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Vertical Jump to Female & Male Basketball Players in Albania

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Abstract

Vertical jump is one of the basic elements in collective sports such as volleyball, basketball, football, etc. The reason of this study is the evaluation of this element and other parameters of the Albanian National Championship basketball players female & male. From the specificity of their training, there are differences in the physical qualities of individual performance, where one of the elements is vertical jumping. The performance profiling of basketball players is important to distinguish the anthropometric and physical characteristics from other sports. Basketball players were tested in different periods before and after the training with their coaches. Subjects were 59 Female (F) mean age 18.1 years old and 60 Male (M) mean age 18.8 years old. They evaluated us; Body Height (BH), Body Mass (BMI %), Body Weight (BW), Squat Jump (SJ), Countermovement Jump (CMJ) and Drop Jump 40cm (DJ). From the obtained data of the test was observed even the effect of the training that these athletes have done for the jumping level, assessment of explosive strength and maximum power. Differences were seen to individual basketball players between two periods, before and after the testing. The evaluation of these tests is one of the key features of a vertical jump as one of the specific technical element in the game on air in the sport of basketball. The obtained results suggest changes in sporting performance of "vertical jump" in the force settings, speed and power.

Keywords: basketball, squat-countermovement jump, drop jump, female & male

1. Introduction

Basketball is one of the most popular sports in the world but also quite developed in our country Albania. Basketball players during their game, in addition to various runs, must also develop vertical jumping in catching balls on the table or even fighting in the air with the opponent. Plyometric training [1] is widely used to improve jumping ability, especially in sports such as volleyball and basketball [2, 3, 4, 5]. Volleyball and Basketball sports have different performances for their own game characteristic, so the training is specific where there are differences in the physical qualities of individual and team performance. Methods plyometric and resistance training are usually referred to in the literature as improving the most powerful strength

characteristics (explosive strength) in basketball players. In basketball, the ability to generate maximal strength levels in the shortest period of time (muscular power) is necessary to gain high sport performance levels [6]. Moreover, agility is a vital component for the success in basketball players [7]. So the meaning of the vertical jump element is basically the measurement of the strength, strength, speed of the lower extremities. Numerous scholars have found that high jumps can be improved through applications of plyometric exercises. The best possible perfection of a vertical jump is achieved with training with the purpose of increasing the height of the jump, the high degree of muscular activity that is achieved by increasing the loads in the phase of extension of the vertical jump. Therefore, the purpose of this study is to identify the performance of vertical dance and the comparison between the sexes of some young basketball players in Albania by using the tests squat jump (SJ), countermovement jump (CMJ) and drop jump (DJ). Individual differences in physical fitness parameters among players have been attributed to long-term sport training specificity [8]. To assess the vertical jump is needed the application of Bosco tests such as Drop Jump [9], that made possible the definition of the height of the optimum fall from which the player takes \ wins the maximum jumping and the connection between the height of the fall, the time of contact and flight-time. To developed this study we have used the facilities of the University of Sports in Tirana and its respective laboratories of Physiology and Biomechanics where tests are developed with advanced equipment and GFRP "Leonardo" platform.

2. Methodology

In understanding with coaches of the basketball teams we based our study on the female & male in the period before and after a preparatory mini phase in the period before and after the second phase of the National Championship. During the study players have been under our observation for the performance of the training program with their coaches. Training sessions have been regular, 5 times a week with duration of 1 hour and 30 min each time. In this study participate these basketball players and they were tested in these parameters shown in table 1;

Table1 Anthropometric Measurements (Basketball players)

Nr;	FEMALE (F) 59	MALE (M) 60
Mean Age	18.1	18.8
Body Height (BH) cm	182.4 cm	195.9 cm
Body Wight (BW) kg	71.8 kg	83.2 kg
Body Mass (BMI)%kg/m ²	21.55%	20.37%

2.1. Protocols of the Test Performed

- SJ (squat jump) - The vertical jump from the initial position starts when the athlete has his/her legs refracted to 90° and hands positioned on the waist. There have been realized 3 jumps and has been taken the best.
- CMJ (Countermovement Jump) is similar to SJ, but the athlete begins the testing by staying right and then he/she takes off by refracting his/her lower limb to 90 ° and hands placed on the waist (3 jumps). Tests were developed on Muscle Lab Jump.
- DJ (drupe jump) from 40 cm cube in Leonardo® Ground Force Reaction Plate (GRFP-Novotec Medical, Pforzheim, Germany).
- Calculation $(CMJ-SJ) \times 100/CMJ$. The capacity of reusing the accumulated energy as a result of the elastic stretch that precedes the muscular contraction.

During squat jumps with a knee flexion to 90° players were instructed to perform a maximal vertical jump and were not allowed to use any motion, forward flexion before jumping. All volleyball players were tested in the same conditions, with a preliminary general stretching of 10 min. The basketball players then developed an individual warm-up of 10 min before starting the specific vertical jump performance test in the Squat Jump-SJ, Countermovement Jump-CMJ and Drop Jump-DJ at the throw height from 40cm cubes [10]. Basketball players are initially recommended for each performance of the jump test how it should proceeded.

3. Results

Table 2 shows the average team data of female and male basketball players taken under observation. The values obtained clearly show the level of the players in Albania.

Table2. Data obtained from Ergo Jump Muscle Lab Jump (female & male)

Basketball players	FEMALE		MALE	
	Test 1	Test 2	Test 1	Test 2
Squat Jump	27.7	29.7	33.4	39.8
Countermovement Jump	33.9	35.2	39.2	45.9
$(CMJ-SJ) \times 100/CMJ\%$	18.07	15.50%	18.10%	14%

Table.3. Data of the tests done with GFRP “Leonardo” (female & male)

	Squat Jump Test				Countermovement Jump Test			
	Test 1	Test 2	Test 1	Test 2	Test 1	Test 2	Test 1	Test 2
	Fmax	Fmax	Pmax	Pmax	Fmax	Fmax	Pmax	Pmax
FEMALE	1.38	1.48	2.73	2.97	1.46	1.53	2.81	2.96

MALE	1.55	1.6	3.52	3.57	1.51	1.75	3.32	3.71
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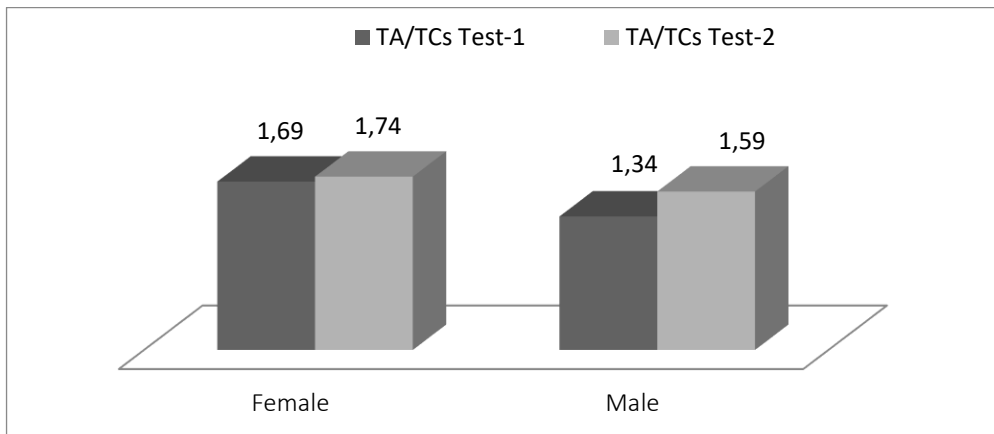
4. Discussion – Analysis

From the data shown in tab.2,3 it seems clear in comparison and with different references from the foreign literature, female and male basketball players have low jumping levels ;referred by [11] (SJ 37cm ,CMJ 41cm for girls)) (SJ boys 47cm ,CMJ-53). But in both teams there have been male and female individuals who have improved during the training with the coaches. It is clearly seen in younger athletes. For a long time we thought that CMJ jump would provide the muscle elasticity measure, while today it is found that this test provides the rapid force measure of the jump. The differences between the two tests CMJ-SJ of the athletes in teams is the “elasticity index”. Good capacity used by the elastic energy corresponds to 8-10 cm. Difference between these two tests is called “The index of fast power” [11].The difference in % of (CMJ-SJ) the calculation of the elasticity index. Elastic energy (CMJ-SJ) x100/CMJ the capacity for subsequent reuse of accumulated elastic energy resulting from the elastic stretch preceding muscular contraction. From the data obtained before and after the training of the basketball players there is still exploited elastic energy. We think that there is more to be clarified and developed in the training plan that the coaches use to increase the vertical jump to basketball players. Vertical jump assessment has been widely used as an alternative to the maximum straightforward assessment of strength and power of the lower extremities [12]. This platform consists in obtaining more data to the evaluation of the basketball players, force (F max kN) and power (P max kW), during the vertical jump. This platform clearly shows and identifies all the testing protocol of the vertical jump. Technical good used efficiency (EFI %) during the vertical jump highlights the general preparation that this sports has in lower extremities (legs) and the usage of the elastic energy of the muscle complex. From the observation and the conversation with the coaches of these two teams we realized that despite the general athletic-technical-tactical preparation they used different plyometric exercises to increase the vertical jump.

Table.4” Data of the tests done with GFRP “Leonardo” (female & male) DJ 40cm

Basketball Players	F max kN		P max w/kg		Time Contact(TC) s		Air Time(TA)s		TA/TC s	
	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	Test 1-Test 2	
FEMALE	3.31	3.18	30.8	33.4	0.304	0.303	0.484	0.934	1.69	1.74
MALE	3.31	3.12	14.45	33.63	0.419	0.328	0.499	0.512	1.34	1.59

Graffic.1.Drop Jump 40 cm (female & male)



This is a jump that is standardized to fall from a height, contact with the falling ground and knees at an angle of 90 °, without interruption, in a vertical jump to the maximum with a minimum foot contact with the GRFP force platform (Specific plyometric indicator). The Drop Jump test offers a progressive increase of the height of the falling cube from 20cm, 40cm, 60cm and 80cm near a force platform GRFP. This test assesses the explosive strength of the lower limbs. The test represents the "Explosive-Reactive-Ballistic Force" and in particular, the neuromuscular capacity to develop very high values of force during the stretch-contraction cycle [9]. In this test we used fall from 40 cm high cube in both volleyball teams. The test provides as an objective the progressive increase in the decline faze, contact time (TCs), the residence time on air (TAs) and has also the objective to show the highest determining result of the vertical jump. Bosco has come to the conclusion that to have significantly results TA/TC on DJ test. The results of the study as outlined above for women and men show that using the DJ test we can improve the vertical jump. By comparing the first and second DJ test, the results show the higher increase of the sportive performance in maximal force and maximal power in male volleyball players than female, especially in particular individuals. As a result of improved power and force is also increased the vertical jump shown in the declining contact DJ faze with the time of flight, expressed in seconds. DJ exercises are plyometric exercises commonly used to increase explosive power through stretching-shortening cycle muscle activity. Thus it helps to gain the greatest power output and energy output in the concentric phase [11]. Optimal determination of DJ jump height is important in training volleyball players. Despite the large number of plyometric studies, few studies on exercise have directly compared the effectiveness of plyometric, DJ training and CMJ training. Various authors have found that high jumps can be improved through plyometric exercises. Statistical analysis was performed using IBM Statics 20. As a working environment between groups: ANOVA with repeated measurements with time factor and/or group. The results of descriptive statistical analysis for the dependent variable

"TA / TC" presented in table 4 showed that there is progress in increasing performance in this test of both groups of volleyball players. Some authors have reported [13] that commanded plyometric training shows that plyometric exercises are effective in increasing the volleyball, speed and dexterity of volleyball players. In Test 2 measurements there is an average significant increase in seconds for both females and males.

Conclusion

We think that there is more to be clarified and developed in the training plan that coaches use to improve the vertical jump to basketball players. . DJ test evidence that is a more effective way to increase the output power and the jumping performance. From the obtained results of the study we have arrived on these conclusions: Vertical jump SJ and CMJ done in Ergo jump and with the implementation of the method Bosco test 1 and test 2 training shows that tested basketball players have yet untapped and well-used energy. We think that in terms of training from coach's plyometric exercises to increase the explosive power in vertical jump have not been done regularly with a detailed program. But for female and even for male players the training has been efficient. Max force (F max) and max power (P max) are relatively poor values (low) compared with the results that a basketball player should have during a vertical jump. Practicing these tests, we think that in the sport of basketball they are a necessity of a coaching advancement for the ages to have a better performance of their basketball jumping for both men and women.

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Impact Analysis of the Subscale of Aggression in Depression and Anxiety, Among Adolescents Aged 16-18 Years- Case Study: High Secondary School "Luciano Motroni" Prizren

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Abstract

Aggression is a phenomenon that encompasses some very significant subscales and can be manifested through aggressive behaviors, hostility to friends, anger, uncontrolled / inconsistent reactions, and verbal and indirect aggression. These factors need to be carefully considered and followed up with research in order to give young people room to improve behaviors and achieve high achievement, otherwise it can affect adolescent anxiety and depression. The purpose of this study is to analyze the effects of underlying aggression such as anger, hostility, verbal aggression, indirect aggression, inconsistent response to anxiety, and depression in adolescents aged 16-18. This study included three groups of students, 16 years old, 17 years old and 18 years old, with 50 adolescents in each group, so the total sample is 150 adolescents aged 16-18 years. The research belongs to the quantitative type and the case study was selected 'Luciano Motroni' High Secondary School in Prizren municipality during January 2020. Research results show that depression scales such as verbal aggression have an impact on anxiety and depression ($\rho = .163 *$, p value = .047), anger ($\rho = .385 **$, p value = .000), hostility ($\rho = .174 *$, p value = .033), indirect aggression ($\rho = .261 **$, p value = .001), and inconsistent response ($\rho = .170 *$, p value = .037) which are statistically significant at 1 % and 5% confidence level. Compared to a research conducted in 2019, entitled " Association between anxiety and aggression in adolescents: a cross-sectional study " we see that aggression has a significant impact on youth anxiety. Thus, the subscales of aggression represent an important significant link in adolescent anxiety and depression. Finally, we conclude that sub scales of aggression have a statistically significant impact on adolescent anxiety and depression among young people aged 16-18, in the municipality of Prizren. What we recommend is the training and support of young people during their secondary education journey.

Keywords: adolescents, aggression, aggression scales, depression and anxiety

Introduction

The term aggressiveness is often used to describe the behavioral activities of others as well as oneself. In psychology, the concept of aggression refers to a variety of behavior that results in emotional as well as physical harm to an individual. Social psychologists explain aggression as an action that is planned to harm those people who do not want to be harmed. (Baron, R. A., & Richardson, D. R., 1994).

Aggression is present at all times and it is very important to understand that it manifests and expands through people's thoughts, fantasies, their desires, thoughts and daily behaviors. (Semprini F, Giovanni AF, Sonino N., 2010). During adolescence, aggression is often presented as a conscious effort to achieve goals and unaware of their autonomy, and many authors around the world express this very well. (Semprini F, Giovanni AF, Sonino N., 2010)

Aggression in general in young people is manifested through their rebellion against society and the environment in general, starting with problems at home with disobedience to parents, various aggressions, ranging from verbal, indirect aggression and other dangerous aspects. (Csorba J, World E, Plener P., 2009). Aggressive behavior is often associated with lower verbal and cognitive abilities According to (LJ., 2008) aggression is presented as a skill developed with low verbal and cognitive abilities.

According (Carrion, 2012) describes anger as an emotional state that in intensity can move from mild irritation to enraged anger. Anger is followed by physical reactions including accelerated heart rate, increased blood pressure and increased levels of adrenaline and noradrenaline. Anger is a reaction (physiological and psychic) to a perceived threat to oneself or to other important people, present, past, or future. The threat may seem real, discussed, or imagined. Anger is often a response to the perception of threat due to physical conflict, injustice, neglect, humiliation or betrayal among other quarrels. Anger can be expressed through active or passive behaviors. In the case of "active" emotion, the angry person "expresses" verbally or physically to the target subject. When anger is a "passive emotion" this is characterized by silence, passive-aggressive behavior (hostility) and tension. "

According to a research report conducted by (Kosovo, 2016)), absences and violence in general, emphasizing verbal and psychological violence against students (indirect / instrumental violence), are more pronounced than physical violence (direct violence) and is characterized by insults, derision, the use of insulting names, as well as the spread of gossip and personal information. Also the presence of cold weapons is much greater. Of all the students surveyed as part of this survey, 16.26% stated that they were victims of violence, intimidation and bullying. Although there is a lot of research providing evidence that the use of violence of various forms among students continues to be present in educational settings in all schools in Kosovo, there has been no research that speaks to the role of rumination in general. and in particular ruminating on anger, the appearance and development of violence of various forms.

Adolescence is a very critical period in which young people or adolescents undergo social, emotional, and physical changes, which in most cases can create negative perceptions and aggressive behaviors that are subsequently followed by problems. (Peter RE, Crocker CMS, Kowalski KC, McDonough MH, Nanette K., 2006).

Recently, researchers have begun exploring the possible role of rumination, or the tendency to think about the experiences and feelings associated with those experiences in aggressive behavior. It is only natural for people to reflect on situations that are followed by painful, negative, or distressing experiences. In doing so, individuals strive to see situations that we are rumored to have from a new perspective and thus reduce the distress we feel (Nolen-Hoeksema, S., Wisco, B.E., Lyubomirsky, S., 2008). But what usually happens is that rather than feeling liberated from this process, we think of the distressing situations by repeating them in our head and thus end up even more upset, angry or anxious. For example, we repeat the scene of a conflicting conversation with someone by analyzing it in detail, looking at different versions of a confrontation with that person, although in reality that confrontation may never happen. (Csorba J, Dinya E, Plener P., 2009)

However, the construct of rumination as such is slightly broad, so it involves the tendency to focus on many negative moods rather than one particular emotion. For this reason some researchers have focused on rumination in anger, the tendency to focus on thoughts related to emotional state during an episode of anger. In general, if anger is viewed as an emotion, rumination in anger can be defined as “thinking about this emotion” (Sukhodolsky, Golub and Cromwell, 2000).

Purpose of the research

The purpose of this study is to analyze the effects that underlie aggression, such as anger, hostility, verbal aggression, indirect aggression, non-consistent anxiety and depression on adolescents aged 16-18 years. To find out if variables or subscales of aggression contribute to the development of adolescent violence.

Research question

1) Will students with high aggression, i.e. verbal aggression, anger, hostility, indirect and inconsistent aggression, exhibit high levels of anxiety and depression?

Research hypothesis:

H01. The subscales of aggression such as verbal aggression, hostility, anger, indirect and inconsistent aggression have a negative impact on the increase of anxiety / depression among young people aged 16-18 in the secondary high schools of Prizren municipality.

Research methodology

The research methodology belongs to the quantitative type. This study was conducted with adolescents or students aged 16-18 years. The case study was taken from the

Luciano Motroni High School in Prizren municipality. The number of participants is 150 students, 50 students for each class, 50 students from grade 10 or 16 years old, 50 students from grade 11 or 17 years old and 50 students from grade 11 or 18 years old.

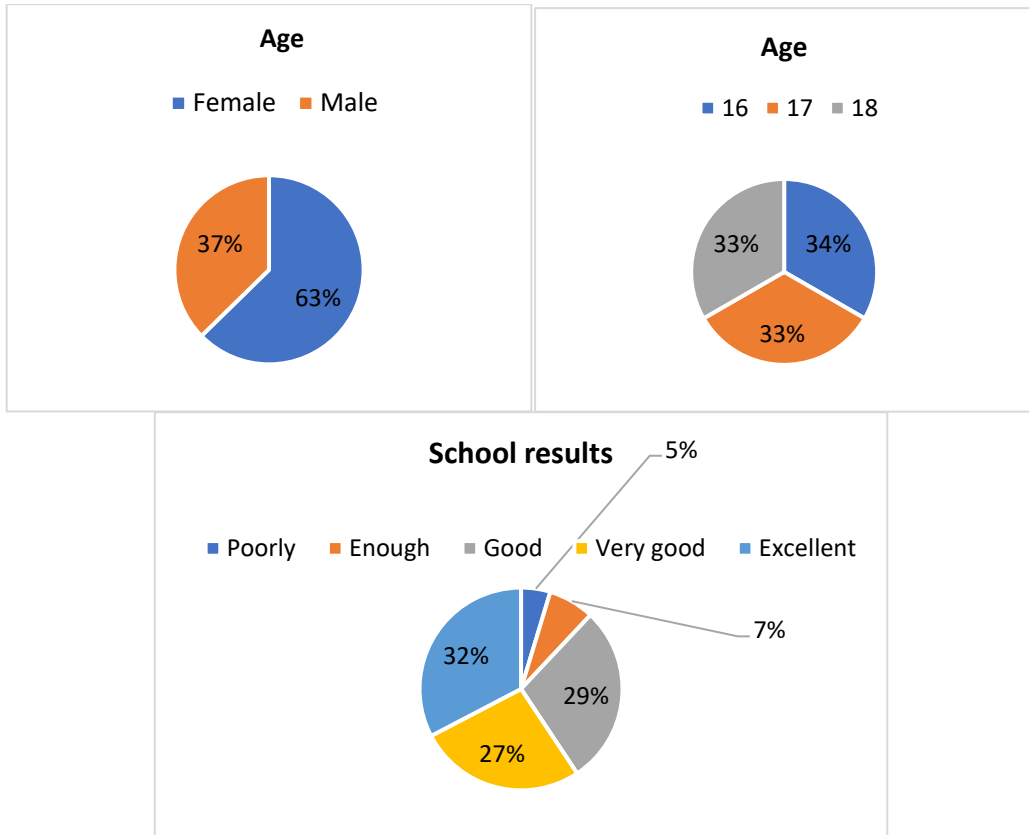
A standardized questionnaire (BPAQ, 1992) was used to conduct the research, consisting of demographic data including gender, class, school success, and parent qualification. The Likert (1 not at all like me .. 5 completely like me) and the third part included questions about anxiety and depression categorized according to the Likert scale (1 never 5 all the time). The analyzes were performed through IBM SPSS (version 25), whereas correlation analysis according to spearman was used to validate the research hypothesis.

Empirical results of the analysis

Descriptive analysis

The results show that a total of 150 students aged 16-18 participated in the research, while in all three categories there are 50 students. In terms of their school success we see that 4.7% have poor success, 7.3% have sufficient success, 28.7% have good success, 26.7% have very good success and 32.7% have excellent success.

Gender	N	%
Female	94	62.7%
Male	56	37.3%
Age	N	%
16 years old	50	33.3%
17 years old	50	33.3%
18 years old	50	33.3%
Success	N	%
Poorly	7	4.7%
Sufficient	11	7.3%
Good	43	28.7%
Very good	40	26.7%
Excellent	49	32.7%



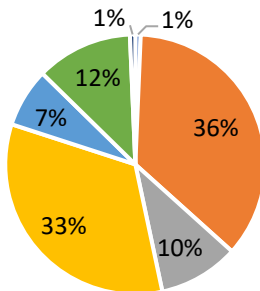
Regarding the education of parents we see that the education of the father is higher than that of the mother in terms of higher education, while the economic level of the family shows that the vast majority of the families have a very similar economic level.

The Education of Mother	N	%
Has not finished elementary school	1	0.7%
Has finished primary school	54	36.0%
Has not finished high school	15	10.0%
Graduated from high school	50	33.3%
Started studies but did not finish	11	7.3%
Graduated from university	18	12.0%
The parent is not alive	1	0.7%
The Education of Father	N	%

Has not finished elementary school	1	0.7
Has finished primary school	16	10.7
Has not finished high school	9	6.0
Graduated from high school	66	44.0
Started studies but did not finish	18	12.0
Graduated from university	40	26.7
Family Economic Status	N	%
Has an income like most other families	108	72.0%
There is a little more income than other families	35	23.3%
There is a lot more income than most other families	7	4.7%

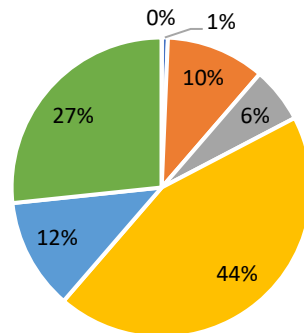
Mother education

- Has not finished elementary school
- She has finished primary school
- Has not finished high school
- Graduated from high school
- She started his studies but did not finish
- Graduated from university
- The parent is not alive



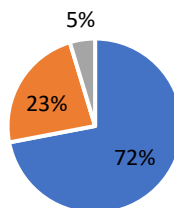
Father education

- Has not finished elementary school
- He has finished primary school
- Has not finished high school
- Graduated from high school
- He started his studies but did not finish
- Graduated from university
- The parent is not alive



Household economic status

- It has an income like most other families
- There is a little more income than other families
- There is a lot more income than most other families



Confirmation of the hypothesis

Hypothesis 1

Aggression subscales such as verbal aggression, hostility, and anger have an impact on increasing anxiety / depression in young people aged 15-18.

The results show that a statistically significant correlation was found between the degrees of aggression and anxiety and depression, which confirms that these aggression phenomena are very influential in the lives of adolescents.

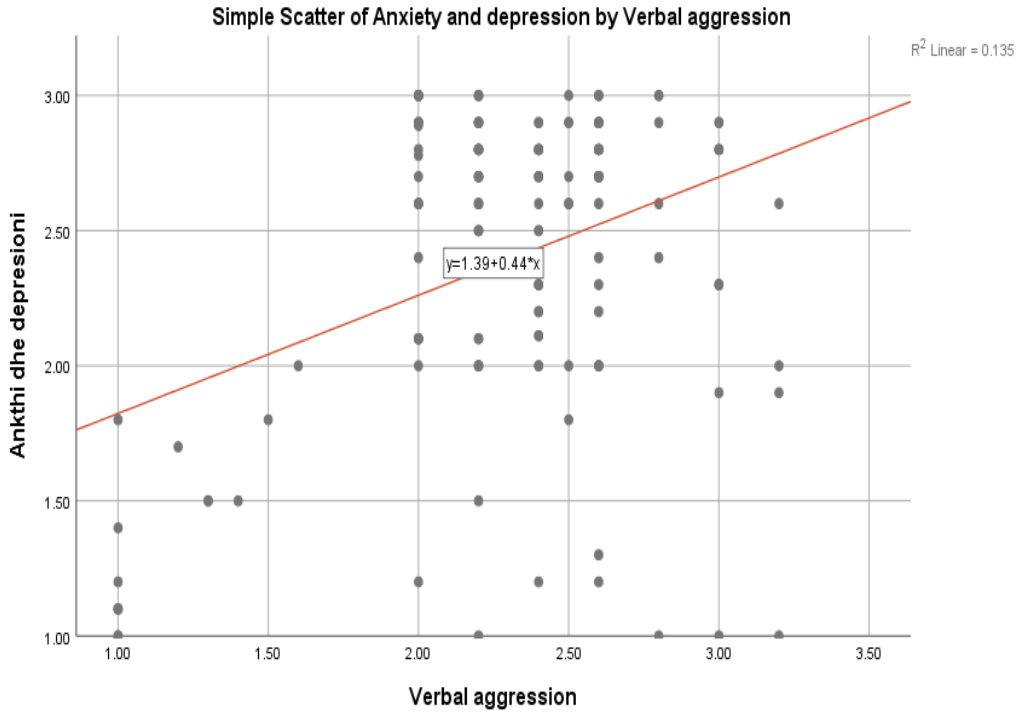
** . Correlation is significant at the 0.01 level (2-tailed).

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

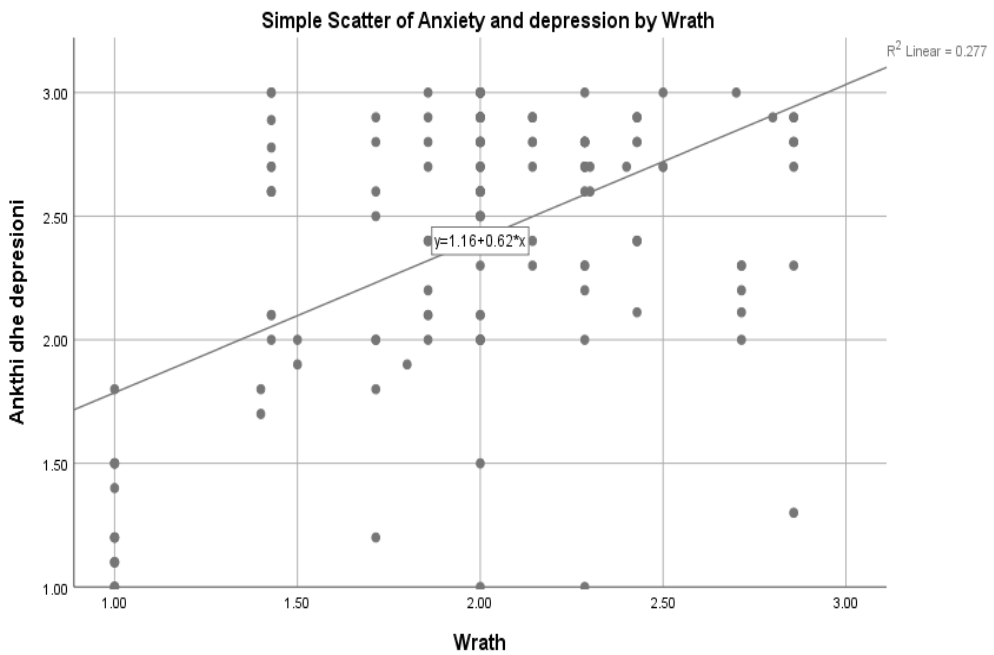
Exactly we find that verbal aggression has a high positive correlation ($\rho = .165^{**}$, p value = .044) which is significant at 5% confidence level, so verbal aggression as a subscale of aggression has a significant effect that it affects the increase in anxiety and depression in young people aged 16-18. Anger as a subscale of aggression has a high positive correlation ($\rho = .386^{**}$, p value = .000) which is significant at 1% confidence level, so we can say that anger negatively affects anxiety and depression. Hostility also has a positive correlation ($\rho = .176^{*}$, p value = .033) which is significant at 5% confidence level and we say that the higher the hostility among adolescents aged 16-18 years, high will be their anxiety and depression. The inconsistent response also has a positive correlation ($\rho = .170^{*}$, p value = .037) which is significant at 5% confidence level and we say that the more such an inconsistent response the more will have anxiety and depression. Finally we have the indirect aggression that presents a positive correlation ($\rho = .261^{**}$, p value = .001) which is significant at 1% confidence level.

<i>Subscales of aggression</i>	<i>Nonparametric</i>	<i>Agresion _verbal</i>	<i>Anger</i>	<i>Hostality</i>	<i>Non-consitent Reaction</i>	<i>Indirect aggression</i>
<i>Anxiety & Depression</i>	<i>Spearman Correlations</i>	<i>.165*</i>	<i>.386**</i>	<i>.175*</i>	<i>.170*</i>	<i>.261**</i>
	<i>P value</i>	<i>.044</i>	<i>.000</i>	<i>.033</i>	<i>.037</i>	<i>.001</i>

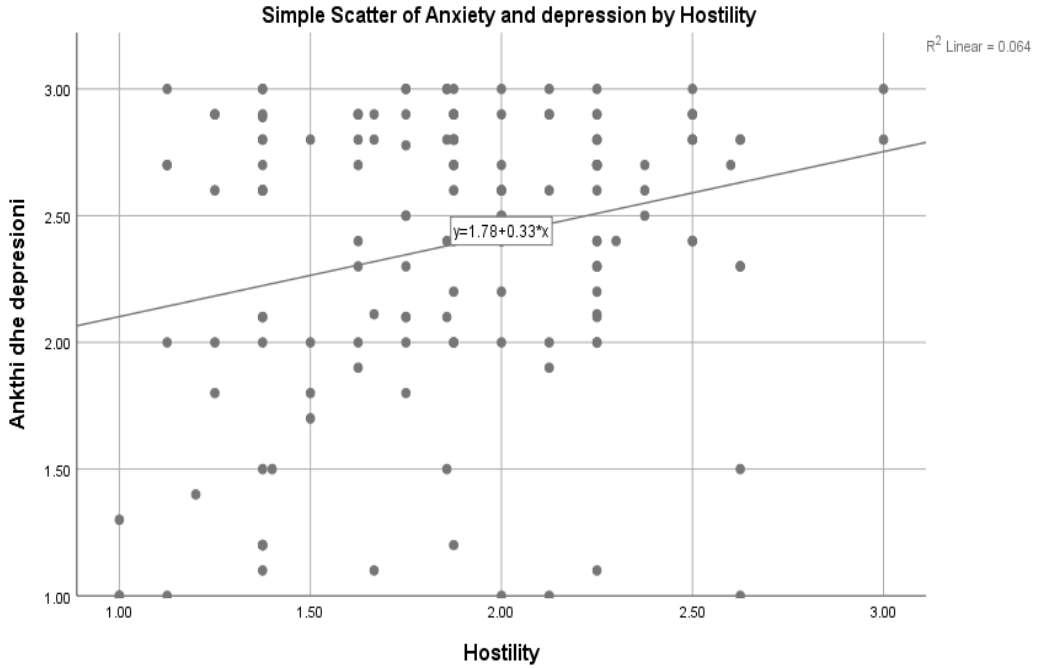
So, subscales of aggression such as verbal aggression, hostility, anger, non-consistent response, and indirect aggression, have an impact on increasing anxiety / depression in young people aged 16-18.



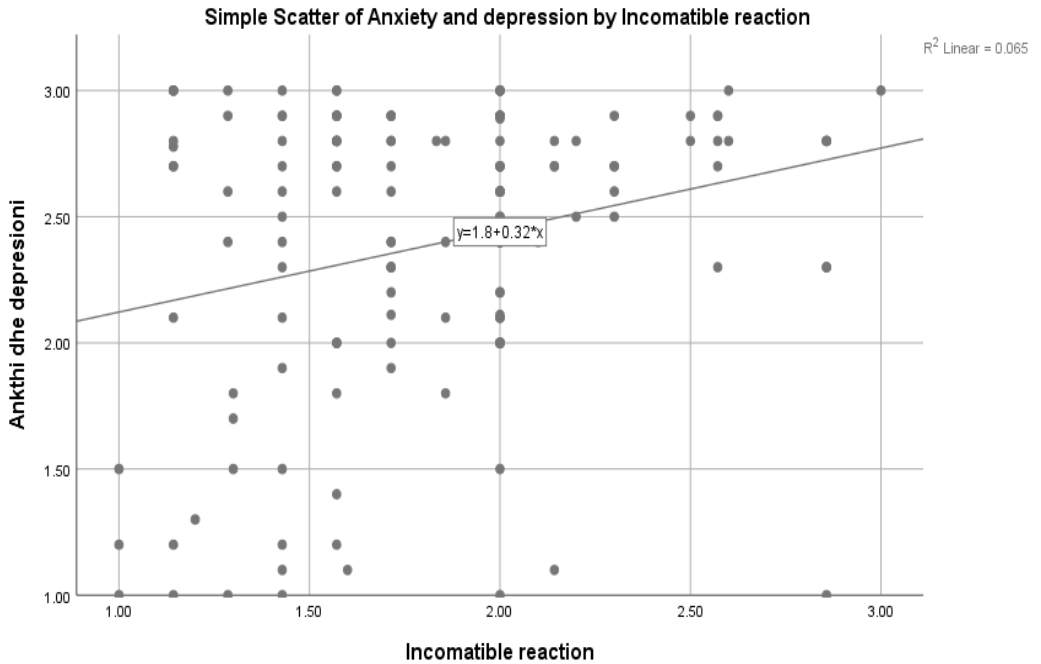
Correlation between verbal aggression, anxiety and depression



The correlation between anger, anxiety and depression



The correlation between hostility, anxiety and depression



Correlation between inconsistent response anxiety and depression

Conclusions and recommendations

The results show that the study included a total of 150 students aged 16-18, with a low level of school success, a high father's appearance and low maternal education, and a relatively positive economic level. Correlation analysis has shown that aggression subscales such as verbal aggression, hostility, anger, non-consistent response, and indirect aggression have an impact on the increase of anxiety / depression in young people aged 16-18 years. Another research conducted by Sherrill et.al, (2016), individuals who were singled out as having high aggressive traits exhibited increased aggressive behaviors, in situations where there were provocations.

