and the registry that includes a set of cartographic elements (3.4.2.2). The other set of elements, *dimensions of cartographic resources* included different cases to describe the size of cartographic materials (instructions 3.5.2.1-7), all in print format.

IDERA, on the other hand, has not defined any element of data for the physical description. In the case of the dimensions it is logical since they are described for printed formats. But it also does not offer options when describing the extension of the resource. At this point RDA, although it offers a set of different names of cartographic materials, is not the term nautical chart. Anyway the instruction 3.4.2.2 allows adding a name if none adapts to the resource that is described.

For the set of data element "*format and coding of information*" RDA has defined a set of instructions. The type of support including the scope (instruction 3.3.1.1), source of information (3.3.1.2) and instructions for registering the type of support. The set of instructions for feature of the digital file (3.19.1) allows to describe digital coding of a resource, although it is not specifically designed for cartographic resources, it includes it. Include the scope (19.1.1) source of information (3.19.1.2), record of feature of the digital file (3.19.1.3) and details of feature of the digital file (3.19.1.4). The set of instructions for type of file file (3.19.2) include the scope (19.2.1) source of information (3.19.2.2), Record of file type (3.19.2.3) and details of file type (3.19.2.4). In the same way RDA allows to describe format coding (3.19.3), digital image resolution (3.19.5), and System requirements (3.20.1) RDA establishes a set of specific instructions to describe the digital representation of the cartographic content (3.19.8) including the scope (3.19.8.1), the source of information (3.19.8.2), the registration of the digital representation of the cartographic content (3.19.8.3) and the registration of the digital representation of the cartographic content (3.19.8.4), which may include the type of data, the type of objects or the number of objects used to represent spatial information

In the IDERA metadata profile, only data about the online resource (fields C.1, C.3, C4), the type of resource (A.12) and the characteristics of the resource data set are included (A.15). Fields C1, C3, and C4 allow you to set Location for online access through the Uniform Resource Locator (URL) of the address or location of the resource, the name of the resource online, and a detailed textual description of what the online resource is respectively.

From the description of the set of data elements both in table two and three it is possible to infer that although the RDA is a scheme for the description of all kinds of resources, it delves into specific details covering in greater detail than the IDERA metadata profile

It is important to emphasize that the variety of instructions in each data set including recommendations, examples and in some cases suggestions of terms to use, contrasts with a relatively smaller number of instructions, and in many cases with the possibility of using the free text. From this comparison with both schemes one of the first inferences to which it can arrive is that in the IDERA metadata profile it is unlikely to achieve a standardized record given the number of subjective decisions that the scheme leaves to the person doing the description. RDA to establish a greater number of instructions for set of data elements reduces the range of variability improving the normalization of the description

| Nautical Chats Data element | RDA | | IDERA | |
|------------------------------|-------------|-----------------------|-----------|----------------------------|
| | Instruction | Name | Field | Name |
| Subject | Undefined | | A.9 | Subject |
| Abstract | 7.10 | Content summary | A.4 | Abstract |
| Key words | Undefined | | A.10 | Keys word |
| Language | 6.11 | Exp res sion language | A.14 | Language |
| | 7.12 | Content language | | |
| Content | 7.2-7.3 | Content nature/ | A.16 | Content ex tension |
| | 7.3 | content cov erage | | |
| Restrictions on the resource | 4.4 | Access restrictions | A.11 | Restrictions on the source |
| ex pected audience | 7.7.1 | ex pected audience | Undefined | |

Table 4 shows aspects related to the description of the content of a resource such as the topic, summary and keywords; the language and issues related to access restrictions.

From the point of view of the content description comparing each of the analysed aspects, the IDERA metadata profile offers greater possibilities when making the description. RDA does not include data elements for the subject and keywords. However, it allows incorporating keywords into the title of the mapping resource if the cataloguer deems it necessary for its description (Instruction 2.3.4.5).

The lack of some data elements related to the content description is due to the fact that in their conception the RDA would contemplate both the bibliographic description and the content in practice is still a pending element. This situation, it is important to say it comes from the previous standard for cataloguing, RDA. Naturally who applies this scheme at the time of doing the description of content will follow the instructions in the format that is working, for example Marc.

In relation to the language and in the restriction of access to the resource, RDA developed two instructions in the first case (6.11 and 7.12) and instruction (4.4) for the second. In the metadata profile IDERA presents the field A.14 in the first case and A.11 for the second. RDA establishes instruction 7.7.1 to describe the intended audience for the appeal. This data element is not defined in IDERA

| Nautical Charts Data element | RDA | | IDERA | |
|--|-------------|------|-----------|------|
| | Instrucción | Name | Field | Name |
| Type of Nautical chart based on scale | Undefined | | Undefined | |
| Type of nautical chart based on jurisdiction | Undefined | | Undefined | |
| natural underwater dangers | Undefined | | Undefined | |
| artificial submarine dangers | Undefined | | Undefined | |
| identification of nautical charts | Undefined | | Undefined | |
| Notice group to mariners | Undefined | | Undefined | |
| standardization levels of nautical charts | Undefined | | Undefined | |
| Rosas | Undefined | | Undefined | |
| coast line | Undefined | | Undefined | |
| Port types | Undefined | | Undefined | |
| navigation aid | Undefined | | Undefined | |
| Probes | Undefined | | Undefined | |

Table 5 represents those sets of data elements of exclusive application for nautical charts not found in other type of cartographic resource.

None of the two schemes analyzed has developed instructions or fields for the description of the data elements considered in table 5. While some instructions (notes) in RDA can dump information is from a non-specific view, where the information is not standardized. The data elements defined for table 5 according to the RDA scheme make it difficult to retrieve the information. On the other hand, IDERA, despite being a metadata schema for cartographic resources, has not defined the data elements mentioned in this table either. Even no field, although not specific, has been found to describe the data

Conclusion

It is possible to analyze the results from two stages. First the results shown in tables 1.4. In them a greater level of detail can be observed by the RDA, assigning in most cases more than one instruction for the proposed data elements, thus achieving greater specificity and precision. As a result of this, allowing a high level of standardization in the description and at the same time minimizing the conceptual differences between the cataloguers when producing the data record. On the contrary of the RDA, each data element was linked in most cases with a single field defined in IDERA, leaving multiple options for the record by the cataloguer. Although this metadata profile is based on the Dublin Core and the norms ISI 19115, the reduced number of fields cannot contemplate the general data elements that the nautical charts share with the rest of the cartographic resources.

This multiplicity of options left to the cataloguing criterion has a negative impact on the normalization of data.

The second stage of analysis is related to the data obtained in table 5. Both in the RDA and in the IDERA metadata profile there are instructions or fields that contemplate the set of specific data elements of the nautical charts. In a first view, it was expected to achieve greater efficiency in the specific spatial data scheme (IDERA) than the general scheme (RDA).

Thirty-two sets of data elements have been defined, of which RDA contemplates eighteen (56%). IDERA considers fifteen (46%). But doing a more exhaustive analysis the eighteen sets of data elements considered in the RDA include fifty

instructions. On the other hand, the fifteen data elements included in the IDERA metadata profile include 21 fields. With what can be established that RDA uses 2.8 instructions for each data element and IDERA 1.4. From these data it can be concluded that RDA duplicates IDERA in completeness as a tool for the description of cartographic resources in general and nautical charts in particular

However, it must be borne in mind that of the thirty-two elements, twelve are specific to nautical charts and none of the two schemes have developed instructions for their description, apart from the possibility of being able to include the data elements in notes or other instructions of a general nature

It would be convenient to develop new versions so that both schemes incorporate instructions that allow the specific description of data elements defined for nautical charts, especially the IDERA metadata profile, which is a schema for describing spatial data.

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Tangible or Intangible Ways to Happiness? Consumption Related Values Among Adolescents

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Abstract

In recent years a large number of consumer studies focused on happiness, subjective well-being and satisfaction with life in relationship with material or experiential consumption. Most of the studies applied statistically reliable validated scales and measurements involving large numbers of respondents. There are only a few study that aimed to answer the meaning of happiness or satisfaction and their reflections in adolescents' consumer behaviour at the present time. Due to the less represented academic literature in that area and the controversial results of our previous quantitative research on materialism we decided to conduct a qualitative research to investigate the meaning of happiness among adolescents in Hungary. Our non-representative sample consisted of students from 5 different high schools in 3 cities including Budapest. Respondents took part in in-depth interviews, peer interviews and worked in groups in associative experiments. According to our findings physical goods and material consumption contribute less to the individuals' sense of happiness and interpersonal relationships are more appreciated. The teenagers of our sample showed signs of material emptiness, since possessing things were unimportant for them. Family, stable personal relationships and safety were very significant among their values. Their consumer behaviour was influenced mostly by the need for gaining experiences rather than need for acquisition and possession of tangible goods.

