



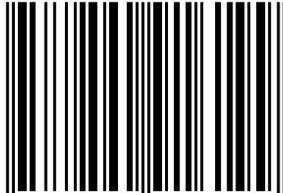
RECENT IDEAS AND DEVELOPMENTS IN SOCIOLOGY

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Immigrant and Urban Re-Generation

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Abstract

This study has started from the knowledge of the juridical-normative frame regulating the foreigners' social rights in EU and in Italy and from the reading of directives, programs and documents produced from the EU and from the Region Campania. After this, the study has moved toward the tab of around fifty national and international case studies related to the activity of inclusion and of integration of the immigrated ones. From the comparative reading of the case studies, some immediately transferable strengths have been individualized. Then, we compared the cases studies with the European, Italian and regional Program; the next step has been the examination of the weight of the population immigrated in Italy and in the Region Campania and of its burden in the variation and formation of the real estate. In this way we have had useful "suggestions" for the elaboration of Urban Plans able to support the construction of the inter-cultural city and urban community (Consiglio d'Europa, 2003). In fact, in conclusion, the paper proposes an urban design in the city of Castel Volturno, which is one of four municipalities, along with Mondragone, Sessa Aurunca and Cellole, that belongs to the Domitian coast (Caserta). Since the nineties, the migrants who arrived on Italian territory recognized in the Domitian coast a new attraction center. This immigrant's presence has led a change in the morphology of settlement. They live in a small town where there is social, urban and environmental decay.

Keywords: Immigrant and Urban Re-Generation

Introduction

1. Inter-ethnic city and inclusive citizenship

The city has always been diversity and collective memory place. It is the space where are handed down and materialized the values of the culture. (Beguinot, 2008) How can the urban plan answer the new questions coming from the new population? Assuming that the new morphology of the society and the new cities are cosmopolitans, it is undergoing a change of perspective in the planning, moving towards a generated by the difference in planning theory. As Leonie Sandercock writes: "if we want to achieve social justice and respect for cultural diversity in the city, we have to theorize difference political, that must be productive. If we want to foster a more democratic and inclusive process in planning, we must begin to listen to the voices of difference" (Sandercock, 2004). But which are these voices of the difference? They are a part of the city, that often not heard by planners. They are the voices of multicultural city that must be in intercultural city. The cross-reading/comparison of some European and Italian cases shows the importance to implement at the same time social and urban measures. In this way we can build the relationship between indigenous and migrants citizen. The participation helps the relationship process and helps to build a share urban space.

Since human beings began to be permanent and, therefore, to turn the space of the nature into place for the social cohabitation the problem concerning the organization of the space in optimal way for the carrying out of the activities arose. This problem has always been dealt with despite the techniques and the available technologies and the dominant power that, in every epoch, curtains to influence the formal and functional model.

Currently it is not possible to put aside the ethnic-cultural difference that is by now integral part of the social component of the sustainable development (UNESCO 2001).

The phenomenon of the cultural coexistence has assumed different denominations but the used terminology has always been reported to identify the overcoming of the "contingent differences" (Chisleni, Rebughini 2006), to point out the ability to harmonically refer it to the "All", to identify the affirmation of an unifying common principle. The IOM (2005) estimates a migrant population of over 240 million (40% more in comparison to the 2000) and, out of these, the 20% settles in the great cities, going to constitute consistent quotas of the total population.

Their arrival (of the immigrants) arriving in a consolidated social group (the autochthonous ones) requires a contemporarily intervening on the social spatiality and on the physical space. The policy mainly acts on the first term while urban projects predispose the physical component of the territory, both urban and not, so that working and social activities can effectively be carried out. Put simply: if the right to the house needs to be guaranteed to everybody, including immigrants (social politics) then it will be necessary to predispose the areas destined to residences with the connected services and the necessary net of infrastructures (urban politics). The cohabitation in same civic spaces – a phenomenon started in the past and because of needs that differ from the actual ones – may produce conflicts between autochthonous and immigrant groups and also among groups of immigrants of different origin. It is in the city, in fact, that you can realize the maximum interaction among the different social groups. This interaction involves public spaces, half-public (Jeffery, 1977; Moeckli 2016) and also private spaces. Thus, also the urban organization, in its material, functional and relational components, can contribute to feed the integration or the conflict, the fusion or the marginalization. In order to determine the conditions of a qualified urban cohabitation, it is appropriate to wonder about the role of public institutions and the degree of freedom for personal actions, social groups and market logics.

2. The problems to be solved

From the ongoing of cultural exchanges inter-culture arises, i.e. an innovated social "identity" in which every culture participating to the dialogue becomes wealthier thanks to some contribution of the other and, preserving its own cultural patrimony of base, it builds, together with all the others, a new common culture on which to establish the sharing of a same territory and the cohabitation in a same place (Remotti 2010). This is also true for the urban identities that stand for the codified materialization of spaces and volumes of the society in different moments of their history. By urban inter-culture, you must not exclusively mean the change of physical spaces but also the different ways by which a same space is used over different epochs and in different ways by several social groups (Petrella 1989). An inter-cultural city is, by definition, a resilient city. If the cultural differences of immigrants are assumed as external strengths, the resilient city "deforms", reorganizes itself by suiting itself to the "external solicitations", without losing the secular structural identity of its own urban history. In other words, it evolves by adapting and it adapts by evolving. For a project that effectively supports appropriate models of cohabitation, it is necessary an urban plan able to predispose conditions of resiliency, flexibility and elasticity: a plan that is not rigidly prescriptive but is able to adapt again and again to the dynamism of the social supply. The need to save on housing rent requires uncomfortable accommodations and peripheral location. These houses often are founded in other municipalities far from people work. In this way the immigrants increase the commuting time and costs.

The lack of an effective institutional action has determined that the new comers could autonomously adapt, by confiding on the mutual help of the ethnic community already settled and of the no-profit associations that operates in the sector. Despite heterogeneity of places, the immigrated population has two preferential areas where to settle: the residential public districts in the degraded outskirts and the historically popular districts, also in central areas, where the small local economy and nets of social mutuality withstands (Palazzo, 2008). Beyond location, diffused or assembled, the housing uneasiness of the immigrants is shown by the fact that despite an income equal to an Italian citizen, the foreigner (in particular way if woman or people which come from country outside the European Union) lives in a less comforting house, paying a more expensive lease. The need to save on the lease of housing compels a little comforting lodgings and peripheral locations that often are in different municipalities from the one in which the foreigner works, with the consequent increase of the times and the costs of the commuting.

Different sciences have elaborated – at first according to a single approach and then according to a multidisciplinary one – several theories and methodologies finalized to prevent criminal activities in urban areas, with contextual interventions on social aspects and on the conformation of the physical environment. Jacobs, Wood, Newman, Jeffery, Cozens, etc. have marked the milestones driving to the *Crime Prevention Through Environmental Design* with its various declinations and therefore to the directive EU (CEN / TR 14383 -2) which delineates a *modus operandi* of the urban and house-building planning for the containment of the criminal behaviors and therefore dangerous. Such approach is based on the minimization of the environmental ability to facilitate or to support criminal behaviors (dangers) or on the production of

feelings of insecurity. Generally speaking, this kind of structural interventions can excessively appear expensive but, through a more careful analysis, such type of investment needs to be compared with the individual and collective costs related to a traditional intervention (increase of policemen in the street, private vigilantes, cameras, etc.). In reference to the application of urban plans, it is possible to intervene for demolishing the building, urban, environmental and social degrade that feeds the perception of insecurity and in which diverted attitudes can nurture. Beyond raising the safety degree of our cities, the safety itself and the safety perception they contribute to the cohabitation and the social integration and, therefore, to the integration among autochthonous and immigrants' groups.

Safe urban spaces feed the sense of affiliation to the place and the sense of affiliation strengthens the social integration, also the one of individuals differing in terms of culture (Patalano, 2006). The vitality of an urban space, or the continuous and variegated attendance of a place, is one of the qualities of the urban safety; besides the coexistence of people operating spontaneous overseeing, vitality increases interactions among the ones belonging to the local community, by offering further sap to the integration of the diversity (Body-Gendrot, Martiniello 2016).

It is accidental the fact that the earlier main contributions on these problem were authored by two researchers (Jacobs, 1961; Wood 1961) who face the urban (the former author) and the spatial (the former one) organization with attention, but without exasperation, by paying attention also on the particular aspects of the female safety.

3. The possible actions

In order to realize an inter-cultural city, the urban plan (u. p.) is only one of the necessary tools or, more precisely, the u. p. is the tool regulating a spatial dimension aiming to effectively organize the distribution of the activities that the social arrangement requires. The inter-cultural urban planning studies must predispose spaces projected with the share of the community, spaces realized with sustainable and maximally recyclable materials, "beautiful" spaces in which every difference can be felt in safety, spaces that every individual succeeds in perceiving as proper, where each one has the impression to have already been there and, therefore, does not perceive those places as extraneous and dangerous; the public places must be projected to stimulate the meeting among all the citizens; these spaces must be areas for which both the maintenance and the management are easily executable and with low costs (also foreseeing the active participation of the inhabitants); the public areas must not rigidly be determined but they must be easily transformable and adaptable to the continuous changes. The "heart" of the urban Plan is in the Technical Norms of Realization; they must point out in clear way and in terms of performance all the possible shrewdness to pursue the aim of inter-culture. For the direct realization and in the delay to the PUAs, the implementation of the participative process must be anticipated; not as mere affirmation of a principle but pointing out the participative model that mostly fit with the specific socio-cultural reality. The knots to be faced are different, but primarily they concern the lodging, the public spaces and the services for the collectivity.

3.1 Housing

The house, as primary need, is even more important for the immigrants since they cannot receive the residence permit without a domicile and they have difficulty to rejoin the family without a suitable lodging. The housing problem must be solved both for Italian and immigrant citizens. The housing offering must keep in mind of the staircase of the needs that, also united by the lower part or void income, is represented by different demands: homeless, single mothers and fathers, elder people, people with handicap, young couples – straight and homo -, foreigners, etc.

Aiming to urban inter-culture, the system of the assignments should avoid assembling in one building or, even worse, in a same block, only foreigners or only local citizens, and similarly should avoid assembling only disadvantaged categories in one area. The inter-ethnic and inter-social sharing of the residential space is an important component of the process of social and cultural integration. The smaller is the communication among groups (for difference of status or for difference of origin) the greater is the possibility that "special spaces" are formed that isolate themselves from the context and confirm the native vision that, often, in some societies and cultures, strongly penalizes the female component (Boal 2000). If the communication with the immigrated populations is not immediately activated, it will become then very difficult to proceed to a real integration with the autochthonous population (Vallega 2003). The actions to be completed are different and of different type and some can also be activated to limited costs, they can concern: buildings of public ownership not used, under-utilized or improperly used; buildings forfeited to the mafias, unauthorized buildings acquired by the public administration and usable, forms of solidarity residence.

For the buildings recoverable to the housing function, the interventions of restructuring must foresee housing units of different sizes, also with the possibility to adjunct (provisionally) those of smaller surface. The intercultural urban Plan owes define the size of residential components by recalling the principles of the unity of neighborhood and borrowing them for a project that intervenes more and more on the recovery and the retraining of the existing one, by structurally integrating residence and services. For instance, the project *Sulla soglia - Accompagnamento all'abitare* (promoted by the Provinces in Naples, Caserta and Salerno, from the Region Campania and from the Commune in Naples) that pays particular attention to the female problems, has included the realization of innovative and experimental practices of *co-housing* among immigrants, elder people, young workers, students and it has foreseen the activation of brief courses of formation for the respect of the safety requisite in the residences. The initiative *Mamme di giorno*, started in 2009 to Milan, promoted by Fondo immobiliare etico per l'edilizia sociale, foresees the possibility to have/offer neighborhood kindergarten in the house for the resident families in the new lodgings of social housing. It stands for a stimulus to the local economy, to the job and the self-production, beyond the creation of bonds within neighborhood. The initiative tends to reconcile job and family – a typical femal problem – and to facilitate the emerging from the black market labour, the insertion in the world of the job both for the young women that for the less youths.

3.2 Collective services

A founding role in the project of intercultural city is developed by the public services, whose sizing and location are competence of the urban plan. The first public service is the school. The friendship among children of different nationality is able to demolish the prejudice and to influence the behaviors of the adults (Aboud, Sankar 2007: 445-453). Kids are poorly conditioned by the cultural preconceptions, because they have the tendency to promote their personal need satisfaction. So school and family can develop a decisive role for the education to the interculturality (Zannoni 2007). In the urban plan the traditional factors of location based (in operation of the scholastic degree) on the unities of neighborhood (united or less) on the rays of accessibility, on the customer base of use and on the net of the service of transport public, is worth also for the intercultural school.

In the intercultural city, among the equipments for the collectivity, must also be included spaces for the reception and the meeting of the local community and also social and cultural integration spaces.

Among the cases of study, there are virtuous interventions that often set attention to the female component; the women are inserted both as promoting subjects of the action and as subjects which the action is turned. The Alma Mater Intercultural Center for the Women of Turin is an example: Italian and immigrated women realized it in 1993. The Center is both a place of reception and aggregation than a place of exploitation of competences and professionalism of the immigrants, through the promotion of new job opportunities (Observatory on the immigration in Piedmont). Alma Mater has developed also besides tutoring courses in Emila Romagna and Tuscany for the diffusion of a model of economic independence. Always in Turin, the project *Azioni per le Periferie torinesi (AxTO)* foresees the measure *Mai più sole: insieme contro la violenza sulle donne* that concerns - with particular reference to the immigrants - also the realization of reception and listening Counters in informal aggregation places.

Public services for collectivity are central in a project addressed to the multi-cultural city and, in order to confirm the importance of these equipments, we need to remember that ethnic differences are an appraisable good also from an economic perspective (Putnam 2007:137-174). They meaningfully contribute to the production of social capital: an urban territory surely is a fertile environment able to make rise and develop shared values and to contribute to the structuring of a new closed community.

3.3 Public open areas

The life of urban relationship mainly develops in the public spaces and, particularly, in the open areas of the city. Though the quality of the live is also function of the relationships system between the public space and the services accessibility.

The immigrants, both for culture and for lack of aggregation spaces, use more than Italian people the open public spaces. In the public spaces the multifunctionality, the permeability, the polysemy, and the green and performance project must be central elements in the urban project and mostly held effective to activate material and symbolic interactions finalized to the construction of the social relationships among the individuals and the space in which they act.

The technical laws of the urban plan together with the building Rule must foresee intercultural intervention rules and also the maximum social integration. The open spaces must be equip to favor meetings and ethnic mixture that, also in this case, can contribute to avoid the emergence of enclaves in the public spaces.

Other wedge concerns the sport (Gasparini, Cometti 2010). Our attention is payed on the daily physical activities that every inhabitant could want to practise. Remembering that urban standard regard not only the sport spaces but also the leisure time spaces, it is useful that together with the space equipped for the sporting activities, areas is also equipped for sedentary activity. An example can be the "table games" that, generally practiced from the older population. This type of games can be enriched from the games typical of other cultures. Another step can be the creation of spaces where can be practised the "street games", where every child can know the games of the children of other Countries.

The urbani Plan must foresee the re-examination and the possible reorganization of the urban areas, also keeping in mind some small surfaces able to be used for least activity and the urban laws must regulate the interventions so that the school open areas can also be accessible also from an external use.

Cities, in conclusion, must be thought as a place characterized by a balanced development among society and social demands, guaranteeing dignified lodgings, infrastructures and integrated services and public participation to the choices of the Administration. Such objectives must be pursued in the light of the principles that regulate the good course and the accessibility and the transparency of the Public Administration: only in this way a correct sustainable growth of the whole social fabric of a territory can be pursued.

4. CastelVolturno and the masterplan

Two the motivations that have brought us to designate Castel Volturno as place of study and project. The first reason is the big immigrants presence on the territory: 3.880 regular immigrants compared to a population of 25.281 inhabitants, therefore 15,3% of the total one of inhabitants.

The second reason concerns, instead, the elevated decay state in which pours the territory, due not only to the problem of the many abandoned or partly destroyed houses in Castel Volturno, but also, and above all, the absence of services to the population that lives that places; Urban Services that must answer to the demands of a changed population. Castel Volturno is a municipality in which the urbanization process has totally unhooked from the services.

So te city of Castel Volturno can be considered the ideal scenery for the development of concrete opportunities of integration among populations of different cultures.

The project aim is to offer occasions to know who is different and to allow to the natives to recognize themselves in in the places daily lived of their city, togheter with "new" people.

The thick foreign component that lives Castel Volturno, in fact, has often been cause of inside conflicts, whit autochtonous population.

Heart of the project becomes, inevitably, the desire to give space to the population of Castel Volturno, a population that the events have changed making it a multietnich popolutation. A population that pose a new demand.

The concept of "space" to which we do reference it is only not understood as realization of physical space, but also as possibility of all the components of the population, without distinctions of etnia, to assume a role inside the urban society.

In reason than said, the choice of the district in which to operate has been dictated by the results of an analysis turns on the territory of Castel Volturno, stamped on the search of the places with great concentration of foreign population. From the analysis it is possible to identify two districts ethnically characteristics: the first one more to south continuing toward Villaggio Coppola, in the zones of Messina street, Caltanissetta street and Palermo street; the second in the zone of Right Volturno.

Among the two we select the district of Right Volturno as area of intervention, predominantly residential zone, crossed by a road axle - Avenue Anthony Gramsci that it continues then at the street Phillip Brunelleschi - that ransom the whole area. The first step regards the localization of urban services.

In this area there are a Christian church, two Pentecostal churches and a supermarket, over then a private postal office and the center of the Asl district 23. So it's clear that there are few opportunities of development for the citizens and for the same city, few occasions, in spatial terms, to do community and to integrate with whom is different.

The intention has fundamentally been to bring life in a place that seems by now to have it lost, so that can again become attractive, accessible to everybody, and in which different cultures can succeed to pacifically cohabit with the entertaining society.

Further passage has been the individualization of the roads to retrain and to make practicable in the new urban project. So we have comparized the proposals of the preliminary of urban plan: some roads has been designated already from the plan as object of recovery. In parallel we have improved with the localization of buildings subjects to recovery.

Every of these buildings can be an opportunity to gine funzionalità to the district, because the project provide to insert of services for the community.

Another step is the localization of urban voids. So thanks to the sum of more interventions ferrules, the project aims to connect various urban areas.

The avenues the main threads of urban restyling, through which it is possible to reach every some anticipated services in the district, as well as to live the same district.

Departing from the principal road axle, avenue Gramsci and then on the Brunelleschi street, the project has articulated in three macros fields: the first one is the urban green spaces, with the realization of a new pine grove beyond the Voltorno, and of green spaces with sensorial runs. The second regards the places of the productivity, a productivity able also to do community; the third aims to develop integration spaces, making lever on the lack of services for the community, especially immigrants services and, therefore, it explain also the choice to add new services that can become themselves new integration places.

Green spaces

In the urban green, the first initiative has been the prevision of sensorial gardens, that are green spesces with typical essences of south Italy and also of the countries of origin of the immigrants. In particularly we provide to place Africans and east european essences togheter with Mediterranean typical vegetation.

This garden will be realized in the spaces among the built, for the purpose to create some green traces of him pine, trees of banana tree, to trees of mangrove, or still among plants of heather or ulivo. In this way also a green area among the built can be example of integration. Together with the gardens of sense, peculiar it is also the hypothesis of the realization of a new pine grove for Castel Voltorno, symmetrical to the note pine grove of Villaggio Coppola. The principal road system of the pine grove proposes the rigid weft of Roman *centuriatio*, alternate with a less rigorous layout for the inside secondary runs.

Productivity places

The project provides to convert the interstitial voids in urban gardens. This garden will be farmed by inhabitants – Italians and immigrants-, with the double purpose to guarantee the insertion in the market of the job to more people, and to educate to the knowledge of the typical nature of the place in which they lived. The project provides also the realization of handicraft laboratories, localized in some fosaken or not-ended buildings, ividualized on the territory. In the various laboratories it is anticipated the insertion of devoted activity to the tailoring, to the workmanship of the wood, to the painting. The principal objectives of the handicraft laboratories become the greatest social inclusion with consequent reduction of exclusion, the acquisition of new competences and occupational affairs, the opportunity to effectively use the leisure time and, finally, the involvement of the population in activity able to increase the same productivity of the territory. The core of this field is the multiethnic market, in which the inhabitants can sell the urban garden alimentary products and also the craftsmanship coming from the laboratories. A space in which the autochtonous and the immigrants can offer the fruit of their own job, in communion with the others. The market become an innovative and dynamic space, a space of economic and social interchange.

Integration spaces

Sees the strong presence of social and cultural associations - not only for immigrants - the third field of intervention aspire to create of new services for the population.

Particularly, the project provides an elementary and maternal school that, in the daytime, can be used by the children, autochthonous and immigrants, while in the evening, can become a multilingual evening school managed from voluntary.

Exploiting the presence in the district of the Asl district 23, we provide the insertion of an ambulatory for Present Foreigners Temporarily. Another service provided is the initial reception center, as branch of Center Caritas Fernandes site beyond the Volturmo.

Still, to the border with Donatello street - in the proximities of *Lago Piatto*- in some ample green spaces abandonment, the project foresees the realization of a small complex of services for the food services.

Two are the particularities that define this intervention: first of all, in this new points you can taste all the typical ethnic meal, than the structure that can be realized will must be a minimum structures environmental impact, because we are in an are a with a geological and waterflow restrictions.

To these services, clearly turned to the population in all of its variety, interstitial spaces are alternated turned to equipped plazas, in which the citizens can meet and to spend some time. Peculiarity of these plazas will be the insertion in every of them, of bronze statues representing "common people" symbolic for the society and the city, able to tell the reality of the new Castel Volturmo.

In last, but not for last, the line of the people coincides with a cycle-pedestrian run that crosses the whole zone of right Volturmo, passing by the principal street and inserting itself in the inside roads of great interest. The runs are only traversable by car only in some hours. The houses in the district will be all renovated. The line of the people will be a decisive mark for the district of Right Volturmo. That sign that answers in productive way, to a new society, which pretends, a physical – and social- change of the city, which looks not still able to answer to the demands of the citizens.

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Appendixes

Bianca Petrella wrote the paragraphs from 1 to 3 and Claudia de Biase wrote the paragraph 4.

Figures

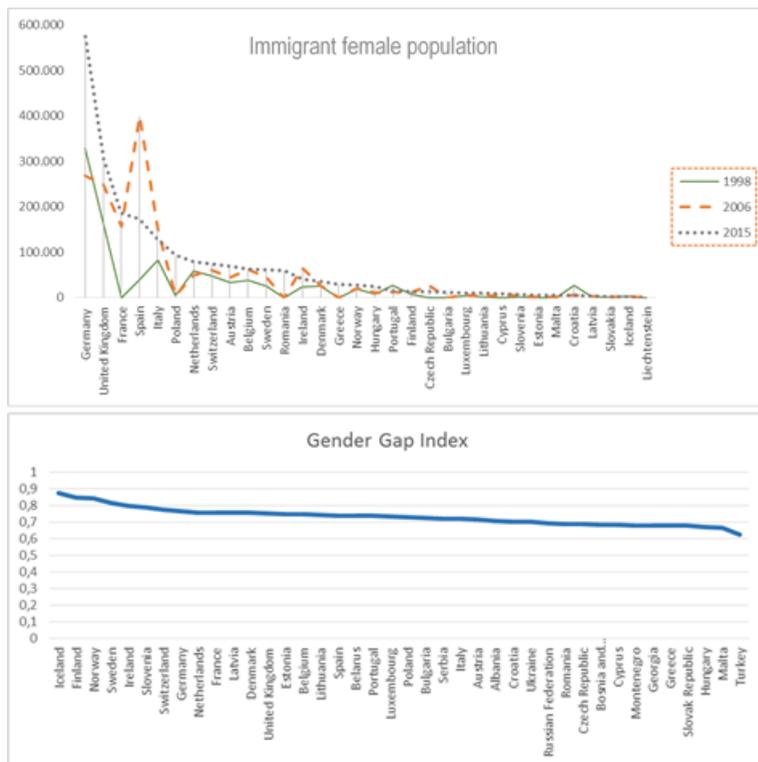


Figure 1 -The two charts show the variation of the immigrant women by 1998 to 2016 (up) and the condition for women in the host country (bottom). Based on data from: Eurostat (http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_imm2ctz&lang=en) and International e World Economic Forum (<http://reports.weforum.org/global-human-capital-report-2017/dataexplorer/>).

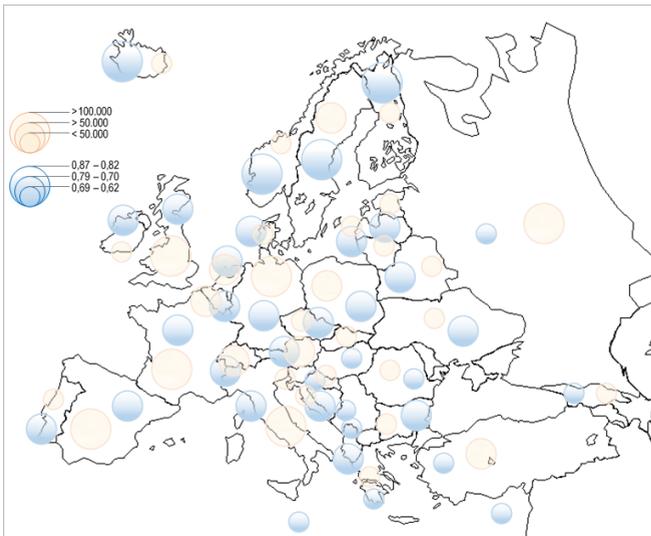


Figure 2 - The chart shows both the number of immigrant women (yellow colour) and the gender gap (blue colour) in the European countries that host them. Based on data from: Eurostat (http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics/it) and World Economic Forum (<http://reports.weforum.org/global-gender-gap-report-2016/rankings/>).

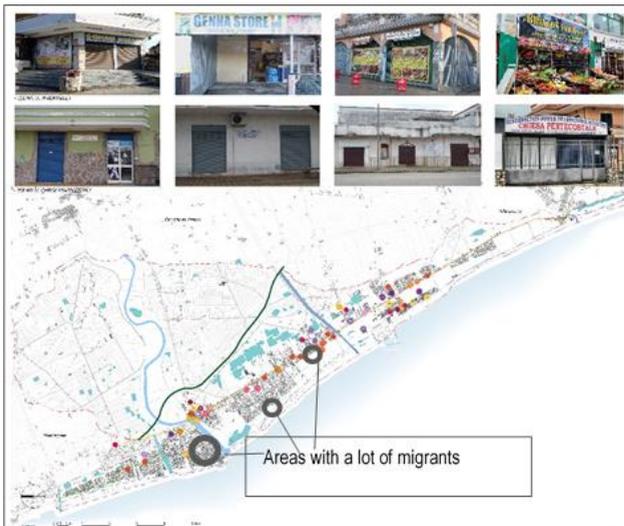


Figure 3 - The planimetry shows the location of the collective facilities in Castelvolturno, including services for immigrant. Marina Manna has made the picture for the diploma thesis with the supervisor Claudia de Biase.

Narrating the History: The Reinterpretation of Symbolic Reparation for the Reconciliation and Redemption of Child Victims of Conflict

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Abstract:

In Colombia there is a large sector of the population that has been the object of violation and ignorance of their human rights. They, like all victims of this type of violation, need to be repaired in a comprehensive manner. The concept of symbolic reparation that includes this integral reparation aims to reclaim the human being, to reconstruct it from the wounds and traces left by the violation of human rights in his memory. In a more sympathetic sense than is usually attributed to it, it seeks to bring the practice and experience of individuals to a level of abstraction that allows them to conceptualize a specific fact and articulate it with other concepts, so that the individual acquires adequate resilience. In this sense, the exercise and the experience of this reconstruction through the narratives, can provide certain conditions that make possible the process of symbolic reparation, which is exactly what it is tried to demonstrate with this investigation. This document is part of the research entitled "The narratives as a mechanism for the symbolic reparation of children victims of human rights violations", which seeks to understand the factors that make it possible to implement narratives as a mechanisms for symbolic reparation of children who are victims of human rights violations, as opposed to the symbolic reparations that have been erroneously ordered by the Inter-American Court of Human Rights and the Colombian Supreme Court and Constitutional Court.

Keywords: Human rights, human rights violations, Peace research, Child welfare, Social justice

Introduction

Your eyes have your age,

but your ears have the age of your parents.

Proverb of Afar People (Vázquez & Francica, 2016, p. 78).

In Colombia there is a large sector of the population that has been victim of violation and ignorance of their human rights. They, like all victims of this type of rape, need to be repaired in a integral way. The concept of Symbolic Reparation that includes this integral reparation aims to reclaim the human being, to reconstruct it from the wounds and footprints that the violation of human rights left in his memory. In a more comprehensive sense than is usually assigned, Symbolic Reparation seeks to bring the practice and experience of individuals to a level of abstraction that allows them conceptualizing a particular fact, and articulating it with other concepts, so that the individual acquires a capacity of adequate resilience. In this sense, the exercise and the experience of this reconstruction through the narratives, can provide certain conditions that make possible the process of symbolic reparation, and that is precisely what this investigation is tried to demonstrate.

This paper is a result of the research entitled "The narratives as a mechanism for Symbolic Reparation of children victims of human rights violations" wich general objective is to understand the factors that make it possible to implement narratives as a mechanism for Symbolic Reparation of children victims of human rights violations in the department of Quindío. In addition, one of the specific objectives proposed within this research was to conceptualize, around the symbolic reparation, the different scope and elements that are proper to this measure, as well as to describe the elements that the narratives contribute within said process and that could be sufficient to achieve the objective of this repair. To do this, it was necessary to make an exercise of bibliographic revision around primary and secondary sources related to the topic of symbolic

reparation and narratives, and also around certain jurisprudence of the Inter-American Court of Human Rights and of the Constitutional and Supreme Courts of Justice of Colombia, all this in order to conceptualize about some of the categories of analysis that were identified within the aforementioned research, to conform the conceptual framework of the same and to develop the two objectives indicated above. The research to which the present article belongs is of a socio-juridical type, of qualitative class, and the method used is the Hermeneutic Method with a Biographical-Narrative approach. The instruments used to collect the information are the interviews, observations, autobiographical writings, life stories and photographs, in addition to the information that can be supplied by the Historical Memory Center of Colombia. The technique of analysis is discourse analysis.

The Duty to Repair Victims of Human Rights Violations

For more than five decades, the Colombian context has been defined by an armed conflict of a non-international character that has, as one of its most important and emphatic characteristics, the presence of victims, direct and indirect, of all genres, conditions and ages. Such victims are because the conflict has ignored and violated their essential rights, their human rights, and in the special case of children, their prevailing rights. And that prevalence of the rights of children in Colombia is what leads us to affirm that the violation of the rights of those who are entitled, and that have been recognized as of a higher value because of its importance and need for promotion and protection, to the point of calling them "human rights" (UNESCO, 2012), is –and must be a priority focus for both the State and society in general.

However, according to the results of the on-site visit by the Inter-American Commission on Human Rights in 2013, the Colombian context was characterized not only by the existence of an internal armed conflict that left numerous victims of all ages and regions of the Country, but also because of the presence of a number of basic rights and needs that are unsatisfied in a large part of the population, and because of the inadequacy of the legal and governmental mechanisms available to achieve this satisfaction (Inter-American Commission on Human Rights, 2013, p. 269). And it is precisely these victims who need to be repaired –because they have been subjected to violation and ignorance of their human rights, and that reparation must be both patrimonial and perhaps –and this is what is proposed through this research, emotionally and ontologically.

Resolution 60/147, adopted by the UN General Assembly on 16 December 2005, sets out the basic principles and guidelines on the right of victims of human rights violations to lodge and receive reparations. In that resolution, the Assembly emphasizes the victims' right to be treated with compassion and respect for their dignity, and the right to access justice and redress mechanisms, and to clarify that while the duty to make reparation lies at the head of the direct responsible (which is often different from the State), it is the State that, in its guarantor position of the respect and application of human rights and international law on the subject, which is in the duty not only to incorporate those norms to the domestic law, but also to adopt all the procedures that effectively tend to ensure equitable, effective and prompt access to justice and to the establishment of sufficient resources for the victims reaches the correspondat reparation (United Nations, 2005). By virtue of such content, Resolution 60/147, insofar as it allows for the promotion of justice in the face of any serious violation or ignorance of human rights, includes a guideline necessary to guarantee and achieve the due fulfillment of all those International Treaties that promotes and recognizes the high character of human rights.

In this way, ensuring the establishment of reparation mechanisms and alternatives for victims of human rights violations is an international duty of the States to which they are committed, not by Resolution 60/147 (which is only a guideline developing truly binding instruments), but rather by subscribing to the various international instruments that recognize and declare the paramount importance of human rights, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Haya Convention and the Additional Protocols to the Geneva Conventions, among others¹.

However, following the guidelines contained in the aforementioned Resolution, the Colombian State incorporated, through Law 1448 of 2011 related to Victims' Law and Land Restitution, a series of procedures and mechanisms that seek, among other things, to allow access of victims to reparation systems. This means that the Colombian State recognizes its duty to guarantee the victims –although only those who are victims of the internal armed conflict, access to reparation, which, in principle, seems to terms of UN Resolution 60/147.

¹ Judith Lichtenberg, "Negative Duties, Positive Duties, and the 'New Harms,'" *Ethics* 120 (2010): 557–578 at 561–562.

In any case, it is necessary to recall that, as the Inter-American Court of Human Rights has pointed out, the obligation of States to make reparations to victims of human rights violations is, in itself, the rationale of the system of international protection of human rights, from which it is inferred the exigibility of this duty to make reparation to the victims, by means of actions before said international jurisdiction:

The international protection of human rights should not be confused with criminal justice. States do not appear before the Court as defendants in a criminal action. The objective of international human rights law is not to punish those individuals, who are guilty of violations, but rather to protect the victims and to provide for the reparation of damages resulting from the acts of the States responsible.