What it can recommend for the future is that research should be expanded to a wider territory in Kosovo, to include different ages of students / adolescents, and that every school should have a school psychologist who will help high school students to be consulted about their problems and to be able to anticipate problems. This would be very important as we see that undercurrents of aggression are very dangerous factors that affect students' anxiety and depression, and this is presented with a poor level, not a good level of school education.

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The Principle of Democracy in Albania, from the Basic Acts of the State in Its Implementation

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Abstract

The principle of democracy is seen as the basic pillar of the construction and function of a state. Of course, for the implementation of this principle, different ideologies have been developed, often in contradiction with each other. Ideologies which undoubtedly saw in the principle of democracy the birth and functioning of a state and as a consequence of a governing model which was to be based precisely on the sovereignty of the people and the full expression of its will. In Albania after the end of the Second World War we have the birth of a form of government which was based on the organization of the state according to communist theory. The communist ideology, which developed after the division of the world into two camps, which were the result of the Second World War meant to bring to Albania the realization of the principle of democracy. With the consolidation of the power of the communist party which resulted in the creation of the party-state, the principle of democracy consisted in its expression more as a slogan than as an objective for the development and functioning of society and the functioning of power as the genuine will of the people. Consequently, after the fall of the Berlin Wall, as in all former communist countries and in Albania, what the people demanded was the establishment of a state where the principle of democracy was the foundation of its government. Not in vain after the acceptance of political pluralism by the now completed monopoly of the party-state, the establishment of a system based on the principle of democracy was required. However, the creation of political pluralism after the change of the system does not seem to have brought a realization of the principle of democracy as a basis for the functioning of a democratic state as required by Albanian society. It can even be said that the principle of democracy remains an endless challenge for the entire political spectrum in Albania, although this principle always needs to be consolidated. Through this paper it is sought to analyze how the principle of democracy is required to be adopted by all leaders of any kind of government even though in itself it will have to belong to the people. This paper aims to highlight how in the case of

political pluralism and even more so in the existence of a single party the principle of democracy remains a challenge, although it forms the basis of all fundamental acts of the Albanian State since the end of the Second World War.

Keywords: principle of democracy, state, communism, political pluralism, technology

Introduction

Addressing and the principle of democracy in Albania and consolidating it in this country is a challenge itself. The principle has been spread and supported both by liberal and non-liberal representatives, however, it has not been a natural process. The paradox even seems to lie in the fact that sometimes the principle of democracy has been spoken of by leaders who have exercised their power in a dictatorial manner.

To analyze the consolidation of the principle of democracy, both representatively and directly, it must be acknowledged that this is a principle which did not have a culmination in its realization, rather it requires a constant consolidation. In studying this principle, one should also keep in mind the fact that the principle itself carries some nuances where regimes that define different forms of government advertise and legitimize their power on its basis.

In this context it can be underlined that even authoritarian regimes, let alone so liberal regimes state and advertise the principle of democracy as the foundation of their government. For this reason, identifying and defining it becomes even more difficult by referring to the meaning of the word itself. In Albania, the principle of democracy has been mentioned since the moment of the declaration of independence by the Ottoman Empire. But sanctioned in the basic charter, this principle is found for the first time in the 1946 statute.

The Albanian Statute of 1946 paved the way for the creation of a government that today is considered dictatorial. In fact the system itself accepted the dictates in its governance, at least formally. The implementation of the basic ideology of this system was based on the dictatorship of the proletariat as in all communist countries which were inspired by what they called the victory of the people. In this respect there seems to be precisely the dilemma of how dictatorial and liberal forms of government are based on the principle of democracy but their end result is markedly different. This fact, as a result makes the analysis of this principle very difficult, not to say impossible.

In 1946, Albania, which had declared independence from the Ottoman Empire, had gone through several stages which had called into question the territorial sovereignty of the state. There was never any talk of popular sovereignty over the political system of government that should represent the people. Thus, shortly after the determination of the status covered by Albania in the Balkan region by the great powers, we have the beginning of the First World War which questioned the territorial sovereignty of the recently independent state. For this reason the enemy of the people or of

democracy was identified in the foreigner or invader. So any other form of relationship that could be created between *demos* and *kratos* seemed to be in the spirit of the principle of democracy.

So any governing system seeks to establish the principle of democracy at its foundations but ultimately it is understood that the concept and perception of this principle is not the same. In this sense an expression can be mentioned which calls to the *demos* reminding him how many things are done by *kratos* in their name but it cannot be said at the same time that they are done to them as well.

1. The principle of Democracy in Albania and the regime it chose after the end of second World War.

After the end of the second World War, the governing regime changed in all European countries and in Albania. The alternatives presented to European countries were a choice between capitalism ideology and communist ideology.

In Albania, even because of the dominance of the partisans over the war, the ideology they propagated was communism. What was long propagated politically in Albania was the war won by the partisans, which under the shadow of the communist ideology gathered under itself the popular mass. This was considered an achievement of Albania and was later sanctioned in the Statute of the Republic, where in its article 2 it was determined that the power gained from the war was represented by the popular councils. The latter were the result of the victory of the war against the Nazis and the Fascists.

Since the independence of the Albanian state, various politicians have often said that respect for fundamental rights and freedoms were the basis for the birth of a democratic regime. In Albania, the principle of democracy, at least from a formal point of view, would be seen expressed in a basic charter only in 1946. This would happen only after the end of second World War, thus after a historical context which can be considered as a worldwide revolution.

In the first fundamental act that communist leaders realized after coming to power, the expectations were for the adoption of a democratic card. Thus, Article 1 stated "Albania is People's Republic, where all power comes from the people and belongs to the people." This statute, continuing below the line chosen by many European monarchical regimes, determined that Albania was a Republic, and even specified it with the popular name. For this reason, it is natural to think that the democratic principle of governing this Republic was sanctioned in its founding act.

The choice of this form of government seemed like a guarantee for the principle of democracy on which the Albanian state would function, so its activity would be like a will of the people. To take an example, it can be said that this happened in the Constitution of Italy which entered into force in 1948 which in its article 1 sanctioned that "Italy is a democratic Republic based on work".

In this context, it is worth noting that the French Revolution marked the transition of state forms from the regime of absolute monarchies to the form of the democratic state in Europe (Rotelli, 2005). While the French Revolution can be considered the beginning of the democratic state, the forms of republican government chosen by many countries after second World War seem to have marked another step in this process.

To return to the Statute of the People's Republic of Albania, Article 2¹ must be evidenced, which defines the form of respect for the principle of democracy sanctioned in Article 1, it seems that this is a purely formal principle. This is because the power that was created, precisely by the liberation war that the people themselves had organized against the Nazi and fascist regime limited the right to choose. Hence, power was by default and the alternative to the sovereign to be represented in government was limited by default.

At this point what is worth mentioning is that the representatives of the people although they could be freely elected through free elections they could not be from that part of the representatives who were considered reactionary within the meaning of Article 2 of the Statute of the People's Republic. These elements were the representatives of the "National Front" and the "Legality". In this context, it can be said that the principle of democracy sanctioned in the Article 1 of the Statute was violated precisely by the conditioning of the will of the people to be represented. This seemed to seriously undermine the ability of the people to choose, which meant that Article 1 of the Statute was in complete contradiction with Article 2 thereof.

The statute of 1946, which was drafted in the spirit of Marxist ideology, can clearly be said to have laid the foundations for the consolidation of communist power, that is mono-party power, which saw in Marxist theory the only alternative to the realization of popular sovereignty, the principle of democracy.

Although it is difficult to reach a clear conclusion on the principle of democratic regime in the above article, we see the embodiment of the classical meaning of democracy as a way of governing where power is defined in the phrase "From people, to people, for people".

This, for Albania would last for a period of almost half a century and after the Constitution of 1950 or even the Constitution of 1976 nothing would change in terms of defining and perceiving the democratic principle of governance. This perception can be defined within a broader concept of democracy in which the party instrument

¹ Statute of the People's Republic of Albania, 1946, article 2 "In the People's Republic of Albania, the people exercise their power through representative bodies of state power, which are the people's councils, which were born in the national liberation war against fascism and reaction and represent the greatest victory of the main masses of the Albanian people. These bodies are freely elected by the people from the local councils to the People's Assembly.

occupies an important place, being a certain notion of the mass party as an integral part of it (Gambilonghi 2017, p. 129).

To analyze the communist concept of democracy it is worth quoting important doctrines, where it can be mentioned that «Kelsen sees in Marxist theory a strong will and determination to eliminate "the principle of majority as the foundation of democracy"; a will that, in his view is the expression of a theoretical-political project based on the use of "revolutionary violence" as means of overcoming " class struggle " rather than a "peaceful solution"» (Lagi 2017, p. 373).

The principle of democracy, which meant that power came from the people and belonged to the people was based on the illusion created by the Statute of the People's Republic of Albania. This must have happened because in the “constitutional experience of communist countries lie two elements of the Stalinist state approach. The first of these is the unification of decision-making policy, according to which all decisions taken in the public sphere must refer to the popular will, the expression of which is the party as its protector and guarantor as well as the real engine of the system it uses the state to build socialist society by preparing the disappearance of the state, used to achieve the goal” (Sbailo 2008, p. 13).

2. The principle of democracy after the fall of the communist system in Albania

For many scholars but also individuals, the principle of democracy finds a genuine embodiment when the people themselves are represented by multiple alternatives. This definition seems correct for the fact that the people, although expressed in the singular, consist of different groups and currents which find reflection in the alternatives to choose from.

In the law “On the main constitutional provisions” that would become the basic legal norm for allowing political pluralism in Albania, the principle of democracy seemed to take on a different definition. In fact, Article 2 of this law stipulated that the Republic of Albania was a legal and democratic state. The same article stated that “Human dignity, rights and freedoms, free development and constitutional order, equality before the law, social justice and social support and pluralism are the basis of this state, which foresees the obligation to respect and protect them”.

Based on the content of Article 2 of the law “On the main constitutional provisions”, it appears that the Albanian Parliament that had adopted this law recognized that the principle of democracy was closely linked to the fundamental human rights and freedoms and political pluralism.

In fact, among the main slogans of the first parties that enabled the creation of political pluralism in Albania after the fall of the communist regime were precisely "freedom and democracy". So in this logic it can be said that the principle of democracy cannot be implemented without respect for fundamental human rights and freedoms. But at the same time a value for the consolidation of the principle of democracy is precisely

the existence of political pluralism, which will translate the different wills of the people.

In this context, however, it is worth noting the important doctrine that has widely spoken of the principle of democracy. If we refer to Noberto Bobbio, he states that "When it is required to know whether there has been a development of democracy in a certain country, it should not be seen whether the number of those who have the right to participate in decisions related to them, but the spaces in which they can exercise this right" (Bobbio 1984, p.16).

Thus, the application of the principle of democracy is not related to the possibility that can be given to the number of individuals but to the weight that they can occupy in the decision-making process. In this logic it can be said that the majority as an alternative more correctly represents the essence of the principle of democracy, but with the spaces that political pluralism can create. On the other hand, what should be emphasized is that «the modern state is born as a representative state, but not democratic, at least in the sense that the tradition of ancient thought attributes the term "democracy"» (Morelli 2015, p. 199).

2.1. The 1998 Constitution as a democratic act to consolidate the principle of pluralist democracy

In 1998 in Albania after a not very short transitional period with the law on the main constitutional provisions was approved by the majority of the Parliament, the Constitution of the Republic of Albania.

In this Constitution, the principle of democracy is mentioned in its preamble and can be said to be the basis of the functioning of the Albanian state. This would be reinforced by the fact that the Albanian Parliament decided to approve it through a popular referendum.

In this way, the Albanian people approved their Constitution which, unlike the law on the main constitutional provisions was much more complete and detailed. These details refer to both the form of government through the separation and balance of powers and the content of the principles and rights it encompassed. In terms of human rights, it must be said that the Constitution made possible their modernization by bringing to a high degree their system similar to the European dimensions (Omari 2004, p. 295).

At this point it should be noted that democracy can gain added value if it includes "political rights, which are attributed to all as capable citizens to act, as a method for forming decision-making bodies, representative of popular sovereignty but also of civil autonomy in the direct forms of exercising civil rights, which are attributed to everyone as citizens capable of acting, as a method to produce negotiating acts such as contracts" (Ferrajoli 2014, p. 142).

The above definition seems to be a substantial difference between the principle of democracy expressed by the communist system in the Republic of Albania from what seems to have started to be implemented the system based on political pluralism. Even after many years of the existence of political pluralism in Albania, the debate seems to be ongoing over the impossibility of realizing the principle of democracy.

One of the problems of political pluralism reflected as a principle of the Constitution today is the electoral process and more specifically the voting process. The latter in any case does not seem to solve the problem of democracy because the form of «vote», which in today's representative democracies "is the vote not to decide, but to choose who will decide", or - in Kelsen's definition - choice as the "method of selecting leaders", while in ancient times it was "the power of the *demos*, not, as today, the power of the representatives of the *demos*» (Grosso 2015, p.6).

It should be noted that there is no electoral system that perfectly reflects through elections the sovereignty of the people, and thus the realization of democracy through the choice of alternatives (Tafari-Sina 2020). The problem seems to lie in the fact that alternatives seem more like an option not to choose than an option to choose. This is also related to the dissatisfaction that different political alternatives have created over the years in the Albanian reality. In this way they have created a gap between *demos* and *kratos*, this seems to have made the principle of democracy in Albania remain an impossible challenge.

In Albanian political pluralism, which seems to identify the principle of democracy, where it recognizes the people as sovereign, representative democracy takes on value. In this way the contacts between *demos* and *kratos* are periodically as provided in the Constitution, once in 4 years. These contacts are realized through the electoral process which in Albanian political pluralism has never been considered free. Although it has been constantly asked to evaluate this process as a basis for the realization of the principle of democracy, this has come as a result of the constant demands of the European Union. However, it should be emphasized that democracy is not an organizational formula because if we looked at it in this form we could not recognize any democratic deficit in the European Union itself (Bin 2014, p.4).

The implementation of democracy in Albania is based on the fate of the electoral process which consists in determining the representatives of the people in Parliament. After that, the people do not seem to be involved in the decision-making process in what defines direct democracy. In this way all the decision-making weight is left in the hands of the Parliament, which in a system of political pluralism consists of the majority and the minority. At this point it is worth noting that "The Parliament that Kelsen imagines should give ample space to the minority, generally a majority of voices, because only in this way, in his opinion it will be extremely difficult for the majority to impose on unilaterally its will." (Lagi 2017, p. 373).

What may hinder the realization of the principle of direct democracy seems to be the consolidated tradition of representative democracy. The latter seems to have made

possible the strengthening of the representatives more than the strengthening of the principle of democracy. It is therefore worth noting that the procedures for expressing political decisions although necessary may not be sufficient as a reference of today's constitutional democracies having the same notion of political democracy to define democracy (Ferrajoli 2012, p. 79).

3. Development of technology as an opportunity to implement the democratic principle according to its original meaning

To preserve and save democracy it is necessary that those who make decisions must do so in defense of democracy itself (Zakaria 2003, p. 17). This becomes even more necessary in the context of technology developments where the possibility of expression of individuals or groups has increased significantly.

With the development of technology it seems that the democratic principle is returning to the meaning it had in its origins. In this way, direct democracy can prevail over representative democracy. The development of technology would make the contact between *demos* and *kratos* much closer and the implementation of the principle of democracy in the sense of the word. In this way, obstacles in the decision-making process would be avoided in cases when the Parliament is not able to reach a certain majority and consequently to implement the principle of democracy.

The principle of democracy enshrined in the Constitution, both indirectly and directly can be implemented with the help of technology. This, especially when some questions arise about the real role of Parliament as a representative of the sovereign.

There is an obvious tendency of today's governments to bypass the involvement of Parliament in the decision-making process. Even when this is not possible from a constitutional point of view, the role of the Parliament seems to be minimized in the formalization of government decision-making. The decision-making process of the Parliament should be legal but above all constitutional, should be based in the Parliamentary debate if we are not facing a crisis for the Parliaments (Pasquino-Pelizzo 2006, p. 15).

In the case of Albania's outright democracy, the role of the government seems to significantly dominate the supremacy provided in the parliament's constitution as the direct representative of the people. The application of technology in the Republic of Albania where the principle of democracy has been propagated in various forms and ways would at least make it possible for this principle to finally materialize.

If it can be said that there are two steps to implementing the principle of democracy, and the first is formalization, there is no question that the second should be its materialization. In this way, after the formalization of the principle of Democracy in all the fundamental acts of the Albanian state, perhaps it is the historical context where it materializes. At least in this way the propaganda of this principle would be undone, which seems to have been more opposed to its realization than it has filled the gap that it has created in the relationship with the people.

Apparently this happened due to the fact of lack of political will to maintain a constant relationship with the representatives. In this way what should have been a choice between alternatives is presented as a single alternative not to choose. This has made a limitation of the principle of democracy which if not directly exercised does not seem to exist.

In any case, it is worth noting that direct democracy cannot replace representative democracy according to the contemporary concept of democratic state, but serve as an integral or complementary element of it (Bilancia 2017, p. 2).

Conclusion

In this paper it is pointed out that the principle of democracy can take different definitions. These definitions can be determined mostly by the form chosen for the implementation of this principle in a society. Although the principle of democracy is ancient, it seems that it remains a concept that must be adapted to social change. Being a principle which is based on values, it will have to consolidate them in the process of modernization and adaptation to the requirements of the evolved society.

The paper, paying attention to the concept of democracy, realized a historical treatment of this principle in the Albanian society. The principle of democracy is based on the principle of popular sovereignty and as a result, after the independence of the Albania, its representatives have placed it at the center of their propaganda.

This paper highlights how diametrically opposed ideologies seek to implement the principle of democracy in exercising the power of their representatives over the people. But apparently here also arises the contradiction because this principle would be considered realized when the people exercised governing power even through the representatives elected by them.

Different systems of government in Albania, starting from the communist regime which was based on Marxist theory claimed to give value to the principle of democracy. However, the realization of this principle remains a challenge for the political pluralism that arose after the fall of the communist regime in Albania. To increase the perception of this principle, the dimension of the individual or his rights is indisputably needed, first as an individual and then as a part of society.

From this point of view, although the fundamental acts of the Albanian state that after the end of the second World War in Albania have propagated the implementation of the principle of democracy, it is clear that its true value rests on the Constitution based on political pluralism.

Also, this paper highlights that the principle of democracy in general, but more specifically in Albania can use an opportunity to consolidate thanks to the development of technology. In this way, decision-making would be based more on direct democracy and would make possible the implementation of one of the forms of the principles of democracy. It would certainly be good not to replace representative

democracy but to supplement it with the sole purpose of consolidating the principle of democracy.

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Legal Education and Upbringing of Order

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Abstract

A great importance to a democratic society is the creation of legal literacy education on rule. Such a breeding seems to be primarily present in the consciousness of every citizen. The principles of a democratic state should be installed, first to society. These principles embodied in the individual consciousness in the form of legal and institutional consciousness. Moreover every man should know that c`demands of an institution, and should make it impossible to solve the institutional and democratic way, even when he finds the office door closed, even by officials when a problem exists as insoluble. An individual should not be equated with the passivity that is generally characterized by officials, but must use every means to protect the right and dignity. Methodology: First, quantitative analysis was used to see why the number of citizens dissatisfied with the exercise of their rights is increasing. Secondly, qualitative analysis was used by analyzing the social and objective causes that lead to a lack of legal education of the public. Expected results: the consequent link between the lack of information on the law and non-exercise of the right. This scientific paper seeks to give concretely what are some of the strategies that should be used to have a well-informed public and satisfied with the exercise of law.

Keywords: law, regulation, education, rule of law, individual

Introduction

Youth and the importance of legal education in their awareness.

Adolescents, in the stage of physiological and psychological growth, will be easily influenced by different thoughts and bad social behaviors. This is because in schools, legal education is not perfect and family information is lacking. As a result, illegal behavior and criminal actions will be produced. There is a simple analysis of the impact of legal education produced by society, school and family. And we will introduce appropriate countermeasures to strengthen legal education for adolescents, improve legal awareness, and avoid illegal and criminal behavior (Sun, 2015, pp.892).

Juveniles and young people are the hope that the future of our society will be better and that they will be the first to contribute to reducing the crime rate. The consequence of the high number of crimes committed by juveniles and young people in recent years has been very high.

Also, poverty continues to be a rural phenomenon also because of the possibility limited that the rural population has in the use of public services. 1.8 percent of children live in extreme poverty according the Assesment on measuring the standard of living, 2008, while 17.14 percent of children live in poverty. 13.48 percent of children of mountainous regions live in families in it which both family holders or just one are unemployed, while at the national level this indicator is 9.33 percent (Action plan for children, 2012-2015,pp.8)

We need to focus on the essential role of legal education in helping people understand and use the law as a tool for change. In this regard, we know that there are a significant number of people who cannot get justice for everyday problems and that these unmet needs cause or exacerbate sets of issues that have a social and economic impact on individuals, communities and the broader goals of public policy. We believe the law should be available at times and in places where people need it.

Young people show that there is a wide range of areas where the law affects them. These include legal age restrictions (sexual consent, voting, smoking, alcohol consumption, etc.), labor regulations (especially concern for young people on the move), education laws (dropout, discipline, home schooling.), children's rights and the Internet (especially You Tube and social media) etc.

Often, most states believe that by submitting periodic reports to the United Nations Committee in Geneva, their work is complete, but in our view this is not enough. The Convention on the Rights of the Child, which in itself consists of a number of non-negotiable standards and obligations, which is universally agreed upon, provides protection and support for the rights of the child. In adopting the Convention, the international community realized that people under the age of 18 often needed special care and protection, which adults did not need. The Assembly of the Republic of Albania ratified the Convention on the Rights of the Child with law no. 7531, dated December 11, 1991.

Ratification of the CRC and its optional protocols have had a positive impact on the development of legislation and policies in the country. However, there is a general lack of adequate resources allocated to ensuring its implementation. This material will be a basic tool for informing young people about their fundamental rights and freedoms, so that they understand what is right to do and what is not. They need to know what the age for criminal responsibility is and what the negative consequences of juvenile punishment are.

To help curb the growing abuse and exploitation of children worldwide, the United Nations General Assembly in 2000 adopted two optional protocols to the Convention

in order to increase the protection of children from involvement in armed conflict; and from sexual exploitation.

Juvenile Criminal Justice Code, a product of UNICEF

The Juvenile Justice Code is a product of UNICEF. This code shows that justice for minors has been and is a priority of the Albanian state. It is guided by the principle of the highest interest of the children. "Higher interest of the child" means the right of the child to have a healthy physical, mental, moral, spiritual, social development, as well as to enjoy a family and social life suitable for the child (Law no. 37, 2017, article 3).

Undoubtedly, the commission or exposure of a juvenile to criminal offenses carries responsibility for him. What we want to achieve is to prevent the involvement of more and more juveniles in crimes than to punish them.

The Albanian Government through the Ministry of Justice, with the support of UNICEF and partners and civil society actors whose mission is the rights of minors, have had supplemented the Code with its bylaws. These changes establish a criminal justice framework for children, in line with the UN Convention on the Rights of the Child (CRC) and other international standards. Our vision aims to establish an effective and child-friendly system, which protects their highest interest. The establishment of an integrated data system will serve to generate information for juveniles in conflict with the law at any time and at any stage of the prosecution, trial and execution of the court decision. One of the priorities of 2020 is the treatment of juveniles by two institutions that will offer rehabilitation programs, reintegration based on the individual plan of each juvenile.

What are the terms by which minors should be introduced and educated?

"Juvenile criminal justice" as proceedings relating to criminal offenses, including the investigation, prosecution, trial, execution of a sentence, any other measure involving a juvenile in conflict with the law, victim or witness of a criminal offense.

"Minor" is any person under 18 years of age

"Juvenile in conflict with the law" is any person who has reached the age of criminal responsibility up to the age of 18, against whom there is a reasonable suspicion that he has committed a criminal offense, has been taken as a defendant and / or has been convicted with a final court decision for the commission of a criminal offense.

"Juvenile victim" is any person under the age of 18 who has suffered moral, physical or material damage as a result of a criminal offense.

"Juvenile witness" is any person under 18 years of age, who may have information related to the criminal offense.¹

"Rehabilitation" is the encouragement and development, in the sense of the responsibility of the juvenile, of a sense of respect for the rights of others, to promote and enable the healthy physical, mental, spiritual, moral and social development of the juvenile; and to prepare him to return to society.

- "Competent body / participant in the administration of juvenile criminal justice" is, as the case may be, a judge, prosecutor, judicial police officer, state police officer, lawyer, psychologist, social worker, mediator, employee of the Unit for Protection of Child Rights and probation service, the employee of the juvenile rehabilitation and detention facility, as well as any other structure / official involved in this process, who exercise the responsibilities and competencies provided in this Code and who are trained and specialized in criminal matters with juveniles and young people.
- Restorative justice measure "is any measure that allows a juvenile in conflict with the law to understand the responsibility and correct the consequences of a criminal offense, to compensate the damages and / or to agree with the victim / injured party and other persons affected by the criminal offense, where the juvenile who committed the criminal offense and the injured party actively participate together to resolve the consequences of a criminal offense, usually with the assistance of an independent third party.

The purpose of this Code is (Law no. 37, 2017, article 2):

1. To inform and educate minors and young people on actions or omissions that are allowed and those that are prohibited, indicating the consequences (sanctions) in case of non-compliance with these legal provisions.
2. Guarantee a legal framework on juvenile criminal justice that is in line with the Constitution, the United Nations (UN) Convention on the Rights of the Child and other international standards and norms aimed at the protection of minors and effective protection of the best interests of the minor.
3. To promote the reintegration of the juvenile in conflict with the criminal law and for the juvenile to play a more useful role in society.
4. To guarantee the re-socialization and rehabilitation of the juvenile who has committed a criminal offense.

¹ The regulations provided in this Code do not include juveniles who commit criminal offenses under the age of criminal responsibility, against whom criminal proceedings are not initiated or, if initiated, terminated immediately. In this case, child protection structures are set in motion and all measures provided by the law on the rights and protection of children are implemented, in order to provide them with the same procedural guarantees, assistance and services as for minors in conflict with the law / victim or witness, regarding the interrogation process and contact with the police and prosecution bodies.

5. To protect the rights of the juvenile in cases when he is a witness and / or victim of a criminal offense.
6. To prevent the re-victimization and second victimization of the juvenile, who has previously been a victim of a criminal offense.
7. To prevent the recurrence of criminal offenses by minors.
8. To protect the principles of public order in the process of administration of juvenile criminal justice.
9. To increase the responsibility and professionalism of the competent bodies in the administration of juvenile criminal justice cases.
10. To guarantee educational and preventive measures for juveniles who commit criminal offenses and to ensure the establishment of supervisory mechanisms for their implementation.

So, the three main pillars on which we rely to protect the minor are:

- Prevention;
- Guaranteeing educational measures and their supervision;
- Rehabilitation and reintegration into society.

What is the age of criminal responsibility?

Perpetrators of criminal offenses are persons who by their action or inaction allow a criminal offense to occur, thus causing the consequence of the criminal offense.

- For the purposes of criminal responsibility for crimes, is considered a juvenile, a person who has reached the age of 14, but not 18 at the time of the crime.
- For the purposes of liability for criminal offenses, is considered a minor, a person who has reached the age of 16, but not 18 years at the time of the commission of the criminal offense.
- In the case when the age of the person is impossible to determine accurately, but there is reason to believe that he is a minor, he is considered as such, in the sense of this Code, until his age is determined (Law no. 37, 2017, article 7).

What are the criminal offenses where the juvenile is most exposed?

Criminal offenses: The offenses with which the legal values of a person and a certain community are violated, are called criminal offenses or in a general term, criminality. They are divided into crimes and criminal offenses.

- Intentional homicide: Includes all those criminal offenses against life, committed intentionally such as intentional homicide, premeditated murder in connection with another crime, premeditated murder, murder for blood feud, murder in other qualifying circumstances, murder of officials public, murder of state police officers, murder due to family relationships and murder of baby.

- Serious criminal offenses against property: Includes those offenses that aim to steal a person, using violence or force such as robbery, armed robbery and theft resulting in death.
- Sexual crimes: Includes those illegal acts that affect the sphere of security of sexual freedom and the normal development of sexual formation, such as sexual or homosexual intercourse with minors, sexual intercourse or homosexual violence with minors aged 14-18 years , violent sexual intercourse with adults, homosexual violence with adult violence, sexual or homosexual intercourse with persons incapable of defending themselves, sexual or homosexual intercourse with the threat of using a weapon, sexual or homosexual intercourse abusing duty, sexual or homosexual intercourse with persons of the same sex or under guardianship, sexual or homosexual intercourse in public places, sexual violence, shameful acts and sexual harassment.
- Attempted theft: Includes offenses such as attempted bank robbery, attempted armed robbery, attempted violent theft, and other attempted theft.
- Crimes in the field of drugs: Includes offenses such as the production and sale of narcotic, cultivation of narcotic plants, narcotics trafficking.
- Domestic violence: Includes acts such as beating, or other act of violence, serious threat of murder or grievous bodily harm, against a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close gender or close relationship with the perpetrator criminal, consequently violating its physical, psychosocial and economic integrity.
- Violation of traffic rules refers to Article 290 of the Criminal Code (INSTAT, 2018, pp.4).

The family and its impact to legal education

In order to gain a firmer understanding of the subject, it is necessary to explore the root causes of young people's advice needs. There are, perhaps, two principal causes: the nature of adolescent transition and the social exclusion of a significant minority of young people (Kenrick, 2002, pp.3).

Definitions of adolescence will vary from individual to individual, culture to culture and in relation to the current cultural, socio-economic and political climate. What is common is recognition that adolescence entails a time of transition and change when most of a person's characteristics are changing from what is typically considered childlike to what is typically considered adult. Changes in the body are most easily observed, but other attributes, such as thoughts, behavior and social relations, also change radically during this period (Lee, Muhammed & Downes, 2002).

It has been identified three locations for the key factors which can put young people aged 13–19 at high risk of social exclusion:

- The family – poor parenting; family conflict; low income; poor housing; being placed in care.
- School – low achievement; truancy; exclusion.
- The community – disadvantaged neighborhoods; friends condoning or involved in risky behavior (Kenrick, 2002, pp. 4).

'Looked after' children and young people and care leavers are known to be particularly vulnerable to experiencing school exclusion, sexual exploitation, poverty, mental health problems, substance abuse problems, low levels of educational attainment and other factors that precipitate social exclusion.

There remain a number of barriers to solving the legal problems youth encounter. For one, youth are considerably more likely to not obtain legal advice and do nothing to solve a legal problem. Young people are also the least likely to recognize they need advice and to know where to go for help. The transition to adulthood is a tumultuous time for all youth, but marginalized youth face additional problems that make this transition even more precarious. PLE can play an important role in early intervention by catching youth before they fall through the cracks. When a young person decides to take action they often do not have basic knowledge of where to go for help. As a result, youth often have a limited awareness and familiarity with their rights and the operation of the legal system (Report, 2013.).

There is considerable research that indicates that youth are not seeking advice from mainstream expert sources. Youth are more likely to use expert advice or services if they are (Report, 2013):

face-to-face;

friendly;

non-judgmental;

informal;

holistic and address emotional and social problems;

confidential;

age-specific/appropriate;

honest and objective; and

not contradictory to their own life experience.

Although with the development of social economy progress and education in the modern family, the situation that parents lack of legal knowledge and the weak sense of law is changed. They began to pay more attention in the comprehensive development of children and grow up, the older generation of parents treat the stereotyped reading as the only way to change your life, but the parent, influenced by the relevant state propaganda work, have gradually recognized that exerts significant

impacts of quality education to the child in the new era, they believe that they should let the children learn extensively diverse knowledge. Although many parents have a new understanding in the quality education, there are still some parents have insufficient legal knowledge, legal consciousness and the legal concept are lack. Their understanding and view of legal is probably declinational, and has the deviation of national laws and regulations, they cannot learn and understand law in a right way, so they cannot teach the relevant legal knowledge to the children (Sun, 2015, pp.894).

That school problems are not surprising is fine every time parents talk to their child about it all experiences that the child encounters at school. Also parents should be in constant contact with teachers. Parents have opportunity to call or go straight to school, only e just to be informed that everything is fine. Important participation in parent meetings is also very big, where you meet will meet the child's teacher.

Is it enough for children to learn legal education to school?

There is no scientific system of legal education. The students in school are teenager's mainstream groups, so the school is the main position for teenagers' legal education activities. But because of the influence of the exam oriented education system, legal education of young people in the school has not received enough attention. Because of the lack of understanding of legal education in school, some school think that legal education is to carry out a number of 893 legal thought of lectures, or please some court for teenagers to talk briefly about the national laws and policies, there is no need to occupy special classroom time to teach legal knowledge for teenagers. So the youth legal education in school education system is not perfect (Sun, 2015, 895).

Youth legal education is not only the responsibility of school, but an important task for the social, school and family. "we need to build a system of teenager legal education should be made up of three-dimensional, continuous, and extensive education system, young people is the object of it, the community, schools and families is the main body, to form a legal education for all-round and multilevel based on the value (Xining, 2003, pp.22).

The school must give to the youth people at least:

Information is the provision of systems and processes which make comprehensive, up-to-date and accessible information available to young people. There is no assessment or recommendation about the information's appropriateness, and decisions, choices and action are left with the young person. Information work can include signposting to other services or providing young people with resources to discover their own answers to their questions and needs.

Advice is concerned with helping a young person to change or cope with practical issues and problems. It seeks to widen the young person's choices by providing accurate and relevant information about their rights, options and potential courses of action. The advice worker may identify and recommend ways forward, but decisions and choices are left to the young person. Any action agreed by the young person may

be undertaken by, with, or on behalf of the young person (Quality Standards for Youth Information, 1999).

Through his work, the teacher, creating a successful partnership between school, students and family makes it possible to prepare students for long lasting success the learning process, despite the cultural diversity of students, in order to complete their studies with the highest possible results and to contribute as much as possible positively in life and in the community. The teacher should know that students need a lot of skill and knowledge to be successful, but above all, to motivate that feel motivated and skilled in a rapidly changing world around knowledge of values civic. The teacher must be the one who creates knowledgeable and conscientious citizens who are able to see the world critically, make smart decisions about their lives and others. Education is the best way to keep the foundations of democracy alive at school, in life, society and family (Alimusaj, 2018, pp.8).

With the emergence of new social trends, and with changes in local and global communities, the role of education is being further developed to meet the current needs of students. EDC / HRE is the foundation of tomorrow's European and world peace and dialogue. Conflict management issues, respect for diversity, intercultural responsibility and an understanding of the rights and responsibilities of citizens are central issues in school settings (Brett, Gaillard & Salema, 2009, pp.79).

Conclusions

First we must emphasize the direct connection of young people, their behavior and lack of order in society and disrespect for the law.

The reasons why the number of criminal offenses committed by young people is increasing, are social, economic, missing family relationships, etc. Most importantly, we need to link state policies to these reasons. So we must heal these wounds of society so that we can have a new generation well educated with moral and legal norms.

Most states believe that by submitting periodic reports to the United Nations Committee in Geneva, their work is complete, but in our view this is not enough. The Convention on the Rights of the Child, which in itself consists of a number of non-negotiable standards and obligations, which is universally agreed upon, provides protection and support for the rights of the child.

'Looked after' children and young people and care leavers are known to be particularly vulnerable to experiencing school exclusion, sexual exploitation, poverty, mental health problems, substance abuse problems, low levels of educational attainment and other factors that precipitate social exclusion.

From the study conducted above, it results that the family and the school are the most important environments where the personality of the individual is formed, where it is strengthened by principles and they are shown what is right and permissible by law

to be done. To date, it has been proven that the family plays the first role because young people say that the greatest care for their behavior is expressed by family members, while the school should do even more. It is not enough just the completed seminars or the subject of "Citizenship" should be reinforced with more frequent activities in this direction as well as the review of the subject "Citizenship" where to deal more with the Criminal Code and criminal offenses with young perpetrators. During the information that young people should receive, we should focus on the nature, quantity and consequences of criminal offenses committed by young people.

Another effective tool that should be applied throughout the school year is questionnaires or surveys to see what young people perceive of crime and how it changes over time. Questions should be simple to understand, concrete and intertwined with psychosocial elements.