Keywords: tangible or intangible ways to happiness, consumption related values among adolescents

Introduction

In consumer society human needs are satisfied through the acquisition, possession and the use of goods or the consumption of services. In recent postmodern age the consumption is not solely about need satisfactions but the expression of individuals' social and economic state. The ways and costs of the act of consuming are the reflections of the consumers' income and position in social order. Their consumption related desires or dreams predict future lifestyles and life trajectories. Naturally the consuming power and potential gain individuals' satisfaction with life and sense of wealth. The consumers' perceived economic state – that can be described by their consuming potential – may increase their satisfaction with life. This is a relatively constant state of existence owing to pervasive achievements, successes and goals realized. In opposite of satisfaction happiness is rather a joyful emotion-driven moment, a temporary feeling of endless pleasure. The length of this moment is variable and it is very fragile. Happiness functions as flows in someone's life (Csíkszentmihályi, 2002). Undoubtedly happy moments and flows contribute to the satisfaction with life. Today's culture of consumption is ruled by the desire for acquiring newer and more goods. Possessing the latest versions are often considered as one of the source of happiness and through the mass media, social media and advertisements it is strongly connected with satisfaction with life. *Whether what is the role of material goods in consumers' feeling of happiness and satisfaction with their life?* This was one of research perspectives in recent study. On the other hand the role of values in consumer behaviour was another perspective. In several value concepts happiness is a terminal value or preferred state of existence. Instrumental values are helping individuals to achieve terminal states. Materialism is the individuals' attachment of worldly possessions described and investigated through personal traits like possessiveness, non-generosity and envy (Belk, 1983) or acquisition centrality, success and happiness (Richins-Dawson, 1992). Due to its organizing function and power on everyday activities, decisions or lifestyle, materialism can be considered as an instrumental value. *Whether materialism, possessiveness and acquisitiveness are gaining happiness?* The relationship between values, materialism and happiness was investigated among teenagers. Adolescence as a crucial liminal transition in individuals' life is a proper age for

observing the influence of material possessions and consumerism. Earlier a large number of consumer studies focused on happiness, subjective well-being and satisfaction with life in relationship with material or experimental consumption. Most of the studies applied statistically reliable validated scales and measurements involving large numbers of respondents. There are only a few studies aiming to answer the meaning of happiness or satisfaction and their reflections in adolescents' consumer behaviour at the present time. Due to the less represented academic literature in that area and the controversial results of our previous quantitative research on materialism was decided to conduct a qualitative research to investigate the meaning of happiness among adolescents in Hungary.

The role of values in consumer behaviour

Human values are the drivers of behaviour and determine personal goals, aims and perspectives. According to Schwartz values play a significant role in people's life influencing their lifestyles and emotions (Schwartz, 2006). In Rokeach's definition value is an enduring belief, a specific mode of conduct or end state of existence (Rokeach, 1973). Attitudes are similar like values but less strong predictors of human behaviour moreover values are more stable concepts over time (Varga, 2003). Morris distinguished three varieties of values based on their capability to influence human behaviour and defined *inherent*, *conceived* and *operative* values. The *inherent* values drive individual behaviour, while *conceived* mean the preferred state of existence. The *conceived* values often represent contradictions, people know and understand the ways to be more satisfied, happy or healthy but they do only a few or no efforts to realize a better state of existence. The *objective* values are related to the objects, materials and physical assets those are necessary to survive or be well (Varga, 2003). Rokeach involved a bilateral set of values and created the concept of *terminal* and *instrumental* values. Terminals cover the preferred states of existence such as happiness, freedom or wisdom. Instrumentals are the ways to reach the preferred states like brave, intelligent or reliable (Hofmeister, 2014). The Rokeach Value Survey (RVS) consists of 18 terminal and 18 instrumental values to rank by respondents. Although RVS was the first instrument to measure the importance of individuals' value system, it was criticized due to the multiple meanings of values (GibbinsWalker, 1993). Among others Kahle and her co-authors also developed the List of Value (LOV) set from the theoretical base of Feather (degree of motivation), Maslow (hierarchy of needs) and Rokeach Value Survey (Kahle et al. 1984). LOV consists of 9 values: *being well respected*, *excitement*, *fun and enjoyment*, *security*, *self-fulfilment*, *self-respect*, *sense of accomplishment*, *sense of belonging*, *warm relationships with others*. LOV items can be distinguished on the internal and external nature of control. Externals are the *security*, *sense of belonging* and *being well-respected*, the rests are internal values. According to the role of personality in fulfilment, LOV items can be interpersonal (e.g. *warm relationships with others*) or personal values (e.g. *self-respect*). Among value researchers Hofstede was the first who found quantitative evidences on the differences of values between cultures. He characterized 6 dimensions: *power distance*, *individualism or collectivism*, *masculinity or femininity*, *uncertainty avoidance*, *long or short term orientation*, *restraint*. (Hofstede Hofstede, 2010) These 6 dimensions are appropriate to characterize a national culture and distinguish it from others. Hofstede's concept was successfully applied both in business practices and academic researches. Hofstede has also drawn up an onion shaped model that represents how a value functions in everyday livings, practices, decision-makings or preferences. Values are the core, the first layer consists of rituals (mode of living, routines) heroes (people admired performing rituals excellent) and symbols (objects manifesting the meaning of inner layers). Inglehart is credited with his foundational work on the theory of value change linked to assessing materialism (Hofmeister-TóthEibel-Spányi, 2013). In his book *The silent revolution* (Inglehart, 1977) characterizes the nature of consumer society development. He argues the values in society are changing towards an emancipatory way instead of the direction of conventions or traditions. Owing to consumerism the self was placed into a centred position and the former value order that directed the individuals' decision and behaviour became powerless. On one hand this phenomena can be explained by the consumer hedonism (Campell, 2005) that means the lasting satisfaction of needs is impossible due to the consumer's weakness against market impressions, he wants more and more and desires the latest goods or services. On the other hand the sellers on the market are interested in launching newer lines in order to force their consumers to buy again their products. In postmodern societies the self is described as a consumer with his potential. Individuals create their future ideal selves as consumers then they find ways to realize it, instead of modernity's profession or calling driven life trajectories (Bauman, 1991). Instead of ensuring tomorrow the "*here and now*" catchword determines consumer decision-making. The clear sign of success is the potential and readiness for immediate consumption. Thus consumerism and its parallel developing with post-modern culture gained the importance of material goods in consumers' sense of satisfaction with life, well-being and happiness.

Materialism as a value

Beside other disciplines marketing also considers values as strong predictors of human behaviour. Consumption studies confirmed the reflections of values in consumer behaviours: pre-decision, decision and post-decision stages as well. In consumer society human needs are satisfied mainly through buying goods or services. The formation of consumer society had been accelerated during the industrial revolution in the 19th century. The market and social development fundamentally changed the relationship between human subject and material object. The first impacts were the changes in the value in-use and in-exchange of material goods; the anthropomorphisation of commodities (Marx) and the diversity in consumer habits at different social layers (Veblen). From the early 1900's until the '60s consumerism related theories had been divergent. The consumption as the object of investigation was placed into the context of psychological processes (Freud and his followers), religion (Weber), philosophy (Hobhouse, McDonald), social order (Tawney) modern life (Benjamin) gift theory (Mauss) and mass culture (Adorno, Horkheimer). Between 60s and 80s consumers as individuals had been highlighted and examined according to their daily routines and latencies behind (Fromm, Riesman, Lefebvre). The 1980s predetermined the rest of 20th century consumption studies. Pierre Bourdieu's work *Distinction* (1987) has become a basic literature for researchers but McKendrick's *The Birth of Consumer Society* (1982) and Collin Campbell's *The Romantic Ethic and the Spirit of Modern Consumerism* (1987) also achieved success and popularity among academics. In the 80s a new paradigm was formed materialism.

Earlier it was defined as a mind-set, an interest in getting and spending (RassuliHollander, 1968) or a cultural system in which material interests are not made subservient to other social goals (Mukerji, 1983). Csikszentmihályi distinguished two types of materialism: instrumental if the material objects are essential for discovering and furthering personal goals and values. Terminal if consumption furthers no goal beyond possession itself (CsikszentmihályiRochberg-Halton, 1978). Based on a remarkable review on different literature in the context of material goods, Russel W. Belk emerged three questions (Belk, 1983): Is acquisitiveness unavoidable? Is possessiveness unavoidable? Does altruism exist? Belk selected personal traits as *possessiveness, non-generosity and envy* to develop his instrument to measure the level of materialism. In his interpretation materialism is the importance a consumer attaches to worldly possessions (Belk, 1984). Belk's materialism scale became successful among academics and marketing specialists. Later Richins and Dawson retested previously published materialism scales and found them unreliable except of Belk's scale. During the development of their own scale they placed emphasis on the psychometric properties of the scale. Previously Fournier and Richins argued materialism is inseparable from people's mind-set and acquisitiveness and possessiveness are primary important in the determination of people's lifestyle or the relationship with others. (FournierRichins, 1991). According to them materialism is a value that guides people's choices and conducting in different situations but not only in the context of consumption. Due to the organizing function of acquisition and the prioritizing material possessions in life, materialism is definitely a value (RichinsDawson, 1992). With respect to general preferences materialists may work longer time instead of leisure, or tend to earn more money in order to realize their material desires. (RichinsDawson, 1992). Based on several previous findings they denoted four special characteristics of materialist people: for materialist the *acquisition and possession of things* is more important, they are *self-centred, less satisfied* with their life and *aim material complexity* rather than simplicity (RichinsDawson, 1992). According to their propositions and as the results of scale development and item refinement Richins and Dawson proposed to measure materialism through three dimensions: *success, centrality of material possessions and happiness*. Ten years later Tim Kasser published his book *The High Price of Materialism* (2002) reaching popularity among academic and non-academic readers too. Based on his experiences as a psychologist, Kasser highlighted materialism as the antecedent of subjective well-being, psychological needs, happiness, uncertainty or self-esteem. His work was a reflection on the dilemmas, problems and constraints in North American lifestyles. Kasser criticized post-modern capitalist culture, the misleading marketing and advertising campaigns, and the superficial and material life goals leading individuals to personal crisis and disorders. In their previous scientific works with Richard Ryan they developed Aspiration Index by which they found evidences on the importance of materialism among values. According to them materialism is a value based on the desire of wealth, possessions, image and social state. Kasser derived general conclusions about the negative impact of materialism on physical and mental well-being, vitality and self-fulfillment, susceptibility to depression, anxiety and the sense of happiness. Most of these variables and their relationship with materialism are examined in latest interdisciplinary scientific studies.