The State has a legal duty to take reasonable steps to prevent human rights violations and to use the means at its disposal to carry out a serious investigation of violations committed within its jurisdiction, to identify those responsible, to impose the appropriate punishment and to ensure the victim adequate compensation (Inter-American Court of Human Rights, 1988, pp. 134, 174).

Likewise, in the Final Agreement for the Termination of the Conflict and the Construction of a Stable and Durable Peace, signed by the Colombian National Government and the Central Command of the Central Staff of FARC-EP on November 24, 2016 in the city of Bogotá, both parties entered into a series of commitments aimed precisely to securing a definitive end to the armed conflict between the State and the guerrilla group and establishing the minimum (although very specific) basis for building a solid peace. One of these commitments, as folio 127 et seq. of said Agreement, was the creation of an Integral System of Truth, Justice, Reparation and Non-Repetition, one of whose components is the following:

Measures of integral reparation for peace-building: These are measures that seek to ensure the integral reparation of victims, including rights to restitution, compensation, rehabilitation, satisfaction and non-repetition; and collective reparation of the territories, populations and groups most affected by the conflict and most vulnerable, within the framework of the implementation of the other agreements. To this purpose, existing mechanisms will be strengthened, further action will be taken, and everyone's commitment to redressing the damage caused will be promoted (High Commissioner for Peace, 2016, pp. 129-130) (Translated by the author).

Although this Integral System of Truth, Justice, Reparation and Non-Repetition is hardly in the stage of structuring, the text of the agreement thus signed may infer an obligation on the part of Colombian State, and even on the part of the ex-guerrilla group FARC-EP, to proceed –in the near future, to a reparation of the victims of the Colombian armed conflict, in the precise terms of Resolution 60/147 mentioned above, through the tools offered by said System, whose components are the (High Commissioner for Peace, 2016, p. 125):

- The Commission for the Clarification of Truth, Coexistence and Non-Repetition.
- The special unit to search for missing persons in the context and due to the armed conflict.
- The Special Jurisdiction of Peace.
- The set of integral reparation measures for the construction of peace.
- The Non-Repetition Warranties.

Thus, it is from these instruments, norms, judicial antecedents and expectations, from which arises the duty of the States, and specifically of the Colombian State, to repara the victims of human rights violations, understanding, of course, that the victims of the armed conflict are also, and for that reason, victims of serious violations of their human rights.

However, it being clear that there is a duty of the State in this regard, it is necessary to reflect close to who, in the current Colombian context, are holders of the right to reparation.

Characterization of Victims of Human Rights Violations

Regarding the characterization of victims of human rights violations, Resolution 60/147 establishes that "victims" are all persons who have suffered damages, individually or collectively, including physical or mental injuries, emotional suffering, economic loss or impairment fundamental rights, as a result of acts or omissions that constitute a manifest violation of international human rights norms, or a grave breach of international humanitarian law, including the immediate family or

persons in charge of the direct victim and the persons who have suffered harm in intervening to provide assistance to victims at risk or to prevent victimization (United Nations, 2005). As inferred from the above characterization, the quality of victim occurs regardless of the context surrounding the victimizing acts, that is to say, regardless of whether the human rights violations occur within the framework of an international or non-international armed conflict or not.

However, Law 1448 of 2011 –which determines, at the domestic level, the duty of the State to establish and define the mechanisms to achieve reparation of victims, does establish a restriction in the sense of considering as such, only those persons that had been individually or collectively harmed by events that had occurred since 1 January 1985 and as a result of violations of international humanitarian law or of grave and manifest violations of international human rights standards that had occurred during the armed conflict (Article 3). Right now, in addition to Law 1448 of 2011 and its statutory decrees (including 4800 of 2011), no other legislation in Colombia establishes a duty, at the head of the State, to repair and compensate victims that had acquired this quality for another reasons different than the internal armed conflict. This situation leaves all those people who have suffered different violations of their human rights for causes outside the internal armed conflict, out of the normative scope provided for there, which excludes a large section of the victimized population.

On the other hand, the Final Agreement for the Termination of the Conflict and the Construction of a Stable and Durable Peace signed by the Colombian National Government and the Central Command of FARC-EP, does not define precisely who will be understood in the condition of a victim capable of benefiting from the measures and mechanisms that will be implemented when the document be signed. What it does say, in a very vague reference to the Program for Integral Reparation of Victims (created by Law 1448 of 2011), is that a "victimization map" must be constructed, in wich –among other things were included and registered in the universe of victims inscribed in that mentioned Program for Integral Reparation of Victims (High Commissioner for Peace, 2016, p. 185). Although there is currently no certainty about this aspect within the current framework of post-conflict in Colombia, this could mean that the future process of recognition of victims will be somewhat less strict and rigorous than that which has been applied to the interior of the Unit for Integral Care and Reparation for Victims, but will continue to imply, in any case, a substantial limitation on access to the right to reparation, while again excluding all victims of human rights violations that would have reached this quality for another reasons different than internal armed conflict in Colombia¹.

In spite of the above, the victims that constitute the object of study and the proposal that is brought here are those children who have been violated in their human rights, including the right to special protection for physical development –mental and social, education, understanding and love of parents and society, to receive help in all circumstances and protection against all forms of neglect, cruelty and exploitation (United Nations, 1959), which are just some of the rights that the country's children have been deprived of, without distinction to the cause of the victimizing event. And it is not only within the context of an armed conflict that human rights violations occur; as expressed by the General Assembly of the United Nations through Resolution 60/147, by refraining from establishing, as a prerequisite of the right to integral reparation, that the violation of human rights had occurred for one reason or another determined.

Thus, it is already clear that there is a duty to repair and to whom have the right to claim such reparation. It is now necessary to go on to establish what are the characteristics that must meet the reparation to which the States are obliged, specifically the Colombian State.

What is the Repair to which Forces the UN 60/147 Resolution?

In accordance with the terms of Article 18 of UN Resolution 60/147, reparation of victims of human rights violations must be complete and effective and include the following forms: restitution, compensation, rehabilitation, satisfaction and guarantee of non-repetition. The hermeneutic reading of this stipulation, based on an non-positivist (or inclusive, or axiological positivism) posture, makes it possible to infer that the intention of the UN General Assembly to establish the duty to make reparation in these aspects was to compel an integral reparation, in order to cover all the aspects that would have been affected by the violation of human rights. This has been confirmed by, inter alia, the Inter-American Court of Human Rights, for example, when it states:

¹ See, e.g., John Thøgersen and Ulf Schrader, "From Knowledge to Action – New Paths Towards Consumption," *Journal of Consumer Policy* 35 (2012): 1–5; William Young et al., "Sustainable Consumption: Green Consumer Behaviour when Purchasing Products," *Sustainable Development* 18 (2010): 20–31.

Reparations are measures tending to eliminate the effects of the violations committed. Their nature and amount depend on the characteristics of the violation and on both the pecuniary and non-pecuniary damage caused. Such reparations shall not result in the victims or their successors becoming richer or poorer and they shall be commensurate with the violations declared in the Judgment (Inter-American Court of Human Rights, 2006, p. 110).

This reparation, on the material and immaterial levels of the victim, has been called integral reparation or *restitutio in integrum*, which, in addition, is consistent with the classification of reparable items defined by the Office of the Special Rapporteur of the United Nations, within the Draft Principles and Basic Guidelines relating to the redress of gross violations of human rights, according to which reparation of victims should include restitution, compensation, **reconstruction of the life project**, satisfaction and guarantees of non-repetition (United Nations Commission on Human Rights, 1993). (Highlighted out of text).

It is worth mentioning, at this point, that for the purposes of this document, the reconstruction of the life project and measures of satisfaction are of particular importance. The Inter-American Court of Human Rights has defined the first, that is, the reconstruction of the life project –or life plan:

The so-called 'life plan' deals with the full self-actualisation of the person concerned and takes account of her calling in life, her particular circumstances, her potentialities, and her ambitions, thus permitting her to set for herself, in a reasonable manner, specific goals, and to attain those goals" (Inter-American Court of Human Rights, 1998, p. 37).

The second, that is, the measures of satisfaction, involve the inclusion of provisions such as verification of facts and full public disclosure of truth, search for missing persons, official statements or judicial decisions that restore dignity, reputation and rights of the victim, public apologies including acknowledgment of the facts and acceptance of responsibilities, commemorations and tributes to the victims, and the inclusion of precise references to the violations in the teaching of international standards of human rights and international humanitarian law (United Nations, 2005).

The reparation of victims, which must be, as has been said, in a comprehensive manner, entails not only the coverage of the pecuniary aspects that will eventually serve to restore assets and resources lost during the rape –insofar as this is possible, but also involves the satisfaction of certain aspects that were affected by the same violation of human rights, aspects closely linked to both the life project and the victim's emotions.

Scope of Integral Repair and Rol of Symbolic Repair

Having said all this, it is pertinent to bring up the proposal named by Velásquez Zapeta, in 2008, as Maya Kem strategy. According to this, the integrality in the reparation of victims is reached when there is "the synergic articulation of the compensation measures that are applied in a certain place, at the same time and with the democratic participation of the same beneficiary population, at community level, municipal, regional or departmental" (Velásquez Zapeta, 2008, p. 199) (Translated by the author). This strategy involves three forms of work: the active participation of the victims in the design, planning and execution of the repair strategy; respect for victims as subjects of rights and as the ultimate reason for all activity; and the conception of the strategy as a dynamic of flexible application of compensation measures:

Material restitution operations are conceived as a medium around which qualitative and intangible operations (such as cultural restitution and psychosocial reparation) are developed, and it is hoped that these intangible measures will be able to remain longer in each community and that achieve the desired effects of increasing self-esteem and self-valuation of people as citizens subjects of rights (Velásquez Zapeta, 2008, p. 200) (Translated by the author).

However, as stated above, the Colombian context makes it possible to highlight the presence of child victims who have been or have been subjected to ignorance and violation of their human rights, and who, for this reason, need to be repaired, not only from a patrimonial-material perspective, but also, and in addition, from an emotional-immaterial, integral, and ontological perspective. Within that concept of integral reparation that seeks to claim being and allow the reconstruction of his life project from the wounds and traces that the violation of human rights left in his memory, symbolic reparation plays an important role for these effects as long as it seeks to bring the practice and experience of individuals to a level of abstraction that allows one to conceptualize a given fact and articulate it with other concepts so that the individual acquires adequate resilience. This has been hinted in a large part of international doctrine: "[symbolic reparation] can fulfill a relevant psychological function, helping the personal rupture with the traumatic past to which has been bound since the moment of the violation, and helping to integrating it to the present" (Beristain, 2010, p. 120) (Translated by the author).

Thus, the purpose of symbolic reparation consists precisely in allowing the victim, on the one hand, to redefine and resignify his own perception, that is, the perception he has of himself in front of the world around him, and on the other side, to rebuild his project of life from the new story that he has set it. This is precisely the same claim of integral reparation raised within the Maya Kem Strategy. In this sense, it is considered that the exercise and the experience that this process of resignification and reconstruction make the victim through the narratives, enables the achievement of the claims and objectives of the integral reparation to which States are bound, in the way that is going to be explain in the next chapter.

However, attention should be drawn to the fact that in the Final Agreement for the Termination of the Conflict and the Construction of a Stable and Durable Peace subscribed by the Colombian Government and the FARC-EP, no further mention is made of this type of repair. At first, it is established that the Tribunal for Peace:

Without prejudice to the competence of the State Council in respect of monetary reparations, it [the Tribunal for Peace] may establish symbolic restorative obligations to the State and organizations respecting due process and provided that the organization or State has omitted effective procedures to prevent punishable conduct (High Commissioner for Peace, 2016, p. 162) (Translated by the author).

And then, in a second and final moment, it was agreed that collective reparation plans with a territorial approach should include, as one of its elements, "Material and symbolic measures aimed at attending the damage [...] guided to direct victims, individual and collective, such as actions of dignity, memory, homage and commemoration, infrastructure works and commemorative architecture "(High Commissioner for Peace, 2016, p.180).

Thus, although the symbolic reparation fulfills this remarkable resignifying function of the victim, being one of the most important and dignifying aspects of the integral reparation ordered by UN Resolution 60/147, it has not had –until the moment, the scope that corresponds within the Colombian post-conflict scenario.

Why the Narratives?

We are voices in a chorus that transforms lived life into narrated life

and then returns narrative to life,

not in order to reflect life,

but rather to add something else,

not a copy but a new measure of life;

to add, with each novel, something new, something more, to life.

Our life and everyone's life –there is no narrative adventure that,

somehow, is not a personal as well as a collective adventure,

the experience and destiny of one and all.

(Fuentes, 1985)

Within a society in conflict such as Colombia, the victims –not only of the armed conflict but all those that are of the different violations of human rights, in addition to claiming recognition as such, demand an effective reparation that allows them to attend to their resilience process. Such a process does not occur, as has been said, by obtaining a pecuniary compensation or similar, but requires a true commitment towards the recognition of the other as the constructive subject of existence, reality and subjectivity of each victim. It requires the insertion and use of symbols that are part of the imaginary of individuals and that allow the apprehension of new values within the daily life of each being. In this sense, it is considered that the identification of the narratives that facilitate that process of resilience, and the understanding of the tools that each of them can contribute in that process, is the mechanism that can possibly transform the silence of children who are victims of human rights violations, in real, individual, and powerful voices, that will reinterpret the process of adaptation, overcoming and reconstruction of a new reality.

Why the narratives? It was previously said that integral reparation has a purpose of rebuilding the social fabric, and that such integrality is achieved insofar as the compensation strategies involve simultaneously the strategy of redress and the

individual himself as a subject of reparation. However, it is not possible to define narratives based on a precise notion of a particular activity, because it would be reducing its ability to articulate and produce meaning within a discourse.

Narratives, according to Anderson's understanding of them, are a two-way discursive process that involves the narrator and all the world which surrounds him, to construct a new and improved meaning of life:

Narratives refers to a form of discourse, the discursive way in which we organize, account for, give meaning to, and understand, that is, give structure and coherence to, the circumstances and events in our lives, to the fragments of our experiences, and to our self-identities, for and with ourselves and others. Narrative is a dynamic process that constitutes both the way that we organize the events and experiences of our lives to make sense of them and the way we participate in creating the things we make sense of, including ourselves... Our stories form, inform, and re-form our sources of knowledge, our views of reality... however, narrative is more than a storytelling metaphor; it is a reflexive two-way discursive process. It constructs our experiences and, in turn, is used to understand our experiences (Anderson, 1997, pp. 212-213).

Therefore narratives, whatever their form, and the methodologies that they incorporate (which contemplate routes that allow the inclusion of the voice and memories of the victims, the retrieval of documentary material, oral testimonies which leads to historical enlightenment and reconstruction of local memories, and make possible this symbolic reparation in addition to the generation of new knowledge and a certain guarantee of non-repetition), presupposes the reconstruction of the narrator's vision of events, a reconstruction that can be achieved either by written forms, or sounds, pictographic or other means. And precisely because of this, because the process of reconstruction of events involves the very voices of those who suffered –or still are suffering the violation of their human rights, the approach that should guide this process is the biographical-narrative, which allows and makes possible –according to Antonio Bolivar, the hermeneutic interaction of the following four elements:

(a) A narrator, who tells us about his life experiences; (b) An interpreter or researcher, who interpolates, collaborates and "reads" these stories to produce a report; (c) Texts, which include both what has been narrated in the field, and the subsequent report elaborated; and (d) Readers, who are going to read the published versions of narrative research. Therefore, the examination of narrative tales involves complex relationships between narrator, informants who have told us stories, and readers who interpret narrative forms from their frames of reference. Biographical accounts are texts to be interpreted (interpretandum) through another text (interpretans), which is basically the research report (Bolivar, 2010, p. 80)(Translated by the author).

Now, as the author mentioned above points out, once the stories that constitute the particular vision of each victim have been obtained, this narrative/story becomes a text/speech capable of being interpreted and, above all, capable of raising the voice of each one of the victims and resist the oblivion with which time and indifference conceal the individual and collective reality of each violation of human rights. In this sense, the recognition of the harm and pain that individually and collectively has suffered each victim, is especially important insofar as it allows, not only the individualization of each child as a particular subject within the conflict –and the postconflict, with its different and particular conditions and contexts that confer him or her a special and unique sense to his loss and his pain, but also allows the individualization of the precise measure of symbolic reparation that will enable, in that particular child, his repair, individual and –why not personalized.

And that is precisely the fault of the current measures of symbolic reparation that both the Colombian Constitutional Court and the Inter-American Court of Human Rights are ordering in those cases related to non-international conflicts and transitional justice: See, for example, the measure of symbolic reparation ordered by the Inter-American Court of Human Rights in the case of the Rochela Massacre v. Colombia, in which it was ordered:

A plaque with the date of the events and the names of the victims will be placed at the Courthouse of San Gil municipality, Santander department. Likewise, a photographic gallery of the victims will be installed in a visible and dignified place, with prior authorization from their representatives" (Inter-American Court of Human Rights, 2007, p. 81).

What does this measure say about each one of the victims whose names were recorded on that plaque? How can sons and daughters, wives and husbands, family and close friends feel repaired for the loss of their loved ones, by the inclusion of their names on a commemorative plaque? How can it talk about the particular context of each one of these victims, about the work they were doing, about their importance within a community, within a family? These immobile, inert

measures, even when they try to recover the historical memory of the victims, do not really fulfill the purpose of the symbolic reparation of all the victims involved in that loss.

The exercise through narratives, on the other hand, focuses on the individuality of each person –in this case in each one of the children who have suffered some violation of their rights during the conflict, to intervene in an active and positive way in the process of narration, comprehension and resignification of each life experience, in order to contribute to the reconstruction of both the project of individual life that was affected by the conflict and the social fabric that was broken on the occasion of the same.

However, this exercise cannot remain solely in the recovery of such narratives/stories. The life histories narrated by children victims of human rights violations, in order to have the reparative effect that they are expected to have, should be read and, above all, interpreted in the mentioned two-way discursive process. As González-Monteaudo said, quoting Fraser:

'Learning and change result from the integration of concrete emotional experiences with cognitive processes: conceptual analysis and understanding'. Through learning, the adult symbolically travels from dependence to autonomy, from passivity to activity, from selfishness to altruism, from self-rejection to self-acceptance, from imitation to originality, from narrow interests to broad interests (Fraser, 1995:9) (González-Monteaudo, 2017, p. 46).

For this reason, it is proposed a methodology of analysis –comprehensible and interpretive based on hermeneutics, but not that one which is possible within a single discipline, but that one which constitutes an interdisciplinary exercise, since human realities can not be approached, in the full extent of their complexity, from a single disciplinary field. For this reason, the narrative biographical method, which requires a hermeneutic perspective –in this case interdisciplinary, stands as the best mechanism to achieve the reading of the speeches that will constitute and shape the narratives, as the way that summarized by Bolívar:

Narrative-biographical research, as a branch of interpretive research, shares some of the general methodological principles of qualitative research, especially that interpretive or hermeneutic perspective, whose object is essentially discursive texts (Denzin and LINCOLN, 2006; VASILACHIS, 2006) (Bolívar, 2010, p. 79)(Translated by the author).

Thus, the mechanism proposed here through narratives becomes a dialogical exercise between victims and readers that, precisely because of this characteristic, makes possible reflection and with it also a change. One thing will be to read the conflict from the statistical data, or even from the same Peace Agreement, and another will be read it from the narrative made by anyone who has been affected by it, or by any other violation of their human rights. As the sociologist Sam Richards points out, regarding the possibilities offered by direct dialogue between the parties to the conflict: "These conversations, which previously seemed impossible to have, generate reflection, and reflection generates change" (Richards, 2016) (Translated by the author).

Conclusion: Biographical-Narrative Exercise as an Act of Symbolic Reparation

According to the insinuations above, narratives have some properties to make the narrator give a certain meaning to his reality, according to the experience and the ontological resources available to him, but also according to that rational process with which he deals with that reality; but this process can be –in many cases determined precisely by the wounds and emotions to which the traumatic experience leads the victim. And it is that, according to Bruner, life, experiences and reality in them are meaningless, because it is the individual, each person who lives, experiences and is immersed in a reality, who confers to this reality the sense that his judgment and his reflection allow him.

[...] The mimesis between life so-called and narrative is a two-way affair: that is to say, just as art imitates life in Aristotle's sense, so, in Oscar Wilde's, life imitates art. Narrative imitates life, life imitates narrative. "Life" in this sense is the same kind of construction of the human imagination as "a narrative" is. It is constructed by human beings through active ratiocination, by the same kind of ratiocination through which we construct narratives. When somebody tells you his life—and that is principally what we shall be talking about—it is always a cognitive achievement rather than a through-the-clear-crystal recital of something univocally given. In the end, it is a narrative achievement. There is no such thing psychologically as "life itself" At very least, it is a selective achievement of memory recall; beyond that, recounting one's life is an interpretive feat. Philosophically speaking, it is hard to imagine being a naive realist about "life itself" (Bruner, 2004, p. 692).

Thus, the narrative process of a life story involves an expression of the way in which the person perceives and processes internally their experience and their own perception of their place in the world. In this way, a victimizing fact such as those

involving a violation of human rights will be perceived –and narrated by the victim of the same, by the child who suffered this violation, in a way that will directly correspond to the capacity that has that child to understand that situation, to process it in his mind and to find a way to overcome it. And although the above-mentioned author argues that people are habituated to a certain way of perceiving their reality and their experience in the world, so they make it a kind of guide to structure all their experience and their future life (Bruner, 2004, p. 708), the fact is that narratives, because they involve a form of expression, an act of language (written, musical, pictorial, etc.) and therefore an "act of meaning" (Bruner, 1990) the capacity to provide to each child victims of human rights violations with the necessary tools to build and transform their reality, so they can understand it and, with it, give it a new, renewed sense that calms the pain and close the wounds with which this reality marked them.

In 2011, Angus & Greenberg indicated, in what they called a Dialectic-Constructivist Narrative Model applicable to patients with a diagnosis of depression, that the process by which the patient exposes the narratives, the accompanying life stories, was foundational to he could give a new emotional meaning to his experience, and could attain a new understanding of himself (Angus, et al., 2012, p. 55). Although this model was designed for the treatment of patients with depression, it was intended to achieve that the experiences and perceptions that had led the patient to that state of depression, could be understood and articulated –through narratives– to other perceptions and images of himself, that allowed him to reach an emotional transformation, an emotional change, a healing of his wounds.

Further-more, they note that it is the narrative scaffolding of emotional experiences that provides a framework for the organization and integration of felt emotions with unfolding action sequences. For Angus and Greenberg (2011), core emotional experiences such as pain, hurt, sadness or loving compassion need to be situated and symbolized in the context of personal stories so that important information about a client's needs and goals, and the personal meaning of what happened, can be further articulated and understood...

The meaning of an emotion is understood when it can be organized within a narrative framework that identifies what is felt, about whom, in relation to a specific need or issue. As such, the reflexive processing and symbolization of clients' emotional experiences, in the context of salient personal stories, is viewed as a key intervention strategy that enables clients to meaningfully integrate their narrative and emotional lives, as a vehicle for therapeutic change (Angus, et al., 2012, p. 55).

According to the process written by these authors, narrative expression would allow victims of human rights violations a sincere and deep understanding of their own emotions, while allowing the visualization of different perceptions of themselves and their value in the world. In this way, it is considered that the implementation of this Model would be appropriate to achieve the other purposes of symbolic reparation, that is, to heal the wounds that the violation of human rights left in the child victims of the same.

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Islamic Identity, Ethical Principles and Human Values

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Abstract

Human ethics and values in general and Islamic ethics in particular have been studied as matters of concern since prophet Adam received respect from the angels in form of their prostration and then descended from *al-Jannah* (heaven) to earth. In *surah al-Isra'*, verse 70, Allah says, "And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference." Hence, human beings were created to do what is good while being granted good things in the world. Islamic ethics address the means whereby mankind ideally accommodates divine guidance as applicable human behavior as well as good conduct and personal morality. This paper investigates the importance, essence and characteristics of Islamic ethics. Although Islamic attributions have significantly contributed to all civilizations, contemporary events raise issues that require a revisit. The authors submit this is because Islam's Code of Ethics is grossly misunderstood, especially concerning the office of God's vicegerent. This comprehensive study uses a qualitative approach and cites various verses of al-Quran and portions of the Prophet's Sunnah to support an analysis that emphasizes Islam's ethical principles and human values. By widely referencing verses from al-Quran, the authors highlight Islamic ethics and life principles that have had significant effects on civilization as valuable precepts for all aspects of daily living.

Keywords: Islamic ethics, characteristics of Islamic ethics, human values

Introduction

The word 'ethics' derives from the Greek word *ethos*, which means 'character' or 'custom' (Ahmet and Akdogan, 2012). Human action, behavior, spirit, reasoning and culture comprise moral systems established by mankind. Ethics are referred to by several Arabic terms including *ma'ruf* (approved), *khayr* (goodness), *haqq* (truth and right), *birr* (righteousness), *qist* (equity), *'adl* (equilibrium and justice), and *taqwa* (pious) (al-Hassan et al. 2013). Taken together they describe attributions that define an advanced human society in which high levels of culture, science, industry and government have been attained (John, 1991).

The Arabic term for ethics is *akhlaq*. Its singular form, *khulq*, is mentioned in As-Shu'ara: 137 and al-Qalam, 68:4. Another Arabic word is *adab* (manner) is closely related to *akhlaq*. Although some scholars think both terms have the same meaning there are essential differences that indicate application and source (Abdurezak, 2011). *Akhlaq*, is a characteristic state of soul that determines human actions based on moral philosophy; *adab* is the actual practice of moral philosophy. Moreover, *Akhlaq* describes a broad range of activities characterized as *Amal Salih* or 'virtuous deeds' in al-Quran (Nanji, 1991).

According to al-Ghazali, *akhlaq* defines the science or study of the human soul in terms of qualities and characteristics that are congruent with methods of behavioral application. Al-Ghazali also stated this science comprised two forms: *khalq* (the physical) and *khulq* (or *akhlaq*), which is the manifestation of actions that are rooted in the soul. Al-Ghazali posited that Islamic ethics teach the soul to behave well, do what is good and guard against vices. From his viewpoint, Islamic ethics concern specific religious beliefs with regard to the actual practice of right vs. wrong behavior and not mere understanding (Al-Ghazali, 2014, P. 461). Accordingly, al-Ghazali's opinion of *akhlaq* is strongly related to Islamic ethical positions on righteous deeds towards others and towards God through the actually knowing ones' self, and Almighty Allah, and worldly

realities, and the reality of the Hereafter (Al-Ghazali, 2014, P. 11). Similarly, other philosophers such as al-Farabi, Fakhruddin al-Razi, al-Tusi, al-Dawani, etc., mentioned a direct relation between *akhlaq* and human actions in which characteristics of the human soul determine individual accomplishments.

Science and technology have developed rapidly bringing numerous benefits and opportunities (Saifuddeen et al. 2013). Ethics play a crucial role in improving qualitative outcomes that advance several sectors such as surgery, agriculture, astronomy, information technology, military capabilities and numerous fitting innovations. Despite ethical contributions to the increasing growth of science and technology, certain areas lack ethical oversight, which has consequently allowed severe challenges and technological risks to the world at large.

According to Latifah et al. (2009), most developments in science and technology are pioneered and established by excellent research. However, many participants have disregarded ethical and moral concerns and their efforts have produced unethical outcomes. Nuclear energy and weapons, for example, continue to inflict pain and suffering through atomic radiation (Ahmad, 2016).

For truly progressive benefits, the fields of science and technology require ethical constraints, especially since disastrous results from scientific endeavors cannot be considered ethically neutral. Hence, this review of Islamic Ethics should stimulate fascinating new advances in science and technology with respect to applied Islamic Ethics as a guide to safeguard humanity from destruction due to the decline of morals. Applied Ethics ensure civilization is sustained via important components having to do with education, training and practice (Helmut, 1995). Ethical practices also fundamentally strengthen and protect individual and communal rights within the extremely broad Islamic framework. Muslims also believe we are born with a sound moral nature that responds to faith and ethical values (Nikhat, 2014).

Regarding the practice of blameless ethical behavior in all circumstances, Islam teaches that a strong relation with God leads to virtuous conduct. Human beings should convey piety and righteousness in life with sincere faith towards others made manifest by good habits that are well defined. Such a predisposition builds civilization by optimizing life ways that successfully benefit society. There is no doubt that Islamic ethics contributed to civilization from the beginning. Presently however, ethical values are neglected and consequently places civilization in danger. Al-Hassan et al. (2013) holds forth that several ethical theories, especially Islamic perspectives, need developing to clarify right vs. wrong activities for the purpose of distinctly preventing unethical matters from arising. This paper thus highlights the contribution of Islamic ethics towards building civilization and the challenges that confront the practice of these ethics in today's world.

The Significance of Islamic Ethics

Ethics are important for the development of beneficial Muslim conduct and character as commanded by Allah in al-Quran.

"God enjoins justice (and right judgment in all matters), and devotion to doing good, and generosity towards relatives; and He forbids you indecency, wickedness, and vile conduct (all offenses against Religion, life, personal property, chastity, and health of mind and body). He exhorts you (repeatedly) so that you may reflect and be mindful!" (An-Nahl, 16:90)

Islamic ethics define value as 'good character' shaped by al-Quran's teachings and Prophet Muhammad's *Sunnah* as well as numerous precedents set by Islamic jurists (*Sharia* and *Fiqh*). Thus, Islam presents a complete code for living that is framed by ethical values. Islam's guidelines for individuals, family, society, political, economics, judiciary and all aspects of modern living are replete with moral instructions. In al-Quran, many terms describe the concept of ethics such as *khayr* (goodness), *maslahat* (public interest), *birr* (righteousness), *qist* (equity), *'adl* (equilibrium and justice), *haqq* (truth and right), *ma'ruf* (known, approved), *nahi munkar* (avoidance of bad and harmful things), and *Taqwa* (piety). Moreover, above them all al-Quran commands Muslims to not only do good and but also to forbid evil actions (Zaroug, 1999).

As a fundamental requirement for beneficial living, ethics provide the means for deciding purposeful courses of action that otherwise would become random, arbitrary and even aimless (Adibah, 2013). In a social environment that lacks an ethical code of conduct, there is no way to judiciously obtain specific outcomes because there are no established methods to choose, theoretically, from among unlimited objectives. Even within standard ethical milieus one could be successfully prevented from pursuing individual goals. Based on rational ethical standards, humans can more correctly organize and thus prioritize goals and actions to optimize outcomes. Any flaw in requisite ethics also reduces one's ability to pursue certain endeavors successfully. Thus, morality and integrity are important characteristics that demonstrate a nation's integrity, even for those with no aspirations for a career in law enforcement. We instinctively know that it is good and moral

to act with integrity, but by establishing mutual understanding for the dignity and necessity of providing moral reasoning we become motivated to champion such behavior (Lafollette, 2007).

Regardless of one's position in society, the main reason to lead a moral life of integrity is to construct a better society by treating every member equally according to a uniform code of principles. Other reasons are to secure meaningful employment, business success and reduce levels of communal and personal anxiety. Ultimately, the importance of ethics do not concern philosophical understanding but rather the improvement of how we live (Lafollette, 2007). Being moral enriches our lives and the lives of those around us. It is especially important to live a moral life when young, as it is helpful to exercise and practice ethical concepts before being confronted by more complex issues. Ethics, like most everything else we strive to be good at, requires practice and effort to perfect correct decision making throughout life and pays great dividends when one is faced with serious moral dilemmas (Lafollette, 2007).

Islamic ethics also emphasize the need to understand and develop virtue. Knowing that we ought to behave in a certain way but missing an opportunity to exercise moral behavior indicates the need to "*sharpen moral vision*". For example, we know that we ought to stay in good physical shape but most of us do not. This illustrates a need to be mindful of an important virtue (in this case, perseverance) that should be developed.

Muslims also believe that science and technology must follow a process of evidence, justification and truth.

"They (Jews or Christians) say that none will enter Paradise unless he be a Jew or a Christian. That is their wistfulness (vain desires and fancies). Say: 'Produce your proof if you are truthful'." (Al-Baqarah, 2:111)

Sources of Islamic Ethics

As a set of beliefs and directives for action without limitations of time, space and convention, Islamic ethics initially begin with al-Quran, the revelation God's word, which is full of beautiful expressions and wisdom; and secondly from the *Sunnah's* attributions ascribed to the last messenger of Allah that characterize his ethical practices. Both al-Quran and *Sunnah* attach great importance to a code of ethics that fundamentally aims to form honest personalities with truly human identities (Kemal, 2010). Prophet Muhammad was sent to preach an essentially moral message as specifically expressed in al-Quran:

"We have not sent you (O Muhammad) but as an unequalled mercy for all worlds." (Al-Anbiya', 21:107)

For this reason, the best sources of Islamic ethics provide ethical concepts that are not only taught in al-Quran but were also embodied by the Prophet's example; thus providing us with the best model to emulate. Al-Quran states that the best person is a person who upholds moral foundations and invites others to practice these values (Abdurezak, 2011).