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The Comparison of Classical Ethical Theories in Ancient Greece Philosophy and Islamic Philosophy: The Example of Aristotle and Ibn Miskavayh, Tusi and Kinalizade

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Abstract

In this study, I will make an analysis of the comparison of classical ethical theories in Ancient Greece Philosophy and Islamic Philosophy. The analysis of the comparison of classical ethical theories in Ancient Greece Philosophy and Islamic Philosophy depends on three philosophical and psychological concepts. These concepts are first of all, the thought in other words the ability of thinking, secondly the desire, in other words the ability of desire, as Freud said libido, and thirdly aggression the ability of anger. These three abilities in one person reveals one virtue in society, this virtue is the virtue of justice. And this study will tell about how we can reveal the virtue of justice in one society by applying these three abilities and virtues in one person. Because these abilities corresponds three virtues in classical ethics. These three virtues are thinking, chastity and courage. And this study will analyze the thinking, chastity and courage in Ancient Greece Philosophy and Islamic Philosophy.

Keywords: comparison, classical ethics, theories, ancient Greece philosophy, Islamic philosophy

Introduction

The first work written on social ethics in the history of philosophy is the following three works of Aristotle. Ethics for Nikhomakos, Ethics for Eudemos and Magna Moralia. In this text, it is certainly not thought to explain the life of Aristotle, which everyone and especially European scientists, who are the platform where this text is presented, well known. However, it is planned to include Aristotle's views, especially on virtue ethics, here. Because, despite the abundance of moral schools in the philosophical sense in the West, the only moral school that comes to mind when Philosophical Islamic Moral is mentioned in the east is the morality of virtue. And the first and the only work written in the field of Philosophical Islamic Morality in the Islamic world is Ibn Miskavayh's work titled Tahzibu'l-Ahlak, namely the Beautification of Morals. And this work is a work written in the field of virtue ethics.

Apart from this work, it is the work of Ibn Miskavayh named *Tartibu's-Saadat* and *Manazilu'l-Ulum*. This work has been translated into Turkish under the name *Happiness and Philosophy*. And this work is a work on virtue ethics. And the other work which is written after Ibn Miskavayh's works Nasirduddin Tusi's work named *Ethics of Nasiri*. And the last work which is written about virtue ethics is the *Highest Morality* in Turkish named *Ahlak-ı Alai*.

Let's have a look what is ethics and morality. In the Turkish Language Association's Grand Dictionary, morality is defined as "the forms of behavior and rules that people must obey in a society."

"Morality is the plural of the Arabic word "hulk". In Islamic sources, "hulk" and morality are used in the same sense. "Hulk" is often used to describe the human being as a whole, together with the word "halk" meaning creation. "Hulk" belongs to the inner/psychological properties of man, and the people to the outer / physiological aspect of man. "Such man's halk and hulk are beautiful." means that such man's the inner/spirit and apparent/appearance are beautiful." Our studies on the concept of morality show that the definitions of the concept of morality, as a term that has received intense interest from humanities and social sciences, can be grouped into three main groups. sweating. The first group is the definition of the concept of morality in similar meanings with the human behavior, lifestyle and character or temperament expressing the internal processes related to these behaviors. The second group morals; They defined it by referring to a framework of meaning in which concepts such as external principles, measures or social norms make up human behaviors or control their behavior. The definitions in the third group are moral; It has been treated as a science or art with both theoretical and practical dimensions carried out with the aim of describing or improving / developing on the individual and social dimensions specified in the first two definitions.

a) Morality in terms of human character structure and actions:

Morality is the situation that enables the soul to reveal its own actions without thinking and thinking about it. This situation occurs in two ways. The first is the natural morality stemming from temperament such as being quick to anger and fear; the second one, while at the beginning is by thinking and moving, it gradually becomes a habit." (Ibn Miskavayh, 2018, 51.)

b) Morality as a social product that directs human behavior:

Morality is a set of rules that reveal how these values are to be kept alive and how to achieve these goals with a set of values and purposes accepted, determined and defined within a cultural environment, or a certain kind of belief, order, prohibition, norm of a human community during a certain historical period. and it can be defined as a traditional life style that is organized according to values and depending on the regulation in question. (Cevizci, 2002: 3)

c) Morality as a science or art that seeks to examine and develop human character and actions and social rules:

There is a science of morality that examines moral events. This science is often expressed briefly with the word morality. Morality is the science of the ideal laws (rules) that govern human movements and the art of adapting them to the various situations of life in the best way. The purpose of ideal laws is not how people act, but how they should act. He wants them to be like this or that according to a purpose. (Pazarlı, 1980: 11-15)

As a result, a definition can be made that includes all dimensions of the concept of morality, “the social rules that guide human actions and the character structure that derives from these actions; actions and their evaluations about them; the concept that simultaneously expresses the theoretical and practical field that deals with human volition.” (Kaymakcan & Meydan, 2014: 19)

Lets’s have a look about ethics phenomenon. “As a social being, man personally experiences morality. When he not only lives with morality, but begins to think about the concepts of morality and to express his thoughts, he transcends morality and enters the path of ethics. It is a factual and historically experienced thing, a certain practice of morality and morality; We can say that ethics is the theory of the practice in question, the philosophy of morality. Or, in other words, we can define ethics as the discipline of moral principles or philosophical discipline, which is the subject of value, the way of thinking that includes everything that adds meaning to life.” (Cevizci, 2002: 4)

Three different ethical approaches / types are mentioned according to the way they handle morality. These are descriptive, normative and meta-ethics.

1-Descriptive ethics; morality emerged as a result of the application of the scientific approach to the field of morality. Descriptive ethics defines the consequences of actions by simply observing human actions rather than declaring or determining rules. It is concerned with the moral facts that exist, not the morality that should be.

2-Normative ethics; investigates the moral principles that inform how we should live, discuss what the highest and most valuable things in life are, consider what elements a just society should include, and question what makes a person good morally. Normative ethics is an area of ethics that aims to guide the correct attitude, behavior and action patterns and policies at individual, social and universal levels. What is right and what is wrong, what are the moral standards that regulate our behavior, what character and character we should have, what moral duties we have to do are the main areas of inquiry.

3-Meta-ethics, is the reflection of contemporary analytical philosophy in the field of ethics. He says that the moral philosopher has no responsibility to set norms or give lines, nor have the power to tell people how to be happy. Those who deal with ethics with the meta-ethical approach talk about and analyze the moral concepts and

judgments set by normative ethics. To talk about morality in a kind of meta-ethics is to look at the notion of morality from the top and the outside.” (Cevizci, 2002: 6-11)

Apart from these basic concepts, there is also an external and internal morality. Now let's have look to these two concepts.

“Ethics or morality is subjected to the distinction between internal / internal and external / external, depending on whether the basic motive leading the individual to moral behavior is derived from values internalized or external to himself. External morality forces the individual to discipline and accept his own values with a feeling of fear, love and authority. It expects obedience from him. Love and authority are essential in inner submission. Fear gets out of the way completely, instead understanding remains. The social function and the inner / inner - controlled understanding, which expresses the individual to put his own intent and goal instead of the moral understanding that prioritizes the understanding of benefit, is deemed a true moral understanding and is considered more valid. The main purpose of the child's socialization is to provide self-management, to reach internal morality from external morality, instead of being governed by external factors. Values education is the process of supporting the individual to acquire moral character traits consisting of values that have turned into virtues in order to achieve this inner obedience.” (Kaymakcan & Meydan, 2014: 23)

“Unlike the use of the concept of value that goes beyond the moral field and personality, virtue and virtue are perceived as concepts related to morality and character, which is the moral aspect of the individual's personality. Values internalized by the individual, worthy of human dignity, often socially and religiously approved, are accepted as virtues. Let's also look at the concept of virtue. In order for a state to be virtue / virtue, it must be well established in the soul. In this sense, being virtuous and being moral are the same. This is the fact that the verbs come from the self without the need for long thinking and any force. For example, who occasionally helps someone else by forcing himself. Even if someone has acted generously, they are not considered to have the virtue of generosity. All virtues are established predispositions.” (Kaymakcan & Meydan, 2014: 27)

“Virtue and virtuous -often used interchangeably- have become one of the most important concepts of practical morality, with the views and practices put forward for both theoretical and moral education, especially in the context of individual morality, starting from Socrates, Plato and Aristotle and reaching the present day through Islamic moralists. According to Socrates, the ways to reach happiness, which is the purpose of life, are the virtues of competence states that make up the personality. Accordingly, human competence that contributes to the realization of the purpose of life is virtue. Virtue is equivalent to knowledge. According to Plato, nothing in the world is futile and haphazard, and there is a function that every living and non-living being has to replace. Virtue is the state of something that occurs when a being or an organism performs its own proper function, fulfilling its own task properly. For

human beings, there are three different virtues arising from the fact that the soul fulfills the functions of three different aspects of the soul / soul in a balanced manner. The virtue of the appetite function is proportionality, the courage of the will function, and the virtue of the thinking function is wisdom.” (Cevizci, 2002: 33-73)

In this study, I will make an analysis of the comparison of classical ethical theories in Ancient Greece Philosophy and Islamic Philosophy. The analysis of the comparison of classical ethical theories in Ancient Greece Philosophy and Islamic Philosophy depends on three philosophical and psychological concepts. These concepts are first of all, the thought in other words the ability of thinking, secondly the desire, in other words the ability of desire, as Freud said libido, and thirdly aggression the ability of anger. These three abilities in one person reveals one virtue in society, this virtue is the virtue of justice. And this study will tell about how we can reveal the virtue of justice in one society by applying these three abilities and virtues in one person. Because these abilities correspond to three virtues in classical ethics. These three virtues are thinking, chastity and courage. And this study will analyze the thinking, chastity and courage in Ancient Greece Philosophy and Islamic Philosophy.

Let's have a comparative look between these four writers' thoughts and books.

“First of all let's have a look to Ethics for Nicomachus (Nicomachus's Morality), which is considered to be the most important foreign resource affecting Islamic Moral Thought; It consists of ten books that deal with virtue, evil, happiness, pleasure and what must be done in order to gain real good and virtue and keep it alive in society. At the beginning of the book, Aristotle states that he researches what is good for man through morality and- depending on him - politics. He states that his work aims not only to find out how to achieve the best of a single person but all people living in the city, and that this goal and effort is divine.” (Kaymakcan & Meydan, 2014: 48)

The First Book, which questions what the real good is, begins with the statements that 'every action and choice desires a good: Therefore they appropriately articulated the good as the thing that all desires' (Aristotle, 2019: 42) and concludes that the ultimate good is the happiness that comes from behavior in accordance with the perpetual virtue. (Aristotle, 2019: 42)

The subject of the second book is what is the virtue that will lead to happiness when followed constantly. When Aristotle began the chapter to question what virtue was, he actually made his decision. Therefore, “There are two types of virtues, one is the virtue of thought and the other is the virtue of character ... The virtue of thought is formed and develops more with education, therefore it requires experience and time; the virtue of character is acquired by habit ...” (Aristotle, 2019: 90). He regards being a middle ground, the traits that enable them to do the actions that constitute them, and the commands of the right mind, acquired willingly. (Aristotle, 2019)

In the third book, it is discussed whether viciousness done due to coercion or ignorance can be regarded as virtue or goodness done in this way and the virtues of

valor and proportionality. It is a forced structuring, the beginning of which is outside of the doer or the exposed person, and therefore without any share of the doer or the exposed person. (Aristotle, 2019: 127-175)

In the fourth book, the virtue of generosity, which is the middle of stinginess and extravagance, the virtue of splendor, which is the middle of stinginess and sternness, and the virtues of self-confidence, which is the middle of self-righteousness; The fifth book deals with the virtues of justice and righteousness. According to him, all virtues exist together in justice. Justice is the most important virtue that carries its own purpose. Justice is not a part of virtue, it is the totality of virtue; the opposite of injustice is not a part of evil, but the totality of evil. (Aristotle, 2019: 176-278)

The sixth book is devoted to questioning what is the right mind, in which virtue is realized by its own choice. Sanity and wisdom, which are basic thought virtues, are also examined under this title. Therefore, the right mind that leads to virtue is acquired by making decisions with common sense and wisdom. (Aristotle, 2019: 279-319)

In the seventh book, the three vices to be avoided: the concepts of evil, self-control, monstrosity, and pleasure and pain; in the eighth and ninth book, the issue of friendship is discussed. (Aristotle, 2019: 320-477)

The tenth book deals with the issue of enjoyment and the effect of youth education and education being permanent through law. In this chapter, politics is presented as a science that complements education, as a kind of science to accustom citizens to virtuous behavior. (Aristotle, 2019: 477-532)

Ibn Miskavayh (d. 1030), who was named “the greatest author of morality in Islam” by Macit Fahri¹ and accepted as the author of the first ethics book in his own right, became famous as Tahzibu'l Ahlak (Improving Morality). The name of the work found is Taharetu'l A'arak (Purification of Temperaments). (Fahri, 2004 :21)

Tahzibu'l Ahlak (Improving Morality), which is the first work that comes to mind when morality is mentioned in Islam, is the first systematic work in the history of Islamic thought that deals with the main subjects of morality. In his work, the author significantly benefited from ancient Greek philosophy, especially Aristotle's Ethics for Nicomachus, but he adhered to Islamic thought in fundamental issues such as human nature, religion-moral relationship, child education and the highest purpose of morality. (Ibn Miskavayh, 2018: 21-50)

In the work, while emphasizing the virtues and the importance of reason in discovering them and overcoming the deceptions of the soul, there is a mystical point of view on the ways of making virtue into a habit and making the soul devilish. In a way it is; He tried to blend the mystical ethics of Islam with the philosophical moral understanding of some Greek philosophers, especially Aristotle, by melting them into

the pot of Islamic philosophy. There are some who attribute the wide impact of the work to Ibn Miskeveyh's success in presenting the views of ancient Greek philosophers in harmony with the moral understanding of the basic sources of Islam.

The author explains the purpose of writing the book as reaching a character that will ensure that all our behavior is good, but easy, simple and effortless, and to find a method that will achieve this morality. (Ibn Miskavayh, 2018: 17) The book consists of seven chapters, after a brief introduction in which the purpose of the writing is explained. In the first chapter, the human soul is defined in detail; in the second part, the concepts of morality and character are discussed; the third part deals with the difference between well-being and happiness; in the fourth chapter, under the title of human verbs, basic virtues are examined in terms of verbs that are similar to virtue in appearance but are not virtue; in the fifth chapter, types of love, divine love and friendship; In the sixth chapter, the diseases of the soul and in the seventh chapter, the treatment methods of the diseases of the soul are discussed. (Ibn Miskavayh, 2018: 21-263)

The author, who states that the human soul consists of the abilities of thinking, desire and anger, seems to be that the thinking faculty of these three faculties of the soul must dominate the others in order to reach the moral character. If the desiring or angry faculties do not obey the thinking ability, there is no difference in terms of fate between knowing the truth but losing it to the soul and deliberately doing wrong. As the author puts it, "A person who sees with a blind who falls into a well - although the former is excused in his case - are the same in terms of being in danger. This is the case of a person who knows the wrong, and the person who knows the truth but cannot afford himself." (Ibn Miskavayh, 2018: 21-50)

One should not allow the desiring and angry soul to overcome the thinking self, and should be strong when he feels such a struggle in his soul. Due to laziness, looseness and not taking a lot of trouble, Bahla should not fall, if he is eaten and regrets he should follow his regret.

Ibn Miskeveyh's justification and classification of virtues is based on the trinity division from the Ancient Greek philosopher Plato. (Plato, 2005:153) In this division, virtues are based on each of the three faculties of the soul: wisdom for the ability to think (reason), bravery to anger (gadap), and chastity to lust (desire). When these faculties act in harmony, the fourth virtue, justice, emerges. These main virtues also have sub-virtues. The sub-virtues of wisdom are intelligence, memory, reasoning, quick understanding, clarity of mind, correct judgment and easy learning; The lower virtues of courage are generosity, courage, steadfastness, perseverance, perseverance, self-confidence, courage, and tolerance of boredom. The lower virtues of chastity are shame, tranquility, patience, generosity, freedom, blood thrills, gentleness, regularity, good mood, peace-loving, dignity and avoidance of evil. The sub-virtues of justice are friendship, greatness, maintaining relationships with

relatives, rewarding, treating well, doing something beautifully, grace and piety. (Plato, 2005:153)

A large part of Tehzib is beautifying habits; It is about the upbringing in which the different parts and faculties of the soul will be harmonized and directed towards the main goal of human actions, namely happiness. This discipline is named as protecting the health of the soul in relation to medicine. In order to protect his moral health, one should take care not to arouse the pleasurable things that he tastes, he should carefully take into account his own faults, make friends who will openly tell him his faults, and struggle to cleanse himself from the traits that are regarded as disgrace compared to the virtues and the bad deeds such as anger and cowardice. The author, who works richly on the issue of recognizing one's own flaws, relating to friendship and quoting Galinos; he concludes his work with praise and salawat after the statements of Socrates, which emphasize that in order to attain calmness and joy, we should not value world wealth.

The other big writer of ethics in Islamic Literature is Nasiruddin at-Tusi. The work named Ahlak-ı Nasiri by the Khorasan scholar Nasirudin Tusi (d. 672/1274), who has studies on mathematics, astronomy, medicine, philosophy and exquisite science (psychology), is one of the important touchstones of Islamic moral thought in terms of its characteristics and its effect on the latter. is one of The idea of writing the book was formed by the request of a translation of this work into Persian during the discussion of the outstanding and competent philosopher Ibn Miskavayh Tahare (Tehzibü'l Ahlak) while in the service of the Governor of Kuhistan, Nasiruddin Abdurrahim Ibn Abi Mansur. The author states that the exact translation of the work is requested, but he thinks that this will not be sufficient to reflect the real and beautiful meanings of the work, and that the science of housekeeping and politics, which are not included in this work, should be included among the subjects of the science of ethics, and he wrote that work in a different style. (Nasiruddin at-Tusi, 2016 :25-341)

The book will be classified as “Tahzi'bu'l Ahlak (Moral Education)”, “Tedbir-i Menazil (Home Management)”, “Siyaset-i Müdün (State Administration)”, three main articles and thirty chapters. The first article deals with theoretical morality and individual morality, largely in the extended translation style of Ibn Miskeveyh's Arabic work Tahzibu'l Ahlak. The second part is devoted to family ethics and the third to the issues of city administration and social morality. In the second chapter, from Ibn Sina's treatise, Tedribü'l Menazil, in the third chapter, Farabi's views on politics and social morality are greatly benefited. Although the work is not original as it was written with extensive use of various sources written before it, it is considered important with its descriptions, arrangement and concise content. (Nasiruddin at-Tusi, 2016)

The fourth book in Islamic Literature is Kinalizada Ali Efendi's book named Ahlak-ı Alai (The Highest Morality). “Kinalizada Ali Efendi was born in Isparta in 1510 and died in Edirne in 1572. Coming from a cultured family, after completing his first education in

Isparta, he studied at various level madrasas in Istanbul and the Sahn-ı Seman Madrasah in Fatih. After working as a professor in madrasas in Edirne, Bursa, Kütahya and Istanbul for more than twenty years, he was appointed to Damascus judge and wrote his famous moral work while he was in this post. In the following periods, he worked as the judges of Bursa, Edime and Istanbul in Aleppo and rose up to the Anatolian Kazasker." (Kinalizada Ali Efendi, 2017: 1-18)

Kınalızade Ali Efendi's *Ahlak-ı Alai*; It is an ethics book that Ibn Miskeveyh started as Arabic and completed the peak of Islamic moral thought developed by Tusi in Persian. It was written with the idea of creating a Turkish work in accordance with these by making use of the works of Persian *Ahlak-ı Devvani*, *Ahlak-ı Nasiri*, partly *Ahlak-ı Muhsini* and the works of the Arabic era *Tahzibü'l Ahlak* and *Ghazali*, who were famous before him. Through these ethics books that he made use of, Aristotle's *Ethics for Nicomachus* also has the effect. *Ahlak-ı Alai* is a work created by benefiting from the ideas of all the famous representatives of the traditionalist, philosophical and mystical schools of Islamic morality, and gained fame in its field with its language, style, method and arrangement.

The work begins with a broad preoccupation about the spirit, the soul and the innate characteristics of man. The first chapter, titled the science of morality, is devoted to theoretical and functional ethics. In this section, the science of morality, purification of the soul, virtues and disgrace, four basic virtues and sub-virtues; verse, hadith, couplet and so on. It is explained using. Kınalızade accepts four wisdom as wisdom, courage, chastity and justice in accordance with the moralists before him. He assigns sub-virtues to these four virtues by adhering to Nasiruddin Tusi. The definition of virtue also depends on tradition: Virtue is mediocre and moderate. Disgrace, on the other hand, is to go out of moderation and deviate from extremism and tefrit. If justice is subjected to persecution, its interpretation is to consent to being persecuted. It is disgrace to persecute someone else, and consenting to persecuting oneself is a resignation. Diseases of the soul that drive people to disaster are unnecessary fear; excessive eating and drinking and cravings; hear the sadness of unreachable requests; envy; It is hypocrisy and illnesses of the language such as dealing with empty things, curse, malice, backbiting and supposed non-stop. Fear of death or other inevitable things prevents the fulfillment of the right and the achievement of good. However, if the feared situation is inevitable, fear does not help it. The important thing is to brace him with steadfastness. Unnecessary worrying about a manageable situation will fail us in vain. So in any case, excessive fear is unnecessary. (Kinalizada Ali Efendi, 2017: 21-316)

The second part of the work is devoted to topics related to family morality, and the third to social ethics. In the family ethics section, the characteristics of the kindergarten, the duties of the family head, and the responsibilities of family members to each other are explained. Kınalızade; After stating that the house should be built in a way that is far from being pretentious, simple but sufficient enough to

meet the needs of the family, it attaches special importance to the fact that neighbors are righteous and benign people in house selection. He advises to avoid the neighbors of the evil, cruel and ignorant. (Kinalizada Ali Efendi, 2017: 317- 468)

While Kinalizade criticizes polygamy, he defends the importance of monogamy for a good family life, religious education for children and the need to teach girls to read and write. In the third chapter, which includes ethics related to society, politics and business life, he investigates the moral conditions of a virtuous city in accordance with the tradition of Farabi. It attaches special importance to the knowledge and virtue of statesmen in the administration of the country, and to compassion and justice in the administrative procedure of the country. (Kinalizada Ali Efendi, 2017: 471- 522)

Conclusion

Thess four writers divide the virtues to three parts. The division of virtues are based on each of the three faculties of the soul: wisdom for the ability to think (reason), bravery to anger (gadap), and chastity to lust (desire). When these faculties act in harmony, the fourth virtue, justice, emerges. These main virtues also have sub-virtues. The sub-virtues of wisdom are intelligence, memory, reasoning, quick understanding, clarity of mind, correct judgment and easy learning; The lower virtues of courage are generosity, courage, steadfastness, perseverance, perseverance, self-confidence, courage, and tolerance of boredom. The lower virtues of chastity are shame, tranquility, patience, generosity, freedom, blood thrills, gentleness, regularity, good mood, peace-loving, dignity and avoidance of evil. The sub-virtues of justice are friendship, greatness, maintaining relationships with relatives, rewarding, treating well, doing something beautifully, grace and piety.

Let’s have a short and quick look to these four book’s and four writer’s division of virtues.

VIRTUES AND SUB-VIRTUES ACCORDING TO ISLAMIC MORALISTS AND ARISTOTLE				
BASIC VIRTUES AND VITALS	ACCORDING TO ARISTOTLE	ACCORDING TO IBN MISKAVAYH	ACCORDING TO NASIRUDDĪN TUSI	ACCORDING TO KINALIZADE ALI
PHILOSOPHY	Wisdom is a result of the virtue of thought. It occurs with more education.	Intelligence, remembering, thinking, quick understanding, understanding strength, open mind and easy learning.	Intelligence, quick understanding, mind clarity, ease of learning, good thinking, retention in memory (memory),	Intelligence, quick understanding, clarity of mind, easy learning, thinking right, honing and thinking.

			recall (contemplation).	
CHASTITY	It is a result of character virtue. It is won by habit. Validity of valor and moderation are among them.	Feeling of embarrassment, calmness, patience, generosity, free don't be content, soft disposition, regularity, good mood, peacemaking, heavy of headlines and evils avoidance.	Mildness, good trajectory (self-authorization effort), at peace with itself being, peace, patience, faith, dignity (dignity), avoidance (vera), regularity, freedom and generosity.	Grace, morality, peace desired restraint, patience, conviction, dignity, sincere servitude, living with discipline, freedom and generosity.
BRAVERY	It is the result of valor, generosity, sublime volunteering, courage and righteousness.	Exquisite greatness (honor), daring, large have service, perseverance, patience, gentleness, to calmness, courage and boredom folding.	Exquisite greatness (honor), courage, supreme purposefulness, perseverance, hilm, calmness, daring, endurance, modesty, maternity, grace (rikkat).	Willfulness and maturity, coping with events, zeal and ideal glory, tenacity, soft temperament, moderation, self-well-being and devote to good, endure, modesty, patronage and humanity.
JUSTICE	When the virtue of thought, virtue of character, valor, moderation, generosity, sublime willingness, courage and righteousness	Friendship, affection, with relatives maintaining relationships, rewarding, good treatment, something beautifully fulfill, love,	Friendship (loyalty), glory (opinion of the group and unity in faith), loyalty, affection, looking after relatives, reward (kindness and	Loyalty, loyalty, loyalty, compassion, my mother's womb, reward, in joint affairs honesty to everyone honesty, relatives and

	s are fully implemented, the virtue of justice is also revealed.	piety, not holding a grudge, good for evil reply gracious being, in all cases not to leave humanity, hostilities to leave, right and pleasant from the invisible not to convey words, of the righteous talk about your behavior, demanding let alone the evil Non-Muslim to leave everything,	my response to beauties giving), good relationship (taking restrained in giving), beautiful judgment (when it gives what it deserves unrepentant), tenderness, surrender, trust, worship.	to win the love of friends, to divine will to lean on or trust in Allah and servitude.
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Vertical Jump in National Women's Volleyball & Basketball Team in Albania

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Abstract

Volleyball and Basketball women have different performances from each other due to their special specifics of the game. From the specificity of their training, there are differences in the physical qualities of individual and team sports performance, where one of the elements is vertical jumping. This study is concentrated on two teams: Women's Volleyball Team (V) and Women's Basketball Team (B) 15 members each, focusing on 30 subjects. Players were measured in physical parameters; Age (V-24: B-27), Body Height (V-180.4cm; B-173.4cm), Body Weight (V-70.37kg; B-63.88kg), BMI (V-21.67%; B-20.93%). The players performed the test DJ60cm in the platform Leonardo® Ground Force Reaction Plate (GRFP) which expresses Force max (kN), Power max (w/kg), Time Contact (TCs), Air Time (TAs), TA/TCs. The results obtained by GRFP showed different team values of the two sports in the parameters of F_{max} $V_{65.19} < B_{74.07}$ n/kg, P_{max} $V_{31.26} > B_{23.06}$ w/kg, TCs $V_{0.231} > B_{0.198}$, TAs $V_{0.436} > B_{0.34}$ and TA/TC_{sec} $V_{1.96s} > B_{1.71sec}$. Results revealed that V players jumped higher ($p, 0.001$) than B players. Finally, the Drop Jump60cm test has different performance between individual players, despite the fact that in the team average it turned out that Volleyball players is higher in this test. Drop Jump is the typical plyometric test. Furthermore, tests such as DJ can be a useful method for assessing differences and monitoring vertical jump training programs from collective sports.

Keywords: drop jump, volleyball, basketball, players, air time

1. Introduction

In Albania, the sports of volleyball and basketball are quite populated in all age groups. Volleyball and Basketball sports have a different performance from each other due to their special specifics of the game. Regardless of the specifics of the way of playing, players must develop vertical jump during the game. A volleyball player during a game or a match alongside the technical elements - should develop tactical

and technical elements such as; attack, block, service and/or following by vertical jumping. Basketball players in addition to running on the field and technical elements must also jump during a tribulation or the realization of the shot. The best perfection of a vertical jump is achieved through a certain training in order to increase the height of jump. Several scholars have shown that jumps in height can be greatly improved through plyometric exercises. To assess the vertical jump is needed the application of Bosco tests such as Drop Jump (1) that made possible the definition of the height of the optimum fall from which the player takes \ wins the maximum jumping and the connection between the height of the fall, the time of contact and flight-time. Some authors have reported (2) that commanded plyometric training shows that exercises are effective to increase the jumping, speed and skill of players. Plyometry is a form of resistance exercise that refers to the stretch-shortening cycle (SSC) such as jumps or doing vertical or horizontal jumps (3). Plyometric training(4) is widely used in order to improve jumping ability, especially in sports such as volleyball and basketball (5, 6, 7, 8, 9).Coaches need exercises less time consuming and help to improve the vertical jumping ability of their players. Individual differences in physical fitness parameters among players have been attributed to long-term sport training specificity (10). Furthermore, a comparison of drop jumping performance (DJP) among athletes, using the achieved jump height normalized to the stretch load as a criterion, revealed that volleyball players surpassed track and field jumpers, soccer players, and physical education students (12).

2. Methodology

This study is concentrated on two teams: Women's Volleyball Team (V) and Women's Basketball Team (B) 15 members each, focusing on 30 subjects. Players were measured in physical parameters;

Table1 Anthropometric Measurements (Volleyball&Basketball players)

Team	Nr	Age	BH (cm)	BW(kg)	BMI(kg/m ²)
Volleyball	15	24	180.4	70.37	21.67%
Basketball	15	27	173.4	63.88	20.93%

2.1. Protocols of the Test Performed

After were conducted anthropometric measurements and later on the tests in vertical jump performance of the protocol tests .The players performed the test DJ60cm in the system platform Leonardo® Ground Force Reaction Plate (GRFP) which expresses Force max (kN), Power max (w/kg), Time Contact (TCs), Air Time (TAs), TA/TCs in University of Sports, Tirana. The players one by one performed on the cube height 60cm, with their hands on their loins. Through a free fall from the height of the cube they leave themselves falling into GRFP platform and rapidly the reaction after contacting with GRFP they should jump in vertical as high as possible. The test has

been developed 3 times and we got the best measure of the contact time and the time in the air.

Drop Jump Test

Table2. Data obtained from GRFP (Volleyball&Basketball players)

Nr.	Fmax N/kg		Pmax w/kg		Time Contact TCs		Air Time TAs		TA/TC	
	Vbo ll	Bbo ll	Vbo ll	Bbo ll	Vbo ll	Bbo ll	Vbo ll	Bbo ll	Vbo ll	Bbo ll
Average	65.19	74.07	31.26	23.06	0.231	0.198	0.436	0.34	1.96	1.71
Min	84.61	98.04	40.6	36.12	0.298	0.226	0.505	0.452	2.83	2.32
Max	53.34	66.31	19.57	3.75	0.149	0.155	0.309	0.096	1.49	0.62

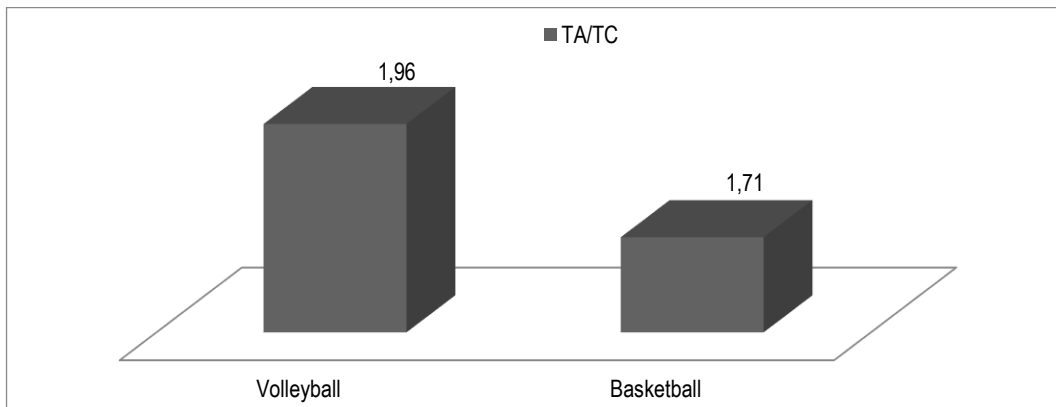
2.2. Statistical analyses

A unilateral analysis of variance (ANOVA) on data from 30 athletes was performed in order to identify changes in the parameters of the DJ60cm test; Scheffe post hoc analysis was run to show differences between groups. T-tests of paired samples were performed to compare DJ60cm parameters. Moreover, a PCA with a Varimax rotation was executed to examine a possible tendency towards the dependence of temporary force or peak between groups of athletes when executing DJ60cm test. All statistical procedures were performed using the Package Statistics for Social Sciences 10.0.1 software (SPSS) Inc., Chicago, IL). An alpha level of 0.05 was used.

3. Results

The results obtained by GRFP showed different team values of the two sports in the parameters of Fmax $V65.19 < B74.07$ n/kg, Pmax $V31.26 > B23.06$ w/kg, TCs $V0.231 > B0.198$, TAs $V0.436 > B0.34$ and TA/TCsec $V1.96s > B1.71$ sec. Results revealed that V players jumped higher (p, 0.001) than B players. Finally, the Drop Jump60cm test has different performance between individual players, despite the fact that in the team average it turned out that Volleyball players is higher in this test.

Graphic.1: Drop Jump test at measurement.



4. Discussion

The correlation between the tests was measured according to the Pearson's moment product. The results showed a high correlation coefficient ($r = 0,924$) and statistically significant ($\text{sig.} < 0.05$). Results revealed that V players jumped higher ($p, 0.001$) than B players. Finally, the Drop Jump60cm test has different performance between individual players, despite the fact that in the team average it turned out that Volleyball players is higher in this test. Drop Jump is the typical plyometric test. Furthermore, tests such as DJ can be a useful method for assessing differences and monitoring vertical jump training programs from collective sports. It is held an analysis to determine whether the test and measurement methods used were available to identify whether the groups did achieve high or poor performance. Data were used to calculate force parameters such as peak power output is normalized for body weight (FMAX) and maximum power output is normalized for body weight (PMAX). The rate of force development during the ascending phase to the duration of ground contact (Tc) and the time to reach the peak force, expressed as the percentage of TA / TCs. Some training studies have found that plyometric training based on DJs does not significantly enhance jump height or lower limb power, while other reports showed a large variability in the magnitude of such enhancement. Several factors, including a training program design (the type of exercises, training duration, training frequency, volume and intensity of training), subject characteristics (age, gender, fitness level, sport practice) and methods of testing different types of vertical jumps may be responsible for the conflicting findings concerning plyometric training. However, potentially inconsistent effects of DJ training may result from the differences in the DJ technique employed (11). Determining the optimal DJ jump height is important in player training. Vertical jumping can be assessed not only by the height of its development, not only by the height of the body and the height of the arm or detachment from the ground by touching the object, but also by the phase of stay in the air where enabled by GRFP. In this study were observed the differences between the two groups at the time of contact during the fall and the air time during

the jump. ANOVA variation revealed significant changes ($f, 0.001$) regarding the age, height, and body mass of the female players examined.

Conclusion

According to the data obtained and presented above, they showed that the level of jump of volleyball and basketball players is at a low level of interpretation. Improving the ability to jump is a major training goal for many sports, and drop jump is the well-known training method used to achieve this improvement. However, an player in team games should be thrown higher than his or her opponent, and this jump should be executed faster than the opponent's jump. Individually the players need to improve their jump performance in order to achieve a better personal record. Compared to the reference table of the Reactive Forces Index (1.5-2.0RSI) for the Drop Jump test, we came to the conclusion that the level of Volleyball & Basketball players in Albania obtained in the result of the TA / TCs Index represents a moderate level of training, at the level of players prepared for moderate plyometric intensity.