Tendencies in researching materialism

In the last 8 years published studies in materialism related topics are based on the conceptions of Belk, Richins-Dawson or Kasser. Between 2010 and 2017 there were more than 120 reviewed articles in this field. These papers can be classified into 3 groups namely *consumer habits, subjective well-being and satisfaction with life* (Debreceni, 2018). Studies on consumer habits are about compulsive buying, luxury-, experimental and status consumption. Compulsive buying is a response to an uncontrollable drive or desire that leads an individual to repetitively engage in a behaviour (such as buying) that will ultimately cause harm to the individual (Weaver et al. 2011). Its relationship with materialism is proved (Moschis et al. 2013; Gardasdóttir Dittmar, 2012; Weaver et al. 2011) and it can be intensified by personal traits such as narcissism (Harnish Bridges, 2014). Luxury consumption means the preferences towards luxury brands, products. Luxury consumers are usually more materialist and in a short term they are more vital and satisfied with their life (Hudders Pandelaere, 2011) but luxury can influence other choices and preferences too (Audrin et al. 2017). Experimental consumption is the opposite of material consumption aiming to gain experiences, insights, personal involvement. Experimental consumption fosters positive self-perceptions, gains subjective well-being (Carter Gilovich, 2012) and contributes more to the sense of happiness than material consumption (Zhang et al. 2014). Status consumption is driven by the desire to possess and use status symbols. Status consumption has a mediatory role between status consumer and its environment (Goldsmith Clark, 2012). Rather materialist people are prone to consume status symbols, are more innovative and have strong brand identity (Flynn et al. 2016).

Variables in connection with materialism detailed above are decisions or subordinated to consumer decisions. In contrast subjective well-being is temporary state of someone which includes satisfaction with life, past decisions and personal development. Based on Kasser's concept scientific studies found more materialist people are less satisfied with their life (Jiang et al. 2016), in other words not-superficial but higher-order values and life goals contributes more to the well-being (MartosKopp, 2012). Material orientation can lead to constant dissatisfaction (Deckop et al. 2010). for instance compulsive buyers are not satisfied in the least with their life (Villadefrancos Otero-Lopez, 2016).

Resarches involving Hungarian samples found materialism negatively associated with satisfaction, subjective well-being or happiness. According to Szondy (2007) material possessions contributes less to the sense of happiness over a basic level of need satisfaction. Pikó (2006) applied Richins-Dawson materialism scale and found satisfaction with life positively associated with material success and negatively with happiness. Based on a representative sample, Hofmeister and Neulinger proved generational differences (HofmeisterNeulinger, 2013). Respondents born in the era of socialist regime were characterized with a higher level of possessiveness but generous in opposite of less materialist respondents born after the change of regime. In this context the level of materialism can be influenced by the social-political environment. In that study Hofmeister and Neulinger compared responses settled in two time period with 7 years difference. They found evidences on the development of consumerism for instance renting and leasing became known and more accepted constructs.

An exploratory study design

In consideration of the latest materialism conclusions, the characteristics of Hungarian people, the impact of values as predictors and the importance of liminal transitions in changes in values (Weber, 1915) an exploratory research was designed proposing the following two research questions:

RQ1: What do materialism related constructs mean to teenagers: money, success, happiness, status symbol, experience, satisfaction and materialism?

RQ2: What other interrelationships can exist?

In recent research adolescents were chosen as target group because adolescence – as a liminal transition – is a very important life period regarding the consumer socialization (John, 1999). Instead of a static rigorous method a dynamic interactive based method was conducted. It may worsen reliability, repeatability and generalizability features of the study but provides more insights into the phenomena which is examined usually in a quantitative way. Recent study consisted of three different but interrelated stages. The first stage was a set of semi-structured in-depth interviews in one-to-one and in peer group formations. The structure was based on life goals, satisfaction with life, values, happiness, importance of money, materialism. Interviewees could explain their views and perspectives in a narrative way. The second stage was a peer work exercise taken by a high school class. Participants were sorted into 3-4 person group and their task was to find as many

associations as they could in connection with the items of List of Values Kahlet et al. 1984) and materialism. Then they had to cut off the half of their findings and retain the most relevant ones. As a last step they had to sort the retained association according to their relevance. Each group had to characterize 2 different and 3 common items. These 3 were the *security*, *sense of accomplishment* and the *materialism*. The last is given by the research aim but the 2 values are common because in our previous quantitative study *security* was found the most while *sense of accomplishment* the least important value among teenagers (DebreceeniHofmeister, 2018). The third stage consisted of a similar associative task but instead of values it included materialism related definitions, namely *money*, *success*, *status symbol*, *experience*, *happiness* and *materialism*. There was an additional exercise done during in-depth interviews in one-to-one and peer group formations, it was a photo collage. From a set of images (*people*, *material possessions*, *achievement*, *sport* and *leisure* categories) the respondents had to select those photos those contribute the most to their sense of happiness (ChaplinJohn, 2010) Due to the age of respondents luxury consumption and compulsive buying could not be examined. These two constructs are belonging to those people who earn their own money and have a remarkable spending power. Students in Hungary are depending on their parents' income and their spendings can be characterized well (Pál, 2013) nevertheless regarding the Hungarian society only a less than 1% can afford luxury consumption (Tóth, 2016). Beside luxury consumption compulsive buying was excluded because it is related to the field of psychology.

Sample characteristics

| Stage | City | Type | Method | Instrument | Respondents | | Date | |
|--------------------|--------------------------------|-------------------|--------------------------------|----------------------------------|---------------|--------------|----------|--------------------|
| | | | | | Female | Male | | |
| I. | Budapest | Vocational school | In-depth interview | Terminal and instrumental values | 1 | 2 | 29.01.18 | |
| | | | One-to-one Interview | | 2 | 1 | 29.01.18 | |
| | Győr | Vocational school | In-depth interview | Happiness | 2 | - | 06.04.18 | |
| | | | One-to-one Interview | | 5 | 1 | 06.04.18 | |
| II. | Ny íregyháza | Highschool | Associative task in class work | List of Values | 15 | 18 | 16.05.18 | |
| III. | Nagykálló | Vocational school | Interview +collage | Materialism | 3 | - | 30.05.18 | |
| | | | One-to-one Interview | | Happiness | 1 | 2 | 30.05.18 |
| | | | Peer group | | | Satisfaction | 41 | 8 |
| | Associative task in class work | Materialism | Experience | Satisfaction | Status symbol | | Money | |
| | Ny íregyháza | | | | | Highschool | | Interview +collage |
| Interview +collage | 1 | 2 | 31.05.18 | | | | | |
| Peer group | | | | | | | | |
| Total | | | | | 78 | 34 | - | |

Source: own edition |

Since secondary school students were targeted, the construction of the sample was difficult due to two reasons. One is the strict rigorous school year and scholarship in Hungary the other reason was the schools' willingness to participate in the research. Thus the sample analysed is a convenience sample involving those schools those gave the permission to ask students. The three stages were performed in January, April and May in different schools. Between these dates the research design was re-evaluated and developed, this made the design dynamic but less repeatable. The reason of geographical diversity of the sample is Budapest as the capital city is the statistically richest and most developed area of Hungary provides excellent examples on metropolitan influences. In order to balance inequality between regions we selected Győr, as the second most developed city of the country and the Eastern part of Hungary (Nyíregyháza and Nagykálló) which is one of the least developed regions. The terms highschool and vocational school mean two different secondary schools. In Hungarian education system highschool is the institute providing general knowledge, preparing for an excellent maturity exam and the doorstep of science universities. The vocational school also enables students to perform

maturity exam but there are subjects around a given profession and students usually starts to work after secondary school years, only a few of them apply for higher education. The dates of interviews and tasks and the number of respondents are summarized in table 1.