"Who is better in speech than one who calls (men) to Allah, works righteousness, and says, I am of those who bow in Islam?" (Al-Quran 41:33)

Moreover, the exemplary moral life of Prophet Muhammad articulated various applications of Islamic morality and ethics. Hence, ethics, from the Islamic perspective, signify behavioral traits that are regarded as good that are based on al-Quran and *Sunnah*. Both sources are referenced for laws and principles that guide the Islamic way of life as mentioned in the following verse:

"... We have sent down on you the Book as an exposition of everything (that pertains to guidance and error, and to the knowledge of good and evil, and to happiness and misery in both worlds), and guidance and mercy and glad tidings for the Muslims (those who have submitted themselves wholly to God)." (An-Nahl, 16:89)

Thus, Islamic ethics not only define ethical behavior but also instruct us in the building of a better way of life for the individual and social order in which he/she dwells. Islam instructs us that Allah created mankind and provided laws and regulations concerning belief and moral instructions suited for mankind's implementation and governance. The modern age confronts us with many challenges including accelerating developments in science and technology. As Islam is a complete dynamic and holistic religion, everything that happens can definitely be handled by Islamic ethics with proper guidance from al-Quran and *Sunnah* and other Islamic sources. Islamic ethics teach us how to conduct ourselves in a goodly manner and avoid wrong doing (Brown, 1999). Thus, Islamic ethics offer optimized guidelines to govern modern science and technology with assure beneficial outcomes for everybody.

In addition, Islamic law depends on two further sources, *Ijma'* and *Qiyas* (Huda, 2016). *Ijma'* is a consensus of opinion offered by ulema' or scholars within a community in the absence of a specific legal ruling for a certain situation. *Qiyas* occurs when people attempt to obtain a legal ruling that, unfortunately, has not been clearly addressed in other sources. Therefore, judges may use analogy, reasoning and legal precedent to decide new case law (Huda, 2016).

In al-Quran, God revealed the eternal message of Islam as guidance for personal life as well as social life. The *Sunnah* completes these guiding principles with the Prophet's example, interpretation and explication so that Islamic law is practiced with required precedent (Sikandar, 2005). In Islam, law and morality cannot be separated as both are intermixed and righteous deeds are established out of necessity once the religion is firmly believed. Islam is a perfect combination of faith (iman) and practice (amal) in which both elements represent law and morality, as mentioned in Shariah law and ordained by God. Literally al-Quran mentions that Muslims must take care of mental attitude by not cheating or exploiting the trust of others and by avoiding injustice and the distortion of rights as well as disloyalty.

"If any person is so false, He shall, on the Day of Judgment, restore what he misappropriated; then shall every soul receive its due, - whatever it earned, - and none shall be dealt with unjustly." (Al-Quran 3:161)

Another verse promotes the practice of good moral behavior by expressing kindness, generosity, self-discipline and constantly forgiving the mistakes of others.

"Those who spend (freely), whether in prosperity, or in adversity; who restrain anger, and pardon (all) men; -for Allah loves those who are virtuous, through such actions, that is to say, He will reward them." (Al-Quran 3:134)

Human Characteristics of Islamic Ethics

Undoubtedly, Islamic ethics improve human relations and shield civilizational constructs with metaphysical ramparts of decency and order. The several characteristics of Islamic ethics are exemplified in the message of al-Quran as revealed to Prophet Muhammad and as inscribed in his *Sunnah* (Nanji, 1991).

Islamic ethics apply to various aspects of life including governance, business and the management of personal matters. Prophet Muhammad, who possessed perfect ethics, once said, "*I was sent to perfect good morals*" (Al-Sahihah, 2010). His mission was to imprint human hearts with impeccable morals that would guide us with exemplary conduct towards each other. Major characteristics of Islamic ethics include bravery, consideration, experience, fairness, justice, honesty and the pursuit of knowledge. Each ethic is discussed in detail below, along with examples and reference to al-Quran and *Sunnah*.

4.1 Bravery

Courage is required for those working in the realms of Science and Technology. A courageous soul will survive the incredibly wild growth of science and technology (Rawls, 1999) and subsequent influences on the development of modern Muslims life ways. Scientific activity requires much effort and risk taking, including failures and even harm when one is striving to achieve desirable outcomes. Hence, a brave, courageous attitude helps scientists overcome confrontations with numerous challenges.

The brave character is mentioned numerous times in al-Quran with respect to protecting Muslim property. Muhammad set an excellent example of noble manners and merits, including courage. Al-Quran presents the Prophet as the best of moral role models: "*You are surely of a sublime character, and do act by a sublime pattern of conduct*" (Al-Qalam, 68:4). His valor was a byword among his contemporaries because he gallantly stood against the greatest odds while enduring painful injuries and still victoriously fought on to overcome and afterwards show mercy to stone-hearted ignorant Arabian infidels (Emara, 2011). He endured pain and sufferings for thirteen long years in Mecca while inviting people to Islam, without ever being intimidated by the sheer force, numbers or arrogance of the *Jahiliyya*. The Prophet never succumbed to fear or threats in extremely difficult situations and crises. He put his full trust in Allah and depended on Him alone (Syed, 2010). He accepted the decrees of his Lord, was satisfied with God's support, and trusted God's promise.

Such bravery also applies to those working in science and technology who should be courageous enough to stand up and protect knowledge from unethical applications (Pollock, 2007). When conducting scientific activities, the scientist should always have faith and rely only on Allah, Who said:

“Do not fear! Surely I am with you, hearing and seeing” (Taha, 20:46); and “As for those who believe and do good, righteous deeds, and have humbled themselves before their Lord, they are the companions of Paradise; they will abide there-in.” (Hud, 11:23)

4.2 Consideration

The way of life set forth in al-Quran and authentic *Sunnah* is not limited to creed, worship or the actions of our limbs or our slave-relationship with our Creator. It goes further to command us to be well-mannered with Allah’s creation: to be kind and charitable to all creatures and to maintain good relationships with them (Sandel, 2010). Hence, Islam charges us to be friendly and to treat others well while considering their feelings and emotions according to sublime Islamic rules and guidelines. This concerns manners, morals and social relations between individuals as to duties and rights. It also commands us to choose appropriate words according to different situations. Allah says in al-Quran:

“... And do good to parents in the best way possible, and to the near (relatives), to orphans and to the destitute; and speak kindly and well to the people; and establish prescribed prayer in conformity with its conditions; and pay the prescribed purifying alms (the Zakah)...” (Al-Baqarah, 2:83)

Consideration of beneficial effects on humans, animals and environment help us attain success in science and technology and can be deemed a necessary ethic, as al-Quran commands us to perform what is good towards animals and environment. This also applies to the acceptance of opinions offered by others and the sharing of thoughts and knowledge (Al-Munajjid, 2015).

“(Should not those whose ears are closed to the Quran look around themselves to see the signs of the truth?) No living creature is there moving on the earth, no bird flying on its two wings, but they are communities like you...” (Al-An’am, 6:38)

“O you, who have believed! Avoid much suspicion, for some suspicion is a grave sin (liable to God’s punishment); and do not spy (on one another), nor backbite (against one another). Would any of you love to eat the flesh of his dead brother? You would abhor it! Keep from disobedience to God in reverence for Him and piety. Surely God is One Who has truly returned repentance with liberal forgiveness and additional rewards, All-Compassionate (particularly towards His believing servants).” (Al-Hujurat, 49:12)

The creation of scientific and technological knowledge receives positive or negative feedback from community and colleagues. The Islamic ethical code of conduct recommends that all who play major roles in such venues conduct well-mannered approaches to the opinions and thoughts of others. As mentioned in the above verse, negative assumptions (suspicions) are warned against by Allah and should be avoided by Muslims.

4.3 Experience

Al-Ghazali stated that experience contributes to knowledge in addition to reason and transmission from reliable sources. Informing others about one’s experiences and knowledge plays a significant role in Islam’s system of responsible ethics. For example, the prophet always deferred to the community when seeking to solve problems related to differences of opinion about *aqidah* (faith) and *akhlaq* because his role was to help the community in a good way, as commanded by Allah in Al-Quran:

“(Thus did We command you): Judge between them with what God has sent down, and do not follow their lusts and fancies, and beware of them, lest they tempt you away from any part of what God has sent down to you. If they turn away, then know that God will only afflict them for some of their sins. And many among human beings are indeed transgressors.” (Al-Maidah, 5: 49)

Furthermore, expert experience is very useful, mostly when planning, developing, controlling and maintaining each community, and especially when upgrading effective decision making for future projects. Collaboration between experienced designers is purposed to produce brilliant ideas and applications for organizations when assisting subordinate knowledge transfer.

4.4 Fairness/Justice

As a high moral principle and from Islam’s ethical perspective, justice is defined as treating others fairly by providing them with what they rightfully deserve in the Islamic context, and also by rightfully positioning things. God said in al-Quran:

“God commands you to deliver trusts (including public and professional duties of services) to those entitled to them, and when you judge between people, to judge with justice. How excellent is what God exhorts you to do. Surely God is All-Hearing, All-Seeing.” (An-Nisa’, 4:58)

Justice is held in the highest moral regard among Muslims as a means to strengthen their defense against enemies. Even at war, Muslims are required to firmly administer justice. Islam also requires just settlement of arguments between married couples. For justice to be fully applied to the highest degree, Muslims must purify themselves by keeping their acts and beliefs virtuous. They should also stand tall and proudly protect the sanctity of Islam by becoming those who deliverer justice.

“O you who believe! Be upholders and standard-bearers of right for God’s sake, being witnesses for (the establishment of) absolute justice. And by no means let your detestation for a people (or their detestation for you) move you to (commit the sin of) deviating from justice. Be just: this is nearer and more suited to righteousness and piety. Seek righteousness and piety, and always act with reverence for God. Surely God is fully aware of all that you do.” (Al-Maedah, 5:8)

This verse shows that God disallows injustice and hatred (e.g., through discrimination) and that He also disregards color and ethnic differences because people are equal in His eyes. Hence, God commands humankind to hold justice with the highest esteem. Allah has repeatedly reprimanded mankind with regard to injustice in al-Quran, wishing to protect us from the mistakes of our ancestors. The command from Allah requires Muslims to refrain from injustice and thus avoid the wrath that has fallen on Jews and Christians due to disobedience. He also warns against acts of treachery:

“If you have strong reason to fear treachery from a people (with whom you have a treaty), return it to them (i.e. publicly declare to them, before embarking on any action against them, that you have dissolved the treaty) so that both parties should be informed of its termination. Surely God does not love the treacherous.” (Al-Anfal, 8:58)

4.5 Honesty

Honesty is held in high regard. The Prophet even said to ‘wait for the Day of Judgment when honesty is mislaid’. This indicates the woeful end of time and Judgment Day, when people will be condemned and punished because of dishonest misconduct. Hence, in Islam, honest conduct is expected when dealing with other people and serves to unite notions of candor and truthfulness in actions, relationships and verbal exchanges. Thus, Islam compels truthfulness and forbids deceit. Al-Quran commands honesty.

“O you who believe! Keep from disobedience to God in reverence for Him and piety, and keep the company of the truthful (those who are also faithful to their covenant with God).” (At-Tawbah, 9:119)

Prophet Muhammad, as a firm believer in Allah, is the perfect example of a character that embodied honesty and received the titles, *al-Amin*, the trustworthy, and *as sadiq*, the truthful, even prior to his elevation to Prophethood.

“Those who have believed in God and His Messengers (those whose actions prove their profession of faith) - they are, in the sight of their Lord, the loyal and truthful (to God in whatever they do and say), and the witnesses (who have borne testimony to the truth with their lives). They have their (particular) reward and their (particular) light. But those who disbelieve and deny Our manifest signs and Revelations - they will be the companions of the Blazing Flame.” (Al-Hadid, 57:19)

Allah strictly forbids deceit and said that hellfire awaits those who conduct their life dishonestly. Allah also commands Muslims to be honest when consuming wealth.

“O you who believe! Do not consume one another’s wealth in wrongful ways (such as theft, extortion, bribery, usury, and gambling), except it be dealing by mutual agreement; and do not destroy yourselves (individually or collectively, by following wrongful ways like extreme asceticism and idleness. Be ever mindful that) God has surely been All-Compassionate towards you (particularly as believers).” (An-Nisa’, 4:29)

Allah forbids the consumption of other people’s wealth with dishonest intent and reprimands Muslims on the matter to prevent murder as a consequence.

“Do not confound the truth by mixing it with falsehood, and do not conceal the truth while you know (the meaning and outcome of what you do, and that what you strive to hide is true, and that Muhammad is the Messenger of God, whose coming you have been anticipating).” (Al-Baqarah, 2:42)

It is antithetical to Islamic ethics to mix truth with falsehood. An instance of this is telling partial truth when witnessing a crime committed by someone related to you. Allah forbids the concealing of truth when you know it, for example, lying for a family member who committed theft to prevent the pursuit of justice. Time and again, Allah reprimands Muslims to follow his instructions via Al-Quran to prohibit lying.

4.6 On Being Knowledgeable

Being knowledgeable is essential for a successful society. Knowledge is gained via informal and formal study and is a major Islamic contribution to human development (Al-Rawahy, 2013). Generally, knowledge derives from individuals who have beliefs and values that promote the creation of knowledge for competitive advantages (Sokhanvar et al. 2014). Islamic concepts of knowledge include transcendent aspects as well as sensory perceptions (Faruqi, 2007). Hence, a Muslim must obtain knowledge to understand God and enter into scientific activities that benefit human welfare by utilizing universal resources (Faruqi, 2007). Al-Quran, Islam's holy book, contains detailed knowledge and its contents are securely protected and guaranteed by Almighty Allah.

“Assuredly We have brought them a Book (the meaning and commandments of) which We set out in detail with knowledge, as guidance and mercy for people who will believe and who will deepen in faith.” (Al-A'raf, 7: 52)

“Indeed, it is We, We who sent down the Reminder in parts, and it is indeed We Who are its Guardian.” (Al-Hijr, 15: 9)

As science and technology develop to fulfill human needs, products produced by knowledgeable people will certainly be accepted. Knowledge varies from one person to another because judgments based on individual thought processes cannot be transferred genetically (Sokhanvar et al., 2014). Al-Quran even affirms this difference.

“Is he who worships God devoutly in the watches of the night prostrating and standing, who fears the Hereafter and hopes for the mercy of his Lord (to be likened to that other)? Say: “Are they ever equal, those who know and those who do not know?” Only the people of discernment will reflect (on the distinction between knowledge and ignorance, and obedience to God and disobedience), and be mindful.” (Az-Zumar, 39: 9)

In the pursuit of knowledgeable advances, a strong relationship exists between knowledge and emotion (Antlova et al. 2015), one that highlights the importance of morals, values, ethics and their benefits to society (Chowdhury, 2016). This is because knowledge is used in decision making (Tennoy et al. 2015) and plays a more important role than does desire (Antlova et al. 2015). For example, drugs commonly used for medical purposes can also be misused solely for the purpose of profit making. Moreover, such drug abuse causes much harm to those who are addicted. This is unethical and demonstrates that knowledge is insufficient when emotions (desires) are not controlled and a person's credibility can easily fall into disrepute. This statement relates to a verse in al-Quran:

“No, indeed! Those who do (the greatest) wrong (by associating partners with God) follow only their lusts and fancies, without (basing on any) knowledge. Who has the power to guide him whom God has led astray (on account of following merely his lusts and fancies)? And such have none to help them (to salvation).” (Ar-Rum, 30:29)

Islam teaches us to live and consume responsibly without causing negative effects to any living or non-living thing (Al-Rawahy, 2013). With appropriate use of knowledge with regard to science and technology, immoral issues cannot arise when people realize their responsibilities to cause and reap what is beneficial for all. Moreover, knowledgeable upgrades in science and technology continue to improve human life without neglecting ethics.

To usher characteristics of Islamic ethics into an individual's life it becomes everyone's responsibility to reject unethical behavior. Thus, we are required to react appropriately and in a good manner to encourage ethical behavior as mentioned in al-Quran, most especially because Almighty Allah does not change people until they change themselves.

“(Every person advances through varying states before and after, and) by God's command attendant angels succeeding one another accompany him before and after him to guard him (and record his deeds). God does not change what is in themselves. When God wills evil for a person (in consequence of their own evil deeds), it cannot be averted, and apart from Him, they have no protector.” (Ar-Rad, 13: 11)

Essential Islamic Values and Ethics for the Development of Civilization

Islam teaches that human beings were created as God's *khalifah* (vicegerent) to realize *amanah* (His will). To enable man for the task of building civilization, Allah revealed *Shari'ah* law, which sets forth rules to govern various aspects of Islam. This includes ideology and laws that are essential for the development of civic-minded citizens and a constructive social order. Its accompanying codes of ethical behavior are basic guidelines for the development of upright and wholesomely integrated individuals and societies (Sikandar, 2005). Hence, as *khalifah*, men are required to ensure that life is improved by civilizing their communities.

Men also have an inherent need to perform ethical duties and constantly upgrade their quality of life. For this reason, human conduct is considered ethical when it contributes to civilizing efforts in line with Allah's will, which then qualifies such communities as guided by an Islamic ethical system that is replete with divine, transcendent and universal principles. As stated earlier, Islamic ethics offer a complete guide for the applicable management of *akhlaq* and *adab* to build a strong civilization. The Islamic ethical system considers the role of spiritual motivation in the determination of a man's attitude as either good or bad. Optimally, ethics, religion and law are complementary and lack contradiction, and thus constitute moral practice.

Defined as the 'process of civilizing to advance and develop human societies', civilization includes advanced achievements that portray a systematic and progressive system. A civilized society demonstrates various characteristics that exemplify formative fundamentals of a complete and forward-thinking societal system. Islam's contribution to civilization and social development is established as a 'glorious' influence on western civilization, including the growth of knowledge, which was made possible by contacts with Muslims (O'Brien, 1999). According to Syed Othman Alhabshi and Nik Mustapha Nik Hassan (1997):

"Since its first appearance on the world scene, Islam has played its part in the development of civilization, first by transforming an Arab *Jahili* society into a *tawhidi* one; second by influencing neighboring societies through international and intercultural contact; and third by acting as a catalyst for the transmission of certain values from one society to another ... the biggest empire in world history was built by Muslims through their missionary activities, military might and efficient and just administrative rule."

Islamic civilization can be defined by the spiritual and material achievements of Muslims both. Urban areas are centers of Islamic civilization where one observes magnificent architecture as well as advances in science and technology accompanied by spiritually guided laws that uphold the economy as well as family relationships, education and political relations. All is based on steadfast moral platforms provided by *shari'ah* and *iman* (belief), as found in al-Quran and *Sunnah*. It became obvious during the medieval period that many Muslims intellectuals were leaders in administration, astronomy, economic development, agriculture, industry, engineering, defense, science, mathematics, shipping, navigation, medicine and other fields of art and science.

Their outstanding achievements and contributions to civilization established significant milestones. Therefore, we cannot be remiss when discussing the influence of Islamic ethics on the building of civilization because ethics guided relationships and achievements obtained with a view towards Islamic principles that materially realized a great civilization.

Islamic political philosophy places an essential need on the election of good leaders within a social system focused on family centered communities, states, organizations, etc., all framed by the context of morally imbued Islamic ethics. A famous narrated *hadith* of the Prophet reports "*For a long journey with more than three musafir (travelers) one should be elected as amir (leader)*". Islam also places much emphasis on the concept of *shurah* (consultation). A full chapter in al-Quran, Ash-Shura, praises consultation.

"Those who hearken to their Lord, and establish regular prayer; who (conduct) their affairs by mutual consultation; who spend out of what We bestow on them for Sustenance are praised" (Al-Quran, 42:38).

Moreover, previous Muslim civilizations constantly improved their economies and positions in the world by vigorously pursuing industrialization (Ghazali, 1996). Moral values are one of the most important components that contributing towards economic progress. Therefore, good moral values in the pursuit of economic development require ethical adherence. In this regard, we refer to al-Quran and *Sunnah* to appreciate the emphasis placed on the proper use of the intellect and the need for wise reflection on the bounties of Allah and their proper utilization (Ghazali, 1996).

Discussion of socio-cultural development is fundamentally about ethics, which are most essential in the formation of all civilizations. The three main objectives of Islamic civilization are to establish the following:

Relationship of man with Allah S.W.T;

Relationship of man with man;

Relationship of man with his environment.

These are possible through 'knowing one's own self', 'knowing the Almighty Allah', 'knowing the reality of the world', and 'knowing the reality of the Hereafter' (Al-Ghazali, 2014).

Man's relation with Allah is paramount as the basic pillar of Islam and the building of a civilized nation. The bedrock of Islamic civilization is *iman* (faith). However, Islamic civilization was/is not the result of ritual pursuit or even of obedience to Allah but was rather of analyzing and applying injunctions and guidance from Allah as a practicable way of life (Alhabshi et al. 1997). Islam provides guidance for everything concerning daily life ways that positively contribute to society and help develop the state via ethical principles for work, family and neighbors to improve life by making everyone aware of their responsibilities and rights.

In fact, *Kimiyā-i-Sa'ādāt* is included four essential elements of Islam to obtain alchemy of eternal bliss:

'Ibādāt (the acts of worship),

Mu'āmilāt (the dealings),

Muhlikāt (all bad morals such as arrogance, pride, self-appreciation, anger etc.),

Munjiyyāt (all good morals such as love, hope, gratitude, patience) (Al-Ghazali, 2014).

God's Vicegerent: Modernization and Ethical Challenges

Changes arise in human lifestyles from the development of technology and science that often challenge moral values and cultural mind-sets. Technology and information have also managed to eliminate some limitations of national frontiers. In fact, they allow influences that change perceptions, ideology and various external elements to enter a country without restrictions or controls. Naisbitt (1982) predicted that one out of ten human tendencies in the early 21st century would be based on information from a globalized world as decisive drivers into the future because information would spread internationally through social network media. Although such powerful influences on civilizational exist, potential adverse effects should not be ignored because they can become a cancer that worsens existing social ills. Islam offers moral perspectives that can counter negative influences by generating authentic harmony and prosperity in a modern world filled with ethical crises.

Undoubtedly modernization allowed rapid urbanization, industrialization and migration from rural areas with some positive impacts but not without rising social ills. A moral crisis occurs when some people are so driven by profiteering that they neglect moral sensitivities. Money oriented incentives have stimulated unethical behavior in all fields of invention and development without any concern or hesitation over adverse affects on environment or community. Without realizing it, problems arise when we stray from man's true purpose in accord with Islamic principles, morals and ethics.

Rapid growth of information technology allows all levels of society to access knowledge and data without restrictions. This also leads to challenging ethical issues that include the validity and correctness of information. Accuracy and authentic truth are important to prevent irregularities and falsehoods from being presented as facts, especially in matters of religious knowledge. Unscrupulous people always find ways to deviate and lie for the expressed purpose of misleading others. A most strikingly misunderstood issue is *jihad*, which has been wrongly portrayed by and to Muslims as well as non-Muslims. Misinformation is spread by people who fail to comprehend the spiritual significance of *jihad* and also by those who purposely indulge incorrect interpretations.

Solely citing Internet sources without confirmation of content validity often causes problems and can even threaten public security. Advances in information technology can also have adverse impacts from intrusions caused by hackers in countries where confidential information is easily compromised. The latest technology also allows for the modification of images that

give negative impressions and affect the dignity and position of an individual and his family leading to charges of libel and other more dangerous forms of *fitnah*. In Islam, the spreading of *fitnah* is considered a great crime according to al-Quran:

“... and *fitnah* is more dangerous than killing...” (Al-Quran, 2:191)

Nowadays, social media networks and personal webpages can share information privately and publicly that has direct impact on social issues. Without restraints, on the surface this can be helpful but many times terrible results can arise that invite the loss of respect for moral values. Hence, development must be oriented towards optimizing human dignity in all realms. Moral considerations are inseparable from spiritual, material, economic and social pursuits. The holistic approach to development offered by Islamic ethics is morally oriented and comprehensively covers multi-dimensional aspects of material and social progress.

The role of knowledge is also important in the formation of personal character. Educational systems should serve as agents of *tazkiyah* (purification) to produce morally imbued citizens. Knowledge managers should not only recognize matters of good or bad behavior but also implement programs that familiarize students with the constant practice of what is truly beneficial in daily life. According to A. Rahim's (2013) study on Ibn Miskawayh's ethical philosophy, the practice of virtue transforms irrational students to rational individuals who will keep performing good deeds. For Muslims, being rational does not mean only to justify things intellectually but also to examine every single aspect of moral conduct to determine whether such behavior aligns with Islamic law.

In addition, there is a great need for the Muslim *Ummah* to provide the best example of behavior according to Islam's code of ethics. Thus, Muslims should mirror good manners as indicated by al-Quran, which has called them the best *ummah*, one that behaves according to what is right and wrong:

“You are the best community that has been raised up for mankind. You enjoin right conduct and forbid wrong” (al-Quran, 3:10).

Regardless of time or place, Islamic ethics provide courses of action that emphasize what should be learned by human beings throughout history. What was considered morally good in the past remains so throughout time. Good individuals will produce a good society. Thus, there is need to apply the deepest wisdom of Islam to contemporary problems in the modern world, especially when dealing with ethical matters.

Conclusion

Ethics comprise the most important of prerequisite elements for the building of humankind's character and as mentioned in al-Quran: to worship God, to perform what is good and to avoid bad actions. According to al-Quran and *Sunnah*, Islamic ethics are the most beneficial guidance for use in the advancement of life and the avoidance of wrongdoing. Moreover, they provide motivation for humankind to advance the importance of Islamic ethics in global development. With all the excitement of modern progress, we should not neglect the important role of ethics in the establishment of harmony, prosperity and peace. As the religion of mercy, Islam should be the major reference and guideline in the drafting of a global code of ethics in accord with the characteristics of Islam that brings a complete multidimensional perspective and way of life. In addition, Islam's ethical value judgments transcend worldly gains and relativist interpretations. Thus, we urge the Muslim *Ummah* to practice true Islamic ethics and to return al-Quran to the mainstream in our approach to problems faced by society today and in the future.

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Social Policies for Children and the Albanian Reality

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Abstract

Throughout this work, social policy will be treated as a concept. The way it is perceived in time, how it has evolved as well as the definitions given to social policy. As a result of different definitions, we will have to consider public action on social issues and actors responsible for the implementation of these policies within the relevant structures. Having intended to treat children in the country who occupy social policies undertaken by public authorities, we will need to analyze the dimension of the child in society and various social perceptions of the image of the child. In a context of difficult socio-economic and political conditions in Albania, we will need to consider the legal framework, the mechanisms and social policy provisions that are child-centered and more specifically a child protection system. The legal framework analysis will be discussed at two levels: on national and international level. Not only the laws promulgated in the Republic of Albania, but also all the agreements ratified at the international level will be taken under study. To be more objective in assessing the impact of social policies focused on child protection, a valuation report carried out by experts of the Council of Europe will be referred. Throughout this report, the evaluation was conducted on the existence of structures of the social protection system and the effectiveness of their operations. The report comes in the form of a balance where strengths and weaknesses of the evolution of the social protection system are identified.

Keywords: social policy, child, legal, child protection system, the Convention on the Rights of the Child

Introduction

Social policy. A technical term, often unclear of proper definition. Most commonly, we find its use associated to governmental policies, where they have a direct impact on a society's well being. These policies are a product of a country's will to address its social problems. Characterized by continuous and dynamic change, they find a special place in public policies.

The definition of a social policy will be subject to constant evolution of concept and perception, in cohesion with the evolution of life and all its aspects.

A government's responsibility resides in arranging a whole set of dispositions for creating a new policy, which if approved, would enact a set of actions to treat an issue, whether it's an economical, political or social one.

The impact on everyday life is presented in different forms, such as monitoring, support, prevention or protection, just to name a few.

One of the main issues with a great economical impact is social protection.

According to the International Labor Organization: "Social protection is the answer to the need for security. The concept finds a broader explanation through the process of social solidarity, enhancing the use of the predefined arrangement of tools that guarantee this security."

Social policies have a direct contribution into the relationship between public authority and social groups. The evolution of this relationship is the perfect reflection of whether or not a society is properly in line with progress and social development.

One of the main roles of social policies is identifying social issues, addressing them properly through prevention, and if retained necessary, intervention.

They are characterized by a chronological cycle, similar to that of human life.

First, they are generated as ideas.

Second, they start to get developed.

Third, they are implemented into a society according to its challenging needs.

Finally, if no longer needed or functioning, they get discarded.

Another aspect worth mentioning, it's adaptation.

Different societies with different customs and traditions, require a unique set of social policies, alongside with the political and economical ones.

During the analysis of this work, we will focus on social policies, concentrating on child protection. Furthermore, we will confront the public authority with social groups and individuals, regarding their standing point about children, their place in society and their security. All of these elements will be analyzed, according to the Albanian law.

The forthcoming analysis is realized, based on official statistics and widespread literature. For the impact of the security system analysis, we were mainly based on the value report of the European Council, courtesy of the field expert Anniki Lai.

The analysis is divided in three parts:

The first part will define the child and its position as a subject of social policies.

The second part, the child protection system will be analyzed according to law.

The third and final part, includes an evaluation of the child protection system from an outside perspective, summarizing the conclusions of this work.

Children as the subject of social policies

There is a considerable number of social policies focusing on helping families in need. More attention is centralized in childcare. In order to build a proper structure for helping children, in 1989, a Convention on the Rights of the Child was adopted and opened for signature, ratification and accession by General Assembly resolution

44/25 of November 20, 1989, entering into force September 2, 1990, in accordance with article 49 of the Charter of the United Nations.

Philippe Ariès, a French medievalist and historian, cites that the childhood notion is relatively new social construction in the West. By social construction we must understand the creation of a category, both medical, social and juridical, based on a person's age in a life cycle.

Other historians, such as Alexandre Bidon and Lett, argue that this social construction should not be confused with the childhood feeling, taking into consideration people's feelings towards children, especially their own children. Neglecting children is hardly understood as a behavioral pattern, with the correlation of emotional expression not always being an indicator. The creation of the social category named 'children', depends less on the affection demonstrated by one person or a group of people and more on the regulations instilled by a society, where a child is one of the principal actors.

These regulations depend on the kind of environment applied to, along with its religious context and sanitary conditions. Anthropological work seeks to dig further knowledge regarding children, based on specific social context and social groups.

Since the International Convention on the Rights of the Child, children can enjoy a privileged status. This convention unites every signing member nation, pointing towards the same goal. On one side, to assure proper child protection and on the other, recognizing the child as a social element with full rights.

A child's wellbeing, based on the material point of view, is exactly the goal that certain disposition of the Convention on the Rights of Child seek to achieve. This convention declares that the Treaty defines the right of a child to wellbeing, understood as the right of a child to live in proper material conditions, necessary for proper development. The principal disposition of the convention allows the wellbeing of a child. Article 27, defines that « Every member nation recognizes the right of every child to live in proper conditions, necessary for his physical, mental, spiritual moral and social development ».

The development and the future of a child is subject of fulfilling basic needs, which are unique in quantity and quality. Article 27 will create a special set of rights, necessary to build a standard quality of living for every child. This standard will be equal to the one applied for every individual, based on Article 11 of the International Convention of Economical, Social and Cultural rights, signed in 1976. In the first paragraph of Article 11 of the Charter states: "The Member States to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including enough food, clothing and shelter, and to improve continuous living conditions (...)".

This provision is built like many other articles of the Convention. It first determines the child's right, in this case to an adequate standard of living, that states recognize. Then, it forces these countries to take necessary measures for implementing this provision. Of course, it is not only to ensure minimum living standards, but also to allow the physical, mental, spiritual, moral and social development.

The Convention on the Rights of the Child in general and particularly Article 27, contains some specific countries where their economic development will not be able to provide an adequate standard of living for all children. Obligation to state parties to take appropriate measures to help parents fulfill this right of the child takes into account the conditions and resources of the country.

Built on the same model, article 26 provides in the first paragraph: "Member States shall recognize for every child the right to benefit from social security, including social assistance and take necessary measures to ensure the full realization of this right in accordance with their national legislation".

The child's right to benefit from social security, affirmed by international texts and other European countries, cannot be used directly before national courts, as states should take the necessary measures for the realization of this right.

In legal terminology, which is known for its great lexical accuracy, some terms are controversial because of their semantic inaccuracy. Throughout the trial of a juvenile in a civil case, although it is thought that the judge refers to the basis of his decision, he will be guided by the "interest of the child". This interest is less a legal concept than a general principle in psychological connotation, evaluation and definition, which will be made by third parties that are considered experts (social workers, psychologists, doctors) and their opinion will often be decisive.

The interest of the child and the right to an adequate standard of living, especially in view of the legal obligations of member States to the Convention on the Rights of the Child, can be measured through surveys of the International Committee on the Rights of the Child, which is an independent body of experts that monitors the implementation of the Convention on the Rights of the Child by member States. It also monitors the implementation of two optional protocols to the Convention, one on the involvement of children in armed conflicts, and the other on the sale of children, child prostitution and child pornography.

Committee observations assess the implementation of Articles 26 and 27 of the Convention on the Rights of the Child. The Committee notes that, a minimal life standard is essential to the physical, psychological, spiritual, moral and social development of a child and that child poverty also affects the rate of infant mortality, affect health services and the education of children, as well as their quality of life.

The implementation of the International Convention of Children's Rights in itself, clearly, cannot ensure that all children have adequate living conditions. The fact remains that, its implementation under the supervision of the UN Committee on the Rights of the Child, can provide a fundamental foundation in the search for new ways to fight against child poverty and discrimination.

We are dealing with social policy in a broader aspect, through which we pay special attention to the status of the child in a society. A status created by notions like welfare of the child, evolution and functioning of parenting, as well as the role of public action, in terms of taking responsibility for a child.

Direct intervention to parents in exercising their educational responsibilities, represents the current direction of parental support to meet the best interests of the child and the community. As an incentive for reducing risk factors and promoting protective factors in the family, this approach is intended to maintain the position of the parent, though they stand in vulnerable conditions. A parent comes to a position of "primary responsibility" for the welfare and academic success of children.

For the last twenty years, this direction has been considered as a main shaft of the recommendations of international organizations and European institutions in the field of welfare of children and youth. The International Convention on the Rights of the Child, adopted by the General Assembly of the UN, also emphasizes the idea that parental support is an important instrument of action to meet the child's interest. If the International Convention of the Rights of the Child establishes that, the child is a holder of rights, it also stipulates that the main responsibility for the growth and development of the child belongs to the parents. The latter should above all be guided by the best interests of the child, Article 18. This article could be interpreted as a facilitator of the responsibilities of member States towards children and the transfer of responsibility to the parents. We note that, public authorities are also invited to do their utmost to guarantee the rights of children, if not guaranteed by the family. On the other hand, these authorities should recognize parental responsibility and support parents in raising their children. "The right to get proper support from public authorities in exercising parental duties". If we refer to the preamble, the signing States are "convinced that the family, as the basic unit of society and the natural environment for the growth and well-being of all its members and particularly children, should receive protection and assistance, to play a better role in the community".