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Language and Nature in Southern and Eastern Arabia

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Abstract

This paper examines the relationship between language and nature in southern and eastern Arabia. The work is the result of a two-year interdisciplinary network between the University of Leeds and Qatar University, with partners in the UK, Oman, Canada, the United States, and Russia. Our hypothesis is that local languages and ecosystems enjoy a symbiotic relationship, and that the demise of local ecosystems will adversely affect local languages. In this paper, we examine some of the language–nature effects in Qatar and Dhofar, southern Oman. Our regions differ in that Qatar has two seasons, summer and winter, and is predominantly arid, with occasional rain, while Dhofar together with al-Mahrah in eastern Yemen has four distinct seasons, receiving the monsoon rains between June and September, and, as a result, is home to hundreds of plants and animals found nowhere else in the world. Since the 1970s, in particular, both regions have experienced some of the most rapid socio-economic changes in the world. We ask what affect this socio-economic change has had on the language–nature relationship, and suggest that decoupling of the human–nature relationship as a result of socio-economic change is contributing in these regions to language attrition. We consider spatial terminology, traditional terminology for weather, the traditional measurement of time by narratives around key climatic events, and the role of stars in determining the weather and their role in folklore. *

Keywords Arabic, Qatar, Modern South Arabian, Dhofar, nature, weather, time, climatic events, stars, spatial reference

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Introduction

Language and nature have a tight symbiotic relationship, particularly in regions of the world such as Qatar and Dhofar in which people have until recently enjoyed a close relationship with the natural world. New research approaches are now emerging that relate language and ecology in a way that provides better understanding of human-nature-language relationship. This paper addresses the disappearance of endangered languages and their related cultures, and also the loss of indigenous cultural knowledge due to dialectal loss. Studies suggest a strong correlation between the decline in language diversity and environmental diversity (e.g. Rosenthal 2014), which is further evidenced by WWF studies. Part of our work involves the collection and analysis of intangible heritage; however, the collection of intangible heritage is not designed to be an end in itself: intangible culture encapsulates local knowledge, and reinforces the relationship between humans and their ecosystems.

The languages spoken in our regions are Qatari Arabic, with its various sub-dialects, in Qatar, and the Modern South Arabian languages and the language of Bayt Kathir in Dhofar, all of which are endangered. In section 1 of this paper, we begin with a brief introduction to the languages and the degree of socio-economic change in the region. In section 2, we consider language erosion factors, and how erosion of the natural environment and the relationship people have with the environment can precipitate language loss. In section 3, we examine the language–nature relationship focussing on terminology around weather, and then the measurement of time around key climatic events. We conclude with some suggestions for capturing aspects of the language–nature relationship while we still have access to people who have experienced the pre-motorised past.

1 The Languages

The language spoken in Qatar is Qatari Arabic, with dialect distinctions according to region and tribal affiliation. Despite Arabic being an important language with over 300m speakers (reference), Arabic dialects have been facing major challenges since the mid-20th century due to the growth of the media, film, music, and the influence of other languages through actual and virtual language contact. Preserving indigenous dialect vocabulary has become important in itself and also to preserve local knowledge. Examples of Qatari dialect disappearing in younger generation.

The languages traditionally spoken in Dhofar are four of the six Modern South Arabian languages (Johnstone 1981, 1987; Rubin 2010, 2014, 2018; Watson 2012), Mehri, Šherēt (also known as Jibbali), Hobyot and Bathari, and the Arabic variety spoken by Bayt Kathir, which shares lexical and grammatical features with Modern South Arabian. Of the Modern South Arabian languages, Mehri is spoken over the largest area, spanning eastern Yemen, southern Oman, and reaching into southern and eastern Saudi Arabia; Šherēt is spoken in the mountains and coastal regions of Dhofar; Hobyot is spoken in a small area spanning the Yemen–Omani border; and the few Bathari speakers are based around the coast of eastern Dhofar. Mehri, Hobyot

and Şherēt have a number of distinct dialects according to tribal affiliation and geographical region.

The Modern South Arabian languages (MSAL) have no traditional script and constitute the most endangered sub-family of Semitic languages, ranging on Ethnologue (an authoritative resource on world languages) from 'nearly extinct' to 'shifting'. Speaker numbers are 12 (Bathari), ~1,000 (Harsusi, Hobyot), ~30,000 (Shehret), 60,000 (Soqotri), ~200,000 (Mehri). The precise number of speakers is, however, impossible to ascertain: there are no census figures relating to MSAL speakers specifically, and many members of the language communities no longer speak the languages fluently or at all. Since the 1970s, the spread of Arabic has meant that the MSAL have increasingly fallen into disuse. This has been hastened by rapid social change and the collapse of traditional cultural activities.

In both Qatar and Dhofar, people were almost entirely reliant on themselves and their wider tribal affiliations until the 1950s and 1970s respectively, when the modern states of Qatar and Oman began to be constructed. The Qatari natural environment system comprises, in addition to oil and gas, a geological structure of the land resulting in a shallow depression in which rainwater gathers, enabling wild plants and shrubs to grow. These depressions are fertile and give rise to an arable land environment, suitable for various kinds of native plants. The marine environment is also distinctive for its diversity, with numerous species of fish as well as coral and reefs and oysters. The best-known pearl fisheries in the Gulf and in the world lay opposite to the eastern coast of Qatar (General Secretariat for Development Planning 2009). Today no pearl fishing is conducted and very few Qatari nationals practise fishing for local commercial purposes.

Until the 1970s, there were very few state-run schools or hospitals in Dhofar, transport was by foot, by pack animal or by boat, water was collected by foot from natural sources, and people lived in caves and brushwood or stone huts they constructed themselves. Life continued through extremely tight organisation of local activities and close monitoring of local weather and climate conditions. Today the region enjoys all the trappings of the modern age. Younger generations no longer have or understand the extensive knowledge and practical skills of their elders and much earlier expertise has been lost or is disregarded, with imported alternatives replacing locally manufactured items. Traditional methods of natural resource and water management are no longer passed on to the next generation, and significant degradation of the environment has occurred, with overgrazing and mismanagement of increasingly scarce water supplies, accompanied by severe overfishing. One result is that plants and animals that once played a vital role in everyday life are now extinct or rare.

2 Erosion of Language and the Environment

Language erosion in many parts of the world has been precipitated by social change, the collapse of traditional cultural activities, and a break with the relationship people

have with the natural environment. We can see this in English, where modernisation, urbanisation and mass communication has resulted in dialect terms for alleys, for example, losing currency with regional-specific terms such as *chare*, *vennel*, *jiggers*, *snicket*, *pends*, *ginnel*, *twitchel* and terms for different types of alleys being replaced by general and superregional cover terms (Macfarlane 2015). Classical Arabic had a plethora of terms for 'to go' at various times of day and for various purposes, as is traditionally the case for the Modern South Arabian languages spoken in Dhofar, Soqatra and al-Mahrah (Watson & al-Mahri 2017; Morris, Watson et al 2019); in Modern Standard Arabic, 'to go' is predominantly expressed by the cover term *dahaba* with an adverbial phrase to express the time of day or manner of travel; in the languages of Dhofar and al-Mahrah, precise traditional verbs of movement such as Mehri *agōmās* 'to go before dawn', *gsūm* 'to go at dawn', *ghēm* 'to go in the morning', *əhhawgər* 'to go in the heat of the day', *šūgūs* 'to go from mid-afternoon', *əššōfək* 'to go before sunset', *abōšər* 'to go in the light of the evening' and *bār* 'to go at night' (Morris, Watson et al 2019) are no longer used by the younger generation, who revert to a general cover term for 'to go' (*ghēm* or *syūr* in Mehri, *agād* in Šherēt) together with an adverb relating to time of day or manner of travel.

Qatar has a rich tradition of indigenous knowledge about the seasons, local weather and astronomy, but much of this folklore is rapidly disappearing because of fast economic and social change and the consumer culture that has resulted from economic and cultural change. The Qatari aim of the project is to collect and classify Qatari knowledge of seasonal events of local weather and the local systems of time keeping and navigation by the stars and creating a comprehensive lexical vocabulary of dialect terms, phrases and concepts of this heritage. Much of this vocabulary is not understood by young Qatari people today, so it is important to preserve it while there are still older individuals who retain this knowledge. As an example, one of the key astronomical systems used in the Gulf and on the Arabian Peninsula was the system of star markers known as *anwa'* or *manazil al-qamar* (lunar stations), known with variations throughout the region as well as in the formal Islamic science of astronomy (Varisco 1989, 1991, 1997). This lunar zodiac complemented the solar zodiac and was widely used to determine timing of seasonal events. The *anwa'* star calendar was especially important for determining stages of date palm cultivation, seasons for pearl diving, fishing of particular types of fish, travel by sea, and expected periods of wind and rain, aspects of life which still very valuable for sustainable development today.

Evidence of the importance of dialect terms relating to the weather and seasons is indicated by one of the most important publications in Qatar's past, the Qatari Almanac of Sheikh al-Ansari. This almanac was widely known throughout the Gulf. In addition to providing a calendar for religious and seasonal agricultural and seafaring purposes, this almanac reflected local knowledge of the weather and the use of stars as markers of seasons (Varisco 1991). In the past, knowledge of movements of the stars, moon and sun were important for survival and in the various modes of production. Local dialects often used names of stars common to Arabic generally, but

each dialect also developed names and expressions specific to the dialect. This is one reason why it is so important to document these local variants, many of which have never been recorded but still are in use in spoken dialects. We will examine more about the importance of the traditional Qatari lunar system under section 3.2 below.

Figurative language is closely engrained into the natural environment (Macfarlane 2015): cross-linguistically, expressions of beauty relate to what communities of speakers find beautiful in nature: in San'ani Arabic, a young girl is described as *xadra* 'green' due to her freshness, where 'green' in English would traditionally be interpreted as naive; in English, beauty is associated with spring in relation to the cold of winter, or to the warmth of summer, as we see in Shakespeare's 'Shall I compare thee to a summer's day?' (Sonnet 18). The positive connotations encapsulated in Mehri *rwāgāb* 'branch [diminutive]' in Dhofar are taken to describe a young woman with height, slenderness and freshness, in *bōkār* 'young female camel' to describe a good-looking, fit young woman, in *gazyerōt* 'little old milking animal' to describe a woman affectionately, and in *ḵayṣār* 'leopard' to describe a man of renowned bravery and strength. In Dhofar, where the sea breeze brings much relief during the hotter months preceding the monsoon period, the Mehri term *mdīt* 'sea breeze', with its diminutive *mdēnōt*, plays a large role in poetry, contrasting with the searing heat of the *xrūb* wind. Figurative language may in turn induce grammaticalisation (Palmer 2002), and in Bedouin societies we see grammaticalisation of terms relating to 'track; footprint' into a mirative particle with the sense of 'it transpired that'. Thus, Mehri *šaff*, Šherēt *šef* 'track; footprint' has been grammaticalised into the mirative particle *šaf* 'it transpired that' in Mehri, *šef* in Šherēt (Watson & al-Mahri 2017), and Arabic *ṭatr* 'track; footprint' has been grammaticalised to, for example, *ṭar* 'it transpired that' in several Bedouin Arabic dialects. One of the effects of erosion of the relationship people have with their natural environment is that younger speakers are no longer in a position to understand aspects of traditional figurative language. When discussing *šef* in Šherēt with a younger member of the Šherēt-speaking community two years ago, she asked whether the term was derived from *šof* 'hair'. Watson's language consultant, Ali al-Mahri, explained that as the girl now lives in an urban, asphalted environment, she would not encounter tracks and therefore would not come into contact with the term *šef* 'track; footprint'.

In Qatar and Dhofar today, we are in a position to observe the effect erosion of the human–environment relationship is having on language at the present time, and we are still able to record speakers who retain knowledge of the traditional systems. In section 3, we consider some aspects of the language–nature relationship, examining first spatial reference, then terminology around weather, and finally measurement of time through climatic events.

3 The Language–Nature Relationship

The closer the relationship between people and the natural environment, the more linguistic expressions in the local languages refer to the environment and/or reflect the human–environment relationship. In our regions, the language–nature relationship is particularly evident in spatial and temporal terms, and in terms relating to weather and the climate, as these are essential factors in the life of peoples who are either nomadic or live from the land and livestock.

3.1 Spatial reference

The Modern South Arabian languages of Dhofar employ absolute spatial reference terms which correlate with topographic variation (Watson & al-Mahri 2017). Younger generation speakers are said by our consultants to generally recognise and employ the traditional latitudinal terms, but to replace the longitudinal terms by Arabic *šimāl* ‘north’ and *janūb* ‘south’.

For latitudinal reference terms, *šalōt* or *nšurēt* refers to the direction of the rising sun, and *kaḅalēt* the direction of the setting sun in Šherēt; these correspond to *nšarāt* and *kaḅlēt* in Mahriyōt, the Mehri dialect spoken in Hawf in eastern Yemen (Nwēr Muhammad Bakrayt, p.c.), and *māšḳayš* and *kaḅlēt* or *mārēb* ~ *mārīb* in the Mehri dialects spoken in Dhofar. Of these terms, three refer to fixed geographical locations: *šalōt* ‘the eastern region of Dhofar’, *kaḅlēt* (*kaḅalēt*) ‘the Qibla’, and *mārēb* ~ *mārīb* ‘Ma’rib’ or ‘the Ma’rib dam’.¹ For longitudinal reference, terms differ according to language and place of the speaker. In the mountains, the Jarbeeb (the coastal plain) and the town of Salalah, Mehri *rawrām* ‘sea’, Šherēt *ramnām*, describe a general southerly direction, and Mehri *nagd* ‘Najd’, Šherēt *fagər* ‘stony desert’ general north (Saeed al-Mahri, p.c.). Around the port town of Taqah and to the south of the mountains, Šherēt *remnām* ‘sea’ indicates general south, and *šher* ‘mountains’ general north. In the mountains, *fagər* ‘stony desert’ indicates general north (Saeed al-Awaid, p.c.). More commonly, longitudinal directions are described in terms of the direction of the flood waters: *u-mšaʔ* (< *lā-mšaʔ*) in the Mehri varieties spoken in Central Dhofar denotes the direction in which the flood waters run, and *hək*, *l-hək* the direction from which the flood waters emanate. To the desert-side of the mountains, *u-mšaʔ* roughly indicates ‘north’, since the flood waters flow in a northerly direction, and seaward of the mountains, *mšaʔ* roughly indicates ‘south’. Such differences in spatial reference terms that correlate to topographic variation, irrespective of how closely related the language varieties are, are found in other regions of the world in which languages have systems of absolute spatial reference (Palmer 2015; cf. also Rowley 1980 for Tirol; McKenzie 1997 for Sulawesi; Palmer 2002 for Oceania). The cultural importance of these terms is reflected in a common Mehri saying: *fālān yağōrēb u-mšaʔ mən l-hək lā* ‘so-and-so doesn’t know downstream from upstream’. We are now

¹ In San’ani Arabic, *gibli* refers to the north and *šadani* ‘towards Aden’ to the south (Watson 1993). In Faifi, spoken on the Saudi side of the Saudi–Yemeni border, *šāmin* ‘Levant’ refers to north of the Faifa mountains and *yamanin* ‘Yemen’ to south of the Faifa mountains (Alfaifi 2016).

in a situation in the region where the younger generation does indeed no longer know the difference between downstream and upstream.

3.2 Weather

Terms for weather are traditionally very precise in our regions. In Dhofar and al-Mahrah, winds are described according to the direction from which they come and their severity. Thus, in Mehri alongside the general terms for winds, *hazēz* and *rīyēh*, there are the more precise terms depending on the source and severity: *mdīt* 'sea breeze', *zafzōf dā-mdīt* 'perpetual sea breeze', *xrūb* 'hot desert wind', *xrūb tōrāb* 'blasting hot desert wind', *blēt* 'wind from the north' and *blēt šammamyāt* 'severe north wind'. Terms for weather temperature include *həbūr* 'cold', *kāšām* 'cold', *hawb* 'warm', *hark* 'hot', *wakt* 'humid', of which *həbūr* 'cold', *hark* 'hot', *wakt* 'humid' also have verbal forms: *haybār* 'to feel cold', *hayrāk* 'to feel hot', *wakt* 'to feel sticky from humidity'. The sharp, dry cold of winter, *həbūr*, will be described as making the liver shiver, as in the rhyme: *hibrāk mən həbūr d-akātān tā šabdayti hargafūt / kall dā-ših šabīgāt lā yaḥṭāb aḡanzafūt* 'I was so cold on the Qatan plain that my liver shivered / Anyone who does not have an indigo wrap should fetch a tree trunk (for firewood)'.

Qatar has a rich tradition of indigenous knowledge about wind due to the importance of the wind in determining seasons, transitional movement, sailing, and agriculture, and there are many items of vocabulary and synonyms that include knowledge about the wind. These terms circulated orally contain local knowledge on which people have been building their information and making their decisions about it, for example a set of words used by divers in the past revolve around the consonantal root *w-l-m*. The wind could be *walam*, which meant something that is perfect. In Classical Arabic, *walam* corresponds to the perfection of a thing: when the wind is *walam* it is suitable for sailing, and addition of the word *hawa'* 'wind; air' expresses the appropriateness of the direction of wind more accurately. With the introduction of mechanization and technology and the demise of traditional sailing ships, the directions of the wind are no longer of significance for seafaring. The winds do, however, still affect human life and link to the seasons for agriculture and movement of livestock.

The southern wind in Qatar is described as *sīli*, and if it blows, people will say 'our wind today is *sīli*', describing a light wind suitable for raising the sails. *Sīli* may be related to the word *sayl*, which is the flow of water down the wadis, and if the clouds are dense people talk about 'clouds of *sīliyah*'. Indeed, there is an area in Qatar called *Sīliyyah* due to the presence of a large valley which attracts floods. The *šamāliyah* wind is cooling and comes at the end of the winter as summer approaches. The wind is described as *lāhūb* if it blows during the period of 'the boars', because it is hot and active and provokes dust. It is often hot because it comes from the desert and is described as '*hayfiyah*', i.e. warm. When the wind comes from the south-east, it is called *nakbah*, a wind that people look forward to because it carries moisture and rain. The eastern wind is described as *kaws*, and the north-east wind is described as *naḥṣi*.

Al-bawāriḥ 'the ominous' are hot north winds that occur in the summer months of June and July, ending around July 28.

Some winds are associated with folktales. In Qatar, the period between March 8 and April 2 is characterized by a strong, cold northerly wind that follows a period of warmth. This is called *ḍarbat al-ṣajūz* 'the blow of the old woman'. According to tradition, an old woman decided to shear the wool of her sheep when she felt warm. After shearing the sheep, a cold north wind blew up killing the sheep, and so that wind has come to be described as 'the blow of the old woman'. The saying and the tale are used when alerting people to the oblivious. If someone says, 'The cold is over', the response will be, 'Don't act like the old woman who shored her sheep.'

3.3 Climatic events and stars as a measurement of time

3.3.1 Dhofar

Traditionally in Dhofar calendrical dates were not used to refer to events such as birth, death and marriage. In place of specific dates, reference would be made to particular climatic events (al-Manji & Watson 2019). Climatic events of particular significance in this region include *ḥōnāt ε-ḵamro* 'the year of the people from Jabal Qamar', which refers to the year (around 1951) in which the effects of the drought were so severe that people left the region and headed east, *snēt ḍ-ālḥaymār* 'the year of the post-monsoon cyclone' (1947), *snēt ḍ-āḡarkāyāt* 'the year of drowning' (1959), when the pre-monsoon cyclone resulted in the capsizing of two large vessels off the coast of Dhofar with huge loss of life, and *snēt ḍā-bit fārgīs* 'the year of the Fargish family' (1963), when the whole Fargish family were swept away in a flash flood. In relation to these events, older people will describe being old enough to milk a camel at that time, or that they had just married, or that they were just old enough to remember.

3.3.2 Qatar

In our region, the year was divided into major seasons according to changes in climate, and historical events, agriculture and mobility were linked with particular stars. In this section, we mention a few stars and their association with particular events or agricultural activities.

Local dialects often use common star names in Arabic, but each dialect also developed its own specific names and expressions, such as the star *šīri*, the brightest star in the sky. The people of the Arabian Gulf call it *tair* and the people of the Najd region of the Arabian Peninsula call it *al-murazzam*, as in Qatar and most of the Arab Gulf communities. This star is associated with the fruiting of the *ratab* dates and the ripening of dates, and is mentioned in the Holy Quran: *وَأَنَّهُ هُوَ رَبُّ الشَّعَرَى* (Surat al-Najm: 49). Here and elsewhere, seasonal knowledge overlaps with religious knowledge. Many adages relate to this star and its association with agriculture, especially date cultivation, as well as other religious and metaphysical meanings.

Al-naṣā'im consists of eight stars, which form the shape of an archer (Sagittarius), composed of two rectangles, slightly distorted. The star of the southern arch shines in the lower rectangle, and in the upper rectangle the star *nunki*. Entry time: The sun descends outwardly from January 15, to the end of January 27, the fourth period in winter. *Al-naṣā'im* is associated with a cold northerly wind. According to the popular adage, '*al-naṣā'im* awakens the sleeper', so said because people are unable to sleep due to the severity of the cold.

Al-sariyāt brings about a sudden change in the weather, beginning on March 20 and ending on July 21, the transitional period from spring to summer. The weather during this period is characterized by thunderstorms accompanied by strong and often destructive winds. This weather behaviour occurs from time to time, often at night, and the root of the term *sariyāt* appropriately relates to movement at night.

Al-turayā (Thuraya) appears from June 7 to June 19, and is the most famous star cluster, consisting of six visible stars, while those with strong eyesight are said to be able to see seven. The viewing of the *thurayā* cluster begins in the morning (with yellow before sunrise) on the eastern side on June 7 and the appearance of the *thurayā* star marks the beginning of the season for harvesting dates.

Conclusion

Language enjoys a close relationship with the natural environment, particularly within regions where people share their everyday lives with nature. This relationship can be seen in the lexis of a language and the ways in which people describe spatial features and temporal events. Qatar and Dhofar until the very recent past were regions in which people made, gathered, farmed or bartered materials for food, water, shelter, tools, medical treatment and clothing. Today no one relies entirely on the land or on the sea, and much of life is spent within four walls. Here and in other regions of the world that have experienced extremely rapid sedentarisation and urbanisation, a break in the human–natural environment relationship is reflected in a loss of use and/or of understanding of lexemes and a change in describing time from narratives around events to calendrical dating. There are local attempts to revive the human–natural environment relationship: in Dhofar, through, for example, the Global Frankincense Alliance: www.globalfrankincensealliance.com, initiatives towards sustainable tourism, and annual courses on Mehri: Language and nature, run by the second author and Ali al-Mahri; in Qatar, various environmental experiments are currently underway in the coastal areas.¹ These include planting *qarm* trees, and the

¹ Several agencies are collaborating to maintain and develop the coastal environment, namely the Supreme Council for Environment and Natural Reserves, and the Ministry of the Environment. The early efforts were practiced by the University of Qatar, as well as the companies Ras Gas, Qatar Petroleum, and Shell: Qatar second Human report (2009), pp. 86-87.

establishment of six natural reserves for the protection of marine and wildlife in 2006, which increased to eight in 2009.¹

This paper has addressed some of the ways in which the natural environment is reflected in the languages of our regions and in which a degradation of the environment can lead to a degradation of the lexis of a language. This initial paper will be followed up by further work examining the relationship between the local languages of our regions and the natural environment and considering means of revitalization of the languages, the ecosystems and the language–natural environment relationship.

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Health Effects of Trade Liberalization: Evidence from US Counties

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Abstract

This paper explores the potential externality of trade liberalization between the US and China on air pollution and infants' health outcomes. Exploiting the differential impact of tariff reductions due to trade liberalization across industries combined with compositional variations of industry-specific employment across counties as the main source of identification strategy and using the universe of birth records in the US over the years 1990-2017 (over 97 million observations), we document substantial improvements in birth outcomes of mothers residing in counties with higher exposure to trade policy change. The exposed counties experienced sharp drops in employment specifically for manufacturing industries and revealed sharp reductions in a wide array of pollutants. A 1 percent reduction in tariff rates is associated with an 11.5 and 12.7 percentage point reduction in the likelihood of low birth weight and preterm birth, respectively. ¹

Keywords: trade liberalization, pollution, air quality, health, fetal origin hypothesis, birth outcomes, panel data, environmental health

JEL Codes: F18, F64, O24, Q27, H75, J13

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Introduction

It is well established that the health environment and external shocks during prenatal development have the potential to influence birth outcomes. Fetal Origin Hypothesis provides a theoretical framework based on epigenetic programming to explain this link (Almond and Currie, 2011a, 2011b; Barker, 1990). While human genomes are very similar across different individuals their Epigenome is different. An epigenome is a group of chemical compounds that are attached to the DNA in order to silence off or turn on some genomes for specific reasons. Epigenome acts like software while genome acts as hardware. The main reason that drives the programming of the Epigenome is environmental factors. For instance, a sharp increase in pollution signifies a worsening environment and persuades the reproductive system of the mother to re-program the Epigenome with the main purpose of survival of the fetus. It can do that by, for instance, attaching a methyl molecule to the genes related to growth and turns them off. The result is a survived infant but low in health endowment. A relatively large body of the literature documents the link between antenatal health environment and birth outcomes (Chatterji et al., 2014; Janet Currie et al., 2009; Hoynes et al., 2015; Leonard and Mas, 2008; Lindo, 2011; NoghaniBehambari, Noghani, and Tavassoli, 2020; NoghaniBehambari, Noghani, Tavassoli, et al., 2020; Sonchak, 2015; Tavassoli et al., 2020; Wherry et al., 2018).

In the year 2000, China entered the World Trade Organization (WTO) and was able to increase its exports to the US by benefiting from lower tariff rates as a member of the WTO. The acute decrease in tariff rates, however, was not uniformly distributed across industries. For instance, the US imports of manufacturing and mining products experienced a large increase due to large reductions in trade barriers while imports in other industries did not. Since the manufacturing and mining sectors are among the main pollutant industries (Beach and Hanlon, 2016; Tavassoli et al., 2020), the trade liberalization had the potential to reduce local pollution and improve air quality (Ederington et al., 2004; Forslid et al., 2017; Gale IV, 1995).

Since pollution is among the main environmental factors that affect infants' health outcomes, it is arguable that a reduction in tariffs due to trade liberalization has the potential to improve birth outcomes. This paper aims to fill this gap in the literature.

Exploiting the differential impact of tariff reductions across industries combined with compositional variations of industry-specific employment across counties as the main source of identification strategy and using the universe of birth records in the US over the years 1990-2017 (over 97 million observations), we explore the link between trade liberalization, pollution, and birth outcomes. We find that the trade

liberalization reduced employment in manufacturing, mining, and construction industries and reduced industrial pollution. Besides, it improved birth outcomes and a wide range of infants' health measures. One standard deviation in tariff gaps is associated with an increase of 17 grams in birth weight and a 2.2 percentage point higher likelihood of being born with low birth weight. These effects are statistically significant for all health measures even after controlling for a full set of fixed effects, a wide range of socioeconomic covariate, parental characteristics, and state-by-year trend.

Evaluating the health externalities of pollution has important policy implications. It quantifies the external costs of industrial pollution and helps policymakers to design the optimal structure of pollution abatements. Besides, since the main source of shock to pollution in this study comes from trade liberalization, the results of this paper could help policymakers to re-evaluate the benefits of trade and optimize the tariff rates considering the positive externalities of trade liberalization for the health of infants.

This paper adds to the literature in two ways. First, to the best of our knowledge, this is the first study to assess the health benefits of trade liberalization in the case of birth outcomes. Second, it adds to the literature on the Fetal Origin Hypothesis by providing evidence of a sharp reduction in pollution due to trade liberalization on infants' health outcomes.

The rest of the paper is organized as follows. In section 2, we go over a brief literature review. Section 3 provides a background on US-China trade liberalization. Section 4 discusses the data sources and construction of the final sample. The econometric strategy is discussed in section 5. The main results are reported in section 6. We depart some concluding remarks in section 7.

Literature review

Trade liberalization has the potential to affect outcomes beyond the labor market. Pierce and Schott (2020) show that areas that were exposed to the economic effects of international trade experienced more deaths mainly due to fatal drug overdoses and specifically among whites. This increase in mortality coincides with worsening labor market conditions and the uptake of disability insurance. Olper et al. (2018) applies a synthetic control method on a panel of emerging and developing countries and show that an increase in trade openness reduces child mortality. On average, ten years after trade liberalization, child mortality decreases by about 9 percent. Autor et al. (2019) document that the shocks to the labor market due to trade liberalization

reduced marriage and fertility and increased the number of children living in single-parent families. Dix-Carneiro et al. (2018) explore the effect of trade liberalization on crime rates in Mexico. The trade shock changed labor market conditions, provision of public goods, and income inequality. Through these channels, it increased crime rates in areas that were more exposed to trade shocks. Feng et al. (2021) explore the effect of reductions in export tariffs on Chinese workers and showed that trade liberalization improved the health of low educated workers who reside outside of urban areas.

Noghani and Noghanibehambari (2019) explore the effect of trade liberalization in the US between the years 1990-2010 on corporate governance measures and managerial slack. They apply a difference-in-difference identification strategy and use a longitudinal panel of all firms in the US and show that trade openness was successful to improve measures of governance and reduce managerial wasteful activities. Colantone and Stanig (2018) investigate the effect of trade liberalization on electoral outcomes and opinions toward nationalism across 15 western European countries over the years 1988-2007. They find that areas that were affected more strongly by import shocks revealed higher preferences towards candidates with nationalist and isolationist ideas.

Environmental consequences are among the highly debated aspects of trade liberalization and globalization. In a seminal paper, Antweiler et al. (2001) develop a theoretical model to link free trade and environmental pollution. They show that trade liberalization decreases pollution through changes in trade-induced technologies across industries. In a similar study, Cherniwchan (2017) documents the environmental effects of NAFTA and trade liberalization in the US. They show that NAFTA was responsible to sharp reduction in sulfur dioxide and matriculate matter (PM10) in manufacturing sector. These changes were driven by within-plant responses to NAFTA rather than a compositional change in local industries. Other studies confirm the fact that trade liberalization can indeed improve environmental quality (Benarroch and Gaisford, 2014; Copeland, 2013; Forslid et al., 2017, 2017; Fung and Maechler, 2007; Gale IV, 1995; Ghani, 2012; Hu and McKitrick, 2016; Hubbard, 2014; Shen, 2008).

Pollution is among the main external stressors during prenatal development with a sizeable influence on birth outcomes. Currie et al. (2009) explore the effects of air pollution on infants' health outcomes. They use the information of the exact address of mothers and match with the nearest air monitor. Including maternal fixed effects to control for all time-invariant attributes of mothers, they show that exposure to

carbon monoxide is associated with negative birth outcomes with the larger effects for smoking mothers and older mothers. Hill (2018) explores the effect of the shale gas boom in Pennsylvania on infants' health outcomes. She finds that gas production increases pollution which in turn has negative effects on birth outcomes. In a reduced form analysis, she finds that an additional gas well is associated with a 7 percent rise in low birth weight. Tavassoli et al. (2020) explore the effect of sharp rises in industrial pollution during the 19th century on pollution and find that the pollution-driven rise from the upswing in the manufacturing sector was associated with rises in infant mortality and changes in sex composition of infants to more females. They argue that this fact signifies higher incidences of fetal deaths. Several studies show that health, socioeconomic conditions, environmental factors, and mental conditions of the pregnant mother also have the potential to influence birth outcomes (Aizer and McLanahan, 2006; Chatterji et al., 2014; Chou et al., 2010; Cole and Currie, 1993; Corman et al., 2019; J. Currie and Moretti, 2003; Janet Currie et al., 2009; Figlio et al., 2014; Gage et al., 2013; Hoynes et al., 2015; Joyce, 1999; Lindo, 2011; NoghaniBehambari, Noghani, Tavassoli, et al., 2020; Noghanibehambari and Salari, 2020; Rosenzweig and Wolpin, 1995; Rossin, 2011; Torche, 2011).

Background on US-China Trade Relations

The United States has a trade treaty with members of the World Trade Organization (WTO). The members can benefit from relatively low tariff rates under the definition of Normal Trade Relations (NTR) rates while non-member countries face higher tariff rates under the definition of Non-NTR rates. However, Congress has the right to make a temporary exception for these non-market economies and grant them the NTR status so that they trade with the US under considerably lower tariff rates. Congress gave this permission to China on an annual basis as far back as 1980. However, the temporary nature of the NTR status generated uncertainty for Chinese firms. This uncertainty was exacerbated with political tensions during 1990 and specifically the China-Pakistan missile deal of 1993 and the Taiwan Strait crisis of 1995-1996. These uncertainties were eliminated when China became a member of the WTO in 2000. The differences between NTR rates, under which China started to trade with the US after 2000, and Non-NTR rates, to which China was exposed before 2000, varied substantially across industries with larger differences being concentrated among manufacturing, mining, and construction industries (Pierce and Schott, 2020). These industries that were previously protected with Non-NTR tariff rates became exposed to the competition with Chinese industries after 2000. We use this source of variation as the primary shock to pollution in our identification strategy since it has been

documented that these industries are among the main pollutant industries (Beach and Hanlon, 2016; Hill, 2018; Tavassoli et al., 2020).

Data sources

This study uses a wide array of data sources. The primary data source is birth certificate data from the National Center for Health Statistics. It reports the data on infants' health measures, mother's characteristics, father's characteristics, and mother's health utilization during pregnancy. We use ten different measures of infants' health that are explained here. Birth Weight is measured in grams. Full-Term Birth Weight is the birth weight for newborns who were born between 37-42 weeks of gestation. Low Birth Weight is a dummy that equals one if birth weight is less than 2500 grams. Very Low Birth Weight is a dummy that equals one if birth weight is less than 1500 grams. Small for Gestational Age is a dummy that equals one if the birth weight is at the bottom 10th percentile of the birth weight distribution specific to its gestational age. Gestational Age is measured in weeks. Preterm Birth is a dummy that equals one if gestational age is less than 37 weeks. Apgar score is an index consisting of five indexes that each varies between zero and 2 and so the Apgar score varies between zero to ten. Low Apgar Score is a dummy that equals one if the Apgar score is less than 8. Fetal growth is the average of weekly intrauterine growth.

The data on pollution reported by the Environmental Protection Agency is extracted from replication data provided by Tavassoli et al. (2020). Since pollutants have different units of measurement and these units are mostly non-intuitive, to ease the interpretation we standardize each variable by subtracting it from the mean and dividing it by its standard deviation. The data on NTR and Non-NTR rates by industry is extracted from Feenstra et al. (2002). The industry-specific employment data is based on annual releases of the Quarterly Census of Employment and Wages and is extracted from Tavassoli et al. (2020).

County and state covariates are withdrawn from the following sources. The county demographic, population, and racial composition are from SEER (2019). The welfare payments are extracted from Pierson et al. (2015). The employment and labor force data are from the Bureau of Labor Statistics. The personal income and Gross State Product (GSP) variables are extracted from the Bureau of Economic Analysis. The minimum wage data is extracted from replication materials provided by Noghani and Noghani-behambari (2019).

Table 1 reports the summary statistics of the final sample. The sample consists of 97,802,424 births across all US counties over the years 1990-2017. On average, 7.2

percent of births are categorized as low birth weight and 17.8 percent of infants are born prematurely. The average of NTR-Gap across all industries is 0.04 percent with a maximum of 3.8 percent. Figure 1 shows the geographic distribution of NTR-Gap across US counties. Counties in east, west, northeast, and southwest have higher NTR-Gaps. Figure 2 shows the cross-industry distribution of NTR and Non-NTR tariff rates before and after trade liberalization. The visually largest NTR-Gaps are observable for the manufacturing and mining industries.

Econometric method

Our identification strategy takes advantage of two sources of variation. First, the variations across industries in their exposure to the trade liberalization are based on the differences in NTR and Non-NTR tariff rates (i.e. NTR-Gap). The second source of variation is the counties' composition of industries before the trade liberalization. Therefore, we compare the birth outcomes of individuals in counties with higher exposure to the trade liberalization, i.e. higher NTR-Gap, to birth outcomes of mothers in counties with a lower exposure (first difference) after the trade liberalization, i.e. after 2000, to before trade liberalization (second difference).