Table 1 Interviews and associative task summary

Research findings

First stage

Respondents were asked to rate 24 values according to the importance and the realization in everyday life.¹ (Hofmeister-Tóth, 2009) Among the six most important values (*family, health, honesty, sincerity, satisfaction, progression*) only *honesty* and *satisfaction* were among the top realized values. *Health* and *progression* showed big discrepancy regarding their importance and realization. Although *success* was not one of the most important values but it was the least realized one. We assume it is in strong relationship with *progression*. Respondents explained they would like to be successful but in their current state they still could not realize the way to success. They feel they should do a lot and be improved for success. They perform well in their relationships with other it is not surprising that *honesty* and *family* are top ranked values. In general the 14 students of the first stage feel themselves happy saying interpersonal relationships contribute more to their sense of happiness than material goods. Money does not lead them directly to happiness but it is necessary to satisfy basic needs. One of their answers on the question "Does money make people happy?" represents well their opinion: „No, because money can make happiness only visible. Unfortunately many believe they are happy because they have got everything but in fact their relationships with family, friends are not the best and this whole is just an illusion.” (Female, age 17, Győr) Material possessions and tangible goods are not important for them. However they consider certain goods, the ability to spend and the freedom of consumer choices as meaningful features and they say the world today is rather materialist. During each interview smart phones and phone brands had a central role in interpretations, these can be considered as status symbols of this cohort. Although the brand and quality of phone possessed were not important for respondents but the role of personal properties is significant. „I felt myself happy when I could buy my phone from my own money collected first time in my life. I worked for it, I deserved for it, so I take proper care of this. When I just received one that was not so worthy, moreover it belongs officially to me, the possessor is me.” (Male, age 18, Budapest)

Second stage

In the next phase of the research we aimed to define the values by teenagers. One high school was selected as a field where List of Values (Kahle, et al. 1983) was conducted². 33 students worked in 3-4 person peer groups. In each group participants had to find associations to the values given as detailed above. Participants considered *being well respected* as success and progression in the field of studies and work, while the *security* meant the protection of possession and family. *Materialism* was rather associated with frugality. Regarding the rest of the value set *fun and enjoyment* was identified as experiences with friends, *self-fulfilment* was connected to life goals. Among the most relevant – last step of associative exercise - meaning of *being well respected* was the success in work, *safety* was the family and *materialism* was equal to frugality.

Third stage

As the last phase of the research peer group associations and in-depth interviews combined with photo collage method were taken in a high school and a vocational school. In accordance with previous findings respondents confirmed the less important role of material goods for the sense of happiness.

Peer group associations

According to the research design participants collected all the relevant associations with **money, success, happiness, status symbol, experience** and **materialism**. As represented in table 2 respondents wrote the most associations with happiness and the least with materialism. The associations were the most concentrated in case of happiness because 55%

¹ Health, family, security, happiness, honesty, vitality, sincerity, harmony, freedom, satisfaction, autonomy, wealth, charity, order, intelligence, performance, progression, success, frugality, fun and enjoyment, originality, education, being respected, modesty

² Being well respected, excitement, fun and enjoyment, security, self-fulfilment, self-respect, sense of accomplishment, sense of belonging, warm relationships with others

of the findings were the same or with similar meaning. Despite of the small number of associations materialism and status symbol were the least concentrated so the notion of students was far-reaching. These results confirm the expectation that teenagers do not consciously use status symbol or this definition is not obviously clear. On the other hand materialism is rather about the people's relationship with money. The success, experience, money and happiness terms were interpreted similarly or with the same meaning.

| | Money | Success | Happiness | Status symbol | Experience | Materialism |
|---|-------|---------|-----------|---------------|------------|-------------|
| Total number of associations | 87 | 86 | 91 | 68 | 76 | 53 |
| Number of associations without similarities | 45 | 50 | 41 | 41 | 39 | 39 |
| Proportion of similar associations | 48% | 41% | 55% | 39% | 49% | 26% |
| Associations occurred more than twice | 9 | 11 | 9 | 5 | 6 | 3 |
| Proportion of associations occurred more than twice | 60% | 65% | 60% | 36% | 67% | 33% |

Source: own edition

Table 2 Summary of third stage associations

Money associations can be grouped in three categories: *acquisition* (e.g. work, salary), *spending* (e.g. shopping, some kinds of goods) and *state of existence* (e.g. richness, being successful). Since respondents mentioned work 13 times – work was the most frequent among all findings – we can assume that work, job, further carrier dominate the students' notions about money. Among the associations occurred minimum twice the most were related to spending mainly everyday material possessions such as *car, food, appeal, house*.

Success findings also can be formed into three groups: *external confirmation* (e.g. acknowledgment, reward), *inspirations and achievement* (e.g. victory, studies, driver license) and *work* (workplace, carrier). Inspirations are firstly manifestations of personal achievements (e.g. maturity exam, good grades, driver license) secondly are general (happiness, studies, life goals), thirdly are related to rivalry (victory, competition). Although money is not definitely connects to these subgroups, it is also frequently mentioned under success. Thus we cannot exclude the interpretation of success as material success or wealth. If we consider money-work-success relationship we can derive a conclusion about teenagers perception: the more the salary the more acknowledged the professional can be the signs of success.

Happiness items also can be grouped into three subgroups: *relationship with others* (e.g. family, friends), *possessions* (e.g. money, food) and *success related items* (e.g. success, life goals). The associations occurred more than twice are *friends, family, love, marriage, children*. Based on the sample analysed we can assume that happiness is strongly connected with interpersonal relationships.

Status symbol was hard for respondents to define through association. Nonetheless two interpretations seem to be characterized. First is obviously the *material possession* including *car, phone or jewelry*? Second is *personal trait* category such as *ability to lead, managing a business or being successful*. Probably these personal traits can be important for the legitimation to possess status symbols or simply being or deserved for status symbols.

Experience associations can not be categorized as above but there is a tendency towards *enjoyment* that was mentioned 11 times. The second most frequent were the *trip and holiday*. Beside the forms of entertainment and gaining experiences there were personal associations such as *friends or family*. These confirm the central role of personal relationships. Instead of "what?" and "where?" questions the "with whom?" is the most relevant.

Materialism associations can be categorized as *spending* and *money*. The spending includes general but expensive things as *house or car*. House and car can be considered as points of references in the age of adolescence. The reason behind can be that these two things are clearly visible evidences of someone's economic state. These are general enough – most of the people or households possess them – and the more expensive the possession the better the economic conditions.

This relationship seems to be unambiguous for teenagers. Thriftiness and savings rule the money category. We can derive a conclusion that being materialist means rather frugality or someone who saves money rather than being attached to material goods. A relevant question is that *what do they want to spend the saved money on?* In this context materialist must have future goals with money, *whether is it ensuring the standard of living or the acquisition of desired material goods?*

As the last step of associative task respondents had to reduce their findings and sort them according to their relevancy. So they generated a top 3 ranked category including the most relevant meanings of *money, success, happiness, status symbol, experience and materialism*. According to the summary represented in table 3 money is strongly associated with work that may mean the source of money. Respondents feel success if they are acknowledged and interpersonal relationships are the best for their sense of happiness. The smart phone and house are the status symbols in adolescence. Holiday gives the opportunity to gain experiences but only with people, mainly friends. Last but not least if you ask teenagers *“what is materialism?”* the answer will probably be money.

| | <i>The most frequent associations among TOP 3</i> | <i>The second most frequent associations among TOP 3</i> | <i>Associations occurred at least twice among TOP 3</i> | <i>The most relevant association (ranked by respondents)</i> |
|----------------------|---|--|--|--|
| <i>Money</i> | Work (10) | Food (4) | Salary (3) House (3) Success (2) Shopping (2) Happiness (2) Endurance (2) | Work (10) |
| <i>Success</i> | Acknowledgment (3) | - | Work (2) Support (2) Respect (2) Health (3) | Acknowledgment (3) |
| <i>Happiness</i> | Family (11) | Friends (5) | Marriage (2) Love (2) Entertainment (2) | Family (6) |
| <i>Status symbol</i> | Phone (4) House (4) | Car (3) | Jewelry (2) Appeal (2) Trip/tour (4) Family (3) | Phone (4) |
| <i>Experience</i> | Holiday (6) | Friends (5) | Party (2) Memories (2) Success (2) | Family (2) Holiday (2) |
| <i>Materialism</i> | Frugality (4) | Savings (3) Money (3) | Car (2) | Money (3) |

Source: own edition |

Table 3 The most relevant associations in third stage (occurrence in brackets)

Photo collage

During in-depth interviews in the third stage respondents had to select from a set of photographs. The set consisted of five categories: people, material possessions, achievement, sport and leisure. Students had to choose one out of each except of leisure, they could choose maximum 3. Each category contained 4 different images except of leisure, there were 6. In the people category there were *family, friends, school mates and subculture* photos. The material possessions consisted of *car, smart phone, appeal and money*. The achievements were *excellent school grade, winning in sport, art and carrier in media*. Those forms of achievement were selected as options those are probably close to students' imagination and perception. Sport consisted of *body sports, running, soccer and tennis*. The research expectations were that body sports are getting more and more popular among youth, running is an options free from tangible or personal conditions (e.g. court, equipment, sport centre, teammates), soccer is a spectacular and popular sport to play or just to follow and tennis is related to higher social classes. Leisure activities set was a combination of widely different options as *music, reading, own room, tracking*

in the nature, gaming console and makeup. During in-depth interviews respondents recognized these proposed features of the options. In their explanation they distinguished options in the same way. Photo collage summary including the frequency of choices are represented in table 4.