This perspective is further deepened with the recommendation of the Council of Europe on the policy to support positive parenting (2006) to suggest to governments of member states "to recognize the fundamental nature of families and parenthood and to create the conditions necessary for positive parenting that takes into account the rights and best interests of the child "through" all appropriate legislative, administrative, financial and other aspects", recommendation of the Committee of ministers of the member States relative to policies aimed at positive parenting.

The recommendations state in particular that, under "current social changes", "parenting, though linked to family intimacy, should be considered as an area within public policy": in addition to policy measures, households generally are recommended services dedicated to support parents, such as accommodation centers and local services, telephone help lines, educational and support programs for parents, the development of cooperation between schools and parents, reinforcing them for parents with high risk of social exclusion. The assumption of a higher attendance of parents in difficulty is fundamental about registered social reality: the development of socio-economic uncertainty, volatility of marital conditions, single parents, rising educational demands of young people, etc.

The generalization of the issue, on supporting the process of parenting intervention appears as a fact of public action in recent transformations in a family and reflects a new concern about educational action of families.

In his works, the philosopher Alain Renaut (2002) considers the child as a person with full rights and not only mention the rights that must be respected by adults, but also the rights of freedom of expression, opinion, and thought. Not only the rights of the child protection must be respected, but the idea of considering the child as a future citizen of the society must be extended. Where the International Convention of Children's Rights creates the principle of superior interest of the child. In this context, it reaffirmed the essential role of parents in the education, safety and protection of the child. It is here considered the support of member States, in encouraging parenting functioning even though it may have an interference in their private life, in some cases absolutely necessary, as in the case of child neglect or abuse.

We will have to await the end of the 1990s and early 2000s under the European impetus, for the interest of the child to become the leitmotiv of public policy. Considering the interest of the child, we concentrate on providing its Welfare. Today, it is presented as the regulatory livelihood norm of public policy. This interest, even though it enjoys a real consensus on its cover, it is inserted in a broader perspective of public action.

One of the ways followed in the legal field on integration, focuses on treating children's rights as human rights. November 2001: "Meeting of European Ministers responsible for children demands the introduction and integration of children's rights in all policies of the EU" (quoted in Euronet, 2004, p. 2) European Deputies have also addressed their focus to pay attention to the Convention on the Rights of the Child. For example, the determination of the special session of the General Assembly of the Child by the UN in 2002, during which was called for "the inclusion of a legal basis in the treaties of the EU to promote and protect the best interests of children in all EU policies, programs and legislations. "

Groups and associations for the promotion of children's rights have lobbied strongly, in order to place children at the center of the policy. Organizations such as the European Network of Children (Euronet) and Eurochild, which in the first half of 2000, were partisans of a larger commitment of the EU to promote children's rights within the Union, but also in its international relations.

Working on the Convention on the Future of Europe in 2002-2003 provided an ideal ground for the mobilization of activists. The EU constitutional treaty draft, had included references to children's rights. For the first time, children's right were mentioned in a draft of a European constitutional document. This attention also comes in the Lisbon Treaty, the revision of Article 2.

One of the objectives of European social policy departs from the perspective of social investment for infantile poverty reduction. The way in which the concentration of policy is justified in the fight against poverty, relies heavily on the consequences of young people who have lived a childhood in poverty. This is evidenced in the poor graduation levels, the lack of access to employment, as well as social exclusion.

Since "Europe 2020" entered the scene, the application of "Social Investment" was promoted to tackle poverty and social inclusion. This approach seeks to argue strongly in favor of the assistance that can be provided by well-organized policies of social growth, to protect people from poverty and establish economic balancing. Indeed, the approach of social investment relies heavily on understanding the fact that social and economic policies are mutually reinforcing and that the first, when formulated from the perspective of social investment, represents indeed a "precondition" for the future growth of the economy and employment.

Social investment has to do with strengthening the capacity of current and future people. It should be noted that, in addition to the immediate impacts, social policies also have long-term impact, providing social and economic results over time, particularly in terms of employment prospects or income from work. Social investment helps especially in "preparing" the people to face the dangers of life, not just "repairing" consequences. Thus, a social investment is a set of measures and policy instruments consisting of investments in human capital and increasing the capacity of people to participate in the social and economic life and the labor market.

More and more emphasis it is put on the social policy preventive measures that can stop the multiplication of disadvantage. The new approach, also highlights that a key element in social investment is to address social disadvantage and key challenges in a more integrated way, through a combination of policies that complement and reinforce each other.

The desire to integrate children in all European Union policies, has resulted in two visions, which are difficult to articulate into the institutions. One emphasizes the integration of children's rights as human rights, the other the fight against child poverty, which corresponds to a social investment perspective. Even in the Nordic logic, Gosta Esping Andersen (2008), places emphasis on children and youth. Policies on early childhood, can always be regarded more as an investment rather than an expense, for future generations. This expense, allows women to integrate into the labor market, increase income in their families and limit the risk of poverty among children.

The European Union "... fighting social exclusion and discrimination and promoting social justice and protection, equality between women and men, solidarity between generations and protection of children's rights. " (Treaty of Lisbon, Article 2). This promotion is based on the integration process considering child poverty and social inclusion practices. Proponents of this approach based on the call of the Council of Europe Member States in 2006 and in the European strategy on the Rights of the Child, to "take the necessary measures and reduce child poverty quickly, giving all children equal opportunities, regardless of their social "(European Commission (2008) 367 final, 2006, p. 3).

This wording suggests using a policy perspective that evaluates the effects of public policies in the economic well-being of children. The choices public authorities make, may appear ambiguous in its purpose, like for example, the interest of the child and gender equality can sometimes be competitive or even reverse as goals.

Article 2 of the Treaty of Lisbon has an alternative political perspective, the rights of children. In this case, the goal goes beyond the field of social policy. Children's rights are considered in the context of human rights, which are conceived as they are in international documents, in particular the 1989 Convention of the UN on the Rights of the Child.

The legal framework that allows the implementation of social policies for children in Albania

With the establishment of the pluralistic regime after 1990 it had to be re - taken into consideration and reshape all mechanisms and devices in the social sectors as well as in all areas of life.

This quarter of a century has been full of developments and obligations on a national and international level, addressing the needs of citizens through public action.

Social policies covering child protection are implemented through legal norms enshrined in the legislation. This includes the Constitution, the law on the protection of children's rights, as well as the criminal, civil and family code. Often, laws are supported by rules and regulations, which take the form of decisions, taken by the Council of Ministers, or by order of the Prime Minister. Child Protection Protocol regulates how to deal with child protection cases.

All actors provide legal provisions in the implementation of social policies on the child and protection of children and their organizational structure constitutes of a child protection system. These actors are operating in several parallel ministries, departments and agencies, which are tasked with the protection of children from violence, abuse, exploitation and neglect. The Ministry of Social Welfare and Youth plays a major role in child protection, and the Ministry of Interior is in charge of the fight against human trafficking. Under the Ministry of Social Welfare and Youth, it is the State Agency for the Protection of Child Rights and the Department of Services and Social Inclusion. The Ministry of Justice is responsible for justice for children. The Ministry of Health and the Ministry of Education, are working to ensure that children who have been victims of violence, abuse, exploitation and neglect, receive proper medical treatment, as well as psychological and physical one, and ensure that schools are safe environments for children.

As a result of a discussion process with broad participation from the government and civil society institutions, the Parliament adopted the law Nr. 10347 dated 04. 11. 2010, "On Protection of Children's Rights". The adoption of this law marks a significant milestone in the protection of children's rights through a comprehensive legal framework and institutional framework in line with the Albanian Constitution and the Convention on the Rights of the Child.

The law sets the foundation for the establishment of appropriate institutional mechanisms that will guarantee and ensure respect for the rights of children by individuals, families, and countries. The law provides all necessary measures to guarantee the upbringing and development of children through a coordinated approach between the different actors working in the field of human rights and child protection.

It is expected that this law will significantly improve the system of child protection in Albania, institutionalizing units for the Protection of the Rights of the Child as the structure of the local level that are responsible for the coordination and implementation services for child protection and the case management of, cooperating with a number of actors from various fields. Also, this law provided a legal obligation of cooperation and coordination of efforts among institutions in central and local level, to regulate this relationship through rules that will be determined by the Council of Ministers.

The law foresees the establishment and functioning of the National Council for Protection of Child Rights (KKMDF), as an advisory body. It is in line with the government program that coordinates and sets policies for children to follow and monitor the implementation of the national strategy for children's rights. This is an advisory body composed of 9 members, representatives of the executive authorities, local government and civil society. Also, it provides that the Council will set up technical committees, which will have the assistance function for the Council, especially regarding decisions that this body will have to take.

The law introduces the duties of the Minister to coordinate the work on the issues of protection of child rights, which in reference to the scope of the activity that is actually exercised. The Minister of Social Welfare and Youth will be one that will cover the duties prescribed in relevant articles.

Pursuant to Law No. 10347 "On Protection of Children's Rights", the National Agency for Protection of Child Rights is set up and operating. The Agency is an executive institution under the Ministry that coordinates work on the protection of the rights of children raised with direct order from the Prime Minister No. 30, dated 18. 03. 2011.

The duties of the Agency enshrined in law, along with its mission, are achieved through monitoring functions of law enforcement, the proposal to the ministry that coordinates activities related to the protection of children's rights, the proposal for methodological guidelines for local rights and child protection in local government; Technical support for the structures of central and local government, is ensured, in coordination with all structures of central and local government and punishment entities which violate the provisions of law no. 10347, dated 04. 11. 2010, "On the Protection of the Rights of the Child.

The State Agency for the Protection of the Rights of the Child monitors the implementation of the action plan through the responsible institutions at central and local level, preparing progress reports, guides and supports to domestic and

international donors to implement the objectives of the Action Plan for Children and organizing studies and analysis on the situation of children in Albania.

To meet the institutional framework, the law aims to establish order through its effective implementation, envisaging the establishment of the Unit for the Rights of the Child at the regional level and Child Protection Unit at the municipal level. The establishment and operation of these units will enable the implementation and monitoring of the protection of children's rights, starting from the ground, then continuing vertically towards the executive. In observance of the principle of local autonomy, the law provides the operation of these units within the administrative organization of the respective local government structures, with the duties prescribed by law.

Dated 04. 11. 2010, law Nr. 10347 stipulates the creation of the Units for ensuring the Rights of the Child in every district of Albania. CRU operates as part of the administrative structure.

Along the legislation adopted at a national level, Albania is implementing active efforts in the European process of social inclusion as one of the main commitments for membership in the EU - including the development and promotion of policies, institutional frameworks and methodologies for measuring and monitoring the social inclusion of all citizens and social groups in Albania.

One of the obligations to the EU integration process involves the development of a policy document for social inclusion which represents a policy for the advancement of the level of social inclusion and reduction of poverty in the country, in the framework of the accession process.

Key policy areas include comprehensive education; quality care for children; comprehensive health care; enhanced opportunities for training and skills development; job search assistance and employment assistance; rehabilitation and reintegration of vulnerable groups, such as persons with disabilities, survivors of trafficking, gender-based violence and domestic violence victims; affordable social housing; and social justice.

The purpose of this paper is threefold:

- To Identify and address the challenges facing the monitoring and measurement of social inclusion, developing the national and EU indicative factors, required to support poverty reduction and the development of effective measures to enhance the welfare;
- To promote policy coherence, define priorities and assign responsibility for carrying out the monitoring and measurement of social inclusion;
- To make more transparent the impact of policies pursued and efforts made by the Government to strengthen policies that impact on social inclusion.

In continuation of the initiative taken by the National Strategy for Development and Integration 2007-2013, the National Strategy for Development and Integration 2015-2020 sets out long-term priorities for the Albanian national development.

One of the objectives of the NSDI is to "ensure equal access to social and economic opportunities for all groups and individuals in our society. "

This objective relates to the expectation that the country will create a system, comparable to the EU for monitoring and reporting on the state of social inclusion and poverty, to strengthen and build the capacity of public administration and local authorities for implementing and reporting on the process of social inclusion and create an efficient unit to coordinate the implementation of the measures and to report on the progress of social inclusion.

Guarantees of democracy and rule of law are part of the so-called political criteria for membership in the European Union.

As in the European art, the objectives of the reform of the education system mainly relate to improving the quality of education, the involvement of children in early development programs, reducing the number of school dropouts and increase the number of young people with higher education, and the number of adults participating in programs of lifelong learning. Central issues are, increased relevance of its education and the labor market by adapting the learning results, the establishment of national qualification framework and strengthening the forces of current and future work to adapt to the new conditions and possible career changes.

The evaluation of the child protection system under an external look

The third part of this paper will concentrate on the report "The Future of an integrated child protection system in Albania" policy document prepared by Anniki Lai, an expert for the Council of Europe. This will not only bring us an overview of the evolutionary system of protection structures in Albania, not only will highlight the strengths and weak points of the system, but will serve as a conclusion of the paper.

Throughout this report, Albania's efforts in raising the child protection system will be assessed, an area which is considered new to our country. Rating techniques development and implementation of policies in the field of protection of children is absorbed in a relatively short time. Lessons have been learned and knowledge is obtained regarding further steps to establish a comprehensive system of child protection. There has been some analysis and evaluation, highlighting major gaps in the system and providing some recommendations to the authorities.

The creation of structures and new approaches it is regarded as a positive step. Among the most important to note is the adoption of the Law "On protection of the rights of the child" in 2010 and the establishment of the State Agency for Protection of Child Rights in order to improve the monitoring of national policies related to child protection. Also, the establishment of the Child Protection Units (CPUs) - the only specialized structure at local level with a mechanism for addressing the issues associated with this category of children.

Another positive element is evaluated, for the coordination of policy initiatives for the protection of children's rights and the coordination of activities of the national intersectoral committee which is operated by the Ministry of Social Welfare and Youth.

During the assessment analysis, although more or less determine the specific roles of these actors, the coordination and cooperation between them is not effective. It is clear that the lack of common management structures and the implementation of policies are the main weak points of the system.

In this context, "Terre des Hommes" one of the most active organizations of the civil society, has concluded that existing services do not constitute a system to protect the child, but "fragments" of services, and assesses that Albania still lacks a comprehensive legal framework to address in particular about the protection of children.

Combating human trafficking is another area that affects the child protection system. Through monitoring and evaluation during the last years, there has been progress in the fight against trafficking in human beings and a legislative and organizational framework has been created. In 2011, the analysis of the situation in Albania with regard to the European Social Charter (Articles 7, 8 and 19) of the Revised European Committee of Social Rights, noted that Albania has made considerable efforts to combat this crime and is not considered a major transit country. This, thanks to the intensive work of the Office of the National Coordinator against trafficking, raising public awareness about the fight against trafficking. Also, worth mentioning are the efforts of the Group of Experts of the Council of Europe on Action against Trafficking in Human Beings (GRETA).

Although there is a positive evaluation in the field of the protection system of children and a number of measures to combat trafficking in human beings are taken, there is still room for improvement, if kept in mind that inadequate resources and weak systems for the protection and existence of victims of trafficking remain part of the challenges.

While state institutions are not sufficiently active in reforming the child protection system, positive assessed child protection action is taken in large-scale by the civil society.

Even in levels of government, such as the structure of the subcommittee on Human Rights in the Parliament, the need for consolidation of the institutions responsible for monitoring the implementation of the legal framework and the quality of services for children has been acknowledged. Also, the identification of gaps in the system child protection has been successful.

Throughout the evaluation, we will highlight the role played by national and international organizations of civil society in Albania in this field.

During this analysis, an insufficient funding of the Albanian system for child protection it is shown, which can be attributed to the fact that child protection is not part of the government budget. Also, it notes that investment in human resources engaged in the protection of children and the quality of services has remained unused.

Current regulations of all child protection systems should be carried out under a high association of actors, applying a multidisciplinary approach to issue management by multidisciplinary teams. Based on multi-dimensional elements, field specialists are needed to manage cases with professionalism by evidencing a challenge for local government structures.

There is a lack of high child protection specialists in the Municipal institutions of our country, with a vague decision-making mechanism to respond to cases of abuse and neglect, lack of clear definition of the measures related to the protection, low capacity borough for the organization and provision of service, and lack of support from the state to municipalities, such as case management, as well as for the provision of services.

Quality security systems, including increased capacity, establishing standards of qualification and accreditation mechanisms for professionals working to protect the child missing, need to be addressed in a more systematic way by the state authorities.

Also, the emphasis is on systematically improving knowledge, multidisciplinary training and practice unification between professionals working directly with children in various sectors.

The decentralization process and territorial reform in Albania has reduced the number of local authorities, with the reform aiming to reflect positively in the improvement of positions of the child protection system.

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Dual Diagnosis as a Tool for Therapists and Social Workers

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Abstract

The problem of dual diagnosis described as the first in Poland Lehmann in 1993. He noticed that for people with dual diagnosis is needed different diagnostic and therapeutic-specific approach and that social services (Lehman, 2000; Lehman 1993; Lehman, Myers 1994). Clinical experience suggests the need for a clear separation of this group of patients from both patients and the mentally ill *odwykowo*. T HAT approach allows to carry out homogeneous diagnostic psychiatric patients. Such *ayodrebnienie* It is dictated by the difficulties of diagnostic and therapeutic (Siegfried 1998; Sciacca 1991; Lehman, 1998). One clinical term for such a diverse group of patients do not permit a homogeneous diagnostic tests and determine the needs, problems and medical treatment and social services. Interest in this group of patients is not only due to cognitive reasons, but also due to the increasing number of people with dual diagnosis, more effective treatment and social assistance. Another reason is the rapidly growing number of people with PD. This group represents a challenge for physicians, social workers (Crome, Myton 2004; Lehman 2000; Alaja, Sepia1998).Clinical studies confirm the phenomenon of interactivity in which a mentally ill person is at high risk of developing mood-dependent dependence, particularly alcohol and those who are at high risk for mental illness (Lehman 2000).Dual diagnosis is the term defining the clinical coexistence in the same person from one side of a mental disorder, and disorders related to psychoactive substances, mostly drugs and / or alcohol (Abel-Saleh 2004; Crome, Myton 2004). The population of patients with dual diagnosis is large and varies widely in type and severity of the mental illness, the type of psychoactive agents and specific disorders resulting from the adoption of psychoactive substances, psychological and social skills which is obtained support and other factors (Lehman 1996; Ridgely 1987), such as schizophrenia. Severe mental illness (severe mental illness) as a concept which takes into account the clinical diagnosis (diagnosis) the degree of impairment of (disability) and duration of disorder (duration). This criterion includes serious mental breakdowns such as schizophrenia, bipolar affective disorder, depression. These disorders seriously impair people-to-people contact, self-care. Treatment of people with dual diagnosis is a problem because it results from the combination of two extremely different ways of dealing with mental illness *and addiction*.

Keywords: double diagnosis, social work, therapy, social psychology, psychiatry

Introduction

In 1997, for the first time was describe the possibility of the development of mental illness as a result of substance use, as well as on the ground of mental disorders opportunities addiction These measures (Mc Lella et al. 1997).

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Clinical experience suggests the need for a clear separation of this group of patients from both patients and the mentally ill *odwykowo*. T HAT approach allows to carry out homogeneous diagnostic psychiatric patients. Such *ayodrebnienie* It is dictated by the difficulties of diagnostic and therapeutic (Siegfried 1998; Sciacca 1991; Lehman, 1998).

One clinical term for such a diverse group of patients do not permit a homogeneous diagnostic tests and determine the needs, problems and medical treatment and social services.

Interest in this group of patients is not only due to cognitive reasons, but also due to the increasing number of people with dual diagnosis, more effective treatment and social assistance. Another reason is the rapidly growing number of people with PD. This group represents a challenge for physicians, social workers (Crome, Myton 2004; Lehman 2000; Alaja, Sepia 1998).

Clinical studies confirm the phenomenon of interactivity in which a mentally ill person is at high risk of developing mood-dependent dependence, particularly alcohol and those who are at high risk for mental illness (Lehman 2000).

Dual diagnosis is the term defining the clinical coexistence in the same person from one side of a mental disorder, and disorders related to psychoactive substances, mostly drugs and / or alcohol (Abel-Saleh 2004; Crome, Myton 2004).

The population of patients with dual diagnosis is large and varies widely in type and severity of the mental illness, the type of psychoactive agents and specific disorders resulting from the adoption of psychoactive substances, psychological and social skills which is obtained support and other factors (Lehman 1996; Ridgely 1987), such as schizophrenia.

Severe mental illness (severe mental illness) as a concept which takes into account the clinical diagnosis (diagnosis) the degree of impairment of (disability) and duration of disorder (duration).

This criterion includes serious mental breakdowns such as schizophrenia, bipolar affective disorder, depression. These disorders seriously impair people-to-people contact, self-care.

Treatment of people with dual diagnosis is a problem because it results from the combination of two extremely different ways of dealing with mental illness and addiction.

Therapeutic programs intended for patients with severe mental illness should take into account zy Double diagnosis. Co-occurrence of two diseases is a common phenomenon at the same time and is no exception to. It is important that this fact be taken into account and should not be a surprise to physicians dealing with people with a problem. Me psychic, moreover, in all pro Grams of mental health after You should make the appropriate changes.

Teams specialized in the treatment of one d Disorders are insufficient because they remain Bind many patients without diagnosis, treatment and recovery. In addition, many of the elements These therapeutic programs will not dopaFor the specific problems of patients with po Double recognition.

However, many physicians, patients, and their family members are confronted with very difficult but temporary problems, and for obvious reasons they show discouragement, doubt or despair. Often they do not have sufficient knowledge about the availability of effective treatments and long-term recovery.

Therefore, it is necessary to realize the existence of these phenomena, which will cause the launch of appropriate education. Maybe hope is also a very important element in the process of recovery.

Every ill person has a chance to recover No, but the task of doctors is to give him realistic and optimistic information, taking into account the possibility of long-term improvement O health (Corrigan, Salzer 2004; Deegan, 1996; Roe, D., Chopra, Rudnick, 2004).

Co-occurrence of psychiatric disorders and the use of SP can be characterized by various dependencies

1. The psychological craving is the cause and the SP reaching for a more or less conscious attempt to self-heal;
2. The acquisition of SP produces a psychopathic syndrome and can contribute to the development of a mental illness;
3. The co-occurring disorders are primary, no causal;
4. The present are non-specific genetic and other biological factors and social changes that underlie both disorders (Aries-Furga, et al Steinbarth 2004; Abou-Saleh 2004; Lehman 2000; Książpolska 2006)

Patients with double diagnosis are more likely to suffer from somnolence than those who are addicted without accompanying mental disorders. (Buckley 2006; Salads 1990; Jones 2004).

Difficulties in the treatment of people with double diagnosis

There are three basic groups of problems that make it difficult to treat patients with schizophrenia and addiction / psychoactive substances: (1) Economic and social problems. Patients with double diagnosis require much more financial expense than treatment for addicts only. Problems arising from the patient himself. These problems are related to or arising from the occurrence of negative symptoms, cognitive deficits (Bażyński 2002) (2) Problems on the pathway patient - therapist (doctor). There are few integrated dual-use patients. The great majority are treated in a traditional way, the treatment strategies are not comprehensive, more focused on the treatment of individual symptoms. The use of confrontational techniques, a model for hindering participation in the treatment of patients dependent on coexisting schizophrenia (Hoff 1999).

It is definitely difficult to assess the co-occurrence of psychiatric disorders and the addiction / abuse of psychoactive substances in children and adolescents. This difficulty consists of a specific clinical picture combined with adolescence, specific symptoms of schizophrenia and psychoactive drugs. Somatic complications resulting from the interaction with psychoactive agents are broadly described in the literature of the subject. Wright, Walker 2001; McEvoy, Kitch n 2000; Neiman, Haapaniemi 2000)

There is a need to create centers with a separate treatment model, which in their therapeutic program will introduce therapy for people with psychoactive substance abuse problems as well as those associated with mental disorders related to personality traits. Co-occurrence of abuse of psychoactive substances and mental disorders is associated with many factors. The type of psychoactive substances used, the time it takes, and the personality traits of the person and the type of mental disorder are of decisive importance. One of the most important elements of the diagnosis is the attempt to assess the relationship between substance abuse and psychopathology. Used for therapeutic interventions in patients with mental disorders associated with psychoactive substance include rehabilitation and treatment of various forms of interaction p [psychosocial inclusive, which aims NAFO Eradication or elimination of causes or symptoms of diseases and disorders. Rehabilitation includes procedures to help you acquire skills and support Wound patients in overcoming difficulties you Those who are suffering from illness or disorder.

Getting back to health means overcoming the disease and returning to a satisfying and fulfilling life, not just mere symptomatic disorder (Bellack 2006; New Freedom Commission on Mental Health 2003). It also improves on taking significant personal life activities and interpersonal relationships as well. Forming an individual sense of hope and autonomy.

Depression and abuse of psychoactive substances

There is a serious connection between depression and the abuse of psychoactive substances, especially alcohol and heroin. The use of alcohol and heroin significantly aggravates depression and its severity has been demonstrated by the MMPI test

In the treatment of patients with dual diagnosis of psychoactive substance abuse with depressive disorders, latent psychopathological symptoms appear in the final phase of detoxification. This state mobilizes to develop a treatment program utilizing patient knowledge, orientation and insight to integrate personality elements and social functioning. In this regard, it is necessary to include a social worker.

Depending on the depth of depression, a detailed program is required to involve psychiatrists, addiction treatment psychologists and social worker. The whole program is personalized and tailored to the patient's level and capabilities. Behavioral methods, therapeutic interventions directed at the emotional sphere are at this stage validated.

Abuse of psychoactive substances and anxiety

The symptoms of anxiety are not alien to people abusing psychoactive substances. Overexposed anxiety can be the primary or secondary consequence of their abuse. It is possible to observe a close interaction between the use of psychoactive substances because it experiences strong anxiety, and abuse enhances the symptoms of anxiety. Detoxification is necessary to start therapy. With a low level of anxiety addiction therapists are able to cope. If anxiety has pathologic signs, the therapeutic procedure is different. There is a holistic approach to addressing addiction and mental health.

Abnormal personality (sociopathy) and abuse of psychoactive substances

It should be noted that in the current classification of DSM III and later sociopathy is not taken into account, and the concept of antisocial personality has been introduced with the need to appear before the age of 15 certain characteristics. Out of 17 features, at least three must appear before the age of 15. These characteristics include: frequent truancy, lack of adaptation to school conditions, criminal activity, escape from home, aggressive attitude. When a person reaches the age of 18, three or four of the following symptoms may occur: inability to work, recurrent criminal behavior, failure in marriage, physical abuse, impotence, lying, carelessness. These symptoms should persist for 5 years after age 15 in the absence of identified mental retardation, schizophrenia or other mental illness.

The antisocial personality was found in MMPI studies in substance abuse abusers and co-occurring criminal behavior. Consequently, in a therapeutic program outside of therapy focused on the abuse of psychoactive substances, it focuses on antisocial behavior and behavior.

Persons with antisocial (sociopathic) personality abuse of psychoactive substances can be treated in addiction treatment clinics with a special focus on the socialization process. The patient is responsible for the treatment process. Therapists should use supervision. For this type of patient it is necessary to conclude a very clear, unequivocal contract specifying not only the plan of the activity, but its active participation.

In this program, the program of reintegration of patients into the rhythm of normal social life is also of great importance. It is justified by the patient's life history. Typically, these patients are exposed to antisocial behavior from their youth.

Schizophrenia and abuse of psychoactive substances

Schizophrenia belongs to a group of mental disorders that can damage the cognitive processes: disorganization of the personality and isolation from the environment. Symptoms of schizophrenia include psychotic states that involve a reduced organization of mental functions. In the course of acute psychosis, the patient loses contact with reality, producing psychopathological symptoms, thinking disorders and speech. As a result, problems in working at work, interpersonal contacts, self care are revealed. (Mirin 1999).

The motivation for taking psychoactive substances for a person suffering from schizophrenia is related to the very subjective sense of the benefits and comfort they give. In general, schizophrenics choose the kind of substance to get the maximum minimize or eliminate symptoms of the disease and to provide intense emotional experience, reduce the effects of medication (.Dixon L, G Haas, 1991; .Dixon L, G Haas, 2001)

Studies often confirm the association between schizophrenia and psychoactive substance abuse. (Allerman Erdlen 1990) This creates a special therapeutic program for these patients because they require a specific treatment that combines psychiatric treatment and psychoactive substance abuse. Detoxification, which is a necessary part of therapy in the case of mentally ill people, is not entirely possible. This is due to the need for medication during schizophrenia. It is also necessary to control coordinated treatment, as patients can often include other drugs. Outpatient treatment can be performed by a trained social worker or social worker. Patients with schizophrenia and at the same time abusive patients do not belong to those who undergo therapy are unstable in treatment. It is also difficult to obtain beneficial therapeutic relationships. To some extent, this results in too much rejection by the psychiatric health care system. Patients who come back to use psychoactive substances are significantly affected by mental illness. It follows that such patients require appropriate help, a specific health care system and the program.

In schizophrenia a lot of emphasis is placed on building relationships of intimacy, tolerance of rejection, lack of directives. In addiction, borders become important

and ii terap confrontational conduct. (Mellibruda J Sobolewska Mellibruda-2006)

In every human being there are biological and genetically transmitted tendencies to create strong emotional bonds with other people. If for some reason occur, especially in the early stages of human development, in later life may be interfering with the development of emotional, there will be an emotional disorder, but the need for them to remain. (LA Pervin, John, OP., 2005; Fonagy P, T. Leigh, 1996).

Within personal models of thinking and relationships, I and others throughout the course of my life create a bonding system that aims to integrate the experience gained.

J. Bowlby believes that this model is created according to various kinds of rules from the earliest childhood and is interactive. The formation of proper attachment creates an inner conviction that you are a loved one, worthy of love, valid and acceptable, and that the world is full of friendly people open to the needs of others. Otherwise, based on experience, a belief is created that the environment is unworthy of trust. This is in the company of loved ones. Close conducive to the appearance of negative beliefs about the self-image, unworthy of love (Dozier, M., 1990).

Literature a lot of space is devoted to his mother and her relationship with the child and its availability. Relationships and availability would be relevant in the emergence of mental illness, particularly schizophrenia.

A. Ainsworth has identified three styles of behavior that define the bonds that are made between a child and a mother.

Safe style of attachment, evasive and anxiety-ambivalent. The safe style is most optimal for the development of the child, because of the sense of security, self-confidence and trust. This style is created in the relationship between the child and other people, between him and the object of attachment. These are personal cognitive structure ei a kind of cognitive framework through which to appear and processes occur perception of reality, events and relationships with others. Avoidance style does not provide a sense of security. In adult life this style does not provide a sense of security, arouses discomfort and danger. An anxiety-ambivalent style of attachment creates a sense of uncertainty in social relationships, not satisfying the need for closeness. (Marchwicki P., 2005)

In situations of danger, attachment becomes apparent in the search for safety, homeostasis by regulating the intensity of anxiety Children who have failed to create a safe parenting style can try to attach themselves to other people who play an important role in their lives. It is not entirely sure whether adults prefer the style of attachment developed in childhood or whether they have a chance in favorable conditions to change in adulthood. The relationships that arise between a psychiatric patient, especially with a double diagnosis, and the staff members may try to understand in the context of attachment theory. People with dual diagnosis belong to difficult patients. Characteristics for them are: distrust, lack of cooperation, exposing personnel to the patient, interrupting therapy or drop from the disciplinary therapy (Marchwicki P. 1990).

Conducted observations have shown that the neurophysiological sensitivity of the central nervous system to psychoactive agents (psychostimulants) and its relevance to the disclosure of schizophrenia, induced psychosis, and spontaneous occurrence of psychopathological symptoms of the productive type even during abstinence. Psychotic symptoms may also appear in healthy people as a result of stimulants. Kokkinidis, Anisman 1987; Javitt 1981). People with schizophrenia are more likely to experience schizophrenia.

Efforts were made to assess psychotic symptoms in people with schizophrenia and at the same time addicted to psychoactive drugs. Attempts were made to demonstrate the existence of a subtype of schizophrenia directly related to addiction. Compared patients with schizophrenia and using psychoactive substances with those who did not use these remedies. The results indicate that schizophrenics using psychoactive substances have earlier revealed the first signs of the disease and had more, more frequent relapses and more frequent hospitalizations (Silver, Abboud E 1994).

The addiction process in people with schizophrenia is different from the mentally ill. A significant difference is particularly high susceptibility to psychoactive drugs. One reason is the exacerbation of psychotic symptoms and the adoption of psychoactive substances at that time. Causing the significant deterioration of interpersonal relationships. It looks different in abusive people. Their relationships are improving considerably, especially among young people. (Drake, Oscher 1990; Wolford 1999)

The program can be implemented at an elevated hospital ward linked to an environmental unit, day ward, and clinic.

This program should be flexible employing staff with expertise in treating such patients. Each patient should be individually evaluated and possibly have a separate plan and program of treatment that should not be excessive, fixed with the patient. The pharmacological treatment should be supervised. In each case a contract is required in detail.

Treatment stages:

(1) Interview and diagnostics The basis for initiating any therapy is to perform a diagnostic interview. If there are difficulties then you can get help from a social worker, your immediate family.

(2) Adoption for detoxification Depending on the severity of the disease is determined detoxification program with the determination of doses of psychotropic drugs. With severe psychopathological symptoms, close supervision of staff is required. The time of this stage is not determined in advance. This is a very individual procedure.