The assumption behind the identification strategy is that in the absence of the policy change the outcomes of mothers in counties with higher NTR-Gap would have followed the same path and would have been influenced by the same determinants as the outcomes of mothers in counties with lower NTR-Gap. The exogeneity assumption lends itself to the fact that tariff rates for Non-NTR status was set in the Smooth-Hawley Tariff Act of 1930 and modified slightly in 1948 when the US entered the General Agreement on Tariffs and Trade (GATT).¹ About 79 percent of the variation in NTR-Gap is due to variations in Non-NTR rates set about 70 years ago. In another word, it is arguable that the differences between NTR and Non-NTR rates in the year 2000 across different industries, a gap that was set decades ago, were probably orthogonal to other determinants of birth outcomes. Moreover, the change in trade policy was mainly due to the entry of China into the WTO. This change and the proceeding trade boom was unprecedented and unanticipated. Also, mothers are less likely to be aware of the consequences nor could they predict the timing of such trade policy change. Therefore, it is less likely that they responded to the policy by selecting (or not selecting) themselves into the maternity ward. Thus, those determinants of birth outcomes could not have been a response or a result of the change in the trade policy. In summary, we use the following difference-in-difference estimation strategy:

¹ This organization later was changed to WTO.

$$y_{icst} = \alpha_1 post_t \times NTR\ Gap_c + \alpha_2 post_t \times NTR_c + \alpha_3 NTR\ Gap_c + \alpha_4 NTR_c + \alpha_5 X_i + \alpha_6 Z_{cst} + \xi_c + \zeta_t + \eta_s \times T + \epsilon_{icst} \quad (1)$$

Where y is the birth outcome of mother i in county c in state s and time (year-by-month) t . The variable $post$ is a dummy that equals one if the year of observation is after 2000 and zero otherwise. In X , we include a series of parental characteristics.¹ In Z is included a series of county and state covariates that vary by year.² The matrices ξ and ζ represent the county and year-by-month fixed effects. In some specifications, we also include a state by year trend ($\eta_s \times T$). In this formulation, the coefficient of interest is α_1 .

The parameter NTR represents a weighted average of NTR rates across industries in county c . Similarly, $NTR - Gap$ is the weighted average of the gap across industries based on their initial employment as a portion of the county's employment. In order to construct this weighted mean, we first calculate the NTR-Gap for each industry j , as follows:

$$NTR\ Gap_j = Non - NTR_j - NTR_j \quad (2)$$

Following the recent literature (Autor et al., 2019; Feler and Senses, 2017; Pierce and Schott, 2020), we compute the share of each industry in county's employment and use this share as a weight to calculate the NTR-Gap of the county, as follows:

$$NTR\ Gap_c = \sum_j \frac{E_{jc}^{1990}}{E_c^{1990}} NTR\ Gap_j \quad (3)$$

Where E_c is total county employment and E_{jc} is the employment in industry j and county c , both calculated at 1990 a period well before the trade policy change. This is done at the base year to avoid the concern that the county share of employment at each industry could change and respond as a prediction of the trade policy change.

Figure 2 illustrates the pre-trend and post-trend (where the threshold year is 2000) of employment growth for industries with zero and positive NTR-Gap. There are no visually obvious differences between the pre-trend in the growth of the two sets of industries ruling out the concerns regarding the pre-trend and already existing

¹ Dummies for mother's education, race, marital status, and age as well as dummies for father's race and age.

² These covariates include unemployment rate, labor force participation rate, log of county population, average weekly wages, real GSP per capita, real personal income per capita, percentage blacks, percentage whites, percentage males, percentage population aged 25-65, Log Current Transfer Receipt, Log Income Maintenance Benefits, Log Unemployment Insurance Benefits, Log Other Welfare Benefits, and minimum wage.

differences in these industries that helped the divergence of birth outcomes. As expected, after 2000 the two sets of industries started to diverge as the trade affected the employment of industries with positive NTR-Gap, those who were protected by the higher Non-NTR rates before the trade liberalization.

While the main results are based on equation 1 we also attempt to re-evaluate the effect of trade liberalization on air quality, and industry-specific employment using the following county-by-year fixed-effect models:

$$y_{cst} = \alpha_1 post_t \times NTR\ Gap_c + \alpha_2 post_t \times NTR_c + \alpha_3 NTR\ Gap_c + \alpha_4 NTR_c + \alpha_5 Z_{cst} + \xi_c + \zeta_t + \eta_s \times T + \epsilon_{cst} \quad (4)$$

Where all parameters are as in equation 1. Also, we re-examine the relationship between production and employment in the manufacturing sector on air quality using the following county-by-year panel formulation:

$$y_{cst} = \alpha_0 + \alpha_1 Manufact + \alpha_5 Z_{cst} + \xi_c + \zeta_t + \eta_s \times T + \epsilon_{cst} \quad (5)$$

Where y is the standardized pollution explained in section **Error! Reference source not found.** and **Manufact** is the share of employment in the manufacturing sector in the county's employment.

Since the main shocks occur at the county level, we cluster standard errors at the county. For county-by-year panel data models (equations 4 and 5), we weight the regressions using the average county population over the sample period. The sample covers the years 1990-2017.

One might be concerned that a Two-Stage Least Square (2SLS) is a better approach in this context as the trade liberalization affects air pollution and air pollution impacts birth outcomes. There are two econometrically challenging issues with applying a 2SLS strategy in the current study. First, as we show in section 6 the trade liberalization affects air pollution which confirms the relevance assumption. However, it also affects a variety of socioeconomic features of the county which in turn affects birth outcomes. Therefore, the exclusion restriction assumption is violated and makes the NTR-Gap an inappropriate instrument. Second, the distribution of pollution monitors across US counties is sparse and the periodic report of the pollutants is sporadic. Figure 4 and Figure 5 show the geographic distribution of those pollution monitors that consistently reported Ozone and CO, respectively. For instance, only 119 monitors reported CO at least once a year but consistently over the years 1990-2017 which are roughly 4 percent of all US counties. This fact leaves us with a very small sub-sample of the original data. For these two reasons, we prefer a

reduced-form analysis as introduced in equation 1 and widely implemented in the literature (Autor et al., 2019; Feler and Senses, 2017; Pierce and Schott, 2020).

Discussion on the Main results

We start by evaluating the effect of trade liberalization on the economic characteristics of counties using equation 4. Table 2 shows the results for the coefficient of interest, α_1 , in panel A and adding a state trend in panel B. Using the standard deviation of NTR-Gap (0.18 percent) as the main shock, a one standard deviation change in NTR-Gap is associated with 2.8 percent reduction in annual wages, 3.6 percent reduction in total employment, 0.6 percent decrease in manufacturing employment, and 0.05 percent rise in the local unemployment rate. Similar findings are also documented by other studies (Autor et al., 2019; Feler and Senses, 2017; Pierce and Schott, 2020).

Next, we re-evaluate the literature on the pollution effects of manufacturing employment as the largest NTR-Gap is observed in this industry. Using equation 5 Table 3 shows the results of county-by-year regressions that include county and year fixed effects (panel A) and a state-by-year trend (panel B) for various pollutants in columns. Note that to ease the interpretations and make the results intuitive, we have standardized the pollutant variables. Regardless of including a state trend, all marginal effects are economically sizeable and statistically significant. For instance, a 10 percent rise in the share of manufacturing employment in county's employment is associated with 0.86 standard deviation rise in Ozone, 0.55 standard deviation rise in sulfur dioxide, 0.18 standard deviation rise in particulate matters less than 10 micrometers (PM10), and 0.19 standard deviation rise in PM2.5 (columns 1, 5, 7, and 8, respectively). The literature also confirms the link between manufacturing production and pollution (Beach and Hanlon, 2016; Hilaly and Sikdar, 1994; Larsson, 2014; Levinson, 2009; Tavassoli et al., 2020; Zaim, 2004).

Therefore, one would expect that the liberalization in trade changes the air quality in local areas that were affected by the subsequent import competition. Table 4 shows the results using equation 4 and replacing the outcome with a series of criteria pollutant measures. Looking at the estimated effects in panel B that includes a state-by-year trend, a one standard deviation change in NTR-Gap is associated with 1.5 standard deviation reduction in Ozone and 0.05 standard deviation reduction in carbon monoxide (columns 1 and 2, respectively). These results are in line with the studies on environmental benefits of trade liberalization (Cherniwchan, 2017; Forslid et al., 2017; Gale IV, 1995).

Finally, we turn our focus to the reduced form effects of trade liberalization on birth outcomes applying equation 1. The main results are reported in Table 5. Panel A includes a full set of fixed effects and controls as explained in section 4 while panel B adds a state-by-year trend. The marginal effects and their statistical significance are

quite similar in both panels. Focusing on the coefficients in panel B, one standard deviation in NTR-Gap (0.18 percent change) is associated with 15 grams higher birth weight (column 1), 2.1 percentage points lower likelihood of low birth weight (column 3), 1.5 days higher gestational age (column 6), 2.3 percentage point lower probability of a preterm birth (column 7), and 1.8 percentage point reduction in the probability of an incidence of the low Apgar score (column 7). Comparing the estimated marginal effects with their mean, these effects are equivalent to a 0.5 percent increase from the mean of birth weight, 29.2 percent decrease from the mean of low birth weight, 0.6 percent increase from the mean of gestational age, 12.9 percent reduction from the mean of preterm birth, and 58.1 percent reduction from the mean of the low Apgar score. All the marginal effects are economically sizeable and statistically significant at conventional levels.

The results of Table 5 are robust with and without parental and county controls (not shown here). The results are also robust and slightly larger at the extensive margin where we eliminate counties with NTR-Gap of zero. The effects are larger among low educated black mothers and states at the bottom half of personal income per capita distribution.

Conclusion

One of the ongoing debates regarding globalization and free trade is their potential effects on the environment, and as a result, on the health of individuals. From a policymaker's perspective, understanding the environmental and health externalities of free trade is important to find the optimal levels of tariffs and the degree to which the economy should be open to trade. This paper aimed to serve this purpose by exploring the effects of US-China trade liberalization on pollution and infants' health outcomes.

First, we implemented a series of county-by-year panel data fixed effect models and documented three facts: 1) trade liberalization has adverse effects on the local economy. Specifically, it lowers employment in manufacturing, mining, and construction industries. 2) Production in manufacturing industries is associated with higher levels of pollution including Ozone, CO, PM₁₀, and PM_{2.5}, pollutants that are shown to have negative effects on birth outcomes. 3) trade liberalization reduces pollution at the county level through reductions in manufacturing and mining industries.

Next, we used the universe of birth records in the US over the years 1990-2017 (over 97 million observations) and applied a difference-in-difference identification strategy, and documented that trade liberalization has positive effects on birth outcomes. The effects are robust across specifications, sub-samples, and a wide range of health outcomes. The marginal effects are economically sizeable and statistically significant. A 1 percent reduction in tariff rates is associated with an 11.5 and 12.7

percentage point reduction in the likelihood of low irth weight and preterm birth, respectively. Overall, we established the fact that trade liberalization improves air quality and has potential positive externalities for infants' health.

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Tables

Table 1 - Summary Statistics

Variable		Observations	Mean	Std. Dev.	Min	Max
<i>Infant Characteristics:</i>						
Birth Weight (grams)		97,802,424	3327.982	602.795	227	8165
Gestational Weeks		97,802,424	39.043	2.700	17	52
Sex (f=1)		97,802,424	0.488	0.497	0	1
Apgar Score		84,604,624	8.972	0.838	0	10
Term Birth Weight		73,571,804	3447.394	482.650	227	8165
Low Birth Weight		97,802,424	0.072	0.259	0	1
Extremely Low Birth Weight	Low	97,802,424	0.013	0.113	0	1
Small for	for	97,802,	0.102	0.302	0	1

Gestational Age	424				
Preterm Birth	97,802, 424	0.178	0.382	0	1
Low Apgar Score	84,604, 624	0.031	0.175	0	1
Fetal Growth	97,802, 424	85.090	14.136	4.906	361.882
Extremely Preterm Birth	97,802, 424	0.007	0.083	0	1
<i>Mother Characteristics:</i>					
Age	97,802, 424	26.465	5.886	10	54
Race: White	97,802, 424	0.796	0.402	0	1
Race: Black	97,802, 424	0.160	0.367	0	1
Unmarried	97,802, 424	0.283	0.450	0	1
Education (Years of Schooling)	97,802, 424	12.625	2.654	0	17
Month Prenatal Care Began	97,802, 424	2.596	1.517	0	9
Prenatal Visits	97,802, 424	11.179	4.025	0	49
<i>County Characteristics:</i>					
NTR Rate (%)	97,802, 424	0.003	0.024	0	1.916
NTR Gap (%)	97,802, 424	0.0402	0.1826	0	3.851
Personal Income	97,802,	371.483	66.910	212.533	624.262

per capita	424				
%Blacks	97,802, 424	12.653	8.174	.222	69.376
%Whites	97,802, 424	83.354	8.514	27.002	99.301
%Males	97,802, 424	48.827	0.709	46.263	53.005
%Population 25-65	97,802, 424	50.716	2.344	40.368	55.143
Labor Force Participation rate	97,802, 424	48.237	6.557	13.250	98.976
%Manufacturing	97,802, 424	0.042	0.032	0	0.210
Unemployment Rate	97,802, 424	6.203	2.897	.575	38.233
County Population	97,802, 424	91842.71 4	292157.9 00	61	1001860 0
Average Weekly Wage	97,802, 424	605.573	142.338	44.338	1928.103
State Characteristics:					
GSP per capita	97,802, 424	43585.26 8	9031.635	24371.63 1	140143.0 5
Log Current Transfer Receipt	97,802, 424	18.080	0.991	14.495	19.850
Log Income Maintenance Benefits	97,802, 424	15.830	1.131	11.503	17.908
Log Unemployment Insurance Benefits	97,802, 424	14.594	1.119	10.697	16.796
Log Other Welfare Benefits	97,802, 424	17.923	0.978	14.056	19.657

Minimum Wage	97,802, 424	7.481	0.813	6.266	11.409
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Notes. The data covers the years 1975-2004. All dollar values are converted into 2000 dollars to reflect real values.

Table 2 - Trade Liberalization and Counties' Socioeconomic Characteristics

	Log Total Quarterly Wages	Log Average Weekly Wages	Log Employment	Log Manufacturing Employment	Log Mining Employment	Log Construction Employment	Unemployment Rate	Labor Force Participation Rate
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Panel A. Including state and year fixed effects								
Post×NTR	-0.221*** (0.010)	-0.065*** (0.003)	-0.171*** (0.008)	-0.077*** (0.012)	-0.063*** (0.019)	-0.112*** (0.017)	0.524*** (0.089)	-0.257*** (0.019)
Gap	0.99	0.95	0.99	0.98	0.97	0.99	0.81	0.85
R ²								
Observations	87,591	87,591	87,591	87,591	87,591	87,591	87,591	87,591
Panel B. Including state and year fixed effects and a state-by-year trend								
Post×NTR	-0.159*** (0.010)	-0.053*** (0.003)	-0.126*** (0.008)	-0.033*** (0.012)	-0.067*** (0.019)	-0.038** (0.017)	0.314*** (0.081)	-0.175*** (0.014)
Gap	0.99	0.96	0.99	0.99	0.98	0.99	0.83	0.87
R ²								
Observations	87,591	87,591	87,591	87,591	87,591	87,591	87,591	87,591

Notes. Standard errors, reported in parentheses, are clustered on the county. All regressions are weighted by the average county population over the sample period.

Table 3 - The Effect of Manufacturing Employment on Air Pollution

	Ozone	Carbon Monoxide	Nitrogen Monoxide	Nitrogen Dioxide	Sulfur Dioxide	N-hexane	PM ₁₀	PM _{2.5}
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Panel A. Including state and year fixed effects								
Percentage Employed in Manufacturing	0.088*** (0.026)	0.154*** (0.023)	0.139* (0.080)	0.163*** (0.033)	0.056** (0.026)	0.160* (0.079)	0.015*** (0.003)	0.018** (0.008)
R ²	0.82	0.78	0.81	0.49	0.75	0.70	0.42	0.54
Observations	18,663	6,260	5,447	6,596	9,430	2,417	16,589	19,573
Panel B. Including state and year fixed effects and a state-by-year trend								
Percentage Employed in Manufacturing	0.086*** (0.030)	0.135*** (0.028)	0.112 (0.081)	0.152*** (0.035)	0.055** (0.028)	0.148* (0.081)	0.018*** (0.003)	0.019** (0.009)
R ²	0.83	0.79	0.86	0.51	0.76	0.76	0.43	0.55
Observations	18,663	6,260	5,447	6,596	9,430	2,417	16,589	19,573

Notes. Standard errors, reported in parentheses, are clustered on the county. All regressions are weighted by the average county population over the sample period.

Table 4 - Trade Liberalization and Air Pollution

	Ozone	Carbon Monoxide	Nitrogen Monoxide	Nitrogen Dioxide	Sulfur Dioxide	N-hexane	PM ₁₀	PM _{2.5}
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Panel A. Including state and year fixed effects								
Post×NTR	-	-0.261***	-3.005*	-3.500***	-	-	-	-
Gap	8.887*** (2.367)	(0.056)	(1.605)	(1.010)	3.882*** (0.582)	0.609*** (0.171)	18.125*** (6.908)	8.514*** (3.243)
R ²	0.82	0.78	0.81	0.49	0.75	0.70	0.42	0.54
Observations	18,663	6,260	5,447	6,596	9,430	2,417	16,589	19,573
Panel B. Including state and year fixed effects and a state-by-year trend								
Post×NTR	-	-0.264***	-2.846*	-2.749***	-	-	-	-
Gap	8.333*** (2.290)	(0.066)	(1.485)	(1.155)	2.596*** (0.651)	0.584*** (0.136)	17.248*** (6.589)	6.524*** (3.105)
R ²	0.83	0.79	0.86	0.51	0.76	0.76	0.43	0.55
Observations	18,663	6,260	5,447	6,596	9,430	2,417	16,589	19,573

Notes. Standard errors, reported in parentheses, are clustered on the county. All regressions are weighted by the average county population over the sample period.

Table 5 - Trade Liberalization and Infants' Health Outcomes

	Birth Weight	Term Birth Weight	Low Birth Weight	Very Low Birth Weight	Small for Gestational Age	Gestational Age	Preterm Birth	Apgar Score	Low Apgar Score	Fetal Growth
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Panel A. Including state and year fixed effects, parental controls, and state and county controls										
Post×NTR	96.804**	52.813*	-0.124**	-0.188*	-0.116**	0.916**	-0.139**	0.719**	-0.094**	2.3327*
Gap	(21.958)	(22.987)	(0.029)	(0.086)	(0.019)	(0.124)	(0.036)	(0.100)	(0.007)	(1.1452)
R ²	0.048	0.053	0.016	0.006	0.018	0.025	0.019	0.019	0.008	0.057
Observations	97,802.42	73,571.80	97,802.42	97,802.42	97,802.42	97,802.42	97,802.42	84,604.62	84,604.62	97,802.42
s	4	4	4	4	4	4	4	4	4	4
Panel B. Including state and year fixed effects, parental controls, state and county controls, and state-by-year trend										
Post×NTR	83.259**	48.646*	-0.115**	-0.105	-0.178**	1.243**	-0.127**	0.895**	-0.100**	2.193*
Gap	(25.391)	(25.281)	(0.036)	(0.097)	(0.023)	(0.156)	(0.042)	(0.174)	(0.011)	(1.012)
R ²	0.058	0.062	0.018	0.008	0.025	0.026	0.027	0.023	0.009	0.059
Observations	97,802.42	73,571.80	97,802.42	97,802.42	97,802.42	97,802.42	97,802.42	84,604.62	84,604.62	97,802.42
s	4	4	4	4	4	4	4	4	4	4

Notes. Robust standard errors, reported in parentheses, are clustered on the county. Parental controls include: mother and father race and age dummies, mother's education dummies, and mother's marital status. State-by-year and county-by-year controls include: unemployment rate, labor force participation rate, log of county population, average weekly wages, real GSP per capita, real personal income per capita, percentage blacks, percentage whites, percentage males, percentage population aged 25-65, Log Current Transfer Receipt, Log Income Maintenance Benefits, Log Unemployment Insurance Benefits, Log Other Welfare Benefits, and minimum wage. The outcomes are defined in the text.

Figures

Distribution of NTR Gap Across Counties

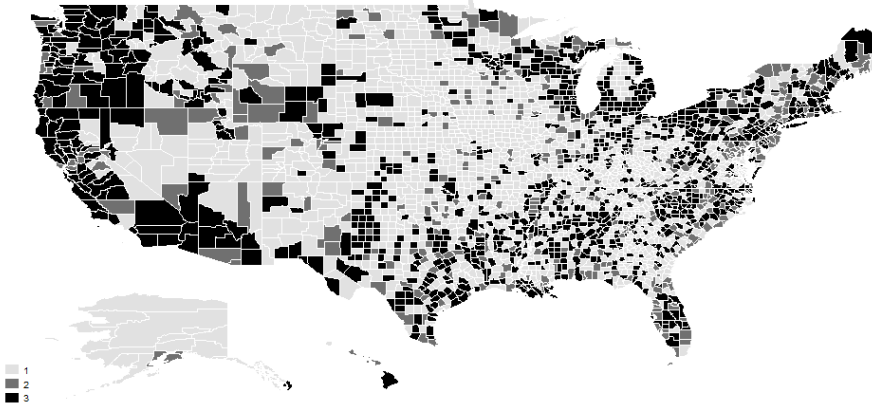


Figure 1 - Distribution of NTR Gap across US Counties

Distribution of NTR and Non-NTR Rates Across Industries

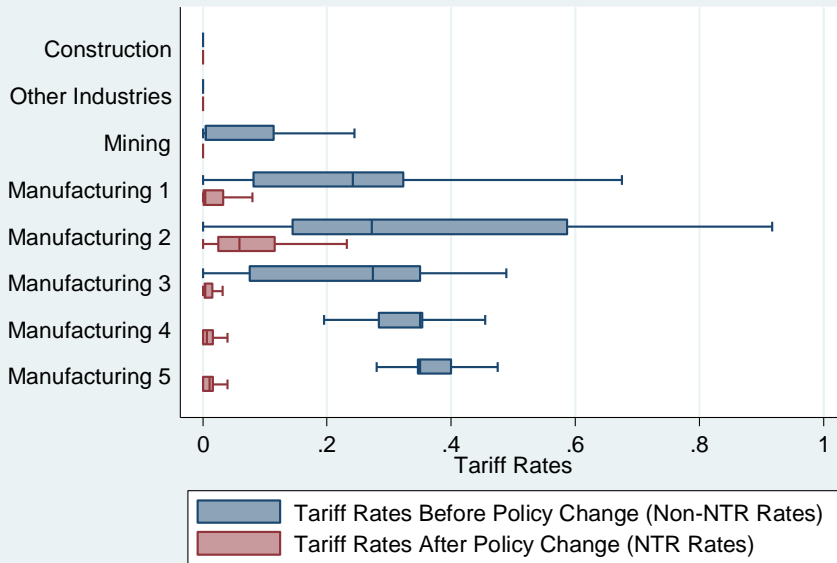


Figure 1 - Differences in NTR Gap across Industries

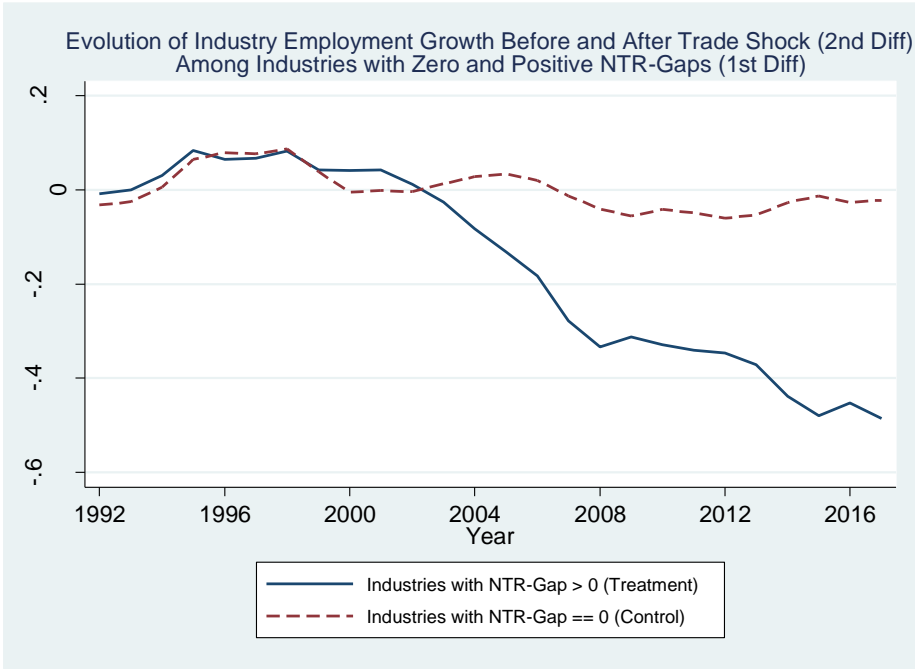


Figure 2 - Pre-Trend and Post-Trends in Industries with Zero and Positive NTR Gap

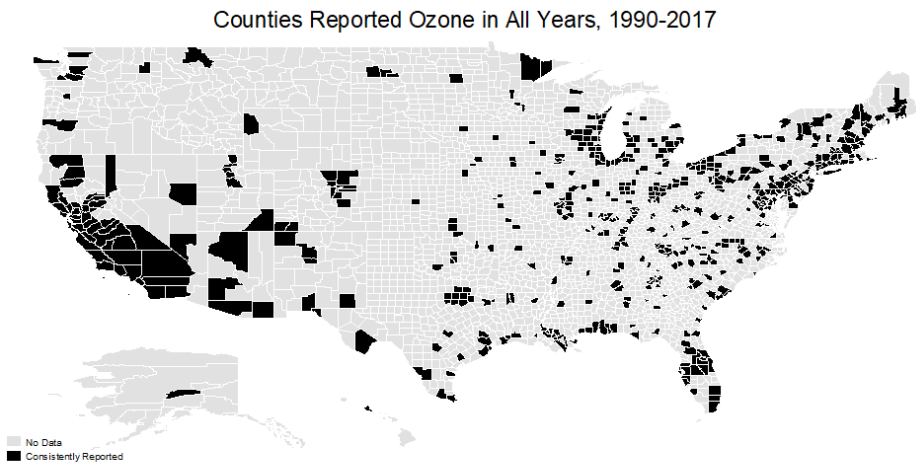


Figure 4 - Distribution of Ozone Pollution Monitors across US Counties

Counties Reported CO in All Years, 1990-2017

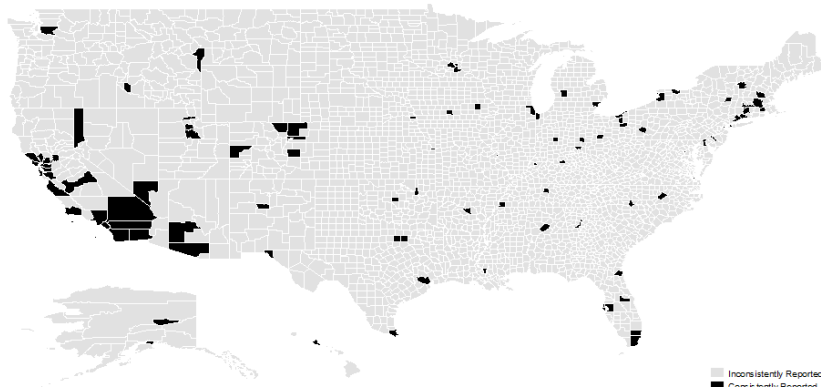


Figure 5 - Distribution of Pollution Monitors that Consistently Reported CO over the Years 1990-2017

The Psychosocial Reactions to COVID-19 Pandemic among Individuals in the Arab World

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Abstract

This current study aimed at investigating the psycho social reaction to covid19 among individual in the Arab world. In addition, to discover the relationship between these reactions with various variables like age, gender, educational level, occupation and place of origin and place of residence. An open-end questions set by the researchers distributed via the internet. Five hundred and twenty eight (528) respondents answer the questions, 398 females and 130 males. The result showed that the majority of the respondent never or rarely feel negative psychosocial reactions in the entire question except feeling anxious and Suspicious of any person sneeze and this sound logic because the majority of the respondents have no experience of covid19. Thus, they are not under the pressure of suffering from this dangerous and threatening disease. The majority of participants from Saudi and Sudan, and other United Emirate country, simply because the researchers from these two countries. Covid19 major concern are physical aspect of the disease, no one can doubt the importance of the psychosocial issues, which are the concern of this study. Other aspect the religious background of the Arabic country especially Sudan and Saudi are conservative and culture restricted communities, thus their psychosocial reaction colored with these background. This study cannot be generalized to the completely Arabic world but it can give an indicator on how individual in the Arabic world think, feel, and react. The study end with conclusion and some recommendations.

Keywords: Covid-19 pandemic, psychosocial reactions, and Arab world

Introduction

Coronavirus 2019 (covid-19) is a highly infectious disease caused by a new coronavirus. The disease discovered in china in December 2019 and then spread around the world, causing an unprecedented public health crisis. (Aaron Kandola, 2020).With the global breakout of the disease, many concerns raised to identify its threats on people's health. It is consider as a threat due to fast spread and transmitted by human-to-human interaction. COVID-19 is still under research but it has been related to human severe acute respiratory syndrome (SARS) that occurred in 2003 and Middle East respiratory syndrome (MERS) (Zhu et al., 2020).Several physical symptoms have been associated to COVID-19 which includes fever, cough, fatigue, headache, hemoptysis and diarrhea (Torales eta., 2020). It is important to note that due to the fast nature of the outbreak, many people may suffer from different psychological symptoms. For example, people during the epidemic may report having anxiety, depression, panic attacks, and insomnia. On a social level, individuals may feel isolated due to lockdown in many countries and quarantine. Pertaining to economy, many trades were paused and more restrictions were applied which in turn affected the economy worldwide. The amount of impact of the epidemic have led many to practice spiritual and religious acts to overcome the outbreak spiritually. It is vital to understand the public psychosocial states and reactions to the epidemic to help in providing further evidence and research to establish better global health measures that addresses different stressors to encompass the disease.

Objectives:

The goal of this study is to discover the Psychosocial reactions to epidemic COVID-19 in relation to individuals' Age, gender, socioeconomic status, occupation and place of origin. The study will help to improve current and future interventions as a response to future pandemics.

Review of the Literature

Corona virus 2019 (Covid19) is an infectious disease that affect the respiratory system of the human being. It started in China and then spread all over the world, in Europe, Asia, America, Middle East and Africa. Several ongoing researches had been running in different part of the world, the main concern about the symptoms of the disorder, the ways of transmission, the incubation period, the prevention and treatment. Even those studies under research and still are not defiantly accurate. However, this disorders and due to it prevention methods, which mainly concentrate on social isolation and detachment, which against the nature of the human being, will affect the various component of the individual. Namely, the psychological, the social, spiritual, economic, political, and culture aspect of an individual. In the Arabic world although several common issues tight them, but still there might be different reactions to covid19 the researchers expected in particular the psychosocial reactions. The psychological reactions such as fear and anxiety, tension and

uncertainty, trauma, depression, grief, confusion, social phobia and obsession and compulsion among others. The social reaction like social isolation, stigma, violence, fear of unknown, loneliness, panic, lack of control, lack of information, and wrong information, and malicious websites (Hackers). The economic reactions due to social isolation program may lead to loss of jobs. Schools and universities closed which will delay the graduate dates of students and then affect the workforce. Countries with low economic status, covid19 aggravates their poor conditions. New industries will appear in the domain of health, clean and hygiene, the innovate ideas of making masks and create activities when family members at home. Political reactions, the conflicting interest and hidden agenda for power balance and who want to lead the world. There is on-going research that examines the physical aspect of COVID-19 and symptoms of the virus. However, there is a need to identify the psychological and social aspects of the epidemic. In a study conducted by Hawryluck et al in (2004) in Canada by using a cross-sectional, design on 129 Toronto residents to assess post-traumatic stress and depression. Results indicated that the surveyed sample have experienced high prevalence of psychological distress and Individual have suffered posttraumatic stress disorder by 28.9% of participants. In another study Conducted by Hong et al., (2009) to measure the impact of severe acute respiratory syndrome (SARS) in 2002 on patients. They recruited 70 subjects that had suffered from SARA at different stages after being treated. They examined the subjects by conducting a clinical assessment of posttraumatic disorder in five different stages. Several surveys were use in the study that included Impact of Event Scale (IES), Zung Self-Rating Anxiety Scale (SAS), Zung Self-Rating Depression Scale (SDS), Symptom Checklist 90 (SCL-90), Short Form-36 (SF-36 Health Survey) and Social Disability Screening Schedule (SDSS). Results indicated that out of the 68 subjects 30 have developed PTSD. During the SARS outbreak, several issues highlighted directly or indirectly emerged from the disease. Psychological issues were one issue that researchers have thoroughly examined. Nevertheless, other social issues reported as part of the direct impact of quarantine such as stigma. It found in the previous literature that stigma was a major theme during the outbreak. Many health workers and patients have been more likely to report stigmatization from people around them. Studies have showed that participants from health workers and patients were more likely to experience avoidance, lack of social invitations, and treating them differently. As a result, several health-care workers have suffered from household tension due to their family consideration of their jobs being high at risk. (Cave et al., 2005, Desclaux et al., 2017; DiGiovanni et al., 2004; Hawryluck et al., 2004). Many studies carried in the area of mental health with covid19, a study conducted by Nilima, N., Kaushik, S., Tiwary, B., & Pandey, P. K. (2021) on the psycho-social factors associated with COVID-19 and the nationwide lockdown in India. It was a cross-sectional online survey conducted among the people of all states in India. A spatial analysis was performed and Moran's I statistic was applied to investigate the overall clustering of locations. Fisher's exact test used to investigate associations. One thousands three hundred and sixteen (1316) responses were received. The results showed those worried for their family's

health were likely to follow the lockdown measures ($p < 0.001$). Significant association was observed ($p < 0.001$) between following the lockdown measures and being satisfied with the government strategy to combat the COVID-19 pandemic. A significant relation was observed between the gender ($p = 0.001$), job profile ($p < 0.001$) and physical activity ($p < 0.001$) were observed to be associated with the psychosocial impact. The study concludes that, Government and public health officials should consider the sentiments of the community while planning strategies relating to the pandemic. The findings of this study will assist the policymakers in emphasizing the psychological well-being of individuals, along with physical health. They find that, the increase in death and spread-related coronavirus (COVID-19) has shifted the world focus to the containment of the disease by emphasizing measures to prevent spread in the general population. Such a complex, threatening, and unprecedented situation has left the psychosocial wellbeing needs of public unaddressed. This paper aims to review the current COVID-19 scenario and its effects on the psychosocial wellbeing of people; and an attempt to shed some light on the aforementioned questions. Furthermore, the review will propose some recommendations for overcoming the mental illness issues, during and after the COVID-19 outbreak. We extracted information from reliable published international and national literature and reviewed anecdotes from media content from January to June 2020. The mental health implications of this outbreak will be long lasting; however, by prioritizing, investing diligently, and taking a collective approach, this challenge dealt with in a promising manner. Artificial intelligence in prediction of mental health disorders induced by the COVID-19 pandemic among health care workers. Immediate aftermath present a serious threat to the mental health of care workers (HCWs), who may develop elevated rates of anxiety, depression, posttraumatic stress disorder, or even suicidal behaviors. The proposed methodology for prediction of mental health disorders among HCWs during the ongoing pandemic based on AI-aided data analysis is particularly important since they are a high-risk group for contracting the COVID-19 disease (68) and developing later stress-related symptoms. However, the methodology proposed in this article might be applied generally for all those who were exposed to higher levels of such risks during the COVID-19 pandemic. Public psychology is often very fragile during outbreaks of infectious diseases. Amid a lack of psychological endurance in the public, inappropriate or excessive release of panic-triggering information by television, radio, newspaper, magazine, Internet, and other media sources can have a negative impact on the population. From the perspective of communication psychology, during such times, people tend to carry an affinity for negative, threatening, or informal information and for ignoring or doubting positive and formal information. Furthermore, during disease outbreaks, rumors and speculation abound; authorities in endemic areas take emergency measures, such as sealing cities and roads; streets become quiet; the economy can struggle; the stock market is instable. There is a rush for supplies and household items; pedestrians remain heavily protected and armed; and advertisements and posters on the disease ubiquitously posted, all of which can

make people feel nervous and scared. The COVID-19 virus is a serious threat to the health and life of patients themselves, as well as the surrounding population given its short incubation period, rapid onset, rapid change, strong infectivity. Therefore, the disease itself is a stressor, causing excessive and continuous stress and possibly leading to mental disorders, primarily manifested as anxiety and depression.