Table 4 Summary of photo collage tasks (occurrence in brackets)

| | <i>People</i> | <i>Material possessions</i> | <i>Achievement</i> | <i>Sport</i> | <i>Leisure</i> |
|-----------------------------|---------------------------|--------------------------------|--|---------------------------|--|
| <i>Respondents' choices</i> | family (3) friends (3) | car (2) appeal (3) money | excellent school grades (4) winning in sport art | running (5) body sport | music (5) tracking in the nature (4) reading (2) makeup (2) room (2) gaming console |
| <i>Source: own edition</i> | | | | | |

People category was dominated by the *family and friends*. Students' interpretations confirmed previous research findings on the importance of the quality of personal relationships. Regarding **material possessions** the value in-use of the objects is more dominant than simply possessing something, in context of materials respondents follow a rather utilitarian pattern. According to students' opinion a basic level of wealth is necessary to feel themselves happy. They highlighted the importance of the security of households, doing the payments in time, making enough money for living and the freedom to spend. This last feature is one of the foundations of postmodern culture of consumption. „*Money is not important for me at all cost, but in order to live in a safety environment, start a family, have roof over our head or just simply not to starve money is necessary. If we cannot ensure these (above mentioned) we will not be able to afford the rest, smart phone, car, appeal, etc.*” (Female, age 17, Nyíregyháza)

Excellent school grades are the most relevant signs of **achievement** for teenagers. It contributes a lot to their sense of happiness. Perhaps the importance of feedbacks comes from the usual life situation of teenagers. In general they are subordinated under parents' and teachers' power. They consider their carrier opportunities are strongly related to their school performance on the other hand school grading is not only an external acknowledgment but in this age it became their inner subjective scale. Respondents' explanations confirmed these propositions because students often explained something through the example of their studies or school grades. This phenomenon highlights the importance of an appropriate, fair grading scheme that provides the sense of equality of people evaluated. „*I chose this because it makes me happy if I get a good mark. This is very important for me. Moreover it is not just a random achievement, we can do for it or perform better and it is partially up to us. Being acknowledged through your grades is one of the biggest source of happiness.*” (Female, age 17, Nyíregyháza)

Almost every respondents chose *running* as a kind of **sports** contributing the most to their sense of happiness. It was interesting that no one chose soccer or tennis which can be not only played but watched. This enables us to derive the conclusion respondents prefer to do sports rather than to watch it. In their interpretation students confirmed the expectation running is the way to do sport with no material possession or condition. They can run whenever and wherever they want, there is no need for a court, equipment or mates. Moreover they answered running provides the sense of freedom, escaping from everyday boundaries and the opportunity to meditation. „*I chose running because this is the easiest way to do some sports. I love playing handball for instance but it must be carefully prepared, I need for a team, a court, there are a lot of constraints. Whenever I feel the motivation I can run. Maybe this is the reason why I started it regularly.*” (Female, age 17, Nagykálló)

From the **leisure** category *music and tracking in the nature* items were the most frequent choices. Obviously music plays a central role in motivating or relaxing someone's mind, and was very important for respondents. In their interpretation they would listen to music anytime and anywhere they are. According to students' explanation tracking in nature is close to running in the context of freedom and the lack of usual boundaries, but it is also close to experiences – previous tasks – because the mates are more important than the destination, the place where they would track. Family and friends are preferable, so we can assume leisure activities are also dominated by personal relationships. „*It is important to spend leisure time in the nature with family and friends. Many do not know how the nature can gain our energy and vitality.*” (Female, age 17, Nyíregyháza)

Conclusions

Answering the research title whether tangible or intangible ways are leading to happiness we can state that intangible factors are better for the sense of happiness. Although quantitative statistically reliable test was not included but the last 8 year scientific results are confirmed. Without warm relationships with others we cannot talk about the true sense of happiness. Need satisfaction by material goods at a basic level is essential but it is not the only source of happiness it just enables individuals to focus on intangible factors. According to respondents the material possessions or money do not gain directly happiness. Possessions and money are necessary to everyday life but not for being happy. Recent paper provides a proposition on subject-object relationship: during the time of adolescence they do not feel the need for more objects, goods to possess. One reason behind may be material saturation. There are so many objects, goods available around them that their acquisitiveness and possessiveness are getting less and less. Regarding satisfaction in this age external feedbacks and acknowledgements are essential. Respondents have a huge demand for a reliable and transparent evaluation system on their work. This demand can be caused by their uncertainty and the wanting to know whether they are on the right way or not. Since the success in their future profession and the school performance are considered as strongly related to each other in the now they want to perform as well as they can. Work plays a more central role in their life than expected. They associated a lot of phenomena with work. It can be caused by their perceptions about adults' life and challenges or by the turnaround in postmodernity. We can assume that work or professional motivations are not simply the instruments or ways anymore to achieve a desired consumer state of existence. Based on respondents' interpretations work has a symbolic meaning, it is a calling again. If they find the best job for their personality it will make them satisfied with their life. Beside its importance work means the only source of money and being materialist is understood as the individuals' relationship with money: spending or saving. Frugality is a remarkably common association of materialism. In their explanation respondents are trying to save as much money as they can. This behaviour can be influenced by life experiences and the avoidance of personal financial crisis or by consumer motivations for the future.

Limitations further research

Recent study did not follow strict pretested methodology. Due to the applied methods' flexibility and interactivity it is difficult to repeat or replicate. Nonetheless it provided several conclusions helping other studies on similar or the same research field. First revealing the general meaning of the investigated social-economic features among the members of target group can result fruitful information. Second in different life stages – especially ages like adolescence, young adulthood – individuals can be defended by their current state of existence. For instance an average teenager does not have to run a household, earn her or his own money for living, thus she or he has diverse perception of money. During secondary school years teenagers are surrounded by usually the same people. Their everyday routine and interactions are following the same pattern and they may not feel their real position in the world or social order. The beginning university studies opens up the world: new contacts, interaction with members of unknown socio-economic state. This can cause the re-evaluation of previous value concept including the attachment of material possessions. If a young adult or an older teenager starts to work as a full-time employee this will be another new situation much different from ordinary school years. Tangible assets gain new meaning, money and salary becomes the measure of value and youngsters are getting forced to start their own unique life. In these changes of the near future for a teenager the motives of consumption, tangible things possessed or desired and a lot of costly constraints are playing essential role. Therefore longitudinal generational studies and lifestyle trackings could take us closer to understand the role of material things in consumer society.

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On the Narrative of Ernest Koliqi - The Role of Detail in Psychological Catharsis

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Abstract

It is the detail that enables the crossing from one time to another one, from one state to another inside the narrative of Ernest Koliqi. Let's look more concretely, through the analysis of the stories, how this detail doesn't only make shifts of times and states, but overcoming is exactly the "boiling point" of each story, the station where are overthrown all illusion or "real meaningfulness", which can be created into the reader before the sudden arrival of this detail. The permutations of situations do not necessarily result in shifts of time, while the changes of the time necessarily contain changes into the situations. To look at these metamorphoses, we are lighting on the stories "Did I leave it to you?", "Welter", "Moon of blood", "Little personage" and "It was found behind the bush". The story entitled "Welter" has on the focus a sharp social situation, which inevitably leads to the degeneration of the moral character of the mother and daughter, Sila and Lina. The story entitled "Little personage" chooses as the name of the protagonist that state which has invaded his soul and mind; a real drama in front of the inability to be free, far from the handcuffs of a deeply material world, with the walled borders that do not let his dreamlike soul to breath. Another story, in which the detail immerses the protagonist in a reflective state, is also "Moon of blood". The detail of the Moon turns into a controversy over the development of the subject. At first glance, attractiveness to the moonshine simply encourages the passage or the return from time to time (bearing within the lattermost also the changes in the characters' situations) and seems to "wax the guy" the image of this detail actually appears "to wax" completely the girl.

Keywords: detail, psychological catharsis, psychological cogitations, the past and the present

Introduction

It is the detail that enables the crossing from one time to another one, from one state to another inside the narrative of Ernest Koliqi. Let's look more concretely, through the analysis of the stories, how this detail doesn't only make shifts of times and states, but overcoming is exactly the "boiling point" of each story, the station where are overthrown all illusion or "real meaningfulness", which can be created into the reader before the sudden arrival of this detail. The permutations of situations do not necessarily result in shifts of time, while the changes of the time necessarily contain changes into the situations.. When we read a text that places a value on spiritual experience and involves spiritual perception, the act of reading gives birth to spiritual experience in us.¹ To look at these metamorphoses, we are lighting on the stories "Did I leave it to you?"², "Welter"³, "Moon of blood"⁴, "Little personage"⁵ and "It was found behind the bush"⁶.

We will first focused on the analysis of the first four stories, the stories "Did I leave it to you?", "Welter", "Moon of blood", "Little personage" and "It was found behind the bush" where the detail makes the overcoming from one situation to another.

In the first story, entitled "Did I leave it to you?" the details of passing a lifeless body in front of human beings that are experiencing a true idyll in the nature's bosom, which seems to last as long as eternity, causes the immediate change of

¹ Stan Scott, Poetry and the Art of Meditation: Going behind the Symbols, JAEPL, Vol. 2, Winter 2005-2006, p.77.

² Ernest Koliqi, Flags' Merchant, Publishing House Pakti, Tirana 2009, p.13-19.

³ Ibidem, p. 82-87.

⁴ Ibidem, p. 110-116.

⁵ Ibidem, p. 26-32.

⁶ Ibidem, p. 39-43.

the mood of the characters. From a state of true happiness, they go to evocation of the feeling that one day they will no longer be, like this lifeless body. The thought of death overwhelms their minds for a few moments and is the optimism of one of the characters that returns to a less fatal state, but nevertheless, not to the first idyll.

The story entitled "Welter" has on the focus a sharp social situation, which inevitably leads to the degeneration of the moral character of the mother and daughter, Sila and Lina. The head of the family is the main cause that has led to the ruin of his wife and daughter, because he doesn't put the earned income for the material goods of the family, but for the drink and the greasy spoons' life. The family's poverty, which becomes even greater, fails to gnaw his conscience to such an extent as to quit drinking alcohol. Only after seeing the moral degeneration of the family and experiencing the sense of shame, he feels guilty of what he caused to the family. Because he knows that the original sin, the one that has led the peccability of the women of his family on the path of prostitution, is just his and only his, he does not have the strength to retaliate against Sila and Lina, but wants to leave the world himself by suicide.