(3) Treatment program and their implementation. At the end of the detoxification process allows you to establish pharmacotherapy. Behavioral therapy sessions, individual and group therapy and occupational therapy sessions are also started. The patient is enough in touch to get started Collaboration in everyday activities. Increased competence, stability, ability to use their mental ability to function better.

(4) Stabilization of mental and physical condition. This is an important stage of therapy, because the patient already has social relationships, he works according to his abilities, he is dealing with the requirements. The patient receives reinforcement and supports the desired behavior. Stabilization of health opens the possibility of preparing a rehabilitation plan conditional on the patient's entry into the social environment. Success at this stage depends not only on the patient itself, although it is most important here, but also from the facility the patient will take to further care and a social worker, family assistant. Next step after the discharge from the ward is not the easiest. The patient remains in custody, but much more time outside the rehabilitation center. The patient is required to be subjected to analysis of body secretions (wet) on myocardial tość psychoactive substances (drugs). Significance is the effect of the social worker, who together with the patient prepares a contract that clearly defines the scope of action. A social worker may maintain contact with a therapeutic center and, in the event of a relapse, mobilizes the patient to seek treatment. The rehabilitation stage provides stabilization in a non-psychiatric ward for patients. Such a solution is advantageous for patients with dual diagnosis and the therapeutic community in which the patient can achieve a sense of normalcy and support (Gestley, Alterman, Melellan, Woody 1990).

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Vaccination Knowledge and Attitudes of Albanian Mothers

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Abstract

This study evaluates the knowledge and attitudes of mothers regarding the immunization in a random sample of 100 children from Tirana, Durrës, Pogradec and Korçë, Albania. The questionnaire collected data on person answering the questionnaire, parent's educational and occupational status, parental knowledge on vaccines and vaccination and type of vaccine administration. The questions about attitudes on the utility of vaccinations were scored on a 5-point Likert scale with options ranging from "1" to "5"). The behavior responses and the questions concerning mothers' responsibility on taking decisions regarding vaccination were in "yes/no" format and only two questions were open ones. Almost all the children were vaccinated with all the three doses of DTP and hepatitis B. In the meantime, for the optional vaccines, such as Influenza, HPV, only 2% of respondents stated that their children had been vaccinated. The results showed that the attitudes toward the utility of vaccinations for preventing infectious diseases were favorable. Most of the respondents felt extremely confident in receiving honest and complete information about vaccination from doctors/ pediatricians but also from the experience of other parents. The objective of this study was to investigate the influence of parental knowledge of vaccines and vaccination in Albania.

Keywords: Attitudes, knowledge, questionnaire, vaccination, influence.

Introduction

As Harris (2013, p.1056) states, the use of vaccines has significantly improved global public health, preventing hospitalizations and death of millions of children every year. World Health Organization (WHO) launched the Expanded Program of Immunization (EPI, Expanded Program on Immunization) in 1974, and, since then, the increase in the vaccination coverage has been associated with a significant reduction in morbidity and mortality for the diseases preventable by vaccines, bringing some of them to the nearest possible limits of elimination. The practice of vaccination is known as one of the highest efficient interferences in preventing the spread of infectious diseases. The vaccination applied on large-scale and in accordance with the appropriate strategies can lead not only to control but also to the elimination of special diseases (WHO, 2013). In the recent years a trend toward the use of combined vaccines is noticed with the purpose of increasing the practicality of application and minimizing logistical problems. As Nelaj (2013, p. 100) writes, during the years 1970s and 1980s, IPH (Institute of Public Health) in Albania, achieved remarkable improvements in the biotechnology of the components production of D (diphtheria), T (tetanus) and P (pertusis) for the trivalent vaccine DTP, vaccine DT and the Td one, which together with vaccine TT, consequently led to the increasing of their effectiveness and efficiency, being reflected in a further reduction of the disease occurrence.

In the year 2000, Rubella component (vaccine FR) was added to Measles vaccine, and in the year 2005, another component, that of Mumps (now FRP vaccine) was added to it; and in the year 2009 Hib component (Haemophilus influenza type b) was added to then separate vaccines DTP and HepB, thus avoiding an injection to children and enabling them to receive at one time five combined vaccine antigens DTP-HepB-Hib.

Though significant epidemiological results are achieved due to the efficacy of vaccines combinations, immunologists and microbiologists are still debating on the full equality of the immune response to the special antigens compared with those combined (M&B 7 1998, p.461-463). Despite the potential for protection against a broad spectrum of pathogens, the increasing availability of the effective vaccines can lead to a significant reduction of vaccine coverage as a result of problems related to the applicability of new vaccines according to the existing protocols. To overcome these problems, the development of combined vaccines is promoted. Their use offers benefits such as, reduction in the number of patient visits, reduced complications associated with multiple intramuscular injections, reduces in cost and administration of special vaccines, and decrease in the risk of delayed or lost vaccine. Hexavalent vaccine includes antigens against diphtheria, tetanus, acellular pertussis (DTP), hepatitis B (HBsAg), polio (P1, P2, P3) and Haemophilus influenzae type B (Hib).

Materials and Methods

This study was an attempt to evaluate knowledge and attitudes of mothers regarding the immunization in a random sample of 100 children from Tirana, Durrës, Pogradec and Korçë, Albania. The questionnaire collected data on: person answering the questionnaire, parent's educational and occupational status, parental knowledge of vaccines and vaccination and type of vaccine administration. The questions about attitudes on the utility of vaccinations were scored on a 5-point Likert scale with options ranging from "1" to "5". The behavior responses and the questions concerning mothers' responsibility on taking decisions regarding vaccination were in "yes/no" format and only two questions were open ones.

Results

Mothers' demographic and socio-economic features were included in the questionnaire, such as mother's marital status, mother's education level, age of the mother when she gave birth to the study child etc. These data are presented in Table 1.

Table 1. Mothers' characteristics

Table 1. Mothers' characteristics	
Mothers' characteristics (n=100)	Number
Mothers' age (years)	
≤ 25	2
26 – 30	15
31 – 35	23
36 - 40	37
> 40	23
Mothers' status	
Single or divorced	3
Married	97
Mothers' education	
≤ 8 years	4
High school	6
University	90
Mothers' aged at child birth	
≤ 25	26
26 - 30	56
31- 35	17
36-40	1

Source: Author

The average age of these 100 mothers was 25 years, almost all were married (97 mothers) and had received University education. 56% of the interviewed mothers had given birth to the first child between the ages 26- 30.

Almost all the mothers questioned were responsible for the well-being of their child, including the protection of them from illness caused by diseases that are vaccine-preventable. Also, they agreed in more than 86% that feeding and sleeping schedules are important to help keep children healthy as well as vaccination schedule does.

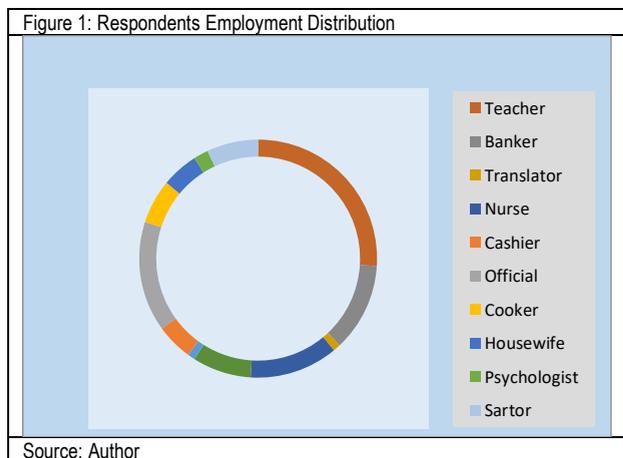


Figure 1 shows the distribution of questionnaires to respondents according to their employment. 26% reported to be self employment and 74% had professional full - time occupations (teacher, official (administrative worker), health worker etc.).

The results of this survey helped us to provide information about the knowledge, attitudes and behavior of the Albanian mothers regarding immunization. Since many factors may influence vaccination coverage, there are some important variables that should be taken into account, such as mothers' concern about vaccination which can be considered important information and in which the vaccination of infants depends.

The respondents were also asked if they had ever refused their child vaccination only for fear of the side effects and the result was that 6 parents out of 100 responded they had had this fear and consequently refused vaccination, going even further by specifying the type of vaccine they had avoided. While 92% of parents were of the opinion that information about the health benefits or risks of vaccines would be absolutely useful.

Table 2. Respondents' attitudes about vaccination

<i>Mothers' concerned about...</i>	<i>Somewhat concerned</i>	<i>Quite concerned</i>	<i>Totally concerned</i>	<i>I don't know</i>
Concerned that your child may contract a vaccine-preventable disease and suffer a <u>serious reaction to the disease.</u>	11	59	21	9
Concerned that your child may experience a <u>bad reaction to a childhood vaccine.</u>	6	17	72	5
Concerned that your child could <u>still</u> contract a <u>disease for which has been vaccinated.</u>	28	35	20	8

Source: Author

From Table 2, we can see that 72% of the subjects were totally concerned about the undesirable side-effect/ adverse event to a childhood vaccine. From the same table we noticed that 35% of the interviewed mothers were still concerned that their child would contract a disease even though he/she had been already vaccinated. For example, immunity provided by

the pertussis (whooping cough) vaccine begins to wane after six to ten years, so if your child doesn't get a booster shot during his preteen years, he could contract the illness.

Table 3. Confidence in receiving correct information about vaccines from the sources in the list, ranked by level of confidence from 0 to 5 (5 point Likert scale)

Table 3: Information sources confidence				
Information sources	Level 1 (Not at all confident)	Level 2 (Quite confident)	Level 3 (Extremely Confident)	Level 4 (Don't know)
Vaccination child book	1	24	70	5
Parenting magazines	2	45	38	15
Public health nurse	0	33	65	2
Books/ Internet	8	68	14	10
TV/ Radio	13	62	16	9
Other parents	9	63	5	13
My doctor/ Pediatrician	0	18	82	0

Source: Author

Discussion

The benefits of childhood vaccination are well established (*Andre, Booy, Bock, Clemens, Datta & John 2008*). Vaccine uptake rates in most industrialized countries are generally high. However, two broad parental factors are associated with under-vaccination. The first relates to socioeconomic disadvantage where, despite some motivation to have their children vaccinated, parents lack access to adequate resources and support to overcome logistical barriers such as a lack of transport or childcare (*Samad, Butler, Peckham & Bedford 2006*). The second factor, which also was the focus of this paper, relates to parents' concerns about the safety or necessity of vaccines (*Gust, Darling, Kennedy & Schwartz 2008*).

A critical factor shaping parental attitudes to vaccination is the parents' interactions with health professionals. An effective interaction can address the concerns of vaccine supportive parents and motivate a hesitant parent towards vaccine acceptance (*Brown, Kroll, Hudson, Ramsay, Green, Long, Vincent, Fraser & Sevdalis 2010*). Conversely, poor communication can contribute to rejection of vaccinations or dissatisfaction with care (*Thomas, Kohli & King 2004*). Such poor communication often results from a belief established by the health professional that vaccine refusal arises from ignorance which can simply be addressed by persuading or providing more information. Such an approach is counter-productive because it fails to account for the complexity of reasons underpinning vaccine refusal and may even result in a backfire effect (*Jackson, Cheater & Reid 2008*). Parental vaccination decisions are based on an array of factors and parents integrate information according to their experiential and social contexts (*Poltorak, Leach, Fairhead & Cassell 2005*). A parent's trust in the source of information may be more important than what is in the information (*Kempe, Daley, McCauley, Crane, Suh, Kennedy, Basket, Stokley, Dong & Babbal 2011*).

Health professionals have a central role in maintaining public trust in vaccination; this includes addressing parents' vaccine concerns (*Betsch, Brewer, Brocard, Davies, Gaismaier, Haase, Leask, Renkewitz, Renner & Reyna 2012*). These concerns will likely increase as vaccination schedules inevitably become more complex, and parents have increased access to varied information through the internet and social media.

Table 3, according to confidence levels in different information sources, revealed that 82% of the respondents extremely trusted in health professional figures such as pediatricians and family doctors and 30% in the mass media.

When asked to list their most important sources of information on vaccines, the most common response was a child's doctor or nurse.

Conclusions

The majority of the parents was either confident or very confident in vaccine safety and believed that vaccines are important to children's health. Similarly, they somewhat or strongly agreed that the benefits of vaccines outweighed the risks.

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Diagnoses of (Con)temporality: J.-F. Lyotard, J.-L. Nancy, M. Krieger, and P. Gilroy

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Abstract

This paper focuses on the comparison of various theories of contemporality that emphasize the categories of time, movement, and contingency. The argument concerns the contemporary philosophy of Jean-François Lyotard, Jean-Luc Nancy, Murray Krieger, and Paul Gilroy. In his paper *Time Today* Lyotard perceives contemporary consciousness in terms of, extended by modern technology, capacity of implementing the past narratives within the structures of temporality. Meaning proceeds from the emotional attitude toward those past events. In this view, present immigration problems are linked to the issue of space related dimensions of traditional culture and its tendency towards inertia. On the other hand, Lyotard points to a new emerging model of the contemporary technology-based culture, which manages to surpass the obstacles of locality. However, as Lyotard claims, this process, based on the merging of technology, science and culture, does not lead to the increase of educational, economic, and moral standards of society, but instead gives rise to "barbarism, illiteracy, impoverishment of language, new poverty." In reference to Leibniz's concept of a complex monad, Lyotard juxtaposes memory to event claiming that the modern era is characterized by the domination of oppositional forces of rationalizing and contingency. This opposition is analyzed in the light of a comparable concept introduced by Derrida based on the confrontation of the terms: event and machine. Moreover, a postcolonial critic Paul Gilroy in his *Postcolonial Melancholia* describes contemporary social phenomena with the use of terms conviviality, multiculturalism, immigration, race, globalism, and planetarity, which also encompass contingency and movement.

Keywords: Diagnoses, (Con)temporality: J.-F. Lyotard, J.-L. Nancy, M. Krieger, P. Gilroy

Introduction

The present moment, as a movement towards transgression of time, the opening, the breach in time, becomes the object of analysis in *Adoration* by another contemporary thinker, Jean-Luc Nancy. According to him, the enclosure in scientific forms of rationality and reason today produces the counter drive towards the contact with the open.

Temporality and temporal distance is also an issue discussed by Murray Krieger in reference to Paul de Man's "Rhetoric of Temporality" that focuses on the discontinuity between language and existence, or the void that separates them.

The proposed analysis concerns the discussion of those divergent diagnoses of contemporary society in relation to the issue of time.

In some sense this analysis concerns the phenomenon of the flow or movement (of time, desire, language, blood, refugees, immigration, etc.) as the essence of contemporality. The argument focuses on those elements of postmodern ethics that involve change, instability, and the temporal as the most vital, constituting, and thus constant elements. In other words, it is about new reflection on the ancient problem of the constancy of change, a "recurrent alterity" (Lyotard 2006, 267), according to J.-F. Lyotard. Notably, in his writings, one finds a revealing analysis of the temporal state of postmodern

condition. In *Time Today*, he concentrates on the topic of temporarily and time related aspects of the current condition of modern societies and modern consciousness.

The perception and experience of time have been recognized as one of the most perennial, yet problematic tasks of philosophy since its very beginnings and the ontology of change and becoming proclaimed in Heraclitus's thought. One cannot enter the same river twice, says Heraclitus, attributing the imagery of the principle of constant transformation to fire and its opposite: the flow of a river.

In reference to a never-ending flow that takes place in every perceptible or indefinitely small segment of time, Lyotard proposes the above mentioned term: „recurrent alterity,” in the face of which one remains a passive observer. This notion points to two opposite aspects of the phenomenon of time: its repeatability (based on some element of sameness) and absolute change (every moment is different). Moreover, each act of perceiving the present is experienced as unique, yet imperceptible: „(...) present cannot be grasped as such, it is absolute. It cannot be synthesized *directly* with other presents. The other presents with which it can be placed in relation are necessarily and immediately changed into presented presents, i.e. past”, claims Lyotard. (Lyotard 2006, 266).

These analyses establish the ground for further speculations about the future and present problems the humanity will have to face. The main aim of civilization which Lyotard treats with suspicion is also time-related. The accumulation of information has one goal; it should lead to the subordination of the future to present expectations. Predictability is the key to control, effectiveness, and power in an economic sense. On the other hand, in a philosophical sense, it guarantees and confirms the truth preserved in the techno-scientific discourse, which is a new form of coping with collective memory that was previously invested in the medium of myth. Expanding the capacity of computer stored databased memory and mastering data analyses is a challenge which humanity will have to face in order to „adapt to the growing complexity” of the system and, self-reflectively, to respond to „the growing complexifying relations between human beings.” A perfect monad, according to Lyotard, in reference to Leibniz's theory will finally master and stop the flow of time and information. The state of divine all-knowing will constitute a perfect final stability and an eventual partial overcoming of Heraclitus's paradox of constant change. This will mark the final victory of the machine over the event in Derrida's vocabulary, but this vision possesses also serious drawbacks. Lyotard points to Heidegger's figure concerning technology *Gestell* and considers it threatening. „Mind and even soul are studied as though they were interfaces in physical processes,” he worries (Lyotard, 274). The all-encompassing domination of technē leaves no place for what may be termed purposeless (with no purpose outside itself to use Kant's terms) humanistic imagination. In this situation, the uniqueness of the mind and its only rescue is an access to the event celebrated in such mediums of free creation as: the visual arts, everyday language, poetry, music, and literature.

However, as Murray Krieger notes, no work of art or a literary or critical text is innocent and free of institutional constrains or materialistic ideologies. Neither can it be free from ethics. „Everywhere the ‚political unconscious' writes texts that are responsive to its (criticism's - EB) will to power,”¹ (Krieger 1983, 134) as Krieger notes. A text unfolds in time during the reading process, it unfolds its sense in relation to other texts, using the rhetorical figures to create an illusion of change and repetition. The flow of criticism and theoretical thought that should be more self-conscious forms of language use, is based on awaiting for the truly innovative critical event to arrive unexpectedly as Godot upon the stage of writing in order to radically illuminate present and past readings. Could it come from the outside, that is from the techno-scientific discourse, as Lyotard seems to suspect and break „a Dantean circle of language in which all are damned and none innocent” (Krieger 1983, 134)?

The other of any critical discourse and (philosophy) is a matter of the future to come, which could complete the growing complexity of the monad. Krieger notes: „There remain, outside, those desires that would shape language to themselves as they seek to shape history in their direction. These subjugate the text to themselves, the subliminal masters that make us distrust all that is said” (Krieger 1983, 134), states Krieger.

¹For the discussion of politics as technē see: Langdon Winner *Technē s and Politeia: The Technical Constitution of Society*.

These are forms of awaiting the un-predictable, in a sense which Lyotard introduces through his famous notion of the unrepresentable in „Answering the Question: What is Postmodernism." He also confirms that with the expansion of logic and mathematics to other domains of thought, the problem and paradox of time have shifted to the main position.

Lyotard perceives the contemporary consciousness in terms of, extended by modern technology, capacity to store the past and present narratives or information within the structures of temporality. Meaning proceeds from the emotional attitude towards those events. Collective, emotionally charged memory of any community forms its culture that is always geographically and historically limited, therefore, static. The present immigration problems are linked to the issue of space related dimensions of traditional cultures and their tendency towards inertia. On the other hand, Lyotard points to the new emerging model of contemporary technology-based culture, which manages to surpass the obstacles of locality. This new global mode of media culture encourages immigration, as it facilitates the circulation of information. However, as Lyotard claims, this process, based on the merging of technology, science and culture, does not lead to an increase of the educational, economic, and moral standards of society, but instead gives rise to "barbarism, illiteracy, impoverishment of language, new poverty." (Lyotard 2006, 270) The new global consciousness and memory are often based on intolerance and stereotypical thinking, leaving no place for any deeper reflection. The movement of complexification and the augmentation of social collective memory based on the digital synthesis of past narratives or times result in losing touch with a singular ego or body. The human race is „pulled forward by this process without possessing the slightest capacity for mastering it," laments Lyotard. (Lyotard 2006, 270).

In reference to, the already mentioned above, Leibniz's concept of a complex monad, Lyotard opposes memory to event, claiming that more complex collective memory offers more control over any (present or future) event /unexpected occurrence. The growing complexity of the system, (of which the event remains the best producer) consists in the progressing in time complexity of social, economic and cultural relations. This forms a model which Lyotard relates to the complexity of time syntheses that, according to contemporary physics, happen only locally. Humanity might be one of those local gatherings of time, which as every result of physical processes is: „temporary and highly improbable." It is more exciting says Lyotard to think about humanity in this astronomic perspective, „to think that what is called research and development in the contemporary societies (...) are much more the result of such process of ‚cosmolocal' complexification" (Lyotard 2006, 268) than the result of a progress towards more happiness and social justice. The modern era is characterized by the domination of oppositional forces of rationalizing and contingency. It gives preference to new language uses based on rationalization, logic, pragmatism and communicational efficiency at the expense of the poetic, notes Lyotard.

In his essay „Typewriter Ribbon", Derrida proposes a pair of opposites: the patterns of the machine as opposed to the logic of event, comparable to the already discussed antinomies of memory and event. It refers to what was once the future time and its accordance with the previous desire or prediction. The event is structured according to the logic of deconstruction with reference to de Man's notion of the material event. The happening of the event is always external to the present, it is the outside of desire, according to Derrida, rapture, some unpredictable course of events, the dissolution and the bankruptcy of our expectations and strategies. It is the other of time, which constitutes its forever tragic yet intriguing dimension. Tragic in a sense of the alienation of the subject of desire, its estrangement towards itself, which as Derrida and Ihab Hassan note, cannot escape the tragic tone since it always precludes the possibility of what is the most and the least possible that is the event of death. Hassan's analysis of cultural innovation focuses on the paradox of death, an „even of events" (Hassan 1983, 15) as a driving force of change and desire. In „Ideas of Cultural Change" Hassan comments:

In short, more than an existential metaphor, more than an ontology of the new or a politics of innovation, death enters every language by which we try to understand change; and it acts, as Heidegger saw, as the basis of ‚authentic history,' which finds its weight not in the past, not in the „today," but in the *Geschehen*, the very process of existence, originating from the future, the „Being-toward-death. (Hassan 1983, 17).

Also Murray Krieger demonstrates how the purely theoretical reflection on language necessarily carries within itself an existential message about the temporality of human condition always ending in death. In his analysis of Paul de Man's criticism, he claims:

For de Man's, what is celebrated in a word is its "pure anteriority," which renounces "the desire to coincide" with "another sign that precedes it," instead accepting its "temporal difference," "its authentically temporal predicament" (pp. 190-91). But

the last word, "predicament," opens language outward to the human condition: the fate of being only temporal starts by belonging to a sequence of words but shifts to the consecutive, unrepeatable moments of our lives. And with the prohibition against the spatiality of a return, against any simple repetition, the moments can only run out, following one another to death. (...) The semiotician in de Man cannot abandon the existentialist in him: treating the verbal sign as that which keeps us from touching our existential fate, he is simultaneously showing that language can contain that existential fate, though as a negative vision. (Krieger 1983, 128-9)

However, the tragic materiality of desire should not be treated as an unsubstantial metaphor or a signifier without a signified as during the course of history, it can assume an appalling form of massive war crimes. In Klaus Theweleit's theory of suppressed desire, the inferior position of women in the society and the subsequent deepening of the gap between the sexes, their social, cultural, and emotional separation manifested itself in a murderous but irresistible man's death drive, the call of blood, the desire to penetrate the body of the other by turning into a bloody mass. As if in response to such traumatic disasters, Derrida claims: „every event as such is *traumatic*. Even an event experienced as a ‚happy‘ one. (...) Understood in this sense, *trauma* is that which makes precarious any distinction between the point of view of the subject and what is produced independently of desire". (Derrida 2001, 358) The secrecy and mystery of time involves constant change and the creation of the impossible transformations of desire. A more optimistic diagnosis of postmodern transformation of desire is to be found in the writings of another contemporary French philosopher Jean-Luc Nancy.

All the above mentioned figures and forces may be expressed in terms of movement, change, transition, flow, the flow of a stream (of desire or information in a contemporary society). The present moment is always in movement towards the transgression of time, the opening, the breach in time and a conceptual bridge over the past and future, according to Jean-Luc Nancy. He focuses on the individual rather than on the general as Lyotard, and, interestingly enough, draws attention to the „pathological dependency" (Nancy 2013, 8) emotional or sensual (but not intellectual) insufficiency of contemporary men and women. This desire for experience results in addictions, a phenomenon characteristic to our society, according to Nancy. The enclosure in scientific forms of rationality and reason today, produces a counter drive towards openness, „for the contact with the open" (Nancy 2013, 8), the Absolute of the desire according to Nancy, that is God.

Analyzing the psychological and intentional dimension of the development of civilization, Nancy notes another interesting and usually underestimated transformation of desire that is the drive to sense. It is the only motivation that can overcome and „displace the regime of power and money as we know it." (Nancy 2013, 60) In this way, Nancy proclaims the triumph of thinking over pragmatism, materialism and politics, as according to his account the domain of sense should not be limited only to knowledge, reason, and technical solutions, but it should encompass the development of the sphere of mutual communication and trust based on Christian faith and „the common experience of language as ‚we.‘" The drive towards sense is the most vital force shaping societies and individual human beings. It is an irrational, mystic flow of desire and energy, it is „the tension and thrust coming from the force that separates the world from elsewhere (...) a drive of being, being as a drive in whose charge we find ourselves" (Nancy 2013, 61).

The sense of being, or more generally understanding being as sense, does not necessarily contribute to the one-directional progress of humanity, as it may take a form of the collapse of a civilization. Instead, sense relies on establishing relation by observing the law of the universal love of others: this is „the possibility, the power, and the dynamics of relation" (Nancy 2013, 60). This universal sense of being forms the foundation of any true globalist thought and society. It thrusts our imagination towards the vision of the world in its totality, and forces thinking in ethical and existential terms of relation and common language, instead of criteria of power and possession. It is such a powerful force that the introduction of the drive towards sense, which Nancy associates with the beginning of Christianity, at first brought about the breakdown of the old civilization. The collapse of the Roman Empire was according to Nancy, the consequence of the current social, political, cultural, and economic system, which marginalized or excluded the need for forming „relation of people to each other and to the world". Therefore: „the order of Rome, however imposing its success might have been, ended up no longer recognizing itself as a possibility of sense", claims Nancy (Nancy 2013, 54). A similar crisis, surfacing with the advent of the politics of exclusion, isolation and indifference to the suffering other, may be faced by the contemporary seemingly potent Western societies. The truth that we cannot escape is that the refusal to accept and respond to the need of the other, often an immigrant in this case, opening and sharing our language with the language of the other, will diminish our own chances of „recognizing ourselves as a possibility of sense," reminds Nancy. The drive towards sense should pervade the present and guarantee the future of every true existence of a genuinely human society.

Not surprisingly, Nancy depicts the drive to sense in terms of a mystical movement of change that transgresses the individual subject. We are experiencing it while being immersed and carried by the stream of this drive. The only requirement is to remain open, submissive, and responsive to its flow. Nancy describes the drive with reference to the imagery of light and stream:

Drive, a thrust coming from elsewhere, from outside, from nowhere, which opens up in us; which comes from there but which, at the same time, opens up this unlocalizable place; which comes from mystery and produces it, which triggers its flash and goes back into its night: to the absence of solution, to the dis-solution where truth resides. But in this truth is kept and saluted the existence of everyone; the impulsion of relation and the pulsation of sense: it comes and goes from one to the other, from some to others, without establishing any continuity of being but rhyming our common presence- our co-appearance and our exposure [exposition] (Nancy 2013, 61)

Klaus Theweleit refers to the red flood of ideology (that according to Nazi threatened German national, political and cultural identity) which had to be counterbalanced and drawn in a red flood of blood. In contemporary societies the flow of desire is parallel to the flow of information in the multiple and tiny subcutaneous veins of the Internet. The medium of flowing water, a stream is a well-established symbol of time, dating back to the already mentioned, Heraclitus's famous paradigm of a flowing stream which can never be entered twice in the same state and moment. In his analysis of Heidegger's topography, J. Hillis Miller confirms: „the stream is, of course, also a way of expressing temporality, for example, in Heraclitus's fragments" (Miller 1995, 149).

Water, in its timeless quality, constitutes an archaic source of life immersed in the depth of time. Its surface reflects the current passing image, temporary and unstable, bound to fall into oblivion as it disappears in the next moment. It is devoid of the solid, lasting form and quality of earth. According to the Biblical imagery, in the beginning „the Spirit of God was hovering over the surface of the waters." (*New American Standard Bible* 1995, 5). In Heidegger's view, the depth of time - archaic, pre-Socratic thinking formed the original authentic inside to the truth of existence as the depth of oceans formed the origin of life. Interestingly enough, Heraclitus's authority and his reference to water are invoked by Heidegger in his *Building Dwelling Thinking*. Heidegger's symbol of the bridge, may refer to an attempt of imposing some spatial organization upon the disorder and unpredictability of the stream. In Derrida's imagery this opposition could be parallel to the antinomy of the machine and event. The machine as symbolizing the effect of the technē principle at work (for example in the construction of the bridge), as well as in the repetitive, mechanical actions of crossing the bridge. Therefore the mechanical will always happen within the measureable time dimensions as opposed to the timelessness of the event of flowing.

Derrida proposes a similar metaphor in another paper entitled "Some Statements and Truisms about Neologisms, Newisms, Postisms, Parasitisms, and Other Small Seismisms." In this text, the bridge is only one-sided and called jetty. It is a seawall that protects the hitherto acquired theoretical constructions of philosophical and critical thinking against the unknown and yet unthinkable future. Derrida stresses that different jetties, as various ways of theoretical and political ordering of the present, are competitive. Therefore, the present moment is always determined by the domination of one mechanistic jetty or bridge that directs the current journey through time. As an interesting example of a sociological application of the philosophical concept of jetty, one may point to Derrida's lecture on geopsychoanalysis. It concerns the problem of racism in South Africa based on the absurd declaration quoted in his „Racism's Last Word" promoting „the separate development of each race in the geographic zone assigned to it" (Derrida 2007, 378). In relation to the discussion of the territory of dwelling, there emerges a question of the possession of land, borders, boundaries, and barriers. In this context, the figure of the bridge or jetty signifies the opening of isolated physical and mental zones in order to facilitate the free, unrestricted movement of bodies and ideas. In a sociological sense, the indeterminable flow of water and its tendency towards mixing in order to form equilibrium refer to the flow of human masses that is migration movements. Time serves in this case as a very effective model and factor contributing to the transformation, deconstruction, or dissolution of once established strict spatial, political, and cultural partitions, or meanings as Derrida has it. It especially concerns those words that institute discrimination and cruelty. In „Racism's Last Word" Derrida reconsiders the meaning and the abstract scope of mental territory occupied by the word: „apartheid." He notes:

(...) by itself the word occupies the terrain like a concentration camp. System of partitions, barbed wire, crowds of (...) solitudes. Within the limits of this untranslatable idiom, a violent arrest of the mark, the glaring harshness of abstract essence (heid) seems to speculate on another regime of abstraction, that of confined separation. (...) By isolating being - apart in some sort of essence or hypostasis, the word corrupts it into a quasi-ontological segregation. In any case, like all

racisms, it tends to pass segregation off as natural- and as the very law of origin. Monstrosity of this political idiom. (Derrida 2007, 334)

Derrida's argumentation concerns the stabilizing and creationist power of language, which in this case, he recognizes as a dangerous pervasion.

The mechanistic effect of inertia of the unjust system could be overcome by processes that have to do with Gilroy's term *conviviality*: interexchange, progress, event, innovation, and democratization. The same applies to the process of overcoming the communist totalitarian regime in the 80s in Poland and the subsequent wave of liberation reaching other currently post-communist countries. Notably, the power and the stagnancy of this regime were based on the spatial and cultural isolation of the country. Hermetically closed borders, totalitarian control over the information circulating in the media, no access to the outside world form the basis of any potentially dangerous geopolitical closure.

Therefore, the rebirth of antiglobalistic tendencies towards nationalistic separatism in Europe and the US should raise our critical awareness. It is evident in the recent event of the United Kingdom withdrawing from the European Union and the absurd idea of building a wall at the Mexican border to protect California, which resembles Nazi idea of erecting the ghetto wall isolating Jews in Warsaw. Notably, in both cases the costs of isolation are paid by the victims.

In his book published in 2005, Paul Gilroy talks about the political and social situation of the Great Britain and other countries. His diagnoses have recently been confirmed by Brexit, anti-immigration policies, and violent acts against immigrants. The postcolonial melancholia, referred to in the title, designates a new context for the notion of the mental state of melancholia described by Freudian psychoanalysis. It concerns to the general state of nation rather than the state of an individual psychic, affected and dominated by contemporary neoimperialistic tendencies. As an alternative for the state's state of melancholia, Gilroy proposes the values of *conviviality* and *planetarity*. *Conviviality* does not take place in a mature cosmopolitan society. Rather, it designates a community, which evolves towards this ideal. It has to do with cohabitation and the possibility of establishing relation. It is a term that implies a passage of time: time equal to man's life time, simultaneous, open and harmonious times happening within one community. As Gilroy notes: „it does not describe the absence of racism or the triumph of tolerance. Instead it suggests a different setting for their empty, impersonal rituals, which (...) have started to mean different things in the absence of any strong belief in absolute or integral races. (Gilroy 2005, XV). *Planetarity* which Gilroy proposed in the place of *globality* has more dynamic and time-related dimensions implying contingency and movement. The author diagnoses Britain as especially prone to imperialist thinking due to its colonial past. His analysis, however, is not limited to only one symptom of community's neurosis. Freud's analysis, treated perhaps too uncritically in Gilroy's text, acknowledges that the place for unavoidable conflicts, the discharge of distractive energy in happening that racism creates, are necessary. Moreover, the impossibility of the principle of love of neighbour is affirmed. To propose a possible solution to this ethical impasse, Freud points to a need for developing a special approach to analyse and understand the mechanism of forming „the pathology of cultural communities“ (Gilroy 2004, 65).