Methods:

A descriptive method of research applied in this study,

Population and sample:

All the individual live in the Arabic world will targeted to the study, those who will willingly filling and answering the questions will be the sample of the study.

Tool of data collection: an open end questions had designed by the researchers, the questions include the demographic variables (gender, age, educational level, occupation, marital status, socioeconomic status, and place of residence and nationality), the other part of the questions about the psychological and social reactions to covid19 as expected from the respondents.

Reliability of the psychosocial reactions to covid19 questions

Cronbach's Alpha	No of Items
.751	21

The above table shows the reliability of the questions that designed for the psychosocial reactions to covid19 which the alpha Cronbach .751. The placed online in the internet for a month and a half period, 528 respondents will received 398 females and 130 are males.

Data analysis: correlation coefficient and analysis of variance used for data analysis.

Results

Table NO 1. Gender of the respondents:

	Frequency	Percent
Female	398	75.4
Male	130	24.6
Total	528	100.0

Table one above showed the gender of the respondents, the majority were females 398 while only 130 males.

Table NO 2. Age of the respondents:

	Frequency	Percent
0-20 year	39	7.4
21-30 year	120	22.7
31-40 year	121	22.9
41-50 year	128	24.2
51-60 year	92	17.4
61-70 year	23	4.4
71 more	5	.9
Total	528	100.0

Table two showed the age of the respondents, 24.2% from age droup 41-50, 22.9% from 31-40, 22.7% from 21-30, 17.4% from 51-60 age group the rest few are under 21 and over 71 year old.

Table NO 3. Place of origin of the respondents:

	Frequency	Percent
Rural	12	2.3
Urban	516	97.7
Total	528	100.0

Table 3 above showed the majority of the respondent their place of origin is urban areas they constitute 97.7% while only 2.3% are from rural areas.

Table NO 4. The occupation of the respondents:

	Frequency	Percent
Employee	84	15.9
Housewife	126	23.9
Private Sector	71	13.4
Public Sector	30	5.7
Student	110	20.8
Teacher	67	12.7
Without Work	37	7.0
Worker	3	.6
Total	528	100.0

Table 4 above showed that 23.9% of the respondents are housewives, 20.8% are students, 15.9% are employee, 13.4% work in private sector, 12.7% are teachers, 7% without work, 5.7% work in the public sector and .6% are workers.

Table No 5. Place of residence:

	Frequency	Percent
Other	144	27.3
Saudi Arabia	196	37.1
Sudan	188	35.6
Total	528	100.0

Table five above showed the place of residence for the respondents, 37.1% from Saudi Arabia, 35.6% from Sudan and 27.3% are from other countries (United Emirate and others).

Table NO 6., Age * score

Descriptive

Score	N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Minimum	Maximum
					Lower Bound	Upper Bound		
20 or Less	39	22.51	11.630	1.862	18.74	26.28	1	45
21 - 30 years	119	20.24	11.292	1.035	18.19	22.29	0	47
31 - 40 years	123	16.19	11.270	1.016	14.18	18.20	0	51
41 - 50 years	128	18.75	10.246	.906	16.96	20.54	2	44
51 - 60 years	93	18.26	11.399	1.182	15.91	20.61	0	53
61 - 70 years	23	14.83	11.555	2.409	9.83	19.82	0	40
71 and above	5	7.40	6.189	2.768	-.28	15.08	2	18
Total	530	18.40	11.224	.488	17.45	19.36	0	53

ANOVA

Score					
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	2582.906	6	430.484	3.515	.002
Within Groups	64056.686	523	122.479		
Total	66639.592	529			

Table 6 above showed that there is significant differences in the psychosocial reaction to covid19 in age group in favour of 51 -60 years old df 6 and p .002.

Table NO 7, Place of origin

Descriptive

Score								
					95% Confidence Interval for Mean			
	N	Mean	Std. Deviation	Std. Error	Lower Bound	Upper Bound	Minimum	Maximum
Urban	518	18.23	11.205	.492	17.26	19.20	0	53
Rural	12	25.92	9.690	2.797	19.76	32.07	12	41
Total	530	18.40	11.224	.488	17.45	19.36	0	53

ANOVA

Score					
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	693.014	1	693.014	5.549	.019
Within Groups	65946.579	528	124.899		
Total	66639.592	529			

Table 7 above showed that there is a significant difference in psychosocial reaction to covid19 in the place of origin of the respondents in favour of urban origin, df 1 p.019.

Table NO 8. Occupation

Descriptive Score								
					95% Confidence Interval for Mean			
	N	Mean	Std. Deviation	Std. Error	Lower Bound	Upper Bound	Minimum	Maximum
Teacher	67	18.31	11.803	1.442	15.43	21.19	2	50
Student	110	21.57	11.920	1.137	19.32	23.83	0	47
house wife	125	17.93	10.601	.948	16.05	19.80	0	51
Private Sector	71	15.27	9.980	1.184	12.91	17.63	0	53
Public sector	30	19.20	10.545	1.925	15.26	23.14	4	39
Unemployed	37	19.08	12.670	2.083	14.86	23.31	3	46
Employer	84	17.62	10.205	1.113	15.40	19.83	0	43
Labour	3	5.00	7.000	4.041	-12.39	22.39	0	13
Other	3	17.33	20.526	11.851	-33.66	68.32	0	40
Total	530	18.40	11.224	.488	17.45	19.36	0	53

ANOVA

ANOVA Score					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	2461.956	8	307.744	2.498	.011
Within Groups	64177.637	521	123.182		
Total	66639.592	529			

Table 8 above showed that there is a significance differences in psychosocial reaction to covid19 in terms of occupation among the respondents in favour to private sector, df 8 p .011.

Table NO 9, Place of residence:

Descriptive Score	N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Minimum	Maximum
					Lower Bound	Upper Bound		
Sudan	189	18.57	10.722	.780	17.03	20.10	0	53
Saudi Arabia	197	18.86	11.372	.810	17.27	20.46	0	47
Other	144	17.56	11.687	.974	15.64	19.49	0	51
Total	530	18.40	11.224	.488	17.45	19.36	0	53

ANOVA

Score	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	148.432	2	74.216	.588	.556
Within Groups	66491.160	527	126.169		
Total	66639.592	529			

Table 9 above showed there is no significance difference in psychosocial reaction to covid19 in terms of place of residence among the respondents.

Table NO 10, Relation to covid19

	Frequency	Percent
Have no disease	515	97.5
Co patient to covid19	7	1.3
Live with covid19 patient	5	.9
Infected with covid19	1	.2
Total	528	100.0

Table 10 above showed the almost the majority have no covid19 infection 97.5%,

1.3% are co patient, .9% live with covid19 patient and only .2% are infected.

Table (12)

The psychosocial reactions:

Psychosocial reactions	always	n	%	S	n	%	R	n	%	n	n	%	T	%
		o		o	o		are	o		ever	o		total	
Feel grief		125	23.7		217	41.1		96	18.2		90	17.0	528	100.0
Feel stigma		8	1.5		23	4.4		60	11.4		437	8.8	528	100.0
Feel isolated		70	13.3		203	38.4		122	23.1		133	25.2	528	100.0
Feel weak		33	6.3		147	27.8		110	20.8		238	45.1	528	100.0
Feel indifferent		14	2.7		106	20.1		114	21.6		294	55.7	528	100.0
Feel broken		17	3.2		91	17.2		103	19.5		317	60.0	528	100.0
Feel sorrow		34	6.4		137	25.9		99	18.8		258	48.9	528	100.0
Weeping without reason		15	2.8		54	10.2		74	14.0		385	72.9	528	100.0
Feel hesitant		25	4.7		126	23.6		107	20.0		270	51.1	528	100.0

						. 9			. 3			. 1		
Feel hopeles sness		2 1	4 . 0		8 4	1 5 . 9		8 2	1 5		3 4 1	6 4 . 6	5 2 8	1 0 0
Feel insecur e		3 4	6 . 4		1 2 3	2 3 . 3		1 0 3	1 9 . 5		2 6 8	5 0 . 8	5 2 8	1 0 0
Speciou sness of any one sneeze		5 2 5	9 9 . 4		2 . 4		0 0	0 0		1	. 2		5 2 8	1 0 0
Loss of confide nce		2 7	5 . 1		9 8	1 8 . 6		1 1 1	2 1 0		2 9 2	5 5 . 3	5 2 8	1 0 0
Feel despera te		1 9	3 . 6		8 2	1 5 . 5		1 0 6	2 0 . 1		3 2 1	6 0 . 8	5 2 8	1 0 0
Feel obsessi on		3 7	7 . 0		2 0 3	3 8 . 4		1 2 2	2 3 . 1		2 0 3	3 8 . 4	5 2 8	1 0 0
Feel panic		2 6	4 . 9		9 6	1 8 . 2		1 1 0	2 0 . 8		2 9 6	5 6 . 1	5 2 8	1 0 0
Suffer sleep disturb ances														

Table 12 above showed the psychosocial reactions of respondents to covid19, the majority feel suspicious when someone sneeze, feel isolated , feel grief and feel obsessed.

Discussion

The objective of the study is for discover the psychosocial reactions to corona virus 2019(covid19) among the individual in the Arabic world. The respondents of this study are 528 persons, 398 are females and 130 are males. Half of the respondents age from the age group 41 – 60 years old, which constitute 47.1%. The majority of them from Urban origin 97.9%, their occupation vary 23.9% are housewives and this

is expected because the female constitute the great number of the study. The highest respondents from Sudan and Saudi Arabia, which constitute 72.7%. When we look to the psychosocial reactions to covid19, the significant among the age group 51-60 years old. This is logical; that age group are the more considered as risk group to covid19 infection. The place of origin influence the individual behavior, the early year of the person life has great influences on the person future according to many psychological theories (psychodynamic as an example). In this study the place of origin play significance difference in the psychosocial reactions to covid19 in favor to urban origin, this obvious, the majority of the respondents from urban origin. Those who work in private sector, they more concern with and sensitive to covid19 issues simply because their economic conditions is more better than the other sectors, they can afford sensitizers, masks, good quality of food, can follow the information pertaining to covid19 thus their psychosocial reaction is high. Although, Sudan and Saudi Arabia among the highest respondents still there is no significance differences in psychosocial reactions to covid19 it may attributed to the similarities between the two communities. The more respondents from these two countries because the researchers origin from them, and they distributed to the groups they know via the internet. Almost great number of the respondents, 97.5% have no the disease nor live with covid19 patients or interact with them. This, the psychosocial reactions is more exaggerated 23.7% and 41.1% always and sometime feel grief respectively. Covid19 associated with stigma for the patients and their families and relatives, this clear in this study 82.8% never feel stigmatized because they are not have the disease to themselves or the their relatives. Still feeling of isolation is there; half of the respondents feel isolated 20.3% and 29.5% of the respondents feel isolated always and sometime respectively when hear about covid19. Usually when an individual received negative impact and evaluation from the society, he or she have several negative feeling like hate, but still because the majority of the respondents have no covid19 experiences , hate never find their way to them 73.9% never feel hate.

Anxiety is the natural feeling and psychological reaction to the unknown problems, covid19 is one of the anxiety source trigger to people. Countries, governments and different agencies, so 13.3% and 38.4% feel anxious always and sometime respectively. The effect of covid19 all over the world cause weakness in different life aspect with no exception. Nevertheless, in this study because the majority have no covid19 experiences half of them never feel weak, and indifference occurred for those who feel desperate weak, hate, but in this study 55.7% never feel indifference simply because as mentioned several times they did not have covid19 experiences. Forty eight point nine percent feel broken, 51.5% never feel hesitant, and 50.8% never feel insecure, 55.3% lack of confidence. However, 99.4% always feel suspicious about covid19 and 31.4% some time feel obsess and 53.8% never suffer sleep disturbances. This result cannot be generalized to completely Arabic world population but it can be an indicator to how far individual behavior will change due to covid19, further behavioral studies can in deepen these issues. In addition this study took please on

march at the beginning of this outbreak, if it replicated it can show different results.

Conclusion and Recommendations

This study aimed at investigating the psychosocial reaction to covid19 among a sample of 598 individual from the Arabic world, they filling in an open-ended questions, asking mainly about the psychological and social reactions when hearing about covid19. The result showed that there is no sever psychological reaction to covid19 except in feeling stigma, isolation, anxious and obsessions, these logical for people who have no direct experiences of covid19. The majority of the respondents have no experiences with the pandemic. These mentioned reactions mainly expected among any individual due to the information delivered to people about covid19. The result will not generalized but it has an important indicator of psychosocial reaction especially this study conducted earlier at the start of the pandemic. Further studies can concentrate on the infected psychosocial reactions, those who live with infected psychosocial reaction.

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Appendix

Table Questions fill in time duration

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	22-Apr-2020	191	36.2	36.2	36.2
	23-Apr-2020	93	17.6	17.6	53.8
	24-Apr-2020	17	3.2	3.2	57.0
	25-Apr-2020	35	6.6	6.6	63.6
	26-Apr-2020	56	10.6	10.6	74.2
	27-Apr-2020	37	7.0	7.0	81.3
	28-Apr-2020	17	3.2	3.2	84.5
	29-Apr-2020	36	6.8	6.8	91.3
	30-Apr-2020	2	.4	.4	91.7
	01-May-2020	1	.2	.2	91.9
	02-May-2020	1	.2	.2	92.0
	08-May-2020	1	.2	.2	92.2
	09-May-2020	1	.2	.2	92.4

	10-May-2020	2	.4	.4	92.8
	11-May-2020	23	4.4	4.4	97.2
	12-May-2020	14	2.7	2.7	99.8
	13-May-2020	1	.2	.2	100.0
	Total	528	100.0	100.0	

Notice: the most frequent responses in 22 April 2020 which equal 191 and 36.2% .

Countermovement Jump with the Help of Wings in 16-Year-Old Volleyball Players

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Abstract

Vertical jump is combined with the assessment of the strength and strength of the muscles of the lower extremities that are fundamental components of the volleyball game's work. The Countermovement Jump with arm (CMJA) test as a specific specifically for the assessment of the offensive force of volleyball players. Methods: Female (F) & Males (M) average volleyball players were tested in CMJA at the GFRP; Force(F max), Power(P max) and gravity shift relationship Jump Height(JH). Anthropometric measurements of volleyball players were also developed; Body Height (BH cm), Body Mass (BMI% kg/m²), Body Weight (BW kg). Results: The differences between the two groups found in the study resulted in significant differences in BH cm (F-172, M-187.3), BW kg (F- 62.2, M -79.3), BMI kg / m² (F-21.1, M -22.6), Jump place in JP cm (F-266, M-310), Jump Attack in JA cm (F-274, M-321). But even the data captured by the Leonardo platform in the CMJA test gives us a noticeable difference between the two groups; (F-6.4,M-4.5), P max (F-3.08, M-4.78) and diff P max Left & Right(F-2.59,M-0.56),V max m/%(F-5.2,M-4.4). Conclusion: The results obtained suggest changes to the performance of volleyball players in "vertical jump" in the parameters of force, speed, and power. These indicators are valid for any trainer or volleyball player to implement a detailed and specific training program for the further development of the physical qualities of volleyball players, especially vertical tipping in gaining the lower extremity muscular power.

Keywords: volleyball, jump, players, countermovement

1. Introduction

The studies that I've done have consistently been the basis for the volleyball sport in the new age of 16-17years old. Achieving high levels of modernity requires a great deal of study, a research work to develop and perfect physical performance in professional sports. The important tendency in world volleyball, in addition to

improving the body height of players, is the increase in the vertical jump level. In collective sports as volleyball, football, basketball besides other technical elements that these kind of sports contain it is seen even the functioning of the element "vertical jump". The best perfection of a vertical jump is achieved with a purposeful training to increase the jump height, the high degree of muscular activity achieved with a specific training program. Plyometric exercises use the stretch-shorten cycle to train the muscles to perform and perform greater work in the shortest possible time (9). Plyometric is a form of resistance exercise that refers to the stretch-shortening cycle (SSC) such as jumps or doing vertical or horizontal jumps (10). With vertical jump, we understand the athlete's ability to elevate his body's gravity center with the help of dynamic muscular work of lower extremities. Physiological studies on this discipline have shown how a volleyball player should possess and increase, through training, the ability to develop explosive strength and to reuse elastic energy. Any physical exercises, they may be defined by means of the volume expressed by work performed during jumps (2) or by the number of jumps (3) as well as by intensity, which is usually defined by such parameters as ground reaction forces (GRFP) and the rate of force development (4, 5). The main purpose of this study is to evaluate the changes and the effects that training in volleyball player's female & male using the tests countermovement jump with arm (CMJA).

2. Methodology

The subjects of this study were 12 Female & 12 Male volleyball player participating in the championship of volleyball in Albania. The main objective is to see to these volleyball players aged 16 years old differences in changes in the measurements of some functional parameters. It will be possible to see the state of the level of volleyball player's in our country through measurement and data analysis.

Table.1. Anthropometric measurements volleyball players.

Groups	FEMALE(F)	MALE(M)
Mean Age	Age	Age
Body Height	(BH) cm	(BH) cm
Body Wight	(BW) kg	(BW) kg
Body Mass	BMI% kg/m ²	BMI %kg/m ²
Jump Place	JP	JP
Jump Attack	JA	JA

2.1. Protocols of the Test Performed

Tests protocol that we used in this experiment was designed to assess the capacity of all parameters of vertical jump height. These tests called Bosco tests describe the method used to measure the power, the strength of the lower extremities. Tests are

performed on laboratory equipment platform Leonardo® system Ground Reaction Force Plate (GRFP). Countermovement jump test with the help of Arm- CMJA; Jump against action (move) without the aid of the arms CMJ, but the athlete begins testing position at attention and takes off refractive limbs bottom up to 90° with the help of the arm to pick up momentum to jump in platform GRFP. This test assesses the strength of the energy reuse explosive elastic (6). The use of wings in the vertical jump indicates the duration of an impulse.

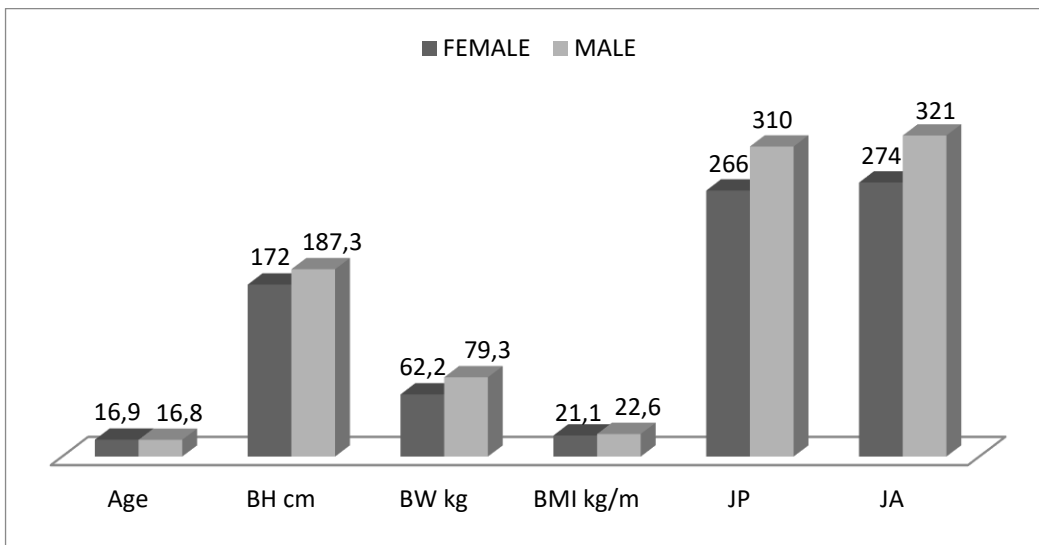
3. Results

The following table 2 and graphic1 presents the average data of the two groups from field measurements. There are visible differences between the sexes.

Tab, 2. Measurements volleyball players in ground

Nr	Group	Age	BH cm	BW kg	BM Kg/m ²	Jump Place cm	Jump Attack cm
12	FEMALE	16.9	172	62.2	21.1	266	274
12	MALE	16.8	187.3	79.3	22.6	310	321

Graphic.1. Measurements volleyball players.

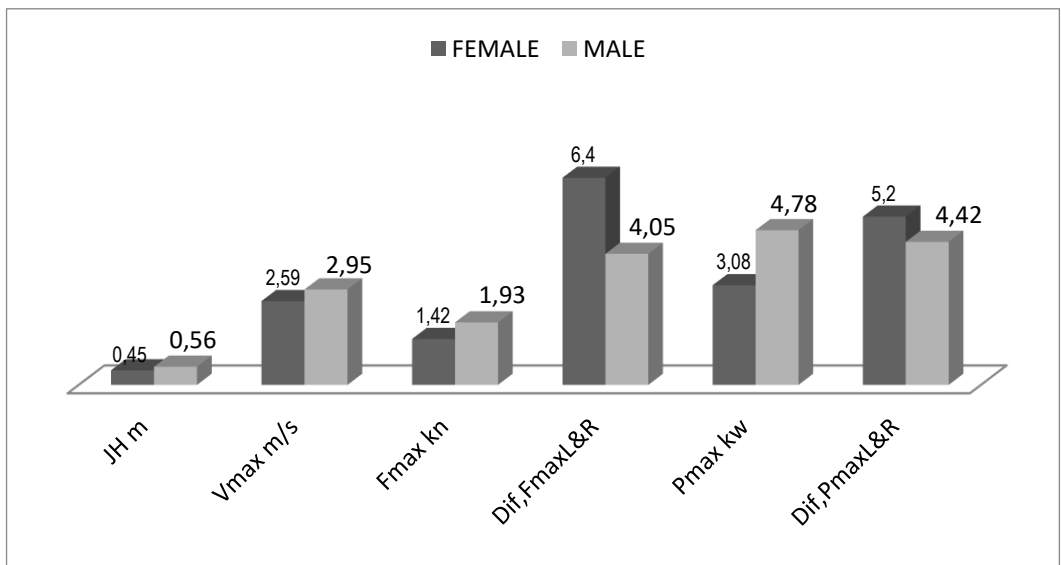


The results obtained from the GRFP platform of the specific tests developed by the groups given in the study will be presented below in separate tables 3 and graphic 2. The average values of the groups taken in the anti-action test of the CMJA are presented.

Tab, 3. Measurements CMJA tests in “Leonardo” platform Female&Male

Nr	Group	Jump Height m	Vmax m/s	Fmax kn	diff.Fmax Left-Right%	Pmax kw	diff.Pmax Left-Right %
12	FEMALE	0.45	2.59	1.42	6.4	3.08	5.2
	<i>Max</i>	<i>0.98</i>	<i>6.4</i>	<i>2.49</i>	<i>4.78</i>	<i>2.36</i>	<i>2.43</i>
	<i>Min</i>	<i>0.72</i>	<i>4.05</i>	<i>2.34</i>	<i>3.08</i>	<i>1.53</i>	<i>1.55</i>
12	MALE	0.56	2.95	1.93	4.05	4.78	4.42
	<i>Max</i>	<i>0.98</i>	<i>6.4</i>	<i>2.49</i>	<i>6.4</i>	<i>3.08</i>	<i>5.2</i>
	<i>Mini</i>	<i>0.45</i>	<i>2.59</i>	<i>1.42</i>	<i>3.08</i>	<i>1.53</i>	<i>1.55</i>

Graphic 2.Measurements CMJA tests in “Leonardo” platform Female&Mal



4. Analyses

Max force (F max) and max power (P max) are relatively poor values (low) compared with the results that a volleyball player should have during a vertical jump. The table shows the data of Male & Female volleyball players in the tests done in “Leonardo” platform and the average data of the two groups from field measurements. Volleyball players according to a study [1,44-45] reports that the vertical jump height is within the range of 75-90cm which reflects the fact that the excessive increase of the maximum strength of the lower extremities results in a reduction in the speed of the movement, namely the reduction the level of volleyball dance from the

ground. Specifically from what is presented above in Table 3 of the descriptive analysis values obtained from GRFP in Jump height Female 0.45 <Male 0.56, Vmax was detected Female 2.59 <Male 2.95, Fmax was detected for Female 1.42 <Male 1.93 kN . The left and right footing differences on the leftforms were for Female 6.4% > Male 4.05%. The power ratings obtained on the platform are Female 3.08 <Male 4.78 and the differences between left and right foot Female 5.2% > Male 4.42%. From the control of difference averages results that women do not have a good development of vertical dance performance through the CMJA test. The t-test result shows that the differences between the two groups were statistically significant (sig = 0.035).

5. Discussion

Many researchers and practitioners are encouraged to consider this methodology and these variables as valuable and reliable measures to determine athletes' ability to perform in vertical dance. The main purpose of the CMJA test at volleyball players of these new age groups was to determine the reliability measurement of the main performance measures commonly used to determine the CMJ strength capacity qualities from GRFP data. The long-term CMJ test is supposed to provide a measure of muscle elasticity, whereas today it is found that this test provides the mass of rapid jump force (7) where the differences between the CMJ and SJ tests proposed the "elasticity" of athletes in the team using the concept "elasticity index" coming from the difference of these two tests. The good capacity used by elastic energy corresponds to 8-10cm. The difference between these two tests is called the fast power index. The elasticity coefficient of formula $(CMJ-SJ) \times 100 / CMJ$ expressed in % is an index of accumulated energy capacity as a result of elastic muscle extension preceding muscular contraction and meanwhile from the data presented to the team Volleyball in Albania has reported a low percentage of elastic energy as a result of a poorly recommended exercise to develop this quality. The vertical jump performed by the two study groups in the CMJA test that provides the mass of the rapid jump force has been shown that volleyball players with these values are at the levels of the capacity of the low-speed force. A comparison of body height during CMJ and body weight also allows the assessment of the start of the test threshold coordination and the end of the jump stage according to GRFP ($P < 0.01$, force $p \leq 0.05$), CMJ ($p < 0.01$, force $p < 0.01$), for 8 weeks (8).

Conclusion

The team's female & male in the study had significant differences between them in the technical element of jumping and its processing. The data from this study will be available for coaches who want to improve their vertical jump performance to players. The ability to jump is an important factor of success in this sport, but it is associated with the general and specified training for the development of its performance regardless of gender players. Interpretation of the data suggests that young volleyball players are indispensable to apply the exercises that improve the dance performance as an important element in this sport. The results of this study

illustrate the importance of recognizing the impact of rapid force, emphasizing the need to understand that specific assessment techniques that will identify in individual components the strength and strength qualities that affect the performance of the jump.

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Building the Modern Albanian State on Oriental Mentality

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Abstract

This paper aims at proving that the discourse that promotes our national identity is grounded on the new political context which initiated after the Declaration of Independence and the formation of the first Albanian state. During such a discourse, in the given period, prevails the debate on: the west openly rejects the orient. The elite that was active in politics seems to be more restrained, while the intellectual one, especially those educated in the Austro-Germanic region, declare open war on the Orient. The Political Assembly of Prizren and Vlora bring evidence of an ethnic identity which is changeable with respect to the new environment created. Albanian elites, especially the intellectual ones in the light of orientalist, rightly denounce the orient and oriental culture by not appreciating the historical environment in which our ethnic identity had to be maintained for a period of five centuries. The discourse of this period shows that our national identity began to become quite different adapting to the new reality that was created.

Keywords: modern Albanian state, oriental mentality

Introduction

Before and after the Declaration of Independence, the circumstances and the new political environment that was created, conditioned the way our national identity was built. If during the period of the National Renaissance, the elite of scholars and poets repeatedly rejected the Turkish, Ottoman and Oriental culture, during the period of Independence and at the time of the establishment of the Albanian state by an elite majority, the Oriental was hated and opposed in terms of culture and civilization. During the Renaissance, Europe and Europeanization were just political realities and a geographical notion. They were not mentioned as political and cultural models to be referred to. In fact it was not even recognized by them as a cultural union as civilization, where our identity was required to be identified with it as emphasized later in the political and intellectual discourse of the 20s and 30s. Certain events give us enough information that despite the efforts of the educated elite to present Albania with early roots in European civilization, these events prove that our people in many of their behaviors showed close connection to Oriental Cultural.

The challenge that Esat Toptani announced to his political rival Ismail Vlora proves that he knew well the sensibilities and Ottoman mentality of the people and used them to increase his popularity which in fact became a real threat to political rivals. Next occurrence: HaxhiQamil

Movement, which regardless of the various viewpoints and interpretations, united around itself a part of the elite of Muslim believers, Hajjis and Imams, who had been educated in theology, rejecting the westernization of Albania. This political figure increased his protagonism by recognizing the sensibility of the people and manipulating them. Even Ahmet Zogu built institutions with European grounds, although he had almost oriental political principles, so it was easier for him to have the rule of power. This article provides an overview of the political and cultural debates of this period, where although each stands out with its own individuality, what they have in common is that the changes of the conditions of the time and the political context the debate generally takes a different geo-cultural orientation. In this overview our national identity begins to be reconstructed.

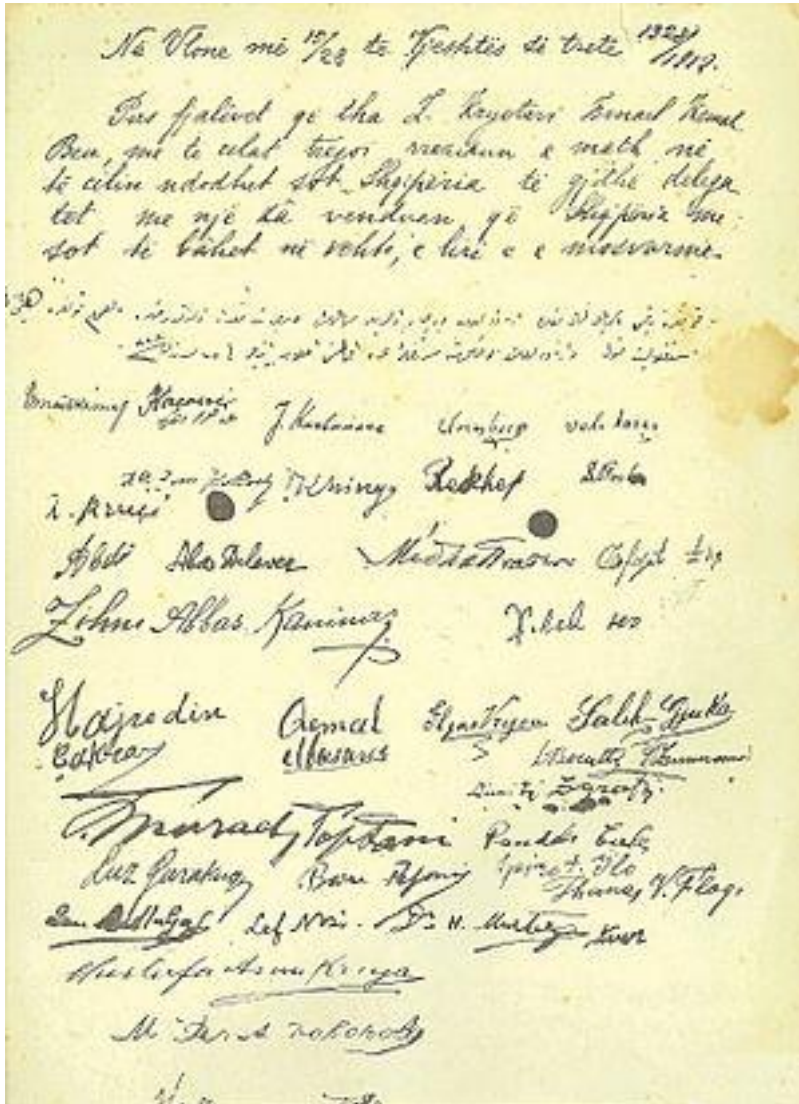
The beginnings of the Albanian state

The most important public act that proves the beginning of a new Albanian state, begins in the early twentieth century with the declaration of independence on 1912. A former senior official of the imperial administration and MP raises the flag in Vlora, declaring Albania to be independent of the SublimePorte. This political act proves that the fate of Albania would be debated less in Turkish parliaments than in the chancelleries of Europe. IsmaKEmal Bey inVlora, diplomat and high official of the Ottoman Empire, loyal and worthy to serve the Sultan until the end of his life, when the Sultan weakened his power in the Turkish Balkans, he was introduced as the head of the Assembly of Vlora, as the father of the nation. We emphasizes that the memoirs of Ismail Qemali sent to the Sultan; "My sense of loyalty was so strong and the determination of my thoughts was so real that these would not weaken it from the vile impulses of some clowns who disturbed the mind of your majesty. Your Majesty would acknowledge today that my insistence on presenting the truth to you, perseverance that had crossed the boundaries of education, and from the faithful man, to provide the means of salvation for your people and empire. Do not think that by appearing in some modest events, I intend to oppose your imperial image. The memorandum of Ismail Qemali to the sultan to prevent the movement of peoples against the empire to protect the greatness of the empire and guarantee its eternity, as well as to prevent the open interference of the Great Powers in the internal affairs of the empire. Ismail Qemali, swore allegiance and devotion to the empire of the Sultan and only 15 years later he would put on the cloakof the father of the nation. Of course, this proves that this career clerk until the end of the XIX century was not yet affected by the Renaissance Romanticism.

At least until the eve of the declaration of independence from the numerous correspondences he had with the Sultan, Ismail Qemaliit is proven that theOttoman

was a system and legitimate social order and Islam as a doctrinal product of the Ottoman was the religion with which Albanians identified themselves. Even the discourse of the Declaration of Independence on what we know today is not in line with the nationalist rhetoric. It is very short and telegraphic. "In Vlora on 15/28 of the third Autumn on 28/1912. "After the words said by Ismail QemalBey, showing the great danger in which Albania is, all

the delegates with unanimity decided that Albania today should be free and independent." Find below the text written in ottoman.



The statement, as an admirable diplomatic sense, has no sensitive national sentiment. The content and national purpose of the declaration was diplomatically clarified. But the content of the Declaration of Independence does not express rejection of Ottoman as a cultural notion, nor of the Ottoman Empire, as a political system, but it sees a danger for Albania and due to this danger, Albania needed to gain independence. And this danger, according to Ismail Qemali and many signatories of this statement, was not the Ottoman Empire, but the weakening of this empire in the Balkans. This statement of Ismail Qemal of Vlora and his contemporaries, was not just a public statement, but also became the main problem of securing the territory during his rule. Many correspondences of the time show how Ismail Qemali addressed his mayors, especially Aqif Pasha of Elbasan, to keep good relations and cooperate with the Turkish garrisons to protect the border security from Serbian, Greek, and Montenegrin attacks. From these correspondence of Ismail with the Sultan and with the commanders of the Turkish garrisons, Turkey was no longer a danger for Albania, but the new geopolitics that was created in the Balkans. Ismail Qemali comes along with the renaissance, and in all his political behavior, as in the time he served the Sultan, (while the renaissance had built their nationalist-romantic discourse) and as the founder of the Albanian state, during the speech in public, did not approve of the

renaissance nationalist romanticism. The Renaissance and Ismaili were two different testimonies of almost the same period. They claim to the western perspective of the Albanians, while the other claim to the Albanian oriental reality. The poet wants to do things right, while the politician is forced to say things the way they really are. From what we have said, a question arises: was Albania in the majority of its population culturally Ottoman, or had it internally rejected the Ottoman? Most of the textbooks we have studied tell us that Albanians, as a European nation, hated Ottoman throughout the centuries, and that Orientalism had entered like a foreign flesh. But how true it is this we will know in the following passage of this article.

Political rivalry as evidence of a reality

In the Albanian reality of the time, where politics debates and conflicts in its daily life, exactly where two important political rivals are between each other; Ismail Qemali and Esat Pasha. For a time they co-ruled and later irreconcilable political opponents. The first refined and more aristocratic, while the second, popular, and more adventurous. As a minister and then as a former minister of Ismail Qemali, he

seriously threatened the government of Vlora. To approach the question of who was really the Ottoman sensibility of the people in this period, we quote from the telegram of January 13, 1914 of Aqif Pasha as prefect of Elbasan supporting Ismail Qemali where he informs the government of Vlora about the activity of the rebels of Esat Toptan. "The rebels, under the command of an officer named Hamid, sent by Esad Pasha, occupied 15 villages. These, after arming them, take them with them and thus are increasing their power. They draw the people with them by asking them who the Ottomans are and who the Latins are, arming them under the guise of Muslimism and

Ottoman . Since most of the people are fanatical and have not lost their feelings for the Ottomans, they sympathetically welcomed their propaganda and joined them. In the same telegram text, Aqif Elbasani notifies the government of Vlora; "Now that we are writing this telegram, we receive reliable information that a special army of Tirana, under the command of the adopted son of the mufti of Tirana and the brother of the mufti of Dibra have started to attack and this army is reaching 7000-8000 people will attack us and surround Elbasan on all sides.