The concussion does not help him to become an active human being when he sees the dehumanization of his family, trying to change the wrong way and save the woman and daughter from that path. On the contrary, it gives to him light to openly reveal his inhumanity, making him to feel deeply guilty in conscience, but leaving him again a passive human being. The glass of brandy remains his companion, but if before this glass accompanied him with joyful songs, after learning of the shocking truth that he saw with his wide opened eyes, he now drink to forget what had happened to him and in at the bottom of the glass he saw the two soft eyes that condemned him.¹ The wretched eyes of his daughter did not make him to change the way, even when she dropped the school because she had nothing to wear and shoe. They had not led him to any reflection, that he would be the executioner who would one day lead her family to the guillotine of destruction. The will to avoid the tragedy had never been rooted in Ndrekë Batuçi's consciousness, though he knew that the path he had followed until that moment was wrong. This makes even more inhuman the tragic turn of life of two female characters.

The downfall of the head of the family comes when he faces the truth that seemed to doubt about it in the deepest realms of consciousness. It is the detail that turns the "hangman" into a victim of the crime caused by him. The suddenness of the subject's turn point serves to bring the peculiar transformation of characters in dramatic circumstances.² And it is precisely the detail that involves in itself the transformation, self-knowledge in relation to this itself, as in relation to other.

"My God! What is the person doing in our alley? (Detail or turning point)

Suddenly, as a poisonous snake, a suspicion bit him into the soul. He knew one by one all the inhabitants of his alley. Their relationship with that employee was not explained...

Then ..."³

After knowing the naked truth, his character is transformed, not in the sense of getting better, but now he undergoes the catharsis which is necessary to see him-self in the eye. Knowing the truth leaves him as passive as before knowing that he was not walking in a straight path and had no power to rule over his own defect, so the drink. The drink, from the "friend of joys", now turns into a "friend of despair". The eyes of her daughter, where he perused his guilt and the condemnation without appeal, are the ones he always sees at the end of the glass. On the other hand, the daughter's total disregard for his state of shame increases much more the dramatic essence of this story. Thus, the father's figure is nothing more than a shadow for his creation, or something in a memory. And this character is really a thing, while, even when all the possibilities for reflection have been given to him, he does not again become an active being for the sake of paternal love.

The story entitled "Little personage" chooses as the name of the protagonist that state which has invaded his soul and mind; a real drama in front of the inability to be free, far from the handcuffs of a deeply material world, with the walled borders that do not let his dreamlike soul to breath. As the turning point here is the detail or the metaphor of the sea.

"Suddenly a light inside of him: he knows: he could not wait to see the sea ..."⁴ (Detail or hidden turning point which leads the human being to the reflection and change of state).

¹ Ernest Koliqi, *Flags' Merchant*, Publishing House Pakti, Tirana 2009, p. 84.

² Leka Ndoja, *Notes on Flags' Merchant*, Publishing House Pakti, Tirana 2009, p. 87.

³ Ernest Koliqi, *Flags' Merchant*, Publishing House Pakti, Tirana 2009 f. 86.

⁴ *Ibidem*, p. 30.

"What grieved the son of Tef Ballstani, the merchant of Shkodra, night and day gripped in profit thoughts, was his inability to develop beyond the beautiful fairytale about the sea ...".¹ (Direct closing detail of the story).

The sea is presented here in that viewpoint that also is seen by the researcher Dhurata Shehri, so as a trend towards the West and modernity. Here we have the war between the walls, or the closure of the mountain, a child who has his father as the watchful guard and the free spirit of a child dreaming of infinite spaces, immensity, where the flights are his life and his true spirit, which the materialist merchant is unable to understand. His father's world symbolizes the closed and narrow-minded orient, while the free and unprejudiced world of the child (there can be no such thing, because he is still innocent) symbolizes the occident, for which many characters of Koliqi dream about.

In a wider comprehension, the presence of the child between a closed space (real physical space) and dreaming of an infinite space (dreamy spiritual space) can also be taken as a treatment of the philosophical concept of freedom and lack of freedom, what keeps us tied like a cuff and what gives us the proper breathing to reach the limits of the impossible. The little personage undergoes a catharsis only in his own dreams, which are entirely in contradiction with reality, which makes him feel like a bird locked in a cage, at a time when the azures are widely spread in his windows of the soul. The tragic deepens when he fails to be understood by everyone in the milieu where he lives and thus remains the only free spirit, herewith the sea is just a fairytale. Not merely the narrator uses the expression "the beautiful fairytale of the sea ..."

The definition as a fairytale serves to convey the idea that the milieu where was born and raised the little personage is still far from the limits of true freedom, the emancipated world. The fact that to describe the rapport between freedom and lack of freedom is chosen for the protagonist a little child can be taken as a sharp satire of what the drama of deformation does not start when the being is shaped but since begins to understand and dream; therefore, only a nation that deals with the enlightenment of the mind from an early childhood of an individual will be able to flush away the captivity of backwardness, thus sparking the light of freedom, values and civilization.

Another story, in which the detail immerses the protagonist in a reflective state, is also "Moon of blood". On a quiet night, walking with his girlfriend along the Drin River, he sees a huge, yellow, red-spots Moon that separates him from the experiences of the moment and retrospectively turns him back into the memories of early childhood.

"- What's the matter with you? Why are you scared?"

- I am not scared: I stopped to watch the Moon...

- The Moon as always...

*"No," he murmured with a voice as was wasted, "see the red spots ... It's not like the usual Moon ..."*²

So, two periods have been closely replaced: the present and the past. The past is manifested through the memories of that fortunate time, *when the divine curiosity arouses us in front of the simple things, of the world but full of furtiveness.*³ This shift from time to time brings even the change of the mood of the protagonists, but in opposite directions.

The guy becomes a captive of the imaginations of the past and leaves the present, while the girlfriend, not being able to properly understand his experiences, tries to turn him back into the present. Explaining this misunderstanding between the two human beings, the narrator (guy) and the spectator (girlfriend), the researcher Leka Ndoja writes: "Moon of Blood" addresses the subject of love and opposing psychological meditations to the couple's lover. Blending the traditional cosmic and realistic symbolism of his wife, the atmosphere of the story goes to the mistrust of lovers. Interpretation of stains in the moon, according to the girl, foretells the non-realization of her love". The boys are the sons of Mars (war) and the girls are the daughters of Venus (love)."⁴

The opposite psychological meditations are the ones that bring misunderstanding, but the theme of love, which the researcher Ndoja presents in the foreground but we think that is appeared like this only in appearance. In a more hermetic

¹Ibidem , p. 32

²Ibidem, p. 110.

³ibidem , p. 115

⁴ Leka Ndoja, Notes on Flags' Merchant, *Publishing House Pakti, Tirana 2009*, p. 116.

textual connotation, the real theme is the great love of Albanians for the denied centenarian freedom of Albanian lands. So we see that the boy remembered so much that Moon with a red stains, only for the fact that after the words of the Montenegrin old woman, spoken in 1911 (not accidentally have to be prophetic), our lands were faced with such tragedies, such as the War of Tarabulluzi, the two Balkan Wars and the First World War. Although the text does not say it openly, we should not forget the historical referent of 1913 when Albanian lands were torn apart by the Great Powers at the London Ambassadors Conference. Confessing personage, recalling childhood memories in his confession, is tortured by the idea that he is the son of those lands, which never experienced calmness by the infinite wars and lack of freedom. His childhood dreams are still alive, as the story comes to us published in 1935, when Albania was still a fragmented state after the decision taken by the Great Powers 22 years ago.

The narrative character seems even pissed off by the girlfriend's guesses about the depth of his love feelings; by failing to understand what is happening in his experiences, she foresees at the red-spotted moons (as the researcher Ndoja points out) the prescience of not realizing her love. We note throughout the text that she is overwhelmed by the fact that the story and the words of the Montenegrin babushka occurred in 1911, since the uncultivated and superstitious mentality of the milieu where was raised has nourished, among her innermost feelings, the instinct of explanation things not based on independent personal reasoning, but by stereotype behavior and unreasonable prejudices. So bearing in mind by the fiancée of the fact of breaking the Albanian lands, according to her, must be an evil omen for the future of their love.

Thus, on the one hand, we have the guy who is quite confident in his feelings, so he does not stop for long time in analysis of feelings, but simply requires a free space and perhaps a worthy converser for his intellectual experiences, while in on the other hand, we have the maid who, with her superstitious behavior, shows the nature of a being who fears not only the future, but also the moment when the guy wants to be away from her, just for a subjective meditation. Thus, the detail of the moon turns into a controversy over the development of the subject. At first glance, attractiveness to the moonshine simply encourages the passage or the return from time to time (bearing within the lattermost also the changes in the characters' situations) and seems to "wax the guy" the image of this detail actually appears "to wax" completely the girl. By inviting stillness in the mind, the lines move us into a kind of experience that spiritual teachers call meditative or contemplative¹ From another point of view, this time a psychological one, if the story will be analyzed in the field of explorations into the unknowns of the psyche, the unknown itself and the struggle with it, its exploration or invasion would come out as a native gift of the boys, while for the girls it would be said that in any exploration or unknown they seek a sense of love, thereby reinforcing the conclusion of the researcher Ndoja, that the boys are the sons of Mars (war) and the girls are the daughters of Venus (love).