However, as Gilroy notes, we should bear in mind that the problems of violence, discrimination, racism, and master-slave division cannot be diagnosed solely in reference to contemporality, because they have accompanied humanity since its very beginning. For example, some early feminist undertones can be traced in Montesquieu's novel *Persian Letters* that describes a revolt of wives in a Persian harem. In the writings of Montesquieu (notably a devoted traveller), DuBois and Gandhi, Gilroy locates the first attempts to conceptualize and create a universal planetary consciousness or cosmopolitanism based on solidarity. Therefore, to form a new humanism, humanity is obliged to look back and analyse the incessant flow of blood and violence caused by its numerous mistakes, such as: fascism, colonial imperialism, slavery, war crimes and murders, racial and sexual discrimination, etc. As Gilroy notes: „this is a planetary consciousness of the tragedy, fragility, and brevity of indivisible human existence that is all the more valuable as a result of its openness to the damage done by racism.“ (Gilroy 2004, 75). „The detour through modern histories of suffering must be mandatory“ (Gilroy 2004, 151), he adds elsewhere. Yet, the world conflicts caused by imperialistic claims such as Russian-Ukraine, or, analysed by Gilroy, Israeli-Palestinian conflicts, give also rise to new theories supporting them and paving the way for a rebirth of an imperial catastrophe, worries Gilroy. A seemingly modern problem of migration, he notes, has always been a part of Europe's history and, therefore, we need a serious search for a new language and new phraseology that do not discriminate between a citizen and the other, European and non-European. To deconstruct the binary, simplified oppositions that prepared the ground for ethnic conflicts is to realise that, as Heraclitus taught, every pair of oppositions is only temporary.

Finally, let me note that the term „mobile multiplicity,” proposed by Derrida in reference to his own writings, may offer a solution also in political or sociological dimensions of its meaning: It is a „movement that engenders by giving form or the figure that gathers up a mobile multiplicity: configuration in displacement. A formation must move forward but also advance in a group” states Derrida. (Derrida 2007, XI) This is an adequate figure of a new, ideal, mobile society based on cosmopolitanism and conviviality that remains open to the call of time, change, and event.

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Theory of Architectural, Social Participation and “Contact” by Robert Zemeckis

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Abstract

The paper shows the importance of memory in architecture and how social participation influence the formation of cultural memory. The article examines the issue of the importance of memory and how the popular culture coexists with highly symbolic places. The research will be conducted on the case of the "Memorial to the Murdered Jews of Europe" in Berlin, built by architect Peter Eisenman. The aim of the paper is to show that architecture of memorials restores ideas and messages to protect the community from future mistakes. Social participation supports shaping public spaces and thus participates in the creation of culture. Article points out that creating memorials is connected with a great responsibility, because they strongly affect our memory and guide future generations.

Keywords: labyrinth, memorial, social participation, architecture

1. Introduction

In this article I will try to examine the description of architectural, social participation presented in the famous science fiction movie "Contact" by Robert Zemeckis, which was based on a novel by Pulitzer Prize winner, Carl Sagan.

I will use one of the most popular social participation models, "The ladder of citizen participation" by Sherry R. Arnstein. Before we will analyse the process of portal construction, I will briefly explain the idea of social participation in the field of architecture.

2. Architectural Democracy and Architectural Tyranny

At the time when human kind was approaching the renaissance period a significant change has taken place in the world of building construction. The architects stopped being anonymous and their names started to be associated with the work they created. For example one of the first well-known architects of the era in my homeland, Poland, was named Henryk Brunsberg (Gierke, 2015).

We can perceive this moment of time as a beginning of monarchy or dictatorship in the architectural world - one person started to rule, control and be responsible for the whole construction process. With an approval of an investor the architect could do whatever he wanted.

However, soon people started to realise, that many other people may be interested in the form of the new building. For example a neighbour from the other side of the road will soon look at the new facade every day, so his opinion should be taken into consideration, when designing its shape. An ecologist will be interested in preserving a large tree which grows in the middle of the designed building. The city president has always wanted to build a new road, which would pass the property. Social participation is about listening to and trying to reconcile all these people.

The amount of ideas and problems is as large as the planned construction process. The movie I am going to talk about is telling a story of the biggest construction in the history of mankind. Therefore the director could not resist the temptation to beautifully paint the social background of the investment.

3. The Plot

A young female scientist is analysing radio - signals which come to our planet from different places in the universe. The research leads to the discovery, that one of the transmissions contains plans of a mysterious building.

Is this giant construction of unknown origin a trojan horse or a part of a communicational system, which will help to accelerate the development of the Earth's technology? The people decide to check this in an empirical way.

4. The Ladder of Citizen Participation

When we think about the story in the context of the Sherry R. Arnstein theories we can perceive the construction of the portal as the process of climbing the "ladder of citizen participation". The involvement of people grows as the building takes its shape.

Shortly after the discovery we can see the non-participatory processes. For example the idea of concealing the message from the stars can be regarded as a manipulation. However, many scientists are against this way of thinking - the building plans were surely given to the whole human kind.

The next step on the ladder of citizen participation is called "the therapy". When politicians and scientists inform the people about the forthcoming construction, they try to convince them that it is extremely important.

The research facility starts to be surrounded by the people, who want to take part in this extraordinary discovery. Some of them are for and some against the experiment. The most controversial aspect is connected with selecting the person, who will pass the portal - the one which will be a representative of the whole human kind. The committee, which is formed on the basis of the partnership (the sixth step on the ladder of Citizen Participation) creates a kind of casting and finally finds an appropriate candidate.

When the construction is completed and the experiment is about to begin, social participation reaches the highest possible level. "Citizen control" leads to the tragedy - the opponents of the project take control of the experiment and the construction is destroyed.

In my opinion this point in the screenplay shows a critical diagnosis of the social participation ideas. As we can see social disapproval may lead to the failure of one of the greatest chances of mankind.

However, despite the collapse of democratically created construction the experiment is still possible - it can be conducted in a twin copy of the portal, which was built secretly by the government on a far-away island. The justice, which is a feature of projects created with the help of citizen participation is compared with the effectiveness of those built without it.

Can we agree, that in certain circumstances, social participation can be regarded as something negative?

5. Critical look on the social participation

In the history of my country the democratic rule of "Liberum Veto" - according to many historians - has weakened Poland's political position (Jasienica, 1988). Similarly the above mentioned portal did not bear the discrepancy of views and opinions.

Can we blame the authorities, that the second construction was created with the lack of social participation? Are they justified by their faith in the meaning of the experiment?

Apparently in the history of democracy we can find many examples of decisions, which served social justice but were made in a way which could not be regarded as democratic. It was proven that Abraham Lincoln used bribery and traded positions in order to impose the thirteenth amendment to the constitution of United States, which illegalised slavery (Foner, 2010).

In Poland one of the biggest national holidays is the third of may - the day, when the country imposed the second constitution in the world. However, not all the people know, that in order to achieve this success work on the document was kept in secret (Foner, 2010) and during the vote political opposition was cheated and kept guarded (Adamkiewicz, 2012).

If a man believes strongly in an idea, but knows that in order to achieve the goal he has to violate the rules of democracy - what should he do? Do the ends justify the means? How far in marginalising the role of social participation can the authorities go, when working on the project of high economic, scientific or aesthetic value?

All these questions can only be left unanswered. However, there is one particular problem, which the movie tries to solve at its very ending. It can be stated in a following way: what should we do to make the freedom, democracy and social participation possible? To show the intentions of the director we will have to analyse one of the most interesting threads of the movie - the relation between science and religion.

6. Science and Religion

In the background of the main, science - fiction action we can find a love story between Ellie Arroway, an earlier mentioned female researcher who is an atheist and Palmer Joss, a theologian who is a would-be priest. Their discussions, which are a confrontation of scientific and emotional way of thinking, become surprisingly important in the context of the ending of "Contact".

The portal experiment finally takes place. The heroine has an interesting vision of meeting alien life forms, as she falls in special capsule between rotating rings. However, her cameras do not record any image. Arroway, who cannot show material evidence of the adventure must refer to the criteria of faith and trust - what unexpectedly helps her understand Palmer Joss.

In my opinion the message of the movie can be analysed in the context of the topic of this article. Social participation is a great idea as long as we will try to understand the beliefs of other people, who take part in the negotiations. An attempt to perceive the disputed matters from our opponents' point of view not only can help us find the best solution to the problem, but also begin a new friendship.

7. Conclusion

To sum up, "Contact" by Robert Zemeckis can be read as a critical essay on the topic of social participation in the world of architecture. Although the reflection is rather pessimistic a careful audience may also see the final, hidden message of tolerance and brotherhood.

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PMI (Public Media Institution) Radio Television of Vojvodina the New Media Organization

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Abstract

The basis of the effective functioning of the media along with the changes in the environment is in a constant development of management within the media, and therefore the corporate communication as a basic tool of development. Management JMU RTV broadcasting in the new (multi) media environment should establish a system of effective management of the technical, organizational, as well as innovation in the design and distribution of media content, aiming to find a balance between the needs of the market and the insatiable appetite of the media to the public, changes in technology, media legislation and general social trends. If the organization said that "the organism", then the communication is "bloodstream" of the organism. Corporate communication is a newer discipline which is used in all business segments worldwide. Top management creates, defines and improves corporate reputation through corporate communications and image management that created it. The image of a good and successful organization begins within. The level of satisfaction and motivation of our employees is a measurable and constant process that can be influenced, eg. how often and in which way to communicate with employees, how they transmit important messages and direct them towards achieving business goals. Corporate communication includes all communication and information activities among the members of the organization, it is targeted and oriented according to the success. Because the image of the organization can be understood as the reflection of its identity created corporate communication between different public - internal and external.

Keywords: corporate communications, reputation, corporate identity, image, management, organisational learning, public service, changes

1. Introduction

The success of an organization nowadays depends to a great extent on itself, but it is in direct conjunction with innovation, creativity and flexibility. The prerequisite for this is a good corporate communication, because it is the only way possible to understand the different wishes, requirements and needs of viewers / listeners / users of the portal and to adequately react in terms of programming, production and technology in order to meet their needs.

One of the helpful advantages and basic competences of successful people is to be able to communicate effectively and efficiently. Modern business world sets high standards which managers have to meet in order for the communication to be effective within and outside the organization. One of the manager's tasks is to accomplish organizational goals by communication and coordination of the employees' tasks (Jovanović, M., Živković, M. i Cvetkovski, T., 2003, 65-118). Understanding of theory and practice will be useful for creating better working environment as a precondition of good communication.

Aim of this paper is to show the importance of the role of corporate communication in modern and successful organizations such as Public Media Institution Radio-Television of Vojvodina, also how substantially corporate communication affects the creation of this organization's new image which can also be the source of competitive advantage of the organization regardless that this is Public service. This paper thoroughly deals with the area of corporate communication as an important tool which is at disposal for the management of PMI RTV1 and it serves for effective image managing and competitiveness of the organization.

The review and detailed analysis of the literature, hypotheses and research have been carried out in order to prove them, i.e. that the intensity of corporate communication has a positive effect on the PMI RTV's image, respectively, that a positive image directly affects the increase of competitiveness of PMI RTV, and thus greater viewership, listenership and citations.

Relations with the environment (internal and external) should be an important part of business policy of every organization and a resource for top management in organizations. Confidence and interest are very important for corporate communication because they represent a base for new, permanent relations between business partners or service users (viewers/listeners/portal users in this case).

2. Corporate Communication – Term and Benefits: Theoretical Framework

Understanding the role of communications for the market success of the organization, led to higher positioning of this business function in the organizational structure, thus influencing strategic decisions. At the same time, scientists are beginning to study the strategic importance of corporate communications and their role in building competitive advantages (Forman J. & Argenti P.A., 2005.), and define them as planned obtaining of information from the environment and their exchange within the organization, as well as exchanges between the organization and various segments of the environment in which it operates. Communication is very important so that the organization could more effectively achieve its intended goals. The more functional it is, the more likely the achievement of the objective is, which is why the number of portable communication places is reduced to a minimum. Managers, by hiring quality staff, developing knowledge, innovation, create an adequate strategy of corporate communications and solutions in order to create a sustainable competitive advantage in the market.

Understanding of the role of communication for market success of the organization led to high positioning of this business function in organizational structure which therefore affects strategic decisions. At the same time, scientists, especially those who are studying public relations, are starting to study the strategic importance of corporate communication and its role in building competitive advantage (Forman, J. i Argenti, P.A., 2005, 245-264). In general, the role of corporate communication reflects, first of all, in the area of building corporate identity, corporate brand and company's reputation (Hawabhay, B.B. Abratt, R. i Peters, M., 2009, 3-20; Forman, J. i Argenti, P.A., 2005, 245-264; Flatt, S.J. i Kowalczyk, S.J., 2008, 13-30). The first two concepts are directly connected to the marketing theory, and the concept of reputation develops in the area of the management theory and public relations (Dowling, G., 2004, 196-205).

Corporate communications can be defined as planned obtaining of information and its exchange within an organization, as well as the exchange of information between the organization and different parts of the environment in which it operates. In the modern world, no organization can survive if it is not in constant communication with external environment which they inform about and which is being informed.

Organizations are formed and they survive with the consent and support of the public. Arthur Page's famous statement, who is a pioneer in the area of public relations, also testifies about this and says that in a democratic society every business starts with the permit of the public and it exists with its permission (Capozzi, L., 2005, 209-293). The public is consisted of individuals and institutions to which the organization is directed, and they can be divided in separate groups such as: financial public, media public, government and its institutions, civil sector, local community, employees, competition, business partners and suppliers, business buyers, consumers and service users. In modern management theory, these specific groups of public are called stakeholders². The success of a company also depends on how it is seen by its

¹ PMI RTV – abbreviation for Public Media Institution Radio-Television of Vojvodina

² Stakeholders – term for those individuals, institutions, groups, which have a certain type of stake (not necessarily financial) and benefits related to the existence of the company in the market (Freeman i McVea, 2001).

stakeholders. Focus on development of different stakeholders' positive perception means active usage of corporate communication in order to effectively communicate the key values of the organization to the stakeholders. This approach received affirmation from numerous organizations and relevant literature as reputation management. That means that management of an organization has to adjust its activities to the needs and interests of numerous interested parties, and in that process corporate communication becomes very important as a business function.

Financial operations ceased to be solely a measure of success, but in addition to financial indicators that reflected competitive advantage, today there are also so-called soft factors, where the reputation of an organization has a particularly important place (Flatt, S.J. i Kowalczyk, S.J., 2008, 13-30). Good reputation is a result of successful activities in corporate communications (Burke, T., 1998., 5-10). Creation or improvement of business reputation means changes in the way of thinking and working of the organization in all of its forms on the market. The key role in that process has communication with internal and external stakeholders. By employing quality personnel, improvement of knowledge, innovations, quality and affirmation of social responsibility, an organization comes into a position to create an adequate strategy of corporate communications and solutions that will ensure the transition of corporate identity and internal determinants of corporate reputation in the desired image in order to create a sustainable competitive advantage in the market and values for stakeholders.

3. Image – Definition

During the mid 50s of the last century, image becomes an important factor for organizations. At the time, the campaigns dedicated to the image had a task to familiarize consumers with a particular brand/organization, and tie them to them, with the aim of creating competitive advantage. As a result of not engaging employees in the process of building identity and reputation, even the best image campaigns failed. That is why it is said that the image of a good and successful organization starts within itself. Many modern authors (Kotler, P., 1997, 292; Grey, E. i Smeltzer, L., 1985, 73-78 i Barich, H. i Kotler, P., 1991, 94) define image in corporate sense as a manifestation of all mental images that people have about the organization. Described concept of image is based on external, because it all comes down to how a certain image is perceived by the target audience. Based on this, we can come to a conclusion that the image of an organization is directly related to its success in the market, affecting its competitiveness, achieved results and the general level of quality of its operations.

Image can be defined as a cognitive image of an organization, product, person, process or situation that an individual shapes based on previous experience, attitudes, opinions and performance that are more or less in line with the actual characteristics, while the role of communication, especially public relations, publicity and advertising is particularly significant in the formation of the image (Cornelissen, P., 2003, 217-234). Some authors state that the image of a company is in fact a network design which emerged from the interaction of many experiences, beliefs and knowledge that people have about certain company (Worchester, R., 1997, 146).

Image of an organization can easily be transformed, but if it does not invest continuous effort in maintaining the good image, a positive one can easily turn into negative. Precisely because of that, corporate communications must be constantly focused on image of the organization, which is its reflection in the eyes of internal and external public. The image should be consistent, homogeneous and identical to the internal and external public.

Marketing communication is directly focused on the attempt to create a desired image and to attempt to provide a precise answer to the question about the extent to which the image is really useful for an individual or organization, where it can be applied best and which communication tools and methods can achieve positive and quality image. The way of communication of the desired image must be adapted to the target group by selecting appropriate communication channels, as well as the structure of the communication message. A good image of an organization means that its communication activities are intensive and that they are set properly and that it benefits from them (it increases competitiveness) (Balmer, J.M.T. i van Riel, C.B.M., 1997, 340-355). At the same time it is associated with numerous organization attributes such as the name, structure, diversity of products and services, tradition, ideology, and the overall quality impression communicated by each employee in the organization towards its clients/customers or target communication groups (van Riel, C.B.M., 1995).

The process of image management of an organization is a systematic approach of solving problems at the level of organization that begins with analyzing the current situation and setting goals, and ends with the process of checking and

comparing the actual and the desired image, and the implementation of necessary corrections. Questions: "Does the organization properly and adequately use all the possibilities offered by the application of corporate communication?" and "How compliant is the internal image of the organization with the external image?", are always open. The image of the organization is the main factor that distinguishes it from the competition and its comprehensiveness and integrity is based on the uniform corporate communication activities.

The key element in creating the image of an organization is its employees. If they do not understand the objectives of creating certain image and if they do not apply them in public, there will be lack of desired results. There may be "deliberate" resistance to change, but sometimes the procedures of creating the image itself is not sufficiently clear and presented in a consistent manner. A positive result can be expected only if everyone is aware of the significance of the changes and if they adopt them as their personal and common values.

4. Specificity of PMI RTV

"Public service is a nonprofit, independent radio-television organization, established in the name of the general public and financed from public funds, that meets the needs of the largest possible number of citizens, and the general public by diverse, balanced, high-quality programs, impartially and without discrimination". (Veljanovski, R., 2005, 28) "It is free from political interference and pressure from commercial forces. With secured pluralism, programming diversity, editorial independence, appropriate funding, accountability and transparency, public service can serve as the foundation of democracy". (Mendel, T., 1999, 10.11.2015.)

PMI RTV is a successor of RTV Novi Sad, which started broadcasting radio program in 1945, and television program in 1975. It was established on 26th May 2006. on the basis of Article 94. of the Broadcasting Act (RS, Ministry of Information, 2006, 20th January 2014.), and since 13th August 2014. according to the Law on Public Media Services (RS National Assembly, 2014, 20th August 2014.), it continues to operate under the name of Public Media Institution Radio-Television Vojvodina. The main activity of RTV¹ is production, purchase, processing and broadcasting of television and radio programs, informational, cultural, educational, children, entertainment, sports and other content in 11 languages, 24 hours a day, which meet the needs of a wide audience in Vojvodina and beyond. During 2013, the Strategy of RTV was adopted which defines the vision, mission and general courses of action and development, "BI² RTV is a public service broadcaster for the territory of the Autonomous Province of Vojvodina which broadcasts all day program on two television and three radio channels as well as through the internet portal. With approximately 18,000 hours of the broadcast program content per year (out of which more than 50% is its own production), this institution is in the "golden middle" of program offers of European national public service, and in comparison with regional services it is among the top five in Europe." (RTV, 2013, 25th August 2013.).

Financial strategies are also defined, and some of them are marketing strategy and public relations: "Increased income from marketing activities is one of the main reasons for fundamental change in the system of preparation of the program and the business plan, which should be well-timed, complete and roll-on oriented. Public service RTV was created to meet the needs of the public and citizens and that is why the communication with the public should be paid attention to." "Networks of NGOs and civil society require adequate processing. No one will promote RTV if it does not engage itself for that cause. The battle for affectation of the public cannot be won only by quality programming content, but also by modern and constant communication. Multimedia portal is of a great significance, as well as transparency of the work. The very nature of the management of public funds obliges to that, but also the obligations summarized in international documents (European Council, EU, EBU)." (RTV, 2013, 25th August 2013.)

Technical functioning is important for functioning and performance of the basic activities of a media service (production and distribution of content), such as PMI RTV Vojvodina. Because of the complete destruction during bombing in 1999, the functioning of the Public Service was enabled by the rest of the equipment and the temporary installation in a rented room with inadequate working conditions for a professional TV. RTV digitalized its infrastructure in the standard definition in 2009/10 by its own means, and the process of transition from analogue to digital broadcasting was completed on 18th May 2015. By digitizing existing audio and video archives a digital archive system is being prepared. Current systems are

¹ PMI RTV – abbreviation for Public Media Institution Radio-Television of Vojvodina

² BI - abbreviation for Broadcasting Institution

multifunctional, with a high degree of integration of the radio, television, and internet and mobile applications, which enable interactivity, reliability, cost effectiveness, modular and phased feasibility, expandability, sustainability and coherence.

5. Research Methodology

If a management of an organization does not understand the importance of proper, systematized and organized corporate communication, as well as the importance of its integration and application, it will not be able to fit in the modern market trends. The image of an organization itself is how it is seen by the public and it shows the level of integrated communication in an organization. Therefore, organizations need to adapt their own communication message according to the expectations of the target public, their attitudes, interests and specific knowledge.

In the very process of the research, many scientific research methods are applied. First, a detailed analysis of the available literature, primary and secondary data sources, and their synthesis methods of description, classification and comparison are conducted. Then, the established scientific findings were synthesized and two hypotheses were defined whose determination of truthfulness was the subject of the research:

Hypothesis **H1**: the intensity of corporate communications has a positive effect on creation of PMI RTV's image.

Hypothesis **H2**: positive image of PMI RTV has a positive effect on increasing competitiveness of PMI RTV.

In order for the hypothesis **H1** to be accepted, the research needs to meet the following conditions:

multiple regression model is statistically significant at the level $p < 0.05$

appropriate beta coefficient is statistically significant at the level $p < 0.05$

appropriate beta coefficient is in expected direction

In order for the hypothesis **H2** to be accepted, the research needs to meet the following conditions:

the correlation coefficient is statistically significant at the level $p < 0.05$

the correlation coefficient is in expected direction

Data were gathered in the field by surveying the external public. The research included 1,012 subjects on the territory of AP of Vojvodina, out of which 49,9% were male and 50,1% were female respondents, aged between 18 - 60+, of all educational backgrounds, occupations and social status, and it was conducted during September and October in 2015. Respondents for whom it was thought that they would be able to answer the survey questions were chosen as a sample, taking into consideration the complexity of the research issues. The structure of the samples is shown in **Table 1**.

Table 1. *The structure of the samples*

Sample	1012	%
Gender	male	49,9
	female	50,1
Age	18-29	18,8
	30-44	24,9
	45-59	27,6
	60+	28,7
Educational status	Without school, unfinished elementary school and elementary school	1,6
	Three or two years of high school	10,8
	Four years of high school or gymnasium	30,2
	College or faculty	53,9
	Magister degree or doctor of science	3,5

Employment status	Employed in the public sector	25,6
	Employed in social or combined sector	16,2
	Employed in private sector	23,9
	Unemployed (housewife)	4,6
	Retired	8,0
	Agriculturist	8,1
	Pupil, student	9,0
	Unofficially employed (unregistered work)	3,6
	Did not give an answer	1,0
Languages on which they watch TV programs	In Serbian language	84,2
	In Hungarian language	7,4
	In Romanian language	0,3
	In Ruthenian language	0,1
	In Slovak language	1,2
	In Bunjevac dialect	0,4
	In Ukrainian language	0,2
	In Croatian language	2,9
	In Macedonian language	0,1
	In Romani language	0,1
Another language	0,5	
Settlement type	Urban	59,4
	Rural	40,6

By surveying the external public, attitude of respondents on the quality of the image of PMI RTV Vojvodina and on its competitiveness and intensity of application of various forms of corporate communication was researched. The instrument for this survey was a questionnaire. The studied variables were measured using measurement scales containing attitudes (statements) for which respondents expressed their agreement or disagreement. For attitudes that were available for respondents, Likert scale with five levels (range 5 - 9 can be seen as the optimal solution) was applied. All attitudes which were required for this research were formed by the authors.

Table 2. List of attitudes for determining variables - image PMI RTV

I have positive associations about PMI RTV (i1)
I consider PMI RTV to be a particularly good organization (i2)
PMI RTV has a good identity (i3)
PMI RTV has a good image (i4)
PMI RTV has a good reputation (i5)
I have a positive attitude towards PMI RTV (i6)
PMI RTV is a bad organization (i7)

Table 3. List of attitudes for determining variables - competitiveness PMI RTV

PMI RTV is competitive (k1)
Competitiveness of PMI RTV is higher compared to the competition (k2)
I consider PMI RTV to be more competitive compared to other organizations (k3)

Table 4. List of attitudes for determining variables – intensity of corporate communication of PMI RTV

Corporate communications of PMI RTV are frequent (kk1)
Compared to the competition, PMI RTV has more intense corporate communications (kk2)
Intensity of the use of corporate communications in PMI RTV is higher compared to other organizations (kk3)

For the analysis of gathered data, by surveying the external public, multiple regression method was used, which aimed to show that the intensity of corporate communications affects the image of the PMI RTV Vojvodina. The impact of the image on competitiveness of PMI RTV Vojvodina was measured by correlation analysis. Gathered data were also analyzed by the additional statistical methods:

Reliability and the validity of the used scale were tested – Cronbach's coefficient - α was calculated and its value if certain attitudes were left out.

Methods of descriptive statistics were used: mean value and frequency distribution.

6. Research Results

Table 5. shows the value of Cronbach's coefficient – α for the measurement scale used in this research and processing of obtained data. Cronbach's α coefficient is a measurement for internal consistency of groups of attitudes whose value can range from 0 to 1. The closer the Cronbach's α coefficient is to 1, the measurement scale is more reliable. If the coefficient of reliability, including Cronbach's α coefficient is about 0,9 – reliability can be considered to be excellent.

Table 5. The values of Cronbach's coefficient – α

Measurement scale	Cronbach alfa coefficient
Image of PMI RTV Vojvodina	0,92
Competitiveness of PMI RTV Vojvodina	0,78
Intensity of corporate communications in PMI RTV Vojvodina	0,87

Source: author's research

Based on Cronbach's α coefficients, we can conclude that the used measurement scales have a satisfactory level of reliability. Measurement scale for competitiveness of PMI RTV Vojvodina showed the lowest reliability, while the measurement scale for the image of RTV Vojvodina showed the best reliability for which it is even possible to say is excellent. The value of Cronbach's α coefficients of corresponding measurement scales increased, and thus their reliability, leaving out the attitudes that affected the reduction of the reliability of the appropriate measurement scales.

Table 6. The influence of certain attitudes on the Cronbach's α coefficient of the measurement scale for variable - image of PMI RTV Vojvodina

Cronbach's α coefficient for the scale is: 0,92	
Attitude	Cronbach's α coefficient if an attitude is left out
i1	0,91
i2	0,90
i3	0,82
i4	0,91
i5	0,90
i6	0,90
i7	0,93

Source: author's research

Table 7. The influence of certain attitudes on the Cronbach's α coefficient of the measurement scale for variable – competitiveness of PMI RTV Vojvodina

Cronbach's α coefficient for the scale is: 0,78	
Attitude	Cronbach's α coefficient if an attitude is left out
k1	0,80
k2	0,67
k3	0,60

Source: author's research

Table 8. *The influence of certain attitudes on the Cronbach's α coefficient of the measurement scale for variable – intensity of corporate communications in PMI RTV Vojvodina*

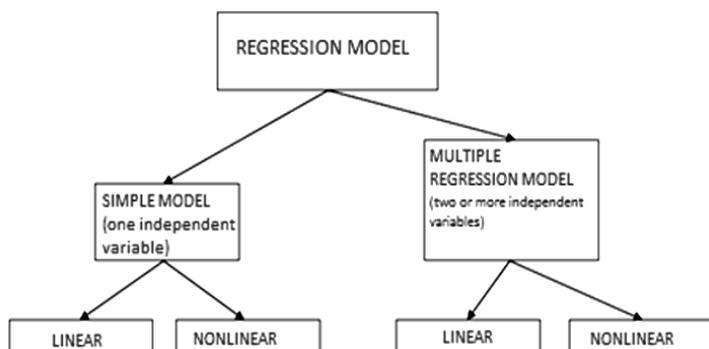
Cronbach's α coefficient for the scale is: 0,87	
Attitude	Cronbach's α coefficient if an attitude is left out
kk1	0,82
kk2	0,81
kk3	0,82

Source: author's research

Based on the presented results we can conclude that two attitudes affect the reduction of reliability of the appropriate measurement scale, and those are: attitude (i7) for variable – image of PMI RTV, or (k1) for variable – competitiveness of PMI RTV. By leaving those two out, the value of Cronbach's α coefficient of the appropriate measurement scale was increased, as well as their reliability. Because of that, those attitudes were excluded from further research. The same way the analysis of the validity of used measurement scales was performed by implementation of research analyses of the factors by which convergent and discriminant validity of the measurement scales was parsed. Thus we come to the conclusion that analyzed measurement scales have convergent properties (related claims have high factor loadings on relevant factors) and discriminant validity (related claims have low factor loadings on other factors). Discriminant and convergent validity was tested by exploratory factor analysis and confirmatory factor analysis.

Since the used measurement scales have an acceptable level of reliability and convergent and discriminant validity, the gathered data are analyzed using multiple regression and correlation analysis¹, all in order to test the defined hypothesis **H1** and **H2**. Regression analysis determines the analytical form of relationship between dependent (here we took the image of PMI RTV Vojvodina as a dependent phenomenon), and independent phenomena (the intensity of corporate communications in PMI RTV Vojvodina), describing the connections between them, while correlation analysis establishes a link between the given phenomena - independent and dependent, its shape, strength and direction, without going into what is the cause and what is consequence. The name multiple regression means that there are more independent variables (intensity and competitiveness of PMI RTV Vojvodina in this case) and it uses regression function as the best prediction.

Image 1. Regression model - a schematic representation



The aim of the testing by multiple regression was to determine whether the independent variable explains a significant part of the variability of the dependent variable, i.e. whether there is a connection between them, also, to determine the strength

¹ Multiple regression and correlation analysis study the relations between two or more phenomena. The significance of these methods lies in being able to predict the outcome of certain events based on knowledge of other phenomena. The name regression, was introduced by a statistician Sir Frances Galton (1822 -1911) and it means going backwards.

of the structure of those connections, to predict values of the dependent variables and define the sampling line of the regression with the least possible residuals¹. In practice standardized residuals are used, which we can get by standardizing residuals, and which have a normal distribution with the middle 0 and deviation 1.

The first hypothesis **H1** was tested by the use of multiple regression, where the image of PMI RTV Vojvodina is seen as – dependent variable, and the intensity of corporate communications in PMI RTV Vojvodina as – independent variable. Mean values of the answers provided by the respondents about the attitudes which belong to those variables were calculated in order to be able to implement multiple regression. For each variable, one summary indicator (mean value) was obtained for each subject, and then those indicators were used as inputs in the implementation of multiple regression.

The assumptions, which the multiple regression model are based on, are similar to those that are valid for simple regression and they state that the form of dependence between all variables is linear, or straight line. This is especially important for the relationship between independent variables and the dependent variable, in this case the image of PMI RTV Vojvodina.

Before explaining the results, their statistical significance must be tested. If R^2 , b and β are not statistically significant, it is concluded that the independent variable - intensity of corporate communication in PMI RTV Vojvodina, has no real connection with the dependent variable - image of PMI RTV Vojvodina, which means that the resulting model has no practical value. If all the regression coefficients are statistically significant, then the coefficient of multiple determination R^2 will certainly be significant. This indicates that the purpose of regression in this case is to determine the form of the relationship, namely dependence between the observed phenomena, image of PMI RTV Vojvodina and intensity of corporate communications in PMI RTV Vojvodina. This was achieved by using the appropriate regression model (stochastic model which best describes the quantitative relationship between variations in the observed phenomena in reality through a mathematical formula and a set of appropriate assumptions), which shows the average stacking variation of the tested phenomena. The regression model is not the goal itself, but a means by which we are able to evaluate and predict values of the dependent variable for the desired value of the explanatory variable.

The resulting multiple regression model is statistically significant at the level of $p < 0.05$. The coefficient of multiple determination R^2 is a relative measure and it shows the participation of the explained variability in total (how many variations of variable Y are explained by variable X), i.e. it represents the quotient of deciding - the ratio of the dispersion of the dependent variable that can be explained by the independent variable. The value of 0.57 represents 57% of the variability in the dependent variable that can be explained by the independent variable, so the level of connection is strong, i.e. the image of PMI RTV Vojvodina.

Table 9. The results of multiple regression analysis

Independent variable	Beta coefficient - β
intensity of corporate communications in PMI RTV Vojvodina	0,17

***statistically significant if $p < 0,05$**

Source: author's research

The first hypothesis H1: Intensity of corporate communications positively affects the creation of image of PMI RTV Vojvodina, and it is accepted based on the results of the analyses of multiple regression because the following conditions were met.

multiple regression model is statistically significant if $p < 0.05$
 corresponding coefficient beta - β^3 is statistically significant if $p < 0.05$
 corresponding beta coefficient - β is in the anticipated direction

¹ Residuals – errors, they should be approximately distributed.

² Coefficient of multiple determination (correlation) is used to determine the quality of the prediction of the dependent variable.