Again a telegram from Aqif Elbasani dated 12 January 1914, sent to the government of Vlora informed that the people of Esat Pasha Toptan were inciting the peasantry against the government; "Considering the false fame of Esat Pasha, in his name, Dervish Bey, in every village he himself shows the villagers the picture of Prince Wied that was published in the Albanian newspaper in Vlora and tells them: "The government of Elbasan and the Tosks, come and see, this orthodox wants to become our king", shedding tears he would say: "Islam is over" and with these tears he ignited and provoked the feelings of the ignorant peasants. According to the testimonies of his opponents, (Ismail Qemali and Aqif Elbasani), Esat Pasha, he inspired the population of Central Albania by demanding a Turkish prince appointed by the Sultan and Albania a Turkish principality, seeking Turkish and Arabic and Sheh Islam and opposed Prince Wied appointed by the International Control Commission. Given the fact that the government of Vlora was legitimized by this commission consisting of the great powers of the time: England, Austria, France and Italy did not extend their authority within the boundaries set by this commission, because of Esat Toptan.

The evidence of his opponents does not hold accusations about the funding sources of Esat, but the main accusation against him is that he abuses the feelings of the rural population in the name of the Ottoman. This popularity of Esat rises due to such sentiments and which certainly an experienced politician like Esat Toptan uses for his own accounts. Often in the accusations of the opponents, it is considered that the popularity of Esat Toptan enhanced because he knew how to use the Ottoman sensibility that exists in the rural population. These telegrams prove that in the rural population, of course, in the Muslim part the majority had an inspiring feeling for the Ottoman which would push them towards action for military mobilization.

Another event that proves this popular feeling, especially in the crowded peasants, is the uprising of Haxhi Qamil known as the Islamic revolt, or the Muslim Uprising in Albania. The most proclaimed slogan in this uprising was: "We love our Father." Under these calls, an uprising took place which later expanded. The First World War comes and the uprising is suppressed, which changes the course of developments in Albania of that period, sentencing Haxhi Qamil to death as a leader with his close associates.

In the context of this evidence, another thing that shows the religious spirit of the people in the Muslim majority population is an event in the Luma area with a 100% Muslim population. After the League of Prizeren (June 18897), in the framework of

the national movement AvdylFrashëri, one of the main founders of the League, comes to the Luma area to inspire the national movement against Turkey. He knocked on the doors as a guest in the village of Palush in the province of Bushtricë. All the time he tries to convince the assembly and those present by telling them that the Albanians, in order to escape from this great danger that is coming, must rise up against Father Sultan, but it was impossible to convince them. When he did not succeed in this way, after thinking over the night, the other day, in the morning he told about his dream: "During the night, while sleeping, Hazrat Muhammad appeared to me in a dream and said to me: evils and dangers."

Only in this way he convinced them. They patriotically rejected it, and religiously accepted it. Despite the interpretations but abundant evidence proves that the Turkish Empire through Islamism had deeply Ottomanized our national feeling.

Conclusions

The League of Prizren and the Assembly of Vlora were meetings of elites who with their vision aimed to orient their country politically towards the West, but in fact, these ruling elites did not have popular legitimacy. They had all held high positions in the service of the Empire and "escaped" at a time when the Turkish Empire was falling in the Balkans. And further, they sat at the head of these Albanian political mejlis with the prestige they enjoyed from the resources of imperial power, essentially theocratic. A good part of them were former statesmen of the sultan, ulema, myfti, myderriz etc. And this was a reason that the Assembly of Prizren did not refuse the Ottoman as a culture, nor the Sharia as a legal code, not even the Islam as a civilization. Thus, that assembly does not promise to produce a secular state, nor does it denounce the model of sultanate power, although many of the majority delegates refused to violate the borders of the Empire in the Balkans, and the power of sultan. Many of them alluded to a Western model nation, but could not say that they were not legitimized that way. They may have had the content of the nation-state as an illusion, but this illusion remained on the margins of idealism, without becoming a matter for debate in the political assembly. Thus, we, by consuming a lot of nationalist rhetoric in the definition of these two national assemblies, the League of Prizren and Independence, have compromised important elements of the content of these events.

These two assemblies, despite their national aspirations, were mainly produced by the Sublime Porte and the majles of beys and pashas, the ulema and muftis, so they did not have the illuminist power to distance themselves politically and culturally from all that legacy of the Ottoman Empire. There was nothing wrong with them taking on this mission, because there was no way it could have looked any different, but in terms of the content of their culture, they were not national. But even our society at the time, had not risen to the level of embracing national ideology. Why? Apart from the past that had to do with the Ottoman, it lacked the social component, because during the National Renaissance, no social transformation of our society took place, and consequently we did not move from rural society to an urban society. There was no

industrial revolution to bring about any technological innovation, and above all it is not that Albanians rose politically to overthrow political dynasties, to approve any other political system, but on the contrary, they saw the weakening of the Ottoman Empire in the Balkans as a threat to great for Albanians. Therefore, among Albanians, the ethnic enlightenment did not naturally manifest as a national ideology, as history holds, but we became ethnically connected when Russia became stronger and sought expansion in the Turkish Balkans. These geo-political "sparks" are not part of my research, but I want to highlight that the elites of the Albanian political assemblies were fundamentally different from the clubs of poets and writers of the National Renaissance. The Poets' Club cursed the Asian, the Turkish empire, as the cause of evil, while the elite of political assemblies feared the weakening of the Turkish empire in the Balkans, and they considered the storms coming from Russia and the West as a misfortune for the Albanians. It is important in these two different perspectives on the events of the time that the new geopolitics in the Balkans guided and oriented geo-culture for Albanians. The poet, prepared the cultural yeast of our identity. Turkish for our renaissance, was the enemy, the ugly, the barbaric, the evil, and they wore all the bad features, so it was the other, different from –out own - Albania. This emerging identity, unlike the Turkish one, was a "poetic contemplation" that would later be used for public consumption in the political discourse after the declaration of independence. The political expulsion of the Turkish Empire from the Balkans and the domination by the Western powers would attempt the cultural distance of the Albanians from the political emperor. Therefore, the cultural product of our national identity began to take on the nuances of Western civilization. Everything oriental would be rejected by us as it no longer served our political future. The political discourse would reveal long-standing connections to the roots of Western civilization.

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The Post-Communist Evolution and Constitutional-Legal Engineering of the Model of Democracy in North Macedonia (1990-2001)

Driton Kuqi

Abstract

The first decade after the breakup of Yugoslavia, was crucial for the North Macedonia state and its citizens. The constitution of the new, independent state was not an easy process and it did not pass peacefully and with no problems. The complex social process and relations have initiated the need for amendments to the Constitution, which, since its adoption in 1991 until today, has been changed 32 times in order to adapt to the new emerging situation and to give a constitutional and legal response to the real challenges. Of course, proper changes also occurred in the political system itself, as a result of numerous factors, which more or less influenced its character and shape.

Keywords: democracy, consociational democracy, constitutional order

Introduction

From the moment of independence, the electoral model in the Republic of North Macedonia, as an important element of the electoral system in wider sense of the word, has undergone numerous transformations: from a majority principle election model in two rounds, to a proportional representation with closed lists. In the first parliamentary elections in 1990 and the second in 1994, the allocation of mandates was carried out by applying the majority principle election model in two rounds, within unanimous electoral units. The Law on the Election of Members of Parliament in the Parliament of the Republic of North Macedonia since 1998 abandoned the majority electoral model and replaced it with the combined (mixed) electoral model, according to which 85 seats were allocated on the basis of the majority electoral model with a relative majority, and 35 MP seats, on the proportional model. In the 2001 elections held after the armed conflict and after the adoption of the Framework Agreement and the constitutional amendments, as well as all subsequent elections, the proportional election model is applied.

About the democracy

The democracy belongs to the ranks of the great politically-legal, ethically-philosophical and sociological phenomena that have always attracted the attention of

scientists from almost all socially humanitarian areas (Bajaldziej, 2009) Each one analyzes and explains democracy through its own lens. The term democracy is one of the most widely used concepts in political science and everyday life, and it is also a target, the use of which leads to a great deal of confusion, since it pulls away when trying to define it (Klimovski, Karakamisheva, Desoska, 2010) It is therefore no coincidence that in determining this concept there is almost always striving to one or other essential content or a certain characteristic that, as the whole, completes its meaning. Most simply defined as the "rule by the people," this form of social order had been subject to different, far apart conceptions. Starting from a "bad and undesirable form of government," for what Greek philosophers Plato and Aristotle considered, through the concept of Jean Jacques Rousseau and Montesquieu that democracy is "a common good," we come to today's "era of democracy" for which speaks the fact that from 195 states, 125 declare themselves as democracies.

During its more than 2,500-year history, democracy has been constantly renewed and developed through various models of institutional implementation. Democracy is not invented at once, like a steam engine, but it has been created multiple times, in different societies (Dahl, 1998). But the widespread acceptance of democracy as an appropriate form of organization of political life is one hundred and fifty years old. Namely, the term "democracy" in its modern sense began to be used in the nineteenth century, signifying a system of representative democracy, in which representatives were elected to fair and free elections. Historically, through wide variety differences, today we can conclude that modern democracy rests on several values: participation as a broader concept that not only has strong political implications, but also social and economic; majority rule and minority rights, which points to the fact that while democracy is by definition the rule of the majority, it must also take into account the rights of minority groups; rule of law and fair trial, which ensures an autonomous legal order, a restriction of the powers of public authorities and the provision of fair access to an independent and fair judiciary; a commitment to human rights, whose respect, protection and fulfillment must be secured by a democratic state; political pluralism that can provide sufficiently flexible structures to adapt to changes, but which still remain a stable basis for democratic governance; free and fair elections, as the most basic and unique characteristic of democracy, through which every citizen can express his will for change, i.e. compliance with current policies and participating in the ongoing process of assessment; and the separation of powers between legislative, executive and judicial bodies that function independently, but who have responsibility for each other and for the people.

As a system of government, democracy is still the target of many criticisms to this day. Most of them move in the same direction - not all citizens can be equally educated and informed about the political life in the country, so it would not be beneficial for them to make important decisions. One of the disadvantages is connected with the achievement of equality, the possibility of self-destruction as a result of its openness, as well as the problem with the majority government, more precisely if there are

certain limits that the majority cannot overstep and rights that it cannot take away from minority by outvoting. The Italian philosophers Wilfredo Pareto and Gaetano Mosca, however, claim that democracy is just one facade that serves the political elites to mask the reality.

However, the weaknesses of democracy are incomparably smaller than those of undemocratic system of government, giving it a huge advantage over others, because democracy is above all a system over which citizens have control. Former British Prime Minister Winston Churchill on Democracy will say: "Democracy is the worst form of government, except for all the others." This well-known quote brings us to an important conclusion: the perfect democracy does not exist, but in spite of that, it is the most successful system of government.

Behavior in accordance with the opinion of the majority, however, is not a central point of interest for the pluralist democracy. Namely, according to this model, democracy exists when many organization acting separately from the government are putting pressure on it, confronting it with its own interests and causing its reaction (Dahl, 1982). Unlike the majority model, according to the supporters of pluralist democracy, instead of a center of sovereign power, it is necessary to have more power centers, none of which is and cannot be sovereign. The pluralist model seeks to limit the actions of the majority, so that the interest groups come to the fore. According to US political scientist Dahl, this is a model where decision-making does not come from a single political center that is in the role of a monopoly, but such power is distributed both vertically and horizontally at a number of different levels of decision-making. What ensures the well-functioning of this model is the consensus for the basic liberal values in the political life. On the other hand, the majoritarian democracy is based on electoral mechanisms that turn the power of the majority to make the political decisions. In this model of democracy, the wider public (rather than interest groups) control the actions of the government.

The key principle of organizing the rule of democratic systems is the division of power into legislative, executive and judicial. The consistency with which the government is divided, as well as the forms of their mutual control and cooperation, give the answer to the question of what kind of institutional model of the political system is concerned. The relationship between legislative and executive power is essential for any political system. This relationship is determined by the constitutional position of institutions, but also by political and other external factors. The constitution of a state is the one that determines the horizontal relation between the legislature and the executive power, its powers and duties, as well as the possibilities for mutual influence.

When one system is said to be based on the principle of separation of powers, it means that the relations among the holders of state power are characterized by organizational and functional independence (Klimovski, Deskoska, Karakamisheva, 2009). All forms of organization of state power occurred on an empirical procedure. In time, the parliamentary system in England was shaped, followed by the

presidential system in the United States, while the parliamentary system had its first constitutional presence in Switzerland. Over time, there was some convergence of the systems to their approximation, resulting in mixed systems (Jovicic, 1992).

The presidential system is a system of government based on the principle of strict separation of state power and the principle of "checks and balances" between the legislative, the executive and the judicial power. This system finds its original form in the United States, which today may be the only successful presidential system of governance. For the parliamentary system, the existence of a flexible division of power is characteristic, which is expressed by equality, cooperation and mutual influence between the legislative and the executive power. This system was created in England, and consistency in its application is observed in both Japan and Italy. Today it appears in many varieties and shapes in Belgium, the Netherlands, Canada, India, Germany and other countries. The parliamentary system is built on the unity of power, where the Parliament is the sole holder of the legislative process, with no other state body having the right to abolish or annul the laws and the highest acts. The Assembly elects, i.e. appoints the executive bodies that are then accountable to it. This system of government exists today in Switzerland. Mixed systems are characterized by combined elements of the presidential and parliamentary system. The most important feature in this system is the position of the head of state as the basic institution of the system. In addition, there is a flexible division of power and political responsibility of the government in the parliament. The mixed system has its roots in France, and its example was followed by Portugal, Russia, Poland, Ukraine and other Eastern European countries.

2. Constitutional legal framework of the model of democracy in the Republic of North Macedonia

On November 17, 1991, the Constitution of the Republic of North Macedonia, which was preceded by the Declaration of a Sovereign and Independent State, was adopted. The precursor of the Constitution of the independent Republic of Macedonia were the constitutional amendments adopted in August 1990, which created a legal framework for starting the transition of the state from socialism to democracy and from a federal state of SFRY to an independent state. This Constitution, according to its conception, is among the liberal democratic constitutions that have already been adopted during the nineteenth century and, with certain changes, have remained ruling even today in the democratic countries (Klimovski, Deskoska, Karakamisheva, 2009). In the philosophy of this Constitution, central value was the liberal democracy with a parliamentary form. At the same time, the Preamble of the Constitution starts from the historical fact and the historical and legal continuity of the Macedonian state 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 people and other nationalities that live in the Republic of Macedonia.

In the period after becoming independent, the Republic of Macedonia faced many challenges as a new independent state that was created on the basis of the right to self-determination after the break-up of the SFR Yugoslavia. After the proclamation of independence, the country began moving towards the development of a parliamentary democracy, where the freedom of political association was guaranteed for the first time, that is, the formation of several political parties as subjects in the election contest. The Assembly became unicameral, and instead of the collective presidency of the Republic of Macedonia, the position President of the Republic was introduced. The Executive Council became a government, and the secretariats were renamed to ministries. This precisely was the establishment of the elements of the next parliamentary system. Set on the basis of the already well-built democracies, the Macedonian Constitution introduced a system of "checks and balances" with the separation of power into executive, legislative and judicial power (Chokreski, 1998).

The relatively short lived experience of Macedonian parliamentarism and democracy once again proves that the actual power and relations of the Macedonian institutions depend not only and mostly on the constitutional norms. During most of President Kiro Gligorov's mandate, the system of governance de facto functioned as presidential (Siljanovska, 2010). The strong personality and social democratic parliamentary majority in the period 1992-1998 enabled Gligorov to play the leading role in making important decisions.

With the Constitution of 1991, the Republic of North Macedonia was defined as a sovereign, independent, democratic and social state. The fundamental values of the constitutional order were exposed through 11 basic principles, with a democratic sign that "in the Republic of Macedonia, everything that is not prohibited by the Constitution is permitted". According to it, the socio-economic and political system is based on the principle of the rule of law, human freedoms and rights, the separation of power, the market economy and other fundamental values of the modern democratic society. The adoption of this Constitution marked the beginning of the construction of a new social and political system, as well as a new political and economic strategy for the development of the state. But did this Constitution pass the test of time? During its existence of 25 years, the Constitution was amended on seven occasions, and it currently has 32 amendments. Under the pressure of the Republic of Greece, as well as the pretensions for membership in the United Nations, in 1992, two amendments were adopted that referred to the fact that Macedonia has no territorial pretensions towards other countries and that it will not interfere with the internal affairs of other countries. As part of the announced battle for dealing with organized crime and corruption, in 1998, the detention of 90 days increased to six months.

The most dominant and dramatic were the changes in 2001, when the principles and rules of the Framework Agreement were embedded. Namely, there was a change of 15 Articles that related mostly to the issues of using languages and alphabets, cultivating their own ethnic identity, the use of symbols, the mechanisms of political

decision-making in the selection of important state functions and bodies, and the formation of separate parliamentary bodies. Primarily, an amendment to the constitutional preamble was made, which established the multiethnic character of the state. The amendment of 2004 provided constitutional protection of the freedom and inviolability of letters and all other forms of communication, and one could deviate from this right only by a court decision. As a result of the efforts for Euro-Atlantic integration, reforms in the judiciary were carried out in 2005; i.e. the definition of courts, the election and dismissal of judges, the establishment of the judicial council and the guarantee of the right of appeal. In 2009, the presidential electoral threshold was reduced from 50% to 40%, and with the amendments in 2011 was provided the possibility of extradition of Macedonian citizen on the basis of a ratified international agreement, with a court decision.

2.1. The political system in the Republic of Macedonia 1991 - 2001

The very independence of the Republic of Macedonia and the period that occurred during and after forming the first government, marked the development of new political processes, which from the very beginning were accompanied by intense crises in the political dialogue in the country. Although some analysts stressed out that transition countries are always confronted with the danger of radical nationalism and ethnic conflicts, others optimistically argued that democracy could be a matter of agreement (Siljanovska, 2010). Both sides were right - while the other Yugoslav republics were military fields, Macedonia remained an "oasis of peace". Until the armed conflict in 2001.

After the introduction of the political pluralism with the constitutional changes of 1989 (Official Gazette of SRM, no.16/89), which enabled the formation of political parties, in 1990 the Macedonian voters had the opportunity to vote in multi-party elections for the first time. At the same time, this was the first free multi-party election held during the same year in all six republics of the Socialist Federal Republic of Yugoslavia (SFRY). The elections were held according to the majority voting system in two rounds, with the territory of the Republic divided into 120 electoral units. This election was characterized by the nomination on the broadest base, small electoral units, individual elections and the distribution of mandates by applying the majority system with absolute and relative majority of votes. Although the process of political pluralization in the Republic of Macedonia was slow, however, in the middle of 1990, the "captured political spirit" seemed to have left the decadal constraints and views towards the modern development (Mojanovski, 2010).

The finding and functioning of several political parties is one of the fundamental characteristics of any democratic political system. Through an electoral competition and mobilizing the voters behind a certain vision for the society, the parties are offering the citizens a diverse choice and opportunity to manage and form the future of the state. There may be no democracy in the parties, but there can be no democracy without political parties (Hoffmeister, Graben, 2008)

The elections that took place in November and December 1990 have passed in such circumstances where the dissolution of the Federation was already foreseen, which in the elections in most of the republics, resulted in the victory of the newly-formed national parties over the parties that emerged from the republican branches of the Communist Party of Yugoslavia. The first elections were attended by 18 political parties and 43 independent candidates. The parties in some of the electoral units participated individually, but in others they formed mutual coalitions, with candidates running for joint candidates.

The first elections held in November 1990 had the following results:

Party	Seats in Parliament
VMRO-DPMNE	38
League of Communists of Macedonia (SKM-PDP)	31
Party for Democratic Prosperity (PDP)	17
Union of Reform Forces (SRSM)	11
Socialist Party of Macedonia (SPM)	4
Party of the Yugoslavs	2
People's Democratic Party	1

Although in these elections the majority was won by VMRO-DPMNE, it was not enough to form a government. Refusing to join a coalition, this party did not win enough seats in Parliament. In fact, no party could form a government on its own, which resulted in the formation of a caretaker government on March 21, 1991, headed by the member of the Macedonian Academy of Sciences and Arts (MANU), Nikola Kljusev, who suggested experts for ministerial seats. This government counted 22 ministers, proposed by several parties, comprising university professors and intellectuals. In its mandate of the more important acts - the Constitution was adopted, the independence referendum was organized and the Army of the Republic of Macedonia (ARM) was formed. Although the referendum was successful, it was mainly boycotted by the Albanian population. The same thing happened with the Constitution, which was adopted on November 17, the same year. At all stages of the adoption of the Constitution, Albanians participated in debates in the Parliament, but also in public debates. The discussions of the Albanian deputies concerned the state to be constituted as a multiethnic state, in which the Albanians would be constitutive nation. All amendments to Albanian MPs were rejected by the majority in Parliament. That was the reason why Albanian MPs did not vote on the Constitution and, as a sign of revolt, even left the Parliament during the voting.

Due to disagreements between the parties, the mandate of the caretaker government ended on July 7, 1992, when it lost the confidence vote, and this event was followed by one of the biggest constitutional gaps in the constitutional history of the Republic of Macedonia (Markovis, Popovic, 2015) After Ljubco Georgievski and Petar Goshev rejected the mandate to form a new government, Branko Crvenkovski, as the

prevailing leader of the SKM-PDP, formed the second government, which was political this time.

The period that followed also did not pass without some controversy. The political organization created parties on ethnic grounds that prevented the development of the civic volume and the feeling of a political community. Although in writing there were no formal requests for coalitions among major political parties, practice showed that they became a tradition in Macedonian politics. All of the governments, regardless of the election system and the election results, have made coalitions with some of the Albanian parties, mostly those with the largest support among the Albanian community. Such coalitions were necessary, not only from a mathematical point of view, but also from a political one. Macedonian and Albanian political elites were forced to cooperate due to external pressure (Berghund, Ekman, Deegan-Krause, Knutsen, 2013). However, the parties have calculated that this is of mutual benefit, and such coalitions have become a practice. Thus, in the period between 1992-1994 and 1994-1998, the Social Democratic Union (SDSM) elected the Albanian Party for Democratic Prosperity (PDP) as its coalition partner. This practice of involving the Albanian parties as coalition partners has become widely accepted in the political life of Macedonia. This is also evidenced by the fact that the conservative Christian Democratic Party VMRO-DPMNE, which has won the majority of the votes in 1998, decided on a coalition with the Albanian Democratic Party of Albanians (DPA).

Time period	Macedonian party	Albanian party	Number of Albanian portfolios
1992-1998	SDSM	PPD	4-6
1998-2002	VMRO-DPMNE	PDSH	6-8
2002-2006	SDSM	BDI	5-7
2006-2008	VMRO-DPMNE	PDSH	5
2008-2011	VMRO-DPMNE	BDI	8
2011-present	VMRO-DPMNE	BDI	9

Source: S. Berglund, J. Ekman, K. Deegan-Krause, T. Knutsen, *The Handbook of Political Change in Eastern Europe, Third Edition, 2013, page 629*

Although the interethnic coalitions in the government have already been practiced, it can be noted that in the period from 1990 to 2001, there was never an Albanian education minister in the government cabinet. The Ministries of Education, Internal Affairs and Defense were considered to be too sensitive areas to be assigned to an Albanian party (Koneska, 2012).

1992 started with amendments and supplements to the Constitution of the Republic of Macedonia, according to which it "has no territorial pretensions towards neighboring countries" and that "the border may be changed only in accordance with the Constitution", with respect for "the principle of voluntariness and in accordance with generally accepted international norms", and that "it will not interfere with the sovereign rights of other states and in their internal affairs."

Internally, during 1993, particular attention was paid to the usage of the assets of parliamentary democracy, but also to the usage of forms of public demonstration and rally. Namely, during this period the opposition often boycotted the Assembly meetings. Regarding the political pluralism, it continued with the process of creating new political subjects. Thus, during this year, nine new political parties were formed.

1994 was marked with several important events for the Republic of Macedonia. Direct elections for president and MPs in the Assembly were conducted, and a census of population was conducted, backed and supervised by the international community. The presidential elections passed with six candidates on the electoral list. According to the Constitution, a person who, at the Election Day, is at least 40 years of age and is a resident of the Republic of Macedonia for at least ten years in the last fifteen years can be elected for president. The presidential elections were held in one election round, with the candidate Kiro Gligorov winning the required majority, or 52.44% of the votes. In the middle of this year, the first Law on Political Parties was adopted, which defines the manner, conditions and procedure for establishment, registration and cessation of political parties. After leaving the Yugoslav political monopoly, the establishment of many new political parties continued in the Republic of Macedonia. However, although the political pluralism is closely related to the democratic system of a state, it is not excluded that it acts counterproductively, that is, it has the so-called "effect of the supermarket" (Mojanoski, 2009). This means that of the multitude of offers, especially when it comes to similar or identical program options, the voter cannot realize the true one. Interestingly enough about the parliamentary elections in this year, is that many parties announced their participation through electoral coalitions. This time, the coalition Union of Macedonia, led by SDSM, has won. The opposition, VMRO-DPMNE and the Democratic Party, boycotted the second election round and claimed that there were serious violations in the election process. Such abstention of political parties of the electoral procedure undoubtedly influenced the final schedule in the structure of parliament, but also in the constitution of a strong democratic institution of parliamentary democracy - the opposition (Mojanoski, 2009).

Although the coalition Union of Macedonia provided a stable government by winning the majority, the absence of the opposition influenced the creation of a "party's monopoly". Namely, the executive power often put new legislative projects as a matter of decision-making, without first being well processed.

The trade embargo from Greece was an additional reason why the work of the Parliament had to be efficient. During this period, the work of the Government was dominating. This was perceived not only by the manifestation of power, but also by not accepting criticism from political opponents. This will be a serious handicap for the democracy in Macedonia and a step backwards from the previous parliamentary composition. However, the events began to occur differently in 1995, following the failed attempted assassination against the President Kiro Gligorov, which would have

been a blow to Macedonia as an independent state. In this and the following years, the trend of creating new political parties continued. But it is important to note that these were the result of internal divisions of the already existing political subjects. An important time of this year is also the adoption of the Law on Local Self-Government. Following the deep centralized power of the Yugoslav system, the Republic of Macedonia realized the need to allow municipalities greater self-reliance in the governance. However, although with this law a step forward towards the transfer of power and authorizations was made, it did not define clearly the functions and responsibilities of the municipalities. In particular, this law did not make a clear distinction of the powers between the mayor and the municipal council, nor did it clearly define the issues related to municipal ownership and structure.

The year of 1996 was focused on the local elections for which the first law was passed. These elections were the first opportunity to face the two largest political forces in the country with voters. Therefore, they were seen as a test that would measure the relationship between the powers of the parties. Winning the city of Skopje and many other important municipalities, the opposition was declared as winner. The parliamentary elections in 1998 ended with a landslide victory for VMRO-DPMNE. This time, a new election model was introduced, according to which political parties that had the highest number of votes in the first round, enter the second one. These elections are significant because they have been the most real indicator of the segmentation of the political body in the Republic of Macedonia. This shows that it is grouped around four powerful political structures, VMRO-DPMNE, SDSM, DA and the coalition of the political parties of the Albanians in the Republic of Macedonia. If the elections of 1990 were elections for political promotion, the 1994 elections were elections for political stabilization, and these elections were the elections for the political profile of both the main political subjects and personal solutions (Mojanovski, 2009).

The presidential elections in 1999 were the second presidential elections in the independent Republic of Macedonia. The second election round is remembered for many irregularities, due to which the State Election Commission and the Supreme Court annulled the results in about 230 electoral units and ordered revote. This election was won by the VMRO-DPMNE's candidate, Boris Trajkovski. With these events, it can be said that Macedonia did not pass the test for peaceful and democratic elections. The OSCE observation mission noticed stuffing ballot boxes and multiple voting at several polling stations, and SDSM did not accept the newly elected president, referring to the irregularities on the Election Day. These elections confirmed the need to upgrade the electoral system, as well as to strengthen the trust between the political subjects and the citizens that participated in the election process. The end of the millennium marked many scandals, incidents and protests. The Parliament continued to have a central position, where the opposition played a constructive role. Shortly before the local elections, new political subjects were created.

Generally speaking, the newly established constitutions of the former Yugoslav states took over the liberal democracy by establishing the concept of rule of law, civil rights and freedoms, political pluralism, free and democratic elections, free market, and respect for international law (Siljanovska, 2012). The years of independence were filled with intense parliamentary, but also non-parliamentary activity. The first decade was crucial for the Republic of Macedonia and its people. The process of independence and international recognition has begun, and in parallel, political pluralization and democratization of the Macedonian society took place. The pluralization contributed to the development of a rich political life, and on the political scene there were (out of) institutional forms, and the affirmation of the principles of parliamentary democracy and the power of dialogue became apparent. However, the Macedonian policy framework during the 1990s was contradictory. Although the Constitution of 1991 was once welcomed by the international observers as the first democratic-liberal constitution, it contained many flaws that later resulted in serious political turbulence. Such problems could have been foreseen in the process of its adoption, when the voting was boycotted by Albanian MPs. In practice, there have been serious violations of personal rights and really there was not any basis for the realization of the constitutional concept that protects them. Introduced overnight, parliamentarism as such was simply taken over by the Western states and incorporated into the Macedonian society, without any conditions for political dialogue and culture to be previously created. The Constitution, as well as the views of the most of the majority political parties, contributed to the "possession" of the state by the majority. Based on the practice of existence of nations and republics during the communist Yugoslavia, as well as the current fears that the neighbors will reach for the name and identity, all this contributed to the strengthening of the relation to property towards the state (Holliday, 2005). The constitutional and political order of the Republic of Macedonia in the period until 2001 had flaws in a formal, legal, institutional and functional sense. But, objectively speaking, it was a remarkably difficult period for a young and weak country in the middle of a complicated regional and international constellation (Vankovska, 2014)

Conclusion

The political system in the Republic of Macedonia, both from a normative point of view and from a realistic point of view, is a result of the mutual influence of several factors that determine its essence. At different periods of time, these factors played greater or lesser role, but the final result was a reflection of their overall impact. The first Macedonian Constitution practically adopted a radical systemic change as a result of the changed international and domestic social and political environment. The need for creating a new constitutional framework also appeared on the Macedonian ground, due to the transition from socialist one-party systems to democracy. The Constitution has undergone many changes in the form of numerous amendments that followed the transformation of the modern Macedonian state. The 2001 armed conflict resulted in the creation of a new relation of relationships in the Macedonian

society in which the multiethnicity and the civic concept require a compromise that is most easily achieved by application of the most characteristic elements of the model of consociational democracy. The construction of power took place through elections, but the electoral model changed several times, from the majority, through a combined, and to a proportional one. This consensus characteristic was aimed at reflecting the ethnic and religious diversity of the Macedonian society. The flexible separation of powers as a feature of the parliamentary system can be seen in the mutual control of the three powers. Thus, the Assembly controls the executive power through the parliamentary questions, the interpellation, the vote of no-confidence of the Government, the election and dismissal of the President and members of the Government, the right to ask the President of the Republic for an opinion on issues within his jurisdiction; as well as through the right to raise an impeachment for the President of the Republic in case of violation of the Constitution and laws. The Assembly affects the judiciary mainly through the adoption of the Law on the Courts, which determines the type and number of courts, further by determining the court budget, through the election of a public prosecutor and the election of three out of fifteen members of the Judicial Council. The Government enters the legislative branch by proposing the budget, proposing laws, giving a mandatory opinion on draft bills, participating in the work of the Assembly, and the right to request a session. Whereas the President influences the legislative power through the suspensive veto power of laws that are adopted with a relative or absolute majority, as well as the appointment and dismissal of the Government and the appointment and dismissal of officials during military and state of emergency. From this we can conclude that the Macedonian system is a hybrid model in which the elements of parliamentary and consociational democracy are combined. Leaving liberal democracy, the Macedonian system of regulation was moving towards a power-sharing model, which, in post-conflict societies, is supported, above all, by the international community as an optimal solution to the demands for secession and the right to self-determination.

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Criminal Proceedings Law Improvements for Justice Witnesses in Albania

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Abstract

In the framework of the constitutional¹ justice reform² of year 2016, “Constitutional reform in Albania of year 2016 determined fundamental amendments by improving justice system.” (Balla, 2017, p. 368), there are undertaken to be improved important justice laws. Therefore, fundamental amendments are made on the Criminal Proceedings Code (CPC) on year 2017³. These amendments consisted in general and specially to enable the implementation of government policy, for the establishment of new institutions and the strengthening of existing ones, in the fight against corruption and the consolidation of the justice system. At the same time, the amendments aim to address the most obvious issues and problems encountered in practice. Correspondingly, the constitutional amendments and the adoption of other laws, necessary to implement them, brought the need to unify and harmonize these amendments in the CPC. In particular, the new regulations aim to determine the prosecutor's independence in the criminal proceedings, the establishment of the Special Prosecution Office, the jurisdiction of the High Court and the change in the subject matter jurisdiction of the Court of Corruption and Organized Crime. Through this paper it is addressed the treatment of new standards and institutes that are regulated in the CPC. How do they stand compared to European standards such as the jurisprudence of the ECtHR and international law, as well as the jurisprudence of International Criminal Court (ICC). The paper aims to address issues related to the rights of defendants, the legal position of the victims and

¹ Constitutional Law Amendments (2016) published on Official Journal year 2016.

² Balla, R. (2017). Constitutional Reform, Criminal Justice Reform on Prevention of Organized Crime and Corruption, Proceedings of International Scientific Conference at Faculty of Law, Tirana University, Albania. p. 368.

³ Amendments to the Criminal Proceedings Code CPC have been adopted by law no. 36 dated 30.03.2017. <https://alblegis.com/Legjislacioni/Ligji-Nr.36-Dt.-30.03.2017-Kodi-Penal-i-ndryshuar.pdf>, (March 16th 2020).

especially the treatment of the most favorable legal status of protected witnesses¹ and collaborators of justice.

Keywords: justice witnesses, collaborators of justice, the rights of defendants, victims of crime, criminal proceedings.

Introduction

The new amendments to the CPC have been proposed by the Ministry of Justice², according to the process of drafting and reviewing a proceeding that has lasted more than a year. EURALIUS³ has contributed on providing legal assistance. CPC is also included in the Criminal Justice package within the Justice Reform. In particular, it is important to mention the change in the jurisdiction of the High Court, which led to the reformulation of the provisions on the limits of review of this court and the transfer of other powers, such as requests for review, or trial of officials of other courts etc. One of the most important issue is the establishment of the decentralization of the prosecution institution. This decentralization is accompanied by determining the role and functioning of the pretrial judge to guarantee the control of the prosecution activity and proceedings during investigation procedure. The other important issue is the establishment for the first time in the justice system in Albania of the special Court on Corruption and Organized Crime.

Based, directly on the analytical document of the justice system and the national strategy for justice reform, as well as judiciary decisions so far, it is determined the need for amendments of some e institutes of CPC, aiming at its approximation with the best European standards and the best international ones foreseen by international instruments ratified by the Republic of Albania and the ones aiming to adhere, such as: European Convention on Human Rights (ECHR), standards established by European jurisprudence for Human Rights and Justice Court (ECtHR), the Acquis Communautaire of the European Union, the Convention on the Protection of the Rights of the Children, etc.

Amendments of the CPC represents the recently constitutional amendments based on the point of view of the normative acts, and in the same time they represent harmonization with other approved laws, in the framework of the Justice Reform at the criminal field such as: the Law on the Organization⁴ and Functioning of

¹ Balla, R. (2007). Witness and Justice Collaborators Protection. The Journal "E Drejta Parlamentare dhe Politikat Ligjore". Tirane, Albania. No 39, p.17-57.

² Information is published at Ministry of Justice web page <http://www.drejtesia.gov.al/njoftime-teministrise-se-drejtise/> (March 16th 2020).