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¹ Stan Scott, *Poetry and the Art of Meditation: Going behind the Symbols*, JAEPL, Vol. 2, Winter 2005-2006, p.77

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Communication, Informational Literacy and Critical Thinking

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Abstract

Being a citizen with literacy skills is fundamental. Nowadays we live in network and in the network. However, the fact that everything can be shared online entails some risks - both for users and for authors.. In order to deal with massive information and communication channels, having the competence and insight to be able to search and select the most credible information is a requirement and a fundamental competence in a networked society. In this paper we will reflect upon the concepts of communication, cyberculture, information literacy and critical thinking. In conclusion, it is demonstrated that information literacy is a key competence in contemporary society.

Keywords: Communication, Cyberculture, Information Literacy, Critical Thinking

Introduction

1. Communication and cyberculture in contemporary society

At the beginning of the 21st century, a new stage of the information and communication society, which began with the popularization of the Internet in the 1980s, was debated and expanded with the development of portable computers, mobile phones, Internet access networks, Wi-Fi and bluetooth technology. All of this has revolutionized behavior in society, the way we experience urban space and the way we produce and consume information, subjects that are fundamental in cyberculture. Cyberculture eventually developed ubiquitously, making it not the user to move to the network, but the network that involves users and devices in a generalized connection.

The development of cyberculture occurs with the emergence of micro-computing in the 1970s, with technological convergence and the establishment of the personal computer (PC). Now, in the 21st century, with the development of laptops, mobile phones and other devices, what is in progress is a technological stage that is based on mobility. We are in the era of interactivity. Nowadays, we see the prefix "cyber" in everything: cyberpunk, cyberspace, cybercafé, cybercities, cyberarts, etc. Each expression forms, with its particularities, similarities and differences, the whole of cyberculture. (Lemos, 2004, 89).

The word ended up broadening the concept of culture through cyberculture, so it is important to emphasize that digital culture is only the natural evolution of culture produced by societies. It is differentiated by the fact that the data is stored in a place accessible to most people, which offers the possibility of socializing and communicating through social networks, emails, chats, forums and other platforms. This technological wave that crosses most of the social sectors lays the foundations of cyberculture, which, in turn, calls for the organization of new structures, mainly in relation to the way of organizing work, leisure and communication between people.

The contours of cyberculture are eventually defined as its use grows, as well as the access and efficiency of communication and information technologies. Still, broader definitions are lacking since one of the most important aspects of digital culture is its diversity. Because it is a contemporary event, theorists have not reached a consensus on the appropriate terminology to include the distinct characteristics of digital culture. Certain authors claim that we are in the middle of a digital revolution and that we have already entered a "Digital Age", also called the "Information Age". The same account with the aid of the technologies that enable the communication between people, production, storage and information sharing. The first scientific studies on cyberculture had as objective to describe the characteristics and to base the theoretical foundations of

the subject. Researchers also elaborated studies on the cases of socialization motivated by information and communication technologies, in order to study the communities and the problems that involve the virtual identity. In recent years, researchers have devoted themselves to publishing critical works that address issues such as online interactions, digital discourses or digital inclusion and exclusion.

In fact, the influence that information and communication technologies have on societies and cultures is extraordinary. In 2004, André Lemos wrote that

Cyberculture will be characterized by the formation of a society structured through a generalized telematic connectivity, broadening the communicative potential, providing the exchange of information in the most diverse forms, fomenting social aggregations. Cyberspace creates an operant world, interconnected to icons, portals, sites and homes pages, allowing the power of the emission to be placed in the hands of a young, tribal, gregarious culture that will produce information, add noise and collage, and throw excess into the system. ... perhaps we are looking for technologies for a new form of social aggregation (electronic, ephemeral and planetary). (Lemos, 2004, p.87)

Digital culture or cyberculture, whose boundaries are delimited as its use grows, requires broader definitions, given that one of its aspects is diversity. Given the novelty of this event, researchers have always found it difficult to reach consensus on terminology that best covers the diverse characteristics of digital culture. The other common names of cyberculture are: world culture, telecommunications culture, cyberspace culture and virtual culture. On the other hand, we all have a challenge in this cyberculture: how to understand the constant changes in information. In order to enhance our knowledge about this information society and its communication procedures, we need specific skills and competences that only literacies in general and information literacy in particular can provide.

2. Literacies as means of understanding society

Our current challenge in communication, in the universe of cyberculture and in the information society is to possess the means and instruments to understand the complexity of informational relations that surround us. For this understanding, Literacies are fundamental. In fact, as Jose Antonio Cordon Garcia (Lopes, 2016, xii) points out, we face several complex issues, which he calls "Gaps":

- **Creative Gap.** The authorship has substantially changed their condition, making greater use of the opportunities offered by new applications and software, many of which are freely available on the network. The new forms of authorship articulated by the blogosphere - self-publishing, transmedia, etc. - configure scenarios that will exclude those who do not know the tools of social character or who are incapable of building a solid digital identity, the first step towards the growth of virtual reputation.
- **Information Gap.** The information continues to grow exponentially in all its parameters. The extent of its impact is such that we are living in the age of big data, where only institutions and people capable of managing large numbers of data will have the ability to articulate a plausible and consistent discourse. Paradoxically, this situation has led to misinformation and under-utilization, especially by those who lack the skills necessary for their use. And in this context, inequalities reach a higher level, since information is the axis on which current society is articulated and a fundamental strategic element. Solving the problems associated with this deficit represents one of the greatest challenges for governments and cultural administrations around the world. The information gap is increasingly a digital gap, because the process of migration between analog and digital environments is increasingly pronounced, and it is necessary to respond to this problem in this double dimension.
- **Cognitive Gap.** Our ways of knowing, of mediating processes and thoughts, of interacting with the rest of society are radically transformed when the tools of communication and socialization change, when the ways of transmitting information change. The emergence of mobile technologies and their ability to combine diverse services, separated into differentiated channels, determined that access to knowledge is conditioned by the assimilation of practices related to the use of devices and applications, with digital reading and writing skills that allow the selection of the problems inherent in a system in which the economy of care represents a mandatory variable. The cognitive gap is, in this sense, related to a kind of semantic breach, in which the ability to accurately and accurately capture the different contents is closely associated with the acquisition of skills that favor concentration and deep understanding. Moreover, in a context of excessive information, critical thinking and the need to selectively identify the competitive factors in any type of message represent another non-waivable value of information literacy.

The term "literacy" occurs in the late nineteenth century in Anglo-Saxon countries such as the United States of America and the United Kingdom. At first, the concept of literacy was limited to the most accessible interventions of reading, writing and calculation. In Portugal, since the word "literacy" was already a reality, it was in 1996 that the term "literacy" began to be used more regularly, following the study of Ana Benavente - Literacy in Portugal. In this way, literacy manifests itself in the ability to process information written in everyday life, and is therefore fundamental for educational success, for life in society, in work and in the exercise of citizenship, stimulating a critical and proactive spirit. In the 1980s, declining levels of illiteracy, proportional to large increases in schooling, failed to extinguish evidence: "countries such as France, the United States and Canada found that there were significant percentages of their population with difficulties in using written material" (Benavente, 1996, p. 4).

In the early 1990s, Canadian scholars defined literacy as the ability to process written information in everyday life. Thus "this definition of literacy goes beyond mere understanding and decoding of texts to include a set of information processing capabilities that adults use in solving tasks associated with work, personal life, and social contexts" (Benavente, 1996, p. 6). We can say that it is extremely important to develop intellectual tools that help people to select, evaluate, understand, reflect and communicate the knowledge resulting from the information collected. In this sense, there are studies that confirm that in the twentieth century "there was no statistically significant effect of literacy on social mobility. On the contrary, some individuals have achieved social ascension, but the large groups of the poor and discriminated have become even poorer" (Kleiman, 1998, 37).

3. Information Literacy and Critical Thinking

Information Literacy is currently one of the key concepts of this network society. Each citizen must possess skills in Information Literacy. The importance of access, use and production of scientific and academic knowledge, intrinsic to the course of the actors involved, in the teaching-learning process throughout life, is crucial in the information and knowledge society. The issue of access to credible information is something that students at different levels of education are confronted with, given the amount of information available, especially on the internet, as well as the diversity of tools - databases, digital libraries, virtual - developed platforms for our access. Given this reality, a scientific approach to information literacy is justified in order to provide the actors in this teaching / learning process with research, access and information selection skills.

The concepts of information literacy date back to the beginning of the last century, although the idea of helping people to find information has existed in the past with the possibility that it might already be a reality in the library of Alexandria. In 1853 the English priest, John Henry Newman, added the notion of Information Literacy in his work *Idea of a University*. 23 years later the American librarian Melvil Dewey defended that the school is a library and the librarian a teacher in the highest sense. In the last century, in the seventies, Paul Zurkowsky, (1981) president of the information industry association of the United States of America, in a proposal sent to the National Commission on Libraries and Information Science, refers for the first time to the expression Information Literacy. Zurkowsky proposed that the commission should focus on developing a national program to achieve universal information literacy in 1984. In 1976, Lee Burchinal at Texas A & M University stated that to be literate in information, each person needs to be able to find and use the information you need to solve your problems and make efficient and effective decisions. Cees Hamelink and Major Owens argued that information literacy was an instrument of political emancipation. According to Owens, in addition to being necessary for greater efficiency and effectiveness of work, information literacy is necessary to ensure the democratic survival of institutions. All people are created equally, but voters with access to information are in a position to make smarter decisions than citizens who are informationally illiterate (Owens, 1976, p. 27).