³ corresponding beta coefficient - β useful for the interpretation of the relative importance of independent variables

The second hypothesis H2: Positive image of PMI RTV Vojvodina affects the increase of the competitiveness of PMI RTV Vojvodina. It was tested using correlation analysis between variables - image of PMI RTV and competitiveness of PMI RTV. The correlation coefficient between these two variables is 0.68 so it is statistically significant at the level of $p < 0.05$. This result suggests that the second hypothesis H2 can be accepted since both defined conditions are met. That is, we can conclude that the positive image of PMI RTV Vojvodina affects the increase of its competitiveness.

7. Conclusion

Using existing and creating new channels of communication, an organization creates a safe way for launching messages and plays an active role in building an attitude about the environment towards it - image creation. Image of an organization with corporate identity is a central concept of corporate communication, and as such it has been attracting the attention of a large number of marketing professionals worldwide for many years. By analyzing the available literature, we recognized the causal relationship between corporate communication and image of an organization, as one of the main sources of competitiveness of PMI RTV Vojvodina (Carey, J., 1983, 311-313; Carey J., 1985; Solomon, R.M., Marshall, W.G., Stuart, W.E., 2008, 376). By efficient management of corporate communication, PMI RTV Vojvodina profiles the desired image and creates a suitable position in the minds of the viewers/listeners/portal users and the public, coordinating the tasks that employees do (Jovanović, Živković, Cvetkovski, 2003) (Jovanović, M., Živković, M., Cvetkovski, T., 2003).

Corporate communication is directed towards the organization as a whole and towards the importance of its image (Dolphin, 2000). Mastering communication skills itself, does not lead to corporate identity, image or reputation of the company. Managerial competence is necessary so that the position and reputation of the company can be analyzed, corporate image/identity (corporate values, messages) determined, communication plan designed and developed, and finally, the results can be evaluated after the implementation of the plan. This is where the strategic management comes into play, and it is assumed that managers must be able to monitor and critically understand the actions taken, as well as to create communication programs which are appropriate for corporate goals. The organization needs to understand, from a strategic point of view, which is the most effective way of functioning of corporate communications, and how they can be used to achieve corporate objectives, to organize them, and decide what means should be used to complete their potential. Corporate communications also have an important role in decision-making and overall corporate strategy. They are integrated into the corporate goals, mostly with long-term implications. From the above, we can conclude that the corporate communication is: management function that requires from the communicator a complete understanding of communication and integration of communication strategies with corporate strategy and objectives (strategically planned series of activities which emerges from the general corporate strategy); According to Cornelissen (Cornelissen J., 2004), a version of the definition of the relations between corporate communications and image might sound like this: Corporate communication is a management function that offers the effective coordination of all means of communication, with the ultimate goal of establishing and maintaining the desired reputation i.e. the image of the group of stakeholders whom the organization depends on.

In order to test the hypotheses, a comprehensive research was conducted. Both hypotheses were accepted by the analysis of the obtained data, and the implications are possible benefits for PMI RTV Vojvodina i.e. the possibilities for strategic and long-term image management as well as its competitiveness by means of intensive, integrated and quality of corporate communication activities in the market.

The first implication indicates the need for forecasting further growth of the intensity of corporate communications in PMI RTV Vojvodina with absolute imperative - the integration of complete corporate communication activities of the organization, with the purpose of quality control over their own image, because there is reasonable doubt that all forms of corporate communication are not equally used. Changes in behavior and expectations of viewers/listeners/portal users, as well as the communication revolution in PMI RTV Vojvodina set imperative of constant monitoring of modern communication trends and adjustment to their own corporate communication activities in accordance with the current communication moment.

The second implication is based on recognition of the important role of the image of PMI RTV Vojvodina, whose quality in the current economic conditions and in conditions of high market competitiveness directly affects the competitiveness of the organization i.e. the viewership/listenership/citations. Corporate communication has a strategically important role in the process of quality image management in PMI RTV Vojvodina.

The research results show that the achieved level of image quality of PMI RTV Vojvodina is directly connected and dependent on the success of the organization to properly organize, implement and integrate their own corporate communications activities in practice, and to apply them with appropriate intensity. The higher the level of intensity of total corporate communication activities of the organization, better it is able to manage its own image. The research results also show the existence of a direct link between the achieved level of image quality of PMI RTV Vojvodina, based on integrated and intensive corporate communication activities and its competitiveness.

We can conclude that the competitiveness of PMI RTV Vojvodina is equal to its image based on integrity, and intensity of corporate communication activities at the level of marketing, organizational and managerial communication. The competitiveness of the organization is deeply rooted in the concept of corporate communications, i.e. it is under the direct influence of the image of PMI RTV Vojvodina, based on intensive and integrated corporate communication activities.

This is how the image of PMI RTV Vojvodina becomes a direct source of competitive advantage of the organization in modern market conditions, highlighting the strategic importance of corporate communications.

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Theoretical Considerations to Improve a Good Questionnaire on Tolerance

Ylli H. Doci

Abstract

The need for tolerance or buttressing existing tolerance is very important for the cohesion of our pluralistic society hence the measuring of tolerance is very helpful in considering intelligent ways to foster tolerance in a specific context. Theoretical considerations about the meaning of tolerance and the factors involved in obtaining tolerance are crucial in building a good measuring tool. A sustained good theoretical effort is appraised here in evaluating some aspects of one such good tool, a questionnaire developed to measure the tolerance of last year students of education. But we also can see how a certain understanding of tolerance with regard to relativism can improve this questionnaire to not filter out some tolerant people with exclusive views of truth.

Keywords: Theoretical, considerations, improve, good questionnaire, tolerance

Introduction

Albania and interreligious tolerance: The occasion for this inquiry

Albania, where five differing religious traditions of Muslims (Sunni and Bektashi) and Christians (Orthodox, Catholic and Protestant) have lived side by side peacefully, ¹ is a refreshing case in the gloomy situation of many parts of the world suffering from inter-religious strife and violence. ² On the other hand, Albania is not immune from the evils of extremism experienced in other parts of the world not least because Albania has been opened wide to the world with its various influences for the last 25 years and there are reports of Albanian Muslims fighting in the ISIS ranks. ³ In order to protect the peace and promote tolerance in Albania I found it important to understand the factors contributing toward this desired outcome and measure the status of such factors today in order to more effectively focus on the areas needing improvement. In considering one questionnaire to measure tolerance in Albania it was very helpful to consider the process described for developing of this tool. ⁴

Theoretical considerations in measuring tolerance:

Some key factors related to having a tolerant environment between individuals in a society include awareness of specific beliefs at variance with one's own and exercise of freedom with respect in interaction. Recognizing the need to define well the important factors making for tolerance in order to look for them in a certain social environment we need to start with a good understanding of tolerance itself and develop a working definition, which would control the work to clarify the specific components required for acquiring tolerance.

The authors of the questionnaire I evaluated for use in Albania were transparent about their goals and theoretical underpinnings of their understanding of tolerance and it was evident that a lot of good thinking had gone into preparing this questionnaire. They start with saying: "Tolerance, therefore, is intimately connected to the affirmation of the most basic dimension of freedom – the freedom of belief and conscience." ⁵ In the second section of their article we find outlined the

¹ Giovanni Cimbalo, *Pluralizmi i besimit dhe komunitetet fetare ne Shqiperi*, Studime te se drejtes se krahasuar. E drejta kishtare dhe te drejta njerezore. (Tirana, Albania: Naimi, 2013).

² "The Discrimination and Persecution of Christians: The 50 Worst Countries. Draft for Comment by Consultation Delegates." (International Institute for Religious Freedom commissioned by Global Christian Forum. October 15, 2015).

³ Fatjona Mejdini, "Drop in Albanian ISIS Fighters Reflects 'Low Demand,'" Interview, *BalkanInsight*, (August 11, 2016), <http://www.balkaninsight.com/en/article/the-decline-of-albanians-fighting-with-isis-related-mostly-with-low-demand-08-11-2016>.

⁴ Nico A Broer et al., "Measuring Religious Tolerance among Final Year Education Students. the Birth of a Questionnaire.," *International Journal for Religious Freedom (IJRF)* 7, no. 1/2 (2014).

⁵ *Ibid.*, 77.

understanding of tolerance that guides the authors in preparing the questionnaire. Starting with what tolerance is not, gleaned from several thinkers such as Furedi,¹ Boersma,² Saulius,³ they believe that: “tolerance is not a disinclination to judge or to have strong views,” “not a superficial signifier of acceptance and affirmation of anyone and everyone,” “not a form of detached indifference or... automatic acceptance,” “not ‘a necessary but passive act of putting up with someone else’s view’... deemed wrong or inferior,” “does not mean that one has to respect those lifestyles, or even regard them as morally equal to one’s own practice.”⁴ Positively then, the concept of freedom is put forth including “the principle of non-interference towards the way people develop and hold beliefs and opinions”⁵ affirming individual autonomy basically affirming what I believe to be an important feature of robust tolerance, namely freedom of conversion. I especially appreciate emphasizing of the necessary “context of difference (s)” saying: “Tolerance comes into play when different individuals and groups have conflicting beliefs and/or act in unacceptable ways (morally, politically or in a religious sense).”⁶ This aspect will come into play in our analysis below when we discuss relativism which here, assuming differences are perceived as real and important, it appears to be excluded from serving as the context for tolerance. Respect is helpfully qualified in different ways including “regard[ing] one another as moral equals... [holding that] tolerance always also calls for judgment, evaluation and discrimination.”⁷ Important as well is the authors’ emphasis of “a person’s values or ethical system”⁸ which I would broaden to include or at least imply awareness of specific beliefs important in one’s own worldview as well as in the worldview of the others toward whom tolerance is extended. They end their survey of seven aspects of tolerance with defining it as: “... that respectful, meaningful and empathetic attitude of people or groups which in a context of differences, acknowledges and defends the right of individuals and groups of people to cherish freely certain beliefs and values while accepting that others possess the freedom and right to evaluate and judge those same beliefs and values in terms of their own value systems.”⁹

I could not agree more with this conclusion that exploring concepts of freedom, of convictions, of respect for people, of the importance of beliefs and practices and of evaluation of ideas with which one disagrees or finds unacceptable, providing for a space where everyone can hold his views freely and openly, including also the need for engagement of the other in a free, meaningful and understanding way, are all valuable discussions to inform our pursuit of measuring tolerance. I also agree that tolerance can be seen as a quality of attitudes expressed in interactions between people of different persuasions, allowing for commonalities to enable living together in the same social space so that different parties progressively grow toward ever increasing cooperation for the good of all in that society. They say it well: “The future of society and the maintenance of a peaceful *modus vivendi* in a diverse society depend to a significant extent on the tolerance of individuals and groups.”¹⁰

Attitudes as internal states of consciousness or dispositions can be described and put in a specific way to be indicated clearly in a questionnaire for outsiders to understand. Interactions qualifying as tolerant, evidencing respect, freedom or understanding and empathy, can also be defined and described in a questionnaire as evidentially recognizable in somebody’s life. Differing persuasions are assumed to be inherent in identifying with differing religions or world and life views, which can simply be identified as such in a questionnaire. What I found very helpful in the article by Nico Broer and his coauthors introducing the questionnaire was the presenting of the work done to translate these categories and more¹¹ into items of a questionnaire explaining their correspondence to such factors as “value of own religion,” “respect,” as illustrated in the table below.

¹ Frank Furedi, “On Tolerance,” *Policy* 28, no. 2 (Winter 2012): 30–37.

² P. Boersma, *Personal Communication* (The Netherlands: Besturenraad, 2012).

³ T. Saulius, “What Is ‘Tolerance’ and ‘Tolerance Education’? Philosophical Perspectives,” *Ugdymas. Kuno Kultura. Sportas. Socialiniai Mokslai*. 89, no. 2 (2013): 49–56.

⁴ Broer et al., “Measuring Religious Tolerance among Final Year Education Students. the Birth of a Questionnaire.,” 83.

⁵ *Ibid.*, 84.

⁶ *Ibid.*

⁷ *Ibid.*, 85.

⁸ *Ibid.*

⁹ *Ibid.*, 86.

¹⁰ *Ibid.*

¹¹ Valuable discussions on the inculcation of values and the role of education figure prominently in the framework of the questionnaire through p.87-88, but I am reducing the discussion here to a more general view of tolerance.

In the context of this overwhelming agreement with the work reviewed here I want to draw attention to two aspects I wish were better reflected in the questionnaire.

Conversion as one explicit aspect missing in the questionnaire:

Basic categories of tolerance, as we have already said in different ways, include awareness of one's own specific beliefs and bearing with or endurance of another whose beliefs are at variance or contradictory to one's own. But I also believe it should include the freedom of conversion to either of the view points as a right of the individuals in the common social space they live in. My working definition for tolerance therefore is: "Tolerance exists between two people or groups when intentionally or knowingly one respects the other who holds and practices opposing views to the point of having both parties endure, without unjust hindrance, even the free conversion of anyone to the other's point of view."¹ I believe similarly to the authors of this questionnaire, that for tolerance to appear there needs to be some level of personal conviction, interpersonal interaction, and respected personal freedoms.² But I would like to emphasize that a robust tolerance includes refraining from hindering unjustly the free conversion of anyone to the other's idea implying positively also freedom for conversion.³ This is in agreement with the often quoted Furedi, who writes: "... tolerance can be measured in relation to the extent to which people's belief and behaviour is not subject to institutional and political interference and restraint."⁴ But, this aspect of tolerance, namely the freedom for conversion, doesn't seem to feature clearly in the questionnaire and I wonder if it would have helped to include some item in this regard. Not making explicit some aspect is not necessarily a problem while positively filtering out as intolerant a tolerant person's answer may be a problem and this is the second more serious issue to discuss.

Tolerance and Relativism in the questionnaire:

I will take issue here with only one of the questionnaire items, which seems to contradict one aspect of my view of tolerance, namely the incompatibility of relativism and tolerance. Analyzing the relationship of relativism and tolerance I have come to the conclusion that we need to detect and expose the relativistic stance because it actually removes the conditions for tolerance to exist.

Jay Newman writes: "Tolerance, after all, does not demand that one believe that every other person's metaphysical views are as true or as reasonable or as profound as his own. Indeed . . . *tolerance is possible only because we are capable of putting up with things that we do not like . . . or agree with.*"⁵ Relativists who adjust the meaning of tolerance to make it more of a propositional attitude, which considers respecting another's religious beliefs as being of equal truthfulness to the truth claims of one's own convictions, is nonsensical. This is so because a person could end up holding as equally true both propositions: his own, and at the same time and in the same respect that of the another, even if they are obviously contradictory. It should be clear that a tolerant person, meaning a respectful person toward others who hold contradictory views to one's own, does not need to hold "that all religions lead to one and the same truth."

Considering this understanding then, item 33 in the questionnaire indicating as respectful "I believe that all religions of life and world views in the end lead to one and the same truth"⁶ could filter as intolerant by lacking in respectfulness some tolerant but nonrelativistic people. This statement of item 33 seems to assume that following any of the religions leads to the same ultimate truth and that believing this reflects respect for the religious other. I recognize that this item could be simply one way to identify those who would not fit the intolerant category even for the wrong philosophical reasons, namely

¹ I have developed these ideas in a paper pending publication.

² Nico A Broer et al., "Measuring Religious Tolerance among Final Year Education Students. the Birth of a Questionnaire.," 83. Referring to Potgieter et al (2014:3) writes that tolerance 'involves decision-making based on a certain value system, ethical behavior, reasonable argument, difference, as well as a spectrum of behavior.'

³ Thomas Schirrmacher, *Human Rights. Promise and Reality*, ed. Thomas K. Johnson, trans. Richard McClary, vol. 15 (Bonn: Verlag Für Kultur und Wissenschaft. Culture and Science publ., 2014), 72–75. Here is a good discussion of the meaning of religious freedom indicating the legitimate limitations in light of other human rights and pointing out illegitimate ones while emphasizing "a famous ruling by the European Court of Human Rights (ECHR) dated May 25, 1993...[saying] 'The freedom of thought, conscience and religion is one of the foundations of a democratic society'".

⁴ Furedi, "On Tolerance," 31.

⁵ Jay Newman, *Foundations of Religious Tolerance* (Toronto: University of Toronto Press, 1982), 61.

⁶ See table with selected items and notice item 33 in the category measuring respect. In the published article presenting the questionnaire it was item number 35.

relativistic people who nevertheless are tolerant, but I would disagree that it necessarily reflects respect because it may also reflect patronizing some people with irrelevant ideas.

I would have modified this question into something like: "Even if my neighbor's religion would lead to a different ultimate truth than mine, I would respect him and his right to believe differently." I believe it is more helpful to correct question 33 to fit better with the view of tolerance as defined by rejecting relativism, thus removing the small but still incorrect measuring with item 33 of the attitude of some tolerant people as intolerant because of their rejection of relativism. It is not a major measuring problem for the questionnaire as a whole but being one of seven items measuring respect, it is not irrelevant.

In spite of my one serious reservation explained above, for all practical purposes, the questionnaire is very well suited to measure tolerance and I recommend it to everyone. I conducted this questionnaire with last year students of education at the University of Shkodra, Albania, in June 2016.

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Appendix: Selected questionnaire items (out of 50) for each measuring factor relevant to tolerance

Respect
24. I think that I am contributing to the wellbeing of my fellow human beings when I respect their ideas and beliefs.
33. I believe that all religions of life and world views in the end lead to one and the same truth.
41. I am convinced that I am able to participate in society taking into account the values and norms which are important to me.
43. I am convinced that people despite the differences between them should seek a peaceful co-existence.
44. I am convinced that people should pay so much respect to one another that peaceful co-existence between them can be possible.
45. I am convinced that people should seek ways to overcome the differences that exist among people in society.
46. I am of the opinion that people should respect the differences that exist among different people in society.
Empathy
07. I am on friendly foot with people who adhere to another religion or life and world view.

08. I do not feel threatened by the world around me.
38. I respect the religious beliefs of people with convictions quite different from mine.
48. I respect and do not condemn people whose beliefs are different from mine.
50. I feel free to respectfully socialize with people who hold beliefs quite different from mine.
Value of own religion
15. The values and norms, which are important to me, all stem from my religion or life and world view.
16. The values and norms, which are important to me, cause me to be quite different from other people.
31. I believe that my own religion or life and world view is the only correct one.
32. I think that people can arrive at the truth only via my religion or life and world view.
36. I am convinced that people should adhere to principles contained in a holy scripture.
Sens of freedom
09. I can comfortably get along with someone who adheres to norms and values different from my own.
10. All people should be able to get along with one another, regardless of which norms and values are important to them.
11. There are norms and values which should be important to all people, regardless of their own religion/life and world views.
13. In my encounters with people who adhere to another religion or life and worldview I always remain faithful to my own norms and values.
20. I am able to explain to others those values and norms which are important to me.
Sensibility to differences
06. I do not care what people who adhere to another religion of world view think, find or do.
22. I do not care what other people think, find and do based on their own religion or life and worldview.
25. I find it easy to accept other people's behaviour which I myself do not find acceptable.
40. I do not care whether my country is governed by Christians, Muslims, Hindus, Buddhists or New Age followers.
Origins of own values
18. The values and norms which are now important to me were imbued to me by my parents.
19. The values and norms which are now important to me were imbued to me by the school (s) that I attended.

Administrative Acts and Their Impact on Development of Albania and Madedonia Reforms

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Abstract

Public administration plays a special role in the global social, economic, political and legal processes, for the realization of the rights and legitimate interests of citizens and other subjects. From all segments of local public, the administration is the most frequented segment by citizens and all those who claim to exercise any right or interest. In this sense, the administrative act should be thought as manifestations of will power entities exercising administrative activities, in full compliance with the constitution and laws, aiming at the creation, changing or termination of the certain legal effects, implemented through the free will whose subjects addressed or coercive power by the state. The existence of diverse legal relations arising in the activity of public administration, and necessarily brings different types of administrative acts that differ from the content as well as form. Through these administrative acts are expressed purposes, carried out concrete goals and objectives, forms and methods which appeared to run the country, is defined the organizational and creative character of the administrative body that compiles and issues act, and create a vision for the real existence of the state. In this context, the relationship between citizens and administrative authorities means: Fundamental principles of administrative procedure which develop public administration bodies when making decisions, and sub-legal issue and administrative issues; Authorizations that were given to law administration bodies; Methods and techniques of settlement procedure; Position and rights of the parties to whom they are addressed the administrative acts; Legal means that have at their disposal the unsatisfied parties; Implementing or enforcing administrative acts. From all these, is demonstrates clearly the importance of having the administrative act, the necessity of having the concept of the right and knowledge of the constituent elements, as well as understanding about the criteria that determine the validity, invalidity, its power or its rest.

Keywords: Fundamental principles, public administration, administrative acts

INTRODUCTION

As all countries around the world the state has its own law, this legislation carries out its function and importance. State functions and restrain its acts, but if we refer to the selected theme "administrative acts" they are expression of state and this country will be managed by people of various spheres in every field defined by law. The Act is a unilateral act of the man which is made for a specific purpose, "work", job action or these actions are defined and this is a term used worldwide.

Administrativ act: is a formal expression of the will of the state to regulate certain legal relationship, which the bodies of state administration make them exercise in the specified functions by the Constitution and laws and to bring organizations and municipalities that are dutiable relationship in administrative law.

Administrative acts are an important part of public administration, are important for the work they perform and are a guide of the work itelf. Administrative Act is one of the main forms of realization of the executive operation and decision-making bodies of public administration, it is the main concept of administrative law, which determines the proper amount and timing of its intention . It has the power of acting which is Beneficial, resolves disagreement, institutional and individual and it is beneficial in administrative law, so governing the institutional disagreement.

Albanian legislation has his special importance and is applied in all areas where state administrative acts is applied to. Administrative Act power is a fundamental concept of administrative law. It covers most of the actions of administrative

authorities through which they affect the legal interests of subjects affecting the right. The origin of this concept goes back to the French term originally named as administrative acts, from which it borrowed and transformed into the concept of administrative law in general and particularly in Albania and Macedonia.

Administrative act as a concept is covering all administrative measures and actions, including the right to private and public as well. Over time, the meaning to be confined to the administrative measures in the field of public law and eventually was professor Otto Mayer, scholar in this field, in his monumental work on administrative law Germany 1895, defines act as a "revelation of authoritarian administration, which sets out the rights of a subject in a particular case".

2. METODOLOGY

To get this topic done I and my coauthor, based my study through qualitative methodology; firstly I took into consideration the literature (books, papers, reports, etc.). Initially I and my coauthor, read the bibliography taken during the studies in MC, UET, SEEU university, Erazmus mundus projects etc.

Albanian and FYROM constitution as the most important act that gives verdict for all rights and fundamental freedoms of Albanian citizens

Albanian legislation for administrative acts

Code of administrative procedures

Topic to different degrees published on the "Internet"

Also the normative acts in the US

Primary research resources have been administrative procedure, administrative law books that I and my coauthor, found very valuable material and which were truly qualitative. Albanian and Macedonia administrations of historical years, the Albanian administration in the days of democracy, the creation of the administrative court as an innovation in Albania, the Code of administrative procedures as a very powerful legal basis.

Legal framework: Code of administrative procedures of Republic of Albania principles and substantive rules for drafting legal acts.

Importance of administrative acts: Administrative acts have their particular importance in administrative law, they are part of that without them it could not have Prosperity and Administrative legislation, no constitution, no law end there is no administrative court.

2.1 Act perceived in the Albanian legislation

The administrative act for the first time in his understanding of the Albanian legislation is provided through the Administrative Procedure Code which has been approved by the Assembly of the PRA-which by the law no 8485, dated 12.05.1999 published in Official notebook No. 19 of the year administrative 1999. The Act is a fundamental concept in administrative law.

The origin of this concept comes from the French term appointed as ACT Administratif, whence is based and translated into the concept of administrative law in general and the Albanian community in particular.

Administrative act initially as a concept covered all the measures and legal actions of the administration, including both the public and private law which Means that over time was limited to the administrative measures in the field of public law. The concept for the act defined in this way, which was implemented by administrative court and further elaborated in the juridical writings in the legal expression "administrative act" used in a number of laws in administrative court.

Research Hypotheses

H1. Where does his administrative act find reflection in science of administrative law?

To us, the meaning of the administrative act has found its reflection only in theoretical treatments of science of administrative law, because there was no specific law to regulate exactly this problem.

In Albanian legislation in particular in the Code of Administrative Procedure, for the first time is given the meaning in Administrative Procedure that has the criteria of validity and invalidity of his concept of resting power and especially the meaning of administrative contracts and real acts.

In doctrinal studies, but also in the administrative jurisprudence, mostly foreigners, when they mention the term administrative act is meant only an act by the individual nature. But if you turn to the Albanian jurisprudence this difference was not very clear and often confused with these concepts by including as individual acts, as well as with the general characters.

But if we rely on the Code of Administrative Procedure Article 1 Visualize rule that "The provisions of this Code shall be implemented by all bodies of public administration in the exercise of their functions leads by means of individual acts. Principles of sanction in this code are not applied on the normative acts in so far as a thing is possible.

Terms that qualifies administrative act as a source of administrative law to take various decisions designations order, regulations, guidance, up to terms that administrative organs of administration that differ act from other acts of legal trailer character, unilateral, regulations and the trailer being specific to public administration bodies.

I and my coauthor refer to the issuance of an act that aims to pass on correct procedures and that an administrative acts to have validity must respect the form, content, purpose of issuing the trailer and mostly to keep the procedure to be followed for the extraction of an act (let's refer to procedure it should be noted that failure of extraction procedure act, causes absolute invalidity of an administrative act)

The procedure of issuance of an administrative act by the sanctions described in the provisions of the Code of Administrative Procedure Code Administrative. Administrative act being authorized by law has automatically legal consequences. So, in that sense an administrative acts is a legal juridical act. An administrative act is called every order, decision, or action that was taken by the administrative authorities for the regulation of a particular case or cases that already exists in general or in the field of public law

Data and Research Methodology in This Research Paper

Administrative acts join and interlink through all space that relations the law, they can create rights, privileges, powers, responsibilities and duties, or may change or extinguish them, but when the general act is therefore with regulatory effects the legal consequences for nature will be general. If the act is specific, individual as well, then he speaks with the language of concrete legal consequences for individuals violation of administrative acts. The Role that Administrative acts play for legal regulation of these relations is quite understood that is Important.

As the legislation, as well as administrative practice of public administration bodies the term "administrative act" no articulated in this form. The science of administrative law uses the term "administrative act" to designate in its entirety to all acts that administration bodies derive their activity during the executive and administrative orders.

Administrative act has different names such as decision, orders, ordinance, regulation, as a guide, to the license, circular, protocols, paper, evidence, license, diploma, etc. Important for the science of law is to define a definition for administrative act, in order to distinguish it from other legal acts of each power.

Defining the term administrative act presents a difficult task for the legal doctrine for the reason that its ad hoc legislation has not given us any precise definition (refer to Article 105 of the Procedural Code of administrative review)

If we refer to the theory of administrative law that has defined act in different ways, but essentially not differ very much from one another. Even the science of administrative law has given its definition, but firstly watching the state administration in continuous evolution because the different factors, that have influenced in this direction, mostly political and social and has reflected the ongoing elements of these changes.

In this respect, there has been a determining influence adoption of the Code of Administrative Procedure, which is significantly expanding the concept for administrative acts, that has included bodies along the central and local government bodies and public institutions, to the extent that they carry out administrative functions.

Included in the group of administrative bodies and the legal non-state subjects, Log Obviously dimension gives a definition of administrative act, given so far by the doctrine of administrative law. According to this new rule of law; administrative act

is not only a manifestation of the will of state power bodies, but also to other private entities, where the latter exercise activities of public interest.

A new definition and with full administrative act must take into consideration the willingness shown by the organs of state in the implementation of private law.

2.3 Administrative act conceptualization

From this point of view, administrative acts should be thought as manifestations of a will power by authorities who exercise administrative, in accordance with the Constitution and by the Law, in order to establish the state, amendment or termination of the effects of certain legal, implemented by the free will subjects to whom it was directed through coercive power. Administrative act is one of the main forms in executive and decision-making activities of public administration bodies.

This activity gives the element of authority administrative act. The activity of every organ of public administration is characterized by the emergence of the act. It is the administrative act that creates a new legal relationship for entities to which it was directed, changes mardheninet created by the perfect ago more or extinct ones. It provides specific legal nature of administrative act and to stop the actions of material nature, which are not few in administrative activity. Concreteness element constitutes another feature of administrative act. It regulates specific issues of normative differences.

H2. Is the legal act by which determines the rules of behavior in general respectively abstract rules that are applied to a defined number of persons and cases, every laws, resolution, ordinance, regulation, administrative order, instruction, rule, ordinance or other act known and represented by legal force within a given territory by public authorities of that territory, very laws, resolution, ordinance, regulation, administrative order, instruction, rule, ordinance or other act known and represented by legal force within a given territory by public authorities of that territory?

To provide a clear vision and complete concept of an administrative act, it is necessary to recognize and understand to its constituent elements. The theoretical definition given above the administrative act includes the qualities and distinctions. The Treatment in specificway of these features serves as a methodological study of the theory of administrative act, as well as administrative and judicial practice.

2.4 The Form and content of the administrative act

The emergence of the will power of the administrative body and necessarily requires a certain act. The Form, which appears in the administrative act, as a rule is written, but does not exclude other forms, which are required by law or when such a thing imposed by the circumstances. This is the meaning of the form to be taken by the administrative act, which has found its reflection in Article 106, paragraph 1 of the Code of Administrative Procedure. A verbal administrative act must be confirmed in writing, in the event that such confirmation has a legitimate interest of the person concerned and immediately requires such a thing.

The Administrative Act requires the existence of several important elements, to which must be introduced, but its missing which they can do it without legal effect. For example, acts of collegial bodies are indiscriminately in their written form, if the law expressly requires. In other cases, these acts must be recorded in minutes, without which they do not have any legal effect.

In any administrative act the essential elements, which mean both the content and its form, are act authorization, the description of the object and the subjects addressed, the disposition and the reasoning. In this regard the act has similarities with the verdict. In addition to these essential elements the administrative act may have other elements that complement it.

According to the meaning given in our legislation, an administrative act shall contain the authority, the body that issued the act, as well as any delegation or sub-power delegation, the identification of parties to whom the act is sent, the submission of the facts which gave rise to the issuance, when these are important legal basis to act, arguing the meaning of the act, the date of entry into force, the signature of the head of the body that issued the act etc. Some of these demands to the formal act can not be applied to acts expressed by signs or other forms of automatic mechanisms.

The content of the act must be clear and well defined. In particular, there should be no doubt about the person for whom the actis sent, the importance of the subject involved in the act and the act creates legal consequences. The most important

clause in the administrative act is the disposition, because by him is created, modified or extinguished a concrete legal relationship to the subjects in the act. The device contains the expression of the will of the administrative body. The device is the most substantial and from it there is no administrative act

The Contents of an administrative act shall include the presentation of legal means that serve legally to the subject to oppose the act. An administrative act of writing, as they may be subject to rejection or failure of the subjects of law because of invalidity must contain an explanation that informs the person concerned for a remedy against the act, the authority which should be run, and the fixed time within which this tool should be used.

These elements of form and content of an administrative act are extremely important and can not be ignored. They are considered as an integral part of their act and their disregard or failure can have direct impact on the fairness and validity of it.

Analyzing Data

3.1 Purpose of the Act: The Administrative Act is issued for a specific purpose, to create, modify or extinguish concrete legal consequences for all entities that are obliged to submit their ordinances performed with the desire and the will of the administrative body that has the right. The administrative body will be included in the nature of the act that is issued and is not explicitly mentioned by law or legal act in question. The willingness expressed by the legal administrative act aimed at achieving a specific goal that is associated with the advent of legal consequences.

In the legal facts of natural events, legal consequences are already known to be arisen automatically, without requiring the appearance of a legal will, and in the administrative act that constitutes a human fact, required the appearance of this will necessarily by the administrative body. Create, or change or extinction of a legal relationship occurs only as a result of a voluntary behavior and its conscious too, in the case of administrative act of the relevant authority. This brings the effect that the act will not only relate to the body, but also with the will for the effect which create. So, it is necessary to have the desired body advent of concrete legal consequences.

Precisely, the goal for the issuance of an administrative act represents the will of the administrative state. Also, the legal consequences arising from administrative acts are those which administrative act entities are wishing to come.

However, from an administrative act may arise even legal consequences, which are not desired by the relevant administrative body. So, it may appear consequences that are beyond the scope for which it was issued this act.

If, for example by an act of expropriation or an act for the destruction of illegal constructions unfairly violated and other subjects that are not part of the concrete act, then it is obvious that the purpose of the act but also the organ that issued this act is not intended to consequences created. This legal consequence, which may be due to the wrong interpretation of the administrative act, the content of the act or acts of executors of his subjective, it is also due to the invalidity of the act or acts that have influenced it.

Administrative Act differs from illegal actions, because his purpose is the arrival of the legal consequences and therefore provides the act presumed as a legal action. This does not mean that it is immune from the acts of lawlessness elements. If the content of the act is contrary to the Constitution or the law, as well as their purpose and spirit, then the consequences that it will create will be considered illegal. Therefore act shall be subject to administrative controls, firstly to its organ that has issued, the highest administrative body, if established this right and, finally, judicial control.

3.2 The reasoning act

Every administrative act expressed or confirmed in writing must contain the reasons for its issuance. The reasoning of the act should include the essential facts, logical and legal grounds axis that has given administrative authority. By reason of the act that has been clarified the goal in enacting administrative body. The reasoning is an essential element of form and content of the act and directly affects its validity. According to Article 116, paragraph "c" of the Code of Administrative Procedure, the disregard of form and procedure established by law it is due to absolute invalidity of the act.