³ EURALIUS is an EU funded project. The project is implemented by a Consortium composed of the German Foundation for International Legal Cooperation (IRZ) as Lead Partner.

⁴ Law No. 97/2016 "On Organization and Functioning of Prosecution in the Republic of Albania", published on Official Journal no. 209, year 2016, p. 22305.

Prosecutions, the Law on Organization and Functioning of Institutions to Fight Corruption and Organized Crime¹, draft law on juvenile Code, and other draft law of the legal package discussed and agreed to be changed at the High Level of Experts Group. These amendments of the provisions are intended, inter alia: to present the concept of the victim as an important subject in the criminal proceedings; to guarantee the protection of the human rights of juveniles by regulating in a special manner every court proceedings related to juveniles; expanding the rights and protection of the of the defendants in the criminal proceedings in compliance with the best international² standards, introducing for the first time into the criminal justice system the concept of the letter of rights, to guarantee the testimony of protected witnesses or with a hidden identities, etc.

Inter alia the amendments indent to regulate the reinforcement of the role and position of the prosecutor³ on directing, controlling, and conducting preliminary investigations. Guaranteeing procedural instruments and reasonable deadlines for conducting investigative actions, in accordance with the complexity of the court case. Conducting uninterruptedly trial. Increasing the authority of the court in the normal discipline and development of criminal proceedings. Involvement of new types of special trials that influence the reasonable time for judgment of simple issues and help the investigation, such as the criminal order of condemnation and judgment by agreement. Regulation of special current trials. Forecasting the necessary legal mechanisms that enable the participation of the defendant and / or his defense counsel in the trial to avoid trial in absentia. Improving the arrangements for notifying the parties in the criminal proceedings. Improvements of appeals that will impact the process of trial and will decrease the court cases at Appeal Courts. Review of the powers of the High Supreme Court in the criminal process after the constitutional amendments.

Legal provision of defendants, collaborators of justice and victims

II.1- Defendant's Rights

At the general provisions section, of the CPC the amendments consist to the principles of the criminal process by reflecting the accepted international standards and the jurisprudence of the European courts. Article 2 is amended by adding paragraph 2 with the main objective to implement the provisions of the juvenile Code. It is determined that the verdict of guilty will be given only in cases of its probationary, beyond any reasonable doubt, based on the common law⁴ standard, which is further identified and elaborated by the ECtHR, in all its jurisprudence, which is also accepted

¹ Law on Organization and Functioning of Institutions to Fight Corruption and Organized Crime published on Official Journal no. 209, year 2016.

² Damaska, M. (1975). Structures of Authority and Comparative Criminal Procedure. Yale Law Journal, 84, p. 480-544.

³ Vogler, R. & Ashgate, K. (2005). A World View of Criminal Justice, London, England. p 27-140.

⁴ Cassese, A. (2003) International Criminal Law, Oxford University Press England. p. 52-107.

and applied by the domestic courts of almost all European Union countries. This principle guarantees the observance of the principle of the presumption of innocence and the charge of the accusation with the burden of proof in the criminal¹ proceedings. This principle is foreseen at Article 4 point 2.

This article is improved with the aim to be in accordance and harmony with article 30 of the Constitution. The implementation of this principle is depended directly on the judiciary system on how they understand and apply it, that will be the main warranty that the rights of the defendant will be protected during the whole criminal proceedings from the investigations to the trial. The principle of presumption of innocence² releases the defendant from the burden of proving his innocence, gives him the right not to respond to accusations and not to be responsible for the statements performed. The first paragraph of this article symbolizes the presumption of innocence principle. This presumption is already part of the constitutional presumptions, as well as part of Article 6, paragraph 2, of the ECHR. This presumption must be respected before the trial, during the trial, and even in case the defendant pleads not guilty. The statement is elaborated clearly based on the ECtHR's Decision *Minelli*³ vs Switzerland 25.3.1983.

With regard to this universal principle, the proposal is based on the Directive⁴ of the European Parliament and of the Council (2013) 821 "On the strengthening of certain aspects of the presumption of innocence and the right to be present at a trial in criminal proceedings". In accordance with its Article 5 "The burden of proof and the standard of proof are required", paragraph 3 provides as follows: Member States must guarantee that in cases where the court makes a judgment on the guilty of a suspect or accused person and if there is a reasonable suspicion of the guilt of the defendant then this must be considered in favor of the defendant and he should be released as not guilty.

The standard of presumption of innocence principle has been developed over the years. The ECHR sets out this principle in Article 6 (2). The ECHR provides for three key requirements: the right not to be publicly presented as convicted by public authorities prior to the final decision. The fact that the burden of proof is on the public accusation. In Albania, the accusation is represented by the prosecutor and the accused benefits and has the right to be informed about the accusation of any reasonable suspicion of his guilt. The ECtHR also acknowledges the existence of a clear relation between the presumption of innocence and other rights related to a fair

¹ Vogler, R. & Ashgate, K. (2005) *A World View of Criminal Justice*, London, England. p. 20-30.

² Palazzo, P & Giappichelli. (2000) *Lezioni di diritto penale comparato* Torino, Italy. p.220-270.

³ ECHR's Decision, *Mineli vs ZSwitzerland* 25.3.1983;

<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-57540%22%5D%7D>; visited on (March 19th .2020).

⁴ Directive of the European Parliament and of the Council (2013) 821 "On the strengthening of certain aspects of the presumption of innocence and the right to be present at a trial in criminal proceedings".

trial, in the sense that when such rights are violated, the presumption of innocence is inevitably at risk.

The right not to be incriminated¹, the right not to cooperate and the right to remain silent and the right to liberty (and not to be held in custody before trial). The ECtHR ruled that one of the basic aspects of the principle of presumption of innocence is the fact that a court or public official may not publicly present the suspect or accused as guilty of an offense if it is not proven and they are not found guilty, by means of a final decision. Furthermore, such a decision must be implemented by all public authorities. Both situations may encourage the public to believe that the person is guilty and to prejudge the assessment of the facts by the judicial authority.

The second paragraph amended represents the principle *in dubio pro reo*. The provision represents a reason as well for innocence. This means that the judge finds not guilty, not only when there is no convincing evidence for the defendants, but also in cases where there is insufficient evidence. From this point of view, it is important to note the above-mentioned amendment, in relation to the arguments set out in Article 4 in which is determined that "The burden of proof and the standard of proof are required." This provision stipulates that: The presumption of innocence presupposes that the burden of proof remain on the prosecutor² and the suspect or accused must benefit from any suspicion of guilt (*in dubio pro reo*). The presumption of innocence presupposes that the burden of proof is on the prosecutor and the suspect or accused must benefit from any suspicion of guilt (*in dubio pro reo*). This presupposes that a court's decision should be based on the data presented before it and not simply on statements or assumptions. This fact is very important for our paper because this is one of the fundamental justice principles. Therefore the value of the protected witness is precious if the testimony will be performed in harmony with this principle, the administration of justice and the fair trial of the defendant would be ensured on the basis of the basic evidence of the protected witness. This remains without prejudice to the independence of the judiciary when judging the guilt of the suspect or the accused.

Furthermore, the ECtHR has acknowledged that in specific and limited cases the burden of proof may shift to defense. This guideline does not prejudice the possibilities of defense to present data in accordance with applicable national rules. It is determined the recognition of the principle of freedom of evidence and the obligation of the prosecution to gather both evidence in its favor and those in favor of defense, by reflecting the obligation of the prosecution to uncover the truth.

¹ Frase, Richard, S. (1995) German Criminal Justice as a Guide to American Law Reform, Weigend,: Similar Problems, Better Solutions?" USA, Boston College International and Comparative Law Review, 18. p. 317-360.

² Pradel, J. & Cortens, G. & Vermeulen, G. & Papialis, (2009). European Criminal Law. Tirane, Albania. p. 224-251.

It is determined as well the recognition of this obligation that avoids any arbitrary conduct of the prosecutor or the judicial police during the investigation by avoiding evidence in favor of the defense, by charging the prosecutor with disciplinary responsibility, according to the relevant law (Article 8/a).

The amendments are defining the principle of non-punishment twice for the same criminal offense (ne bis in idem principle), by reflecting the constitutional definition, as well as the standard accepted by domestic and international case law on the application of this principle, not only in cases where the person has been convicted previously for the same criminal offense, but when the criminal fact has been previously tried (Article 7). Explicitly, the principle ne bis in idem prohibits a defendant from being tried again after discharging guilt or innocence verdict. This principle is enshrined in many international instruments, including the European Union Schengen¹ Convention on 1990 and the Seventh Protocol of the ECHR. The ECtHR at its court case the Zolotukhin² vs Russia, App. No. 14929/03, has determined that if a criminal proceeding is initiating from facts, which are identical or essentially the same as the first criminal trial, notwithstanding the charge, the second proceeding must not begin.

Regarding the amendments of the provisions for the defendant. They include reformulating of the current provisions and improving them, there have also been new provisions articulated for the first time, in all these years of post-communism, and in Albanian jurisprudence, by reflecting in the best way the European and international standards on the rights of the defendant. Hence, are determined the rights of the defendant to be informed with the accusation against him and the rights in criminal proceedings if he has the position of the person against whom the investigations are being conducted. For this purpose, it is foreseen reformulation of Article 34/a, in where are stipulated the rights of the person under investigation. The way of informing him with the rights in the criminal proceedings, before starting the interrogation by notifying the "letter of rights". This is one of the newest processes installed in CPC that has never happened in criminal proceedings for the defendant to be notified with the rights and to sign on to become aware of these rights. Despite the constitutional rights that everyone must be informed for the accusation against him. The provisions and the process in general are considered among the most democratic and progressive standards because recognition of the rights will help the defendant to provide better protection throughout his criminal proceedings.

¹ European Union Schengen Convention of year 1990 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A42000A0922%2802%29>, (March 16th 2020).

² Sergey Zolotukhin v. Russia - HUDOC - Council of Europe hudoc.echr.coe.int › app › conversion › pdf; (March 16th 2020)..

Specifically, in paragraph 1 of the Article 8, the rights of the defendant are defined in compliance with the Directive 2012-13-EU¹ on the right to information in criminal proceedings, with the Directive 2013-48-EU² on the right of access to a defense counsel in criminal proceedings and with the Directive 2010-64-EU³ on the right to translation in criminal proceedings, as well as the Resolution⁴ of the Council on Procedure for the Enforcement of Procedural Rights of Suspected or Accused Persons in Criminal Proceedings and the ECHR Convention, and the ECtHR's decisions.

The first right determined to the defendant in letter a) of the first paragraph of this article provides for his right to be informed as soon as possible about the charges against him, in the language in which he understands. This right given by the above-mentioned EU Directives is based on the rights granted by Article 6 of the ECHR. This right is derived from many ECtHR's decisions such as the *Abramyan v. Russia* 10709/02⁵. Based on this decision the Court draws attention to the fact that the provisions of paragraph 3 (a) of Article 6 of the Convention indicate the need for special care to be given to the notification of the 'charge' to the defendant. The details of the criminal offense play an important role in the criminal process, which means that from the moment of delivery the suspect is considered to have been notified in writing of the factual and legal basis of the accusation against him. The Court further recalls that the object of Article 6 (3) (a) must be assessed in particular in the light of the broader right to be heard regularly guaranteed by Article 6 (1) of the ECHR. In criminal cases, providing full and detailed information about the charges against a defendant and consequently the legal qualification that the court may apply to the case is an essential precondition for ensuring that the trial is fair, see *Pelissier and Sassi v. France*, no. 25444/94 § 52, ECtHR 1999-11⁶; *France*, no. 25444/94 § 52,

¹ Directive 2012-13-EU, on the right to information in criminal proceedings published on European official journal <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32012L0013>, (March 20th 2020).

² Directive 2013-48- EU on the right of access to a defense counsel in criminal proceedings published on European official journal <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0048>, (March 20th 2020).

³ Directive 2010-64-EU, on the right to translation in criminal proceedings published on European official journal <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:280:0001:0007:en:PDF> (March 20th 2020).

⁴ Resolution of the Council on Procedure for the Enforcement of Procedural Rights of Suspected or Accused Persons in Criminal Proceedings published on European official journal https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2009.295.01.0001.01.ENG&toc=OJ, (March 20th 2020).

⁵ ECtHR's Decision *ABRAMYAN v. RUSSIA* 10709/02 published on European official journal [https://hudoc.echr.coe.int/fre#%22itemid%22:\[%22001-155161%22\]](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22001-155161%22]), (March 20th 2020).

⁶ ECtHR's Decision *Pelissier dhe Sassi v. France*, no. 25444/94 § 52, ECHR 1999-11, published on European official journal [https://hudoc.echr.coe.int/eng#%22itemid%22:\[%22001-58226%22\]](https://hudoc.echr.coe.int/eng#%22itemid%22:[%22001-58226%22]), (March 20th 2020).

ECtHR 1999-11¹; *Mattocia v. Italy*, no. 23989/94, § 58, ECtHR 2000-IX²; *Ollinger vs Austria*, nr. 42780/98 § 34, 20 April 2006³.

According to letter h) of article 34 are provided to the defendant other rights foreseen at the CPC such as the right to sign a decision under the agreement or to enter into a cooperation agreement or to file an appeal against the court decision, etc.

The second paragraph of this article provides for the defendant's right to receive a written letter on his rights. "The Letter of Rights" it is provided on written to the defendant and its content is in compliance with the provisions foreseen by the EU Directive 2012/13. This Directive contains the model for the letter of written rights. This fact is implemented for the first time in the history of the rights of the defendant in the years of democracy in Albania. It is very important for the defendant that before his first interrogation he is aware of the rights, to better exercise his protection.

Following the guarantees of the defendant, Article 34/b was proposed, as a new article, so for the first time we have a new, special provision in the CPC where the special rights of the defendant are provided. The rights of the arrested or detained person to be informed of the reasons for the arrest or detention provided for in letter a) of this article is the right provided by Directive 2012/13/EU and is in accordance with the established standard from Directive 2010/64/EU. The right of access to a lawyer is guaranteed to a detained or arrested person, to meet privately and to communicate with him before being questioned by the police or the judicial authority. The right of the defendant to communicate with the defense counsel, away from a third party, is part of the basic requirements of a fair trial in a democratic society and is derived from Article 6 § 3 (c) of the ECHR.

Correspondingly, the role of the defendant as a witness is foreseen, in cases when he is a collaborator of justice, by charging him with criminal responsibility in case of false declaration. Of particular importance for our study is the fact that for the first time in the history of Albanian jurisprudence, the case of the collaborator of justice, his responsibility and benefit has been regulated in detail, avoiding the problems encountered by practice (Articles 36/a, 37, 37/a and 37/b). For the first time it is stipulated a reformulating article at CPC by determining that the collaborator of justice can give the testimony as a protected witness. According to the new amendments a defendant can gain the status of collaborator of justice by signing the collaboration agreement with the prosecutor. The most important fact is that the agreement can be signed at any stage of the criminal proceedings even after the final decision. The collaborator of justice can have special protection for himself and his

¹ ECtHR's Decision published on European Court website

<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-58226%22%5D%7D>}, (March 20th 2020).

² ECtHR's Decision *Mattocia v. Italy*, no. 23989/94, § 58, ECHR 2000-IX, published on European Court website <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-58764%22%5D%7D>}, (March 20th 2020).

³ ECtHR's Decision *Ollinger v Austria*, no. 42780/98 § 34, 20 Prill 2006, published on European Court website <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-76098%22%5D%7D>}, (March 20th 2020).

family. The content of the agreement must clearly stipulate the testimony that will be crucial for the court proceedings.

II.2- Testimony

Article 158, paragraph 3, is added, which provides for the prohibition of exclusion from evidence, in cases of criminal offenses against minors. It is similarly, provided for the first time in the provisions of criminal procedure, in accordance with the recommendations of European standards and especially those of ECtHR, paragraph 6 in Article 160 on the manner of obtaining evidence of infiltrated persons which is done by keeping and maintaining hidden their identity.

The provisions for obtaining the testimony of a protected witness have been presented for the first time¹ in the CPC, as very clear and complete for the testimony of an anonymous witness, or a witness with a hidden identity. This provision is provided for each witness, even for those who have not entered, in the witness protection program. The provisions of Article 165/a, aim to regulate the cases of anonymous witnesses, providing for the cases and procedure followed for situations when the witness or a relative of his may be in serious danger to their life or health, due to their testimony.

Correspondingly, criminal offenses are provided, in the trials of which this evidence will be accepted with a hidden identity. According to the ECtHR recommendations, the rights and freedoms of the defendant should be limited to ensure that the testimony is given in a process in which the witness feels threatened and seriously threatened for the life and health of himself and his relatives. This provision is progressive and is provided as well for witnesses who are not part of the witness protection program and will guarantee the implementation of justice. Taking into consideration that many criminal processes failed just because witnesses² withdrew from testifying because they felt threatened and thus the entire trial failed.

At point 3 of article 165/a it is foreseen that the closed envelope containing the full identity of the anonymous witness is handed over by the prosecutor to the head of the trial panel and only he can be aware of full identity of witness protected. However, according to the ECtHR's recommendations explained in the chapters above, the trial panel cannot be informed of the identity of the protected witness, because there is

¹ Islami, H. & Hoxha, A. & Panda, I. (2006) Proceedings Law. Morava, Tirane, Albania. p. 213-328.

² Serious Crime Court's Decision no. 16, date 20.03.2007., <http://www.gjykata.gov.al/apel-krimet-e-r%C3%ABnda/gjykata-e-apelit-krimet-e-r%C3%ABnda/> (April 2017). As per this decision the witness a juvenile girl was called to testify at the court session in front of two adults that were accusing for sexual exploitation and international trafficking with human being the witness in this court case was victim of the defendants' crime. Therefore, the witness felt threatened and she changed the testimony. Previously during investigations, she was interrogated by the prosecutor and she confirmed that the defendants were the persons who exploited her, but she changed the testimony at the court by saying that she does not know the defendants. The same mistake was made even by the Serious Crime Appeal Court so definitely two defendants were declared as not guilty by the court.

always possibility of leaking information. After all, here in Albania, the court of serious crimes has shown that it has been unable to preserve the identity of the protected witness. There have been many criminal cases where the information on witness identity has been disclosed¹ before the trial taking place. In order to preserve the identity of the witness, another judge, who does not adjudicate the case, must verify it and the trial panel must not have any information on the identity of the witness. Only, in this way can be concealed the identity of the witness and he can be saved from the threats to his life and the health of himself and his relatives. Also, the prosecutor's request for the testimony of a witness with a hidden identity must be examined by another judge and only he can be notified for his identity. In this way, the trial panel that examines the criminal case will be informed for the decision taken by the single judge and will continue to implement the decision taken and proceed by having the testimony of the witness with a hidden identity. This recommendation is implemented as well by the ICC when having testimony of the witness protected on the criminal proceedings. Only in this way is it emphasized that in a series of decisions of the ECtHR, a reasonable and fair judicial process can take place and justice can be done, put in order.

Although, in point 6 of article 165/a it is determined that the court if it approves the request of the prosecutor decides the pseudonym of the witness and the procedures of concealment of identity and the interrogation is done according to the conditions provided in article 361/b of the CPC which we will analyze below, again we think that this provision should be reformulated. According to the ECtHR, no decision should be taken that could lead to the identification of a protected witness. Therefore, the witness must be provided with first and last name, that is, with new generalities and not with a pseudonym, as this way his identity can be suspected or exposed.

Accordingly, the provision of this article "witness with a hidden identity" is defined at the general rules of the CPC and it is not given any opportunity to know, if all these actions, for example the submission of the prosecutor's request to receive evidence from the witness with the hidden identity, the examination of the request by the head of the trial panel and then the appeal that the prosecutor may proceed for the court decision, all these procedures will be undertaken in the presence of the defendant or not. This is not clearly determined in this provision. If the defendant will be notified on these procedures, then everything will be ruined. The defendant can not have information on personal history of the witness otherwise his identity would be exposed. One of the certain guarantees of the ECtHR is that defendants should be restricted in their rights. The defendant must have no information on the identity of the witness. If not, all these criminal proceedings taken for the witness protection process would not function to the purpose for which they are drafted and

¹ <https://gazetamapo.al/deshmitaret-e-mbrojtur-qe-nuk-mbrohen-por-dekonspirohen/> (April, 2015) Referring the media during the court session when the court called for testifying the witness with hidden identity the defendant disclosed the real identity of the witness. The prosecutor was surprised on how the defendant knows the identity of the protected witness. .

implemented. We therefore consider it important to determine that it is prohibited for the defendant and his defense counsel to be notified with the request of the prosecutor and not to participate in the examination of the decision to conceal the identity of the witness. Because only in this way can the identity of the witness be hidden and preserved, and his life and the lives of his relatives can be protected.

Another positive provision is the definition of Article 169 on confrontation. It stipulates in the second paragraph that it is prohibited to confront the adult defendant with the victim or the juvenile witness, to guarantee the protection of the juvenile and the victim. Based on the decision of the court of serious crimes which confronts the victim of the trafficking in human beings crime whom was a minor and she felt scared at trial and she changed the testimony by declaring that she does not know the adult defendant whom had been her smuggler and had persecuted by sexually exploitation. Similarly, the Court of Appeals for Serious Crimes makes the same mistake and in this way the defendant trafficker was declared guiltless of the crime of international trafficking in human beings with minors.

The amendments to the CPC have also aimed to regulate the manner in which witnesses are questioned by setting for the first time, in accordance with international standards of law, the prohibition of questions affecting the witness's impartiality and also the prohibition of suggestive questions aimed at suggesting responses.

The amendments to Articles 361/a and 361/b have provided for special cases and procedures to be followed for obtaining the testimony of a minor, a provision in accordance with the Juvenile Code. The amendments of Article 361/b have reinforced the application of special techniques for interrogating collaborators of justice, infiltrated persons and/or persons under cover, and protected witnesses and witnesses with hidden identities. These techniques enable the development of long-distance court hearings, through audiovisual means. An important issue for this paper is precisely the implementation of the ECtHR recommendations for obtaining testimony from witnesses with hidden identities.

In these cases, the ECtHR stipulates that the court must take appropriate measures to ensure that the defendant's face and voice are not identified and encrypted by the parties. This regulation is provided for in point 2, first paragraph of Article 361/b. But the second paragraph of point 2 provides that the court orders the summoning of a witness if it is necessary to recognize and supervise the witness. This regulation absolutely is not in harmony with recommendations of the ECtHR and with the articles explained above on encrypted the face and voice of the witness. If the witness will be notified by the court, then the witness identity will be disclosed and the whole efforts for protecting the witness will be damaged. Disclosing the identity of a protected witness with a hidden identity may not be necessary in any case, as there is a very strong reason why the decision was made to protect the witness, such as threatening his life or the lives of his relatives. If the identity of the protected

witnesses or anonymous witnesses is revealed¹, even by the court, this would destroy the entire mechanism that has been set up to protect the witnesses.

Approximately, the identities of 40 percent of those witnesses who collaborated with the International Criminal Tribunal for the former Yugoslavia (ICTY)² have been kept secret because of the security of their lives, according to the court's closing report. However, witnesses again faced threats. As a result, it would not be wrong to say that those who testify in the local courts will face far greater pressures and threats. If these protected witnesses will be disclosed their identities, then their lives will be in danger and the process may fail to deliver justice, especially in the case of witnesses whose testimony is crucial to the criminal process. Therefore, it is suggested to be revised the second paragraph mentioned by insuring stronger protection to the witnesses. Furthermore, paragraph 3 of the article provides that the court may not allow questions to be asked which may disclose the identity of the witness.

We should welcome this provision as it is a new definition that has not been before, and it really aims to protect witnesses from intimidation and threats. But, based on the international practice of the ICC and the ECtHR, they also point to a number of recommendations that no questions should be allowed that may reveal personal stories or certain traits, or other features that would lead to witness disclosure. Therefore, we would recommend a clearer provision where it will be explicitly stated that no kind of question will be allowed regarding life, school, profession, work, all activities where the witness has participated during his life and such questions that may jeopardize the disclosure of his identity.

II.3- Wiretapping

The amendments to the CPC consist of reducing the sentence for criminal offenses from seven years to four years to the maximum for which wiretapping is allowed. The maximum of seven years, as previously predicted, was too high and wiretapping could not be allowed for the investigation of certain important and serious crimes, such as corruption, trafficking in human beings, crimes committed by organizations, criminal or structured groups, etc. The reduction of the maximum sentence to four years is in accordance with the meaning of serious crimes provided for in the Palermo Convention against Organized Crime and its two protocols, ratified by Albania under Law no. 8920, dated 11.7.2002, which provides in Article 2, letter b, that "Serious Crimes" constitutes a criminal offense punishable by imprisonment of a maximum of at least four years or a more severe punishment.

¹ Xhafo, J. (2010). International Criminal Law. Tirane, Albania. p. 239-249.

² The report on the closure of the International Criminal Tribunal for the former Yugoslavia (ICTY) in the Closing of the Hague Tribunal, an International Criminal Tribunal for the former Yugoslavia in 1993, established by UN decision to try crimes in the former Yugoslavia, and the legacy it left behind. <https://www.trt.net.tr/shqip/ballkani/2017/12/12/koment-tribunali-i-hages-dhe-trashegimia-qe-la-prapa-866543> (April 3rd 2020).

As mentioned above, in order to conduct a successful investigation and bring the offenders to justice, wiretapping, as one of the most important procedural actions, should be allowed for criminal offenses punishable by not less than four years in maximum. Predicting the involvement of wiretapping methods in crimes punishable by up to four years on the one hand will make it possible to fight these crimes more, given that these are criminal offenses such as corruption where the subjects of these offenses are subjects with high professional skills, such as that of corruption committed by senior officials and make it impossible to commit sophisticated offenses, leaving no trace, and no space for employees whom pursue criminal prosecution to detect them. But, on the other hand, the employees whom will perform the interceptions must be very careful and well trained in exercising this delicate function, as the interceptions constitute a violation of privacy, personal life of the individual, especially in the investigation phase as there is only suspicion against persons, for committing a criminal offense and we are not sure whether we should infringe on the interests that have been established to protect privacy. In these cases, must be clearly defined and balanced to understand what are the prevailing interests, the protection of privacy or the public interest, to fight against the crime and therefore must be balanced to fairly evaluate which will be the interests that will prevail. In some court cases of serious crimes, has resulted that only wiretapping material has incorrectly incriminated persons who have nothing to do with criminal activity, and this constitutes a major violation of human rights. For these reasons, the reduction of the sentence, will increase the range of criminal offenses that will lead to a burden on employees and can certainly lead to the violation of human rights and freedoms. The reduction of the sentence of criminal offences at no lower than four year is in compliance with other laws as well, especially the witness protection law. According to this law at article 2 it is foreseen that: "disposition of this law will apply for criminal offences that it is foreseen a sentence not lower than four year". Letter b) of paragraph 1 of this article of CPC has been amended in order to allow this instrument to be used in the event that the criminal offense was committed intentionally, by means of telecommunications or the use of information technology or computer technology. Whereas, the procedural interception is foreseen in the above articles, the procedures, authorities and reasons based on which the preventive interception takes place in the Republic of Albania are foreseen in the Special Law no. 9157, dated 4.12.2003, "On wiretapping of telecommunications".

Regarding the preventive interception, the judicial practice of the ECtHR states the following in the court case ruled by decision no. 4378/02 of *Bykov¹ vs Russia* dated 10 March 2009. The Court has consistently considered that when it comes to intercepting communications for the purposes of a police investigation, the law should be clear enough, in the sense of giving citizens an appropriate indication of the circumstances and conditions in which public authorities are authorized to return to

¹ Decision no. 4378/02 date March 10th 2009, *Bykov vs Russia* published on European official journal <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-91704%22%5D%7D>, (April 1st 2020).

this covert and potentially dangerous interference with the rights to privacy and correspondence. In the Court's view, these principles apply equally to the use of a radio broadcasting device, which, in terms of the nature and extent of the relevant intervention, is virtually the same as telephone tapping.

II.4- Victims

According to Directive 2012/29/EU¹ which replaced the Framework Decision of the Council 2001/220/ the victims, should have the right to testify in their own language. The third paragraph of this article provides for the right of the defendant and the participants in the trial to be informed, if necessary, through an interpreter, regarding the evidence obtained. The last paragraph ensures that costs related to the translation and interpretation of sign language must be covered by the state in accordance with European and international standards. The amendments to the CPC have introduced the obligation of the victim to participate as a party in the criminal proceedings, by guaranteeing its access to the criminal proceedings, in accordance to the determination of the EU Framework Decision on the status of victims in criminal proceedings dated 15/03/2001 Article 9/a.

The amendments of the CPC provide for significant changes for the victim and the accused victim. Thus, the provisions on the victim and the accusing victim are considered very progressive and have provided for the replacement of the role of the "victim of the criminal offense" with the term "victim". Regarding the term used, a great and valuable replacement has been made, because according to the previous provision of the Code, by labeling it with the term "Damaged", an object is conceived, something that has been damaged and not a human being, a victim of a crime, an innocent victim and subject to criminal activity that have been violated, not only on material but moral damage as well as its fundamental rights and freedoms.

At the same time, the term "damaged accusing" with the term "indictment victim", giving the relevant definitions and regulations for these terms in accordance with the Framework Decision of the Council of Europe² of 15 March 2001 on the Victims' Attitude in Criminal Procedure and the Directive 2012/29 / EU³ which has replaced this decision.

¹ Directive 2012/29 of the EU and the Council on October 2012 To set minimum standards for the rights, support and protection of victims of crime, which replaced the Council Framework Decision 2001/220 <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32012L0029>, (April 2nd 2020).

² Framework Decision of the Council of Europe of 15 March 2001 on the Victims' Attitude in Criminal Procedure published on the European Official Journal http://data.europa.eu/eli/dec_framë/2001/220/oj, (March 30th 2020).

³ Directive 2012/29/EU Council of Europe October 2012 For the Determination of the Minimum Standards of Rights, Support and Protection of Victims of Crime, which replaced the Framework Decision of the Council Directive 2001/220/JHA published in the Official Journal <https://eurex.europa.eu/search.html?qid=1585598884134&text=Directive%202012/29%20/EU&scope=EURLEX&type=quick&lang=en> (March 20th 2020).

For this reason, Article 58 of the CPC has been completely reformulated, followed by Articles 58/a and 58/b, which provide for special character, the juvenile victim and the sexually abused victim or subject to trafficking. In these two cases, it is foreseen that the victim has some special rights related to her own special qualities.

Similarly, Article 59/a was added, which provides for the case of numerous victims of criminal offenses, in order to avoid delaying the process for this reason, guaranteeing their representation by the same counsel in cases where there is no impediment. Article 60 provides in detail the content of the request of the accusing victim, to enable the development of a normal judicial process. At the same time, it is foreseen that the civil lawsuit in the criminal process can be filed only by the victim or her inheritors.

II.5- Prosecution and Judicial

Regarding the prosecution role as a subject at the criminal proceedings the amendments are fundamental. For the first time, in the history of Albanian jurisprudence, from the post-communist period, the function of an independent, fully competent prosecutor is provided to exercise criminal prosecution according to his beliefs, convictions, so a decentralized function whose decisions on criminal prosecution cannot be contested or amended by an administrative hierarchy. Such decisions as they have been before that when the decision of a prosecutor at a lower court could be reviewed by a prosecutor at a higher court. According to these provisions, we hope that prosecutors with high integrity and professionally very capable will be included in the prosecution system. Because this decentralization, under the conditions of a corrupt prosecution as it is nowadays can violate the principles of justice. Thus, the powers of the prosecutor¹ have been increased, for the first time, it is foreseen in terms of his rights to reach an agreement with the defendant and to propose it to the court, as well as to decide on the criminal order of punishment, these new institutes provided in the CPC (Article 24). Also, the competencies of the Special Prosecution Office in full compliance with the constitutional provisions, for justice reform have been foreseen, as well as the cases of conflict of competencies between this Special Prosecution and the ordinary prosecution have been regulated (Articles 28-29).

Deep and democratic amendments are foreseen in Chapter II of Part I of the Code, which mainly reflect the constitutional amendments on the jurisdiction of the courts, according to the justice reform. Specifically, Article 75/a has been reformulated in accordance with Article 135 of the revised Constitution and Articles 9 and 10 of the Law "On the Organization and Functioning of Institutions to Fight Corruption and Organized Crime", by providing the jurisdiction of the court against the crime of corruption for:

¹ Palazzo, P. (2000) *Lezioni di diritto penale comparato* Torino, Giappichelli. p. 130-159.

any subject who commits a criminal offense provided by Articles 244, 244/a, 245, 245/1, 257, 258, 259, 259/a, 260, 319, 319/a, 319/b, 319/c, 319/9, 319/d, 319/dh, 319/e (provisions in the field of corruption and organized crime);

any criminal offense committed by a structured criminal group, criminal organization, terrorist organization and armed band, that their definition is made in the provisions of the Criminal Code;

criminal charges against the President of the Republic, the Speaker of the Assembly, the Prime Minister, a member of the Council of Ministers, the judge of the Constitutional Court and the Supreme Court, the Attorney General, the High Inspector of Justice, the Mayor, the Member of Parliament, the Deputy Minister, the member of the High Judicial Council and the High Prosecution Council, and the heads of the central or independent institutions defined in the Constitution or by law;

any charges against the above former officials, for acts committed in the exercise of their duties;

According to the provisions of Article 75/b on the jurisdiction of the High Supreme Court are also reflected, the new constitutional amendments for justice reform in relation to this court, by keeping in its jurisdiction only the unification of judicial practice by the Criminal College and its amendment by its Colleges. Meanwhile, disputes over competencies are envisaged to be resolved by the Criminal College in the Advisory Chamber, as a competence that does not affect the function of this court and guarantees the same solution for the lower courts. The provisions provide for an amendment to the current rule on the jurisdiction of the Court against Corruption and Organized Crime, providing that in cases where one of the defendants is a minor, the proceedings against him shall be examined in each case by the relevant section of the ordinary court even though the subject matter jurisdiction may belong to the Court against Corruption and Organized Crime, the provision made in Article 80 of the CPC.

For the first time in the CPC, it is established the Court against Corruption and Organized Crime which is expected to review, at both levels, district court and appeal court, with a panel of three judges, because the selection of judges and their specialization guarantee the legislator's intention to a fair decision-making of the court. Hopefully, we expect that the establishment of this court will implement justice reform, so long awaited by all citizens. We believe that this court will give the green light to the entire justice system by turning it into an effective justice system and especially by fighting corruption among of judges and prosecutors, but as well as among the politicians in Albania.

By establishing the so call "Court of Corruption" we hope that Albania will not to be ranked at the first place on the list of countries with the highest corruption in the judiciary system. We hope that justice will be served to all Albanian citizens, so that

they do not seek justice at the doors of the European Court¹ just because of the dysfunction of the judicial system in Albania. Albanian citizens deserve access to justice, just like all European citizens.

Furthermore, an innovation foreseen by these amendments of the CPC are the provisions provided for the judicial police. The National Bureau of Investigation is established for the first time. This part is regulated based on the provisions of the amendments to the law on judicial police.

As we pointed out above, the position and role of the prosecutor² in the preliminary investigation phase has undergone significant changes and remains a central and competent figure, during the preliminary investigation phase and the amendments are foreseen in harmony with the provisions of the new law on the prosecution, being provided for the manner of control of the actions performed by the prosecutor during the preliminary investigations and at their conclusion.

Conclusions and Recommendations

Regarding the amendments to the CPC, we consider that they are very progressive as they are in harmony with international and European standards and some of them are defined for the first time in the Albanian jurisprudence. Defendant's rights letter constitutes a greater guarantee for the protection of the defendant's rights. It determines not only a right for the defendant but above all an obligation for the enforcements agencies to implement executing the rights. The sanctioning of the legal position of the victim in the criminal process and the accused victim is undoubtedly considered positive, as in all these years, despite its important and necessary role, it was not mentioned and specified the role of victims at all in the criminal procedure. The role of the victim in criminal proceedings has already been consolidated as a party in the process with all the rights in a regular criminal process.

Consolidation of provisions relating to the protection of witnesses, collaborator of justice and witnesses with a hidden identity. But comparing with international standards the approximation with them is still lacking, therefore it is recommended to be reformulated in the way that the identity of the protected or anonymous witness to not be disclosed for any reasons. Correspondingly, it is recommended that the provisions regarding the prohibited questions to be reformulated, so that the identity of the protected witness will not be disclosed.

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