In 2002, Christine Susan Bruce wrote about the connections between our society and the need for information literacy:

Information literacy is conceivably the foundation for learning in our contemporary environment of continuous technological change. As information and communication technologies develop rapidly, and the information environment becomes increasingly complex, educators are recognizing the needs for learners to engage with the information environment as part of their formal learning processes. IL is generally seen as pivotal to the pursuit of lifelong learning, and central to achieving both personal empowerment and economic development. Information literacy is a natural extension of the concept of literacy in our information society, and information literacy education is the catalyst required to transform the information society of today into the learning society of tomorrow. (Bruce, 2002, p. 3)

Nowadays, we can quote as a possible basis the definition of Information Literacy that UNESCO formulated in 2008:

INFORMATION LITERACY means the set of skills, attitudes and knowledge necessary to know when information is needed to help solve a problem or make a decision, how to articulate that information need in searchable terms and language, then search efficiently for the information, retrieve it, interpret and understand it, organize it, evaluate its credibility and authenticity, assess its relevance, communicate it to others if necessary, then utilize it to accomplish bottom-line purposes; Information Literacy is closely allied to learning to learn, and to critical thinking, both of which may be established, formal educational goals, but too often are not integrated into curricula, syllabi and lesson plan outlines as discrete, teachable and learnable outcomes; sometimes the terms "Information Competency," or "Information Fluency" or even other terms, are used in different countries, cultures or languages, in preference to the term Information Literacy. (Horton, 2008)

But the domain of information literacy implies working with an interconnected concept: critical thinking. Facione identifies expert consensus statement regarding critical thinking and the ideal critical thinker:

We understand critical thinking to be purposeful, self-regulatory judgment which results in interpretation, analysis, evaluation, and inference, as well as explanation of the evidential, conceptual, methodological, criteriological, or contextual considerations upon which that judgment is based. CT is essential as a tool of inquiry. As such, CT is a liberating force in education and a powerful resource in one's personal and civic life. While not synonymous with good thinking, CT is a pervasive and self-rectifying human

phenomenon. The ideal critical thinker is habitually inquisitive, wellinformed, trustful of reason, open-minded, flexible, fair-minded in evaluation, honest in facing personal biases, prudent in making judgments, willing to reconsider, clear about issues, orderly in complex matters, diligent in seeking relevant information, reasonable in the selection of criteria, focused in inquiry, and persistent in seeking results which are as precise as the subject and the circumstances of inquiry permit. Thus, educating strong critical

thinkers means working toward this ideal. It combines developing CT skills with nurturing those dispositions which consistently yield useful insights and which are the basis of a rational and democratic society. (2015, p. 27)

Critical thinking is thus the ability to distinguish facts from fiction, develop an opinion on a particular topic or subject, and actually think about when it is that those who seek information will accept the "facts" and agree with the opinions they may or may not lead (McCormick, 1983). The main question turns out not to be the process of searching for information but rather what each person does with that information as soon as he finds it. A final report of the American Library Association's Presidential Committee on Information Literacy published in the late 1980s states that for an individual to be literate in information, he must be able to recognize when he needs that information and must be able to find it, evaluate and use the information you need efficiently. In the early 1990s Christina Doyle published the results of a Delphi study that increased the scope of information literacy definition. Participants in the study agreed that the basic definition of information literacy is the ability to search, find, analyze and use that information from different sources. The agreement went beyond this definition and the participants found similar views regarding the attributes of a person in information that would go through: recognize that accurate and complete information is the necessary basis for intelligent decision making; recognize the need for information; elaborate questions based on information needs; Identify potential sources of information; develop successful research plans; access information sources including those based on the computer and other technologies; evaluate the information; organize the information so you can apply it in a practical way; integrate new information into an existing body of knowledge; use information in critical thinking and problem solving (Doyle, 1992).

Jeremy J. Shapiro and Shelley K. Hughes (1996) referred in their book "Evaluating the Internet: a social progress matrix" seven dimensions of information literacy: (i) Literacy tools - Understanding technological information tools ; (ii) Literacy Resources - Understanding access methods and information resource formats; (iii) Social Structure of Literacy - to understand how information is produced and socially situated; (iv) Research in Literacy - use relevant technological information tools; (v) Publication of Literacy - to promote and investigate publications and ideas in multimedia formats; (vi) Emerging technologies - Using emerging information technologies; (vii) Critical literacy - critically assess the capabilities and limits of information technologies.

The Association of College and Research Libraries defines Information Literacy as a set of vocations that each person must possess to recognize when they need information and how they must find the information they need, how to examine it and how to use it effectively . Information literacy includes information interests and needs as well as the ability to identify ,

locate, evaluate, organize and efficiently create, use and communicate information to solve issues or problems. It is a prerequisite for effective contribution to the information society and is part of the basic human right of lifelong learning.

Information literacy can cover students in research or research issues that make them want to become better at developing their minds and learning in general. Studies on the professional use of information resources in specific areas such as health emphasize the importance of teaching information literacy as a way to determine the advantages and risks of using open resources such as general searches on Google and the importance of use of reference resources. UNESCO (2008) also considers information literacy as fundamental to understanding these subjects in nowadays society and the challenges of today's communication:

Increasingly, the concept of information literacy is considered as crucially important to enable people to deal with the challenge of making good use of information and communication technology. Indeed, governments, intergovernmental and non-governmental organizations, academia, civil society and the private sector have all come to the conclusion that computers, the Internet, and hand-held wireless devices are driving today profound changes in the way pictures, voice, and information are being created, transmitted, accessed and stored. But they also conclude that learning computer and media technologies are not enough if nations, institutions and individuals are to reap the full benefits of the global knowledge societies. In this context, 'information literacy has become a new paradigm in the information and communication landscape. Sometimes other synonyms such as 'information fluency' or 'information competency' are being used instead. How the concept is defined, understood and applied differs at this early stage in the concept's development from one nation, one culture or one linguistic group to another. However, the Alexandria Proclamation adopted by the High Level Colloquium on Information Literacy and Lifelong Learning in November 2005 defines information literacy as a mean to "empower people in all walks of life to seek, evaluate, use and create information effectively to achieve their personal, social, occupational and educational goals". In the digital age, what information literacy means is that understanding technologies is not enough. What everyone must also do is learn how to utilize those incredibly diverse and powerful technologies efficiently and effectively to search for, retrieve, organize, analyze, evaluate information and then use it for specific decision-making and problem-solving ends. (Horton, 2008)

Furthermore, Bruce (2004) underlines the need to organize information literacy programs as follows:

In any educational sector, there are four critical components of an information literacy program:

1. Resources to facilitate the learning of specific skills, eg web based information skills enhancement packages and other point of need, or self paced instruction.
2. Curriculum that provides the opportunity to learn specific skills, either early in a course or at point of need, (from self-paced packages, peers, lecturers, librarians) [integrated].
3. Curriculum that requires engagement in learning activities that require ongoing interaction with the information environment [embedded].
4. Curriculum that provides opportunities for reflection and documentation of learning about effective information practices [embedded].

The first of these represents the resource base that supports learning skills underpinning information literacy, the second represents curriculum integration, and the latter two represent what is better described as 'embedded' information literacy education. In all sectors, curriculum development, including course approval and review processes, may be used to monitor the inclusion of information literacy in curriculum.

4. Conclusion

In 1999 the first step towards the renewal of the European university system was taken. The Bologna Declaration was preceded by the Sorbonne Declaration a year earlier and the working documents of Prague (2001) and Berlin (2003) which set out the strategies for the development of a European quality university and with it the creation of the European Area of Higher Education (EHEA). The entire Bologna process was aimed at training students adapted to the requirements of international competitiveness with the aim of spreading employment, fostering a better performance of European professionals. In the light of this process the university introduces a set of measures intended to increase the level of flexibility, adaptability and efficiency of Europeans.

Bologna represents not only increasing student participation in the method of learning, restructuring the form and quantity of training time, but more significant is the change that supposes from the methodological point of view. With this new model of Bologna means that the subjects are articulated in the base of the development of competences, rejecting a model of teaching - learning in which what is important is only the content. States need a learning based on competences, that is, a set of knowledge, learned with the aim of knowing how to put them into practice and structured, at the same time, with the development of modes, such as responsibility, communication, flexibility or autonomy.

In this context, the training of students, centered on the acquisition of competences, becomes inseparable from the use of critical thinking in relation to contemporary society and to informational challenges. In addition to this critical thinking, information literacy emerges, essential for the codification and decoding of the universe of messages that surround us. Information Literacy is a fundamental theme in the present information and knowledge society. The amount of information that is available is increasing and this is increasingly accessible. Along with the increase in the amount of information, there has been an increase in the information in different formats of the written text. Increasing the speed of data transmission has increasingly facilitated the use of image, audio and video. The Internet has played an elementary role in these same transformations. With the emergence of mobile communications, where the Internet is also present information increasingly assumes a ubiquitous function. In this vastness of information it is extremely important to know what is important information, how to find it and how to learn to deal with it properly.

In short, students and teachers live today the challenge of articulating communication, critical thinking and information literacy, to proceed to a true and full understanding of the world around us.

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