In this Code are some cases where the justification of the act is indispensable for its validity. So, they should justify all acts, which partly or completely deny, deny, abolish, restrict or otherwise affect the rights and legitimate interests of entities which are directed, or put a burden of liability to penalties. For example, a television operator for violations of the law that

may be deprived of license to exercise further activity; a tax entity is obliged by an administrative act to pay a tax liability, or to a fine for violation of tax legislation, etc.

The reasoning is necessary to acts taken on the basis of examination of applications or appeals entities, and decisions which hold an opinion contrary to the claims of interested parties or contrary to an opinion, information a formal proposal. If an act of the administrative body, in the way how would deal with an issue or the consequences that would create, would change or would bring a new practice, the opposite or evolving in comparison with the previous practice of resolving similar issues, his reasoning is necessary.

This case is related to the way of interpretation that makes law the competent authority or a change of circumstances to those conditions, which directly affect the change of consolidated practise. For such a case it is necessary for entities to inform and orient the reasons for the change of practice by the administrative body. The reasoning is an important part of the act in cases where the new revoked act is repealed, modified or suspended a previous act. So, in such cases the reasoning of the act appears as a legal obligation for the competent administrative body.

Also, the reasoning of administrative acts is a legal obligation for all bodies of state administration, not only in cases of written acts, but also when it appears necessary to introduce a verbal act. It is understood that such practice is rare and occurs mostly in features of a ruling bodies, but even in these cases the law provides reasoning of the act only when it will be appealed by interested parties. Under Article 110 of the Code of Administrative Procedure: "When verbal act is expected to be appealed, his reasoning made in writing and communicated to the interested parties within 10 days."

3.3 The reasoning is an important element of form and content that an administrative act should have, but should be understood that it is necessary and indispensable for all kinds of acts. The law itself can allow in certain cases the lack of reasoning to act. So, there are not required by law if the administrative act is corresponding and comply with the request of the person concerned and does not cause any injustice to third parties. The third person may be aware of the legal and factual basis of the opinion of the administrative authority that issued the act and that the possibility to be informed about the act, without the need of giving reasons in writing or in any other way.

It Does not appear necessary the reasoning of the act, when the administrative authority issues a large number of acts of the same type or when the act is publicly announced an order. Also, are acts that ratify or approve decisions, such as the boards, panels or committees established by the public administration on various issues, or the orders of the officers are dealing with the internal affairs of an institution, which is not required, but he will be called redundant their reasoning.

In Administrative practice there are administrative acts that are not justified. Most of them are. Even in those acts, for which that the law requires as a condition of its validity, may lack the reasoning.

And what happens to them?

At first glance, one would believe that is being violated the law. Indeed such an allowance is legal and it appeared necessary for the physiognomy of administration and dynamism that it carries. Thus, the diversity of acts of organs of public administration often that administrative action is taken, relying on information or previous proposals, the links to prepare relevant documentation. In these cases it is adequate only as an excuse acceptance of these proposals by the body that issued the act to be considered as done this legal requirement, as in these cases, opinions, information and previous proposals are considered an integral part of the act itself.

Conflicting data that can be reflected in the reasoning of an administrative act, ambiguity, inaccuracy or nonsensing that may be encountered in its drafting, will serve as a sufficient argument to call unjustified act and, therefore, invalid. While the reasoning of making an act on the basis of resolution of other analogous issues, but always without burdening the position of the entities involved in the act, the act would not violate the reasoning in his direction

All the concepts discussed above and dealing with form, content, scope and rationale of the act, so far have been subject of science of administrative law, without being able to foresee clearly any legal concrete provision . Only in the Code of Administrative Procedure, in a separate chapter, and specifically in the VI "Administrative Activities" and the first chapter of "Administrative acts", Articles 106 to 110 it is given a more detailed legal regulation of these concepts.

Analysis and expectations

The Definitive moment to understand that a project has finished its cycle, by becoming a law is the announcement. After the approval of the law-project, it is sent to the President, who must declare it within 20 days of its submission. The President has the right to return for review the law once. Decree for review of a law loses its effect when a majority vote against the members of the Assembly. If the President does not promulgate or return the law for reconsideration within 20 days of its submission, the law is considered promulgated.

When the law is back for reconsideration, the President of the Assembly immediately passes it for consideration to the responsible committee, who reviewed it initially. The Commission examines the decree only responsible for the matters presented by the President. In USA each law-project was approved by the House of Representatives and the Senate, before it becomes law it will be submitted to the President of the United States. Usually edited copies of the draft are sent to the White House to convey various departments concerned in the case in order to advise the President, who naturally can not recognize any aspect that the law-project is having.

If the President approves the law-project, he signed and usually writes the word "approved", even though the constitution only requires his signature. Based in constitution in its article of a law-project, may become law without the signature of the President. This happens with the suspensive veto as well as in our country, where the President is not expressed by bringing the law for reconsideration within 10 days and even when he does not approve ,the law is called The self-proclaimed, and the American call it "pocket veto". An interesting question arises at this point, "Would it approve the law-project, after reviewing the draft room, despite opposition from President to?" Of course this happens when is approved by the majority.

4.1 Incoming into Force:

An important step in the adoption of a law to force action is the request that to be made known to the people, who should obey him. Of course, there would be no justice if the state would make your people in charge before he would acknowledge the illegality of such behavior.

In Albania the law enters into force by not less than 15 days from its publication in the Official Journal, but in the event of emergency, and in an emergency and need, when Parliament decides by a majority of all the members and the of Republic President consent, the law only comes into effect immediately after being announced publicly. The law must be published in the next issue of the Official Journal. More or less the same practice is applied in the US but with these changes that will be presented below.

Practice has shown that the laws in the US are published immediately after their enactment to be made known to the public. If President approves a the law-project or let it become law without signing it, after being edited ,the White House sends it to US Archivist for publication. If the law-project is approved by both chambers despite the President's remark, it sends the most recent edition body that exceeds the veto. The first edition of the law is generally in the form known as "seperate law."

5.Conclusions and Recommendations

In this form each law separately is published as a pamphlet and unrelated. In order to ensure a permanent overview of laws related volumes are prepared, and it belongs to a "second edition". This connection can reach up to the formation of the Code of the United States, which contains a regulation to consolidate and codify the laws and general, permanent USA laws collated on the basis of the case 50 titles alphabetically.

As conclusion, we can say that these countries that we took as sample of analysis have visible changes due to different legislative system which as we mentioned above are part of two major subdivisions of law (Common Law and Romano-Germanic family). However, it is evident that, due to the facts that the two countries are based on the democratic rule of their practice of drafting normative acts is more of the same. All the phases that we examined above are a good indication of a comparison that is rarely undertaken in our country, but we think that by treating in this way, we will understand better our legislation and its position that for sake of truth is quite new and still incomplete.

6. Legal power of the administrative act

6.1. The Meaning of the Legal Power Act

The purpose of the issuance of an administrative act is to create a legal effects whose subjects it is addressed. It can not be understood the issuance of an administrative act by a competent authority, without its legal power. The Administrative bodies, when they put out a legal act, they have in mind that the legal authorities will find in it the complete and clear expression, as well as the act itself will serve the needs of the time. These requirements must be assessed before or during the extraction of the act because the statement of the will power to act which is closely associated with the creation, modification or termination of legal consequences.

Administrative Act, as a rule, arises of certain rights and obligations, creating utility, a favor, and affects the interests of certain persons addressed to. Therefore, in addition to legal requirements for content that administrative act should have, with the great importance are presented the issues related to the legal power act.

The Legal power act, as any judicial or legislative action, is dependent on several legal stages or important moments, disregard of which brings legal powerlessness to act. Legal power of the act coincides with the terminology used so often in practice, when we say that the act came into force. There are three stages that dismantled the concept of judicial power act.

- The first stage is related to the time of issuance by the competent administrative body;
- The second phase is the recognition of the content of the act by the interested parties;
- The third phase is related to the delayed effect of the power of the act.

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Post-migration Representations of Istanbul in Turkey's Independent Cinema

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Abstract

This study aims to analyze the representation of Istanbul in the Independent Cinema of Turkey. My study focuses on Istanbul not only because Istanbul presents an opportunity for micro-scaled analysis for Turkey, but also because of the fact that the cinema of Turkey being Istanbul-oriented. I focus on the major political and sociological turning points of Turkey and how all these transformations have altered the presentation of Istanbul in the movies of the same period. The migration remained to be one of those main turning points in people's life and their conditions - in particular migration from rural to urban - on which this study is focused.

Keywords: Istanbul, representation, Independent cinema of Turkey, social changes, migration.

Introduction

Istanbul, historically known as Constantinople and Byzantium, is an Eastern city which turned its face to the West since 18th century. Istanbul, as a transcontinental city in Eurasia, is a vital economic, cultural, and historical center in both Asia and Europe.

Istanbul began its life as an occidental city and was transformed into an oriental city. It therefore articulates both elements. During both the Byzantine and Ottoman Empires, Istanbul was undoubtedly a cosmopolitan city, home to diverse ethnic, religious, and language groups. After the birth of the Turkish Republic, Istanbul occupied an ambiguous position as a symbol of imperial power while Ankara became the symbol of republican order. Between the 1920s and 1980s, Istanbul was of secondary importance to the project of nation building and the formation of a national, Western, secular, Turkish identity. Since the 1980s, however, with economic globalization (liberalization and the transition from import substitution to export-led production in Turkey), Istanbul became the nation's center of globalized consumption, production, and exchange. (Isin, 2001; 351)

Istanbul became the main cinematic city in Turkey, and has been handled in different perspectives in Turkish cinema. The majority of films are Istanbul-based productions. Their narrative and space arrangements have been shaped around the city Istanbul. The importance of choosing setting place with combination and manipulation of film elements were not understood by the prominent directors in the first period of Turkish cinema. Istanbul was used just as a cinematographic element in that period: such as *Binnaz* (directed by Ahmet Fehim in 1919), *Bican Efendi Vekil Harç* (directed by Hüseyin Şadi Karagözoğlu in 1921), etc. Andrews (2014; 6) explains the extend which a city can be used in cinema - beyond being just a decor: "Narrative space in films is an amalgamation of numerous aspects: physical, profilmic cityscapes, landscapes, and objects in the mise-en-scene; conceptual elements to be visualized and explored on the screen: technical methods of presenting these aspects to the audience, according to the codes of film language: philosophical and ideological notions on the part of the filmmaker to be conveyed to the spectator."

Yeşilçam (1950-1980, a general name of Turkish cinema industry, which also became the name of popular melodrama movies of that period) produced representations, prototypes, stereotypes about the city and urbanization - which became the main information source about Istanbul to audience. Istanbul is an object of desire in Yeşilçam. Urbanized community not only refers to the people living in the city, but also belonging to bourgeois. These productions were highlighted the tension between Istanbul being an object of desire and Istanbul belonging to bourgeois. The representation of Istanbul became more realistic with the post-Yesilcam cinema period. In this context, the study will analyze the representation of Istanbul in the Independent Cinema of Turkey, rather than Yesilcam cinema industry.

This paper surveys the representation of Istanbul from 60's to 2017. These films show the social, economic, cultural, political conflicts of people who come to Istanbul with big-raised hope. "I will defeat you, Istanbul" is a generic motto of those people. "Defeating Istanbul" refers to survival and going back to their villages by fighting against cruel economic conditions of Istanbul.

In 70's and 80's, "defeating Istanbul" turned to be "not being defeated by Istanbul". This change in rhetoric reflects the new-emerging conflicts regarding traditional and modern values in the adaptation process to the city. This dilemma exacerbated the frustration of migrants due to social and economic problems. Some of those immigrants who disappointed in Istanbul returned to their town in the 90's. Istanbul began to be pictured as a claustrophobic, dangerous, cold, brutal, and sinister country for migrants.

The study surveys these periods with leading examples of movies.

I will defeat you, Istanbul!

In this part, I touch upon social changes in Turkey as a developing country and how these changes affected Turkish cinema. After World War II, the US Marshall Plan was introduced in Turkey. There was a rapid urban industrialization, and a strong growth of the market economy in the rural areas. As a consequence of this rapid development farm mechanization (which displaced rural labor and encouraged urban migration) is observed in Anatolia. People started to migrate to big industrial cities to find jobs, and other opportunities. This idea became popular with another motto: *Istanbul, the Golden City*. Additionally, because of somewhat egalitarian bequest traditions (the land being shared among all children) caused every villager having only a tiny bit of agricultural field. This was an additional force which made immigration tempting. As a result, 50's were marked a huge migration wave from rural areas, like Yozgat, Erzurum, Sivas, etc. to urban areas, especially to Istanbul, squatting also increased, emigration to European countries started.

In the 1950's another important phenomenon is described by Romana (2014; googlebooks), "*The Democrat Party's electoral success and political agenda in the 1950s depended in part on challenging the Republic's strict secularism, rather than its mono-nationalism. (...) Referring to the DP's increasingly authoritarian actions, their anti-secular program, corruption and declining public order to justify their intervention, Turkey's generals instituted a coup d'état in the spring of 1960*". Following the 1960 coup d'état, a constituent assembly was formed. After the 1961 constitution, film directors were allowed to show social problems in their films. During that time, the cinema was extremely sensitive to social and political issues. In the 60's, Turkish cinema represented the migration problem from urban to rural consistently. In the films, the common topic is a story a family which emigrates from suburb to metropolitan (Istanbul) to have a better life. Öztürk (2002; 24) states the dilemma of those immigrants: "Istanbul whose dynamics rhythm, carnivalesque chaos, poetic and fabular image, and with stories which commitment new happy live with contrast such as east/west, villager/town-dweller, rich/poor, beautiful/ugly, is an sample of the place of cinematic production."

Nearly all characters in the movies are from immigrant families. In this period, narrative of films generally starts at the same place, such as Harem or Topkapı bus terminal and especially Haydarpaşa Train Station: "*Haydarpaşa Train Station, constructed in 1908, has always been one of the significant landmarks of Istanbul. It has been frequently included in the opening scenes of Turkish movies, where characters arrive the first time in Istanbul and have the first glimpse of the city while standing on the stairs of Haydarpaşa Station. It has always been one of the "entrance" points to the city and an important part of the city silhouette*" (Kaymaz, 2013; 755). A family or a person who comes from a village, get off a train, carry their luggage, when they go out of the train station, they go down the stairs and look at Istanbul admiringly. When the main characters step into Istanbul, the family or the person get straight into the chaotic experience of Istanbul. Generally men want to be rich and to have beautiful girls and women want to live the freedom in Istanbul. In the pursuit of adaptation, for instance, women put on new clothes, very expensive jewelers, go to a night party. However, they end up not being able to adopt the city. This failure of adaptation is narrated as being raped, having to work in a brothel or going back their hometown etc. This phenomenon repeatedly shown in movies which has an underlying message: Istanbul is not for them, Istanbul does not belong to them - Istanbul is the city of those rich people.

For example, in the film **Birds of Exile** (directed by Halit Refig in 1962), there is a six person family; two parents, three sons and a daughter. On the arrival in Istanbul, they dream to defeat the city and to reach a higher standard of living. Firstly audience sees them at the Haydarpaşa train station; they look at the Bosphorus Sea. The sea and the city look very nice. The sons look at the girls of Istanbul, the daughter looks at the sea, which means freedom to her. They experience a tragic

event which ends with the death of their daughter. The film narrative ends when they decide to go back to their hometown. Only one of them stays in Istanbul - the one who goes to university. Interestingly, even himself, does not aim to stay in Istanbul, but rather go back to the rural areas of Turkey and educate those people. Again, Istanbul does not belong even to those people who educate themselves. When they get on the train, audience sees another family coming to Istanbul, maybe with the same hopes and wishes - immigration will continue. The other films with similar narrative from the same era are *Golden City*, and *Unfinished Road*.

In **Oh Beautiful Istanbul** (directed by Atif Yılmaz in 1966) Ayşe comes to Istanbul from Izmir to be a famous actress or singer and to be rich. She meets a photographer whose name is Haşmet. Haşmet falls in love with her, and decides to help her. Haşmet is an Istanbulite who is a kind, helpful, intellectual, and well educated gentleman. He is represented as true "Istanbul Gentlemen". He helps her to become a famous singer. He doesn't want anything from her except her love. She uses him for her ambitions. At the end of the film, she realises her mistakes. She comes back to Haşmet to start again. At the final scene, they are in a ferry, we see Istanbul from their eyes. Haşmet looks into Ayşe's eyes and says "look at that beauty", and turns his head to the Bosphorus, we see Istanbul again, and then Haşmet goes on "*Do you know that there is no match to this beauty anywhere else in the world.*" Ayşe says "*for me there is only you*" Haşmet says "*yes, for me too*": Istanbul is like a love for lovers. Ayşe tries to be famous, but she finds an endless love in Istanbul. The underlying message is as follows: The only way for a woman from a rural area to be an Istanbul woman is being married to a man from Istanbul.

Time to Love (was directed, produced and written by Metin Erksan in 1965) is another important movie from this period. Halil is a traditional man from East side of Turkey. Meral is a modern woman from West side of Turkey. They fall in love each other in the city. Istanbul presents their identity and character. "*The use of the images of the city is also underlining the east-west dichotomy presented in the film. Halil is always seen in the older parts of the city or in nature whereas Meral lives in the newly built apartment blocks far away from the ancient city of Byzantium-Istanbul. But later as their love develops the lovers are forced to enter the other part of the city*" (Akser, 2013, 177). In the film Istanbul is like a dream city, it supports films atmosphere. So audience sees Istanbul between reality and dream, modern and traditional, and future and past.

2. I will not be defeated by Istanbul!

Istanbul reflected onto cinema especially with an immigration films, especially during the eras of the 70's and 80's, but at this time it was found a different plot from before. During those years, cultural duality, urban collapse, educational problems, housing/residential problems, jobs problems were all increased and these reflected onto cinema and all have could seen in the films. In the immigrant films of this era, people generally who tried to stay in Istanbul, adapt to the big city, they want to earn so much money and give a member of their family as a sacrifice. It is associated with the new capitalist mentality which was not adopted by these people yet. They live in dual life between tradition and modern life style.

In this era, some films emphasize migration and modernization of society and the city itself; some of the prominent examples of such movies are Ömer Lütfi Akad's trilogy **The Bride (1973)**, **The Wedding (1974)** and **The Blood Money (1975)**. The narration of these three melodramatic films is about an Anatolian family, their traditions, and their conflict with modernity in the city. In the narration of the film *The Bride*, a young woman moves with her husband and their child to her husband's family living in Istanbul. Her son becomes ill and the doctor tells her that he will soon die if he doesn't get an operation. The family refuses to help her because they can't see anything wrong with the boy and all money is needed for a new shop they have just opened. The family is male dominated so they don't listen to her. When her son dies on the day of Muslim festival of sacrifice. This scene related with Prophet Ibrahim who offers his son to God as a sacrifice. "*Symbolically, the son dies on the day of Kurban Bayramı, the religious festival when a sheep is sacrificed by devout Muslims, Meryem leaves the family to work in a factory, defying patriarchal convention*" (Colin Dönmez; 2014, 60). In the films, emigrated people live in Istanbul, as if they were in their home city. They build up small ghettos in Istanbul, like little China towns in USA. They don't want to change or adapt the city's rules. This is not suitable for their cultural structure. They want to continue their traditional rules, but it is impossible for them. They learn to adapt to the city, giving some sacrifice.

"With the pressures of such numbers coupled with the phenomenal social, economic, and cultural transformations in Turkey after 1980, when the late President Turgut Özal opened up the country to global markets, Istanbul's macro form has changed dramatically. The proliferation of five-star hotels, supermarket chains, shopping malls, and office towers has transformed the fabric, the skyline, and the social panorama of the city in ways that would have been inconceivable before 1980. While these developments can be seen as manifestations of a worldwide trend in the postmodern era, the rise of political Islam parallel to globalization has given Istanbul a more complex and uniquely hybrid urban culture" (Bozdoğan,

2013; 127). These changes affected people who emigrated from rural areas to urban areas and alter their daily life, morals, attitudes and behaviors.

For example, **A Handful of Paradise** (directed by Muammer Özer in 1985), is about finding a house in Istanbul. A family migrates to Istanbul hoping to find a better life. Being unable to afford a place to stay in, they find shelter in an abandoned bus. They don't want to go back to their village. In a little time they make a garden with flowers which is their paradise. We could see a strong contrast between poor and rich. They have a girl and a boy and also another one soon to come. New child mean is a new hope. At the end of the film's narrative, government took the abandoned bus; their boy was arrested despite of his innocence. They don't trust government. So after taking their 'home', they decided to stay in the city.

The Horse (directed by Ali Özgentürk in 1979) is another film about emigration in the 80's. In the film, a family wants to defeat the city, like in early examples of migration cinema, but at the end of the film, they just want to be alive in the city. Unfortunately, their dreams change. The father wants his son to be well-educated; he can afford education for him. He makes a better life for his son, by making sure that his sons' life won't be like his. He can't find a job, but he always tries. Main character can't stay on Istanbul, he refuses to return to the town even Ferhat, his son requests "*father, let's go back to the town!*" It will mean to be defeated to go back to the town. In the end of movie, the father is killed as an unsuccessful character and he can't reach his dreams.

The Broke Landlord (directed by Nesli Çölgeçen in 1984) is a black comedy about the hardships of being village landlord with fading authority. The landlord migrates to the city but fails to suit himself to the city. The film is one of the first examples which focuses on a landlord rather than peasant. This film is a trilogy written by Yavuz Turgul and includes **Mr. Muhsin** (1987), **The Unforgettable Director of Love Films** (1992) directed by Yavuz Turgul. The village is called Haraptar - means ruinous in Turkish. His grocery store in Istanbul is also called Haraptar. It is shown that he tries to sell tomatoes as a once-upon-a-time, authoritarian landlord. In the end, we see that his boats, as a sign of his landlordship is sold in the city for food. (Dönmez-Colin, 2014, 236).

Mr. Muhsin is a tragi-comic social commentary of the economic and cultural transformation of Turkey during the post-coup years of the 1980's and the free market policies of President Turgut Özal, similar to the Thatcher-Reagan policies. The narrative's main idea is the cultural clash between Mr. Muhsin Kanadıkıncı who is an Istanbulite, gentleman and has principles. Another character Ali Nazik comes from Anatolia with characteristic hopes like being a famous singer - arabesque. The arabesque culture associated with the migrant Anatolians, who are neither able to preserve their culture nor adapt the culture of Istanbul. He tries to transform the urban culture rather than to adjust. Mr. Muhsin and Ali Nazik represent different cultures of Turkey. So viewer could see by way of the contrasts between east/west, rural/urban, old/new, value/money in their identities. The new one/arabesque culture affects everything and transformation of values. Director chooses old one to show viewers for getting empathy.

The type of migration in Turkey was opposite to the type of migration in Europe. In Europe, migration was a demand stemming from the cities themselves - like Germany and England. In the case of Turkey, villages pushed villagers out of their homes in Turkey, so they had no choice; they had to go to the big city for jobs. They were pushed out because the land wasn't enough on the farm anymore they become jobless and had no money. The cities were not prepared for this migration, they aren't industrialized or modernized enough to accommodate such demand - they were deceptively portrayed as a golden city.

3. Istanbul is a place to escape from!

Neoliberals deregulation, privatization, and market led reforms are as the developmental policy of Turkey have resulted in some problems. To Erkip (2000; 371) in 90's growing problems of metropolitan Istanbul are unemployment, housing problem, inequality and the problems of social justice and redistribution. For Isin (2001; 361) in the 90's there is a polarization between the rich and the poor depending on increasing foreign direct investment such as advertising, marketing, fashion, design, and entertainment. In cinema, after the middle of the 80's, the number of migration movies start to decrease. Istanbul now lost its identity of being a metropolitan and started to be defined as a giant rural town. Independent cinema, starting from 90's, portrayed Istanbul as a place to escape from. Istanbul represents a type of jail and we could see, people who live in Istanbul are unhappy and want to go to another country or city for new opportunities, unlike in the 60's migrant films. It is the complete opposite of the original films: first they wanted to come to Istanbul, now they are in a hurry to leave Istanbul. "*The regeneration and renovation of the historic core of the city for both the tourist industry and the*

new chic quarters of the wealthy continued as poverty was increasingly suburbanized further and further out from city” (Isin, 2001, 361).

For example **Somersault in a Coffin** is directed by Derviş Zaim in 1997. Mahsun is homeless and unemployed. He lives in Rumelihisari as a car thief. His friend died during a cold winter night. He hasn't got anywhere to live. So he steals cars so that he has shelter from the cold winter nights - he does not sell them for profit. During the nights, he drives, and in the morning he leaves it very clean and in a safe place. He tries to work and survive with some help from some fishermen. One day he falls in love with Charlot who is a heroin addict and a prostitute. Some scenes show that Istanbul is an prison camp for low class people. In one scene, he looks at the Boğaziçi which is a very rich area. He tries to balance what is given to him and what is not acceptable by him. At the end of the film, Mahsun is in prison because of killing a peacock by cutting it and trying to eat it. The peacock represents plentifulness and wealth. He is shown on a news report where Mahsun says that 'I did it because I was hungry'. After the news program, we see an advertisement for sausages, where a girl is saying 'I am eating you sausage, yummy yummy sausage'. So director starts to criticize the capitalism and marks Istanbul as the main place of injustice. This shows the contrast to Mahsun's life and makes the audience to think about the injustice of life in Istanbul. The films' atmosphere is very foggy and claustrophobic. The real prison is in the outside world, for example Istanbul is a prison for others like Mahsun, the poor, women, LGBT, gipsy, etc.

Istanbul Tales (directed by Ümit Ünal, Ömür Atay, Kudret Sabancı, Selim Demirdelen, Yücel Yolcu in 2004) is a story about 5 tales and a night in Istanbul. Those 5 tales are very different to each other but all of them look like old fairy tales such as, Cinderella, Sleeping Beauty, Little Red Riding Hood. Cinderella - just one of the parts of film - is directed by Ümit Ünal. Cinderella of Istanbul is a travestite prostitute who wants to run away with a man. We can see Haydar Paşa train station when she wants to go to Eskişehir - this time it is the place of departure, not arrival. Istanbul is a very big city but some who live inside it are unhappy. The social and economic problems cover everybody like a prison. In the 60's films, we could see people coming to Istanbul for new hopes, new life, or new love, but now people has crushed their dreams want to run away from it.

The Particle is written and directed by Erdem Tepegöz in 2012. The film is about 10 days of Zeynep's life. All her days are similar to with each other. The film starts in a textile factory. Zeynep is queuing for her lunch. We see a particle in the air. It is related to Sufizm which is all people women and men, rich and poor, etc are the same as each other like particles. Then Zeynep gets fired from her job. When she waits out of the factory, she looks like a prisoner in a prison. Director show that the prison is outside world. The camera records to Istanbul when she starts to walk along to Istanbul's streets - a documentarywise depiction is adopted. Istanbul looks very crowded, very ugly, harrowingly, unattractive and claustrophobic, especially the color of filmic narrative is just grey which is a cold color. Zeynep is just a metaphor for lower class inhabitants. She goes to Tarlabaşı - a canonical area of Istanbul mostly contains lower class people- within 5 minutes walking distance of Taksim, the heart of Istanbul. "*Tarlabaşı, the controversial face of an urban renewal project for seven years now. Tarlabaşı is the home to migrants with low incomes or no jobs, mostly coming from Eastern Turkey, as well as the marginalized communities like the Roma gypsies or the LGBT (...)* Tarlabaşı has become the epitome of what could go wrong with a metropolitan centre. It signifies overpopulation, migration, class differences, a rise in crime, gentrification, a disregard for historical architecture, and the tragic living conditions of the working class. Tarlabaşı is just an area of five acres (Güler, hurriyetdailynews). She has a very old mother and a disabled daughter, but no money. Due to this situation, she needs to work to survive. Zeynep isn't Istanbulite, she sells her kidney to live in Istanbul - being an "other" living in Istanbul. The capitalist system alienate them and uses poor people for the cheap labor. On the other hand, it ignores them by pushing them out of the city, marking as criminal figures, disrupter of urban structure, polluters and etc.

The movie, **My Only Sunshine** (directed by Reha Erdem in 2008) focuses to the story of Hayat (it means "life" in English) growing in a ghetto of Istanbul under bitter conditions. Hayat has got a bedridden godfather who hardly breathes because of his asthma, and a father who does all kinds of illegal work. She goes to a school where she is seeking for acceptance by her friends and teachers. Just like asthma; Hayat is also suffocated by major problems. She wants to successfully complete high school but she can't, because of her inadequate life conditions. She childishly wants to get married with her father's friend to escape from her poor life. She is raped by a neighborhood grocery who often abuses her- she takes chocolates when she is abused by him, and gives them to her friends to be loved by them. She lives in a river-side shack which is opposite of luxury housings the rich people live in. Bosphorus divides the country into two; one side is a poor place where Hayat lives and the other side where rich people live. Hayat escapes to open sea from Istanbul and her restricted conditions. When she's escaping, an arabesque music, in the background, which is the symbol of migration is played.

Hayat and her friend travel against large waves in a small boat. The camera circles and focuses to the running waves and her happy smiling face till the movie ends.

The Present Tense, which was directed by Belmin Söylemez in 2012. The film's narrative is about a woman, Mina who is bored of patriarchal order. At the beginning, we observe that her appearance is blocked by the the famous man figures. Meanwhile, we hear some orders, such as, look straight ahead, move a little bit right, don't smile, etc. She dreams of finding job in USA, and in order to do so she needs to find a job In turkey to save some money. She lives in İstanbul at an apartment which will be renovated and hence her landlord wants to evicts her. So she doesn't have any job or any place to live in. The viewer can feel the boredom of the city. During the movie, we observe how Mina loses her grip to her hopes.

There are many other examples which is based on escaping from İstanbul such as Tayfun Pirselimioğlu movies, *Hiçbir yerde/Nowhere* (2002), *Rıza* (2007), *Pus/Misty*(2009), *Saç/Hair* (2010) and *Ben O Değilim/İ Am Not Him* (2014), *Abluka/Blockade* (2015) directed by Emin Alper, *Yozgat Blues* (2013) directed by Mahmut Fazıl Çoşkun, *Güneşe Yolculuk/The Journey of Sun* (1999) directed by Yeşim Ustaoglu, etc. All people in these films want to run away from İstanbul to another city or a country.

Conclusion

İstanbul is a metaphor of total problems in Turkish Society. Independent cinema of Turkey gives a chance to see social and cultural transformations. People immigrate for different causes to İstanbul. İstanbul started its appearance in movies as a setting and later on it became an element for the movie, like a character or a sound. Different phases of the city of İstanbul in the independent cinema of Turkey is surveyed. In the first phase, İstanbul is a golden city in early examples, and then it is seen rural people who cannot adapt to the city. In the second phase, we observe İstanbul under urban and class-based conflicts were increasing during the process of İstanbul's post-80's global capitalism-oriented reconstruction. In the third phase, İstanbul became a prison camp for the alienated people who lost their access to the city during urban transformation projects. These people's deprivations, a feeling of no-way-out, desperations, systematic alienation, and dispossession of their habitat have been represented in many different ways in the cinema of Turkey. The common theme on these movies is the fact that İstanbul belongs to bourgeois - it does not accept other people; if it accepts some it needs sacrifice; even it accepts them they keep them in an open prison.

İstanbul has a soul with history, metropolitan structure, and its famous beauty. In the future, independent cinema will apparently start to make movies regarding Gezi/Occupy Park Resistance. This movement can be conveyed as a resistance, driven by young people, against newly rising political structure as a result of 2000's new conservative movement. This resistance shown that, new young İstanbulites, on the contrary of what older people thought about them, they are not apolitic or unresponsive. This important event, combined with 2016's political and diplomatic atmosphere might bring about a new understanding of İstanbul for cinema.

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Understanding Different Forms of Community Development: A Review of Literature

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Abstract

Community development is often a nebulous term defined by many conceptual and practical characterizations (Christenson & Robinson, 1980; Summers, 1986; Wilkinson, 1991). This is particularly tangible in the twenty-first century, characterized by a larger and growing presence of communities engaged in community development efforts. The growing interest in community development has resulted from the field's proven capacity to deliver solutions to community problems. Additionally, the multifaceted ways in which communities worldwide participate in community development efforts (Walzer, 2010) has contributed to community development's conceptual and practical pluralism. As a result, an increase in numbers and variability of individuals and organizations from multiple disciplines and frameworks practicing and studying community development has become palpable (Walzer, 2010). Policy-makers, practitioners, and academics should benefit from better understanding not only what community development is from a conceptual and overarching standpoint, but from an applied perspective, by acknowledging the different stakeholders, goals, and processes engaged to achieve such goals. Understanding of the different forms of community development and how they can complement each other is critical for establishing future processes that try to minimize the weaknesses of each form and promote their strengths.

Keywords: Different Forms of Community Development

Introduction

Community development is often a nebulous term defined by many conceptual and practical characterizations (Christenson & Robinson, 1980; Summers, 1986; Wilkinson, 1991). This is particularly palpable in the twenty-first century, characterized by a larger and growing presence of communities engaged in community development efforts. The growing interest in community development has resulted from the field's proven capacity to deliver solutions to community problems. Additionally, the multifaceted ways in which communities worldwide participate in community development efforts (Walzer, 2010) has contributed to community development's conceptual and practical pluralism. As a result, an increase in numbers and variability of individuals and organizations from multiple disciplines and frameworks practicing and studying community development has become palpable (Walzer, 2010).

As noted by Green and Haines (2008), the large number of concepts and practices associated with community development is strength of the field, yet it can also be a problem. Such pluralism has become overwhelming and has forced many to produce more narrow conceptualizations of community development framed by particular areas of specialization (e.g. community development as defined by economic growth or urban development). While extremely valuable, such conceptualizations lack a holistic vision or conceptual basis that provides an overarching guidance to the field.

Without an inclusive conceptualization, community development faces the risk of becoming too narrow in focus. Lack of an overarching conceptual definition and clear understanding of what community development entails results in a scattered literature often targeted at specific groups. Such specialization diminishes the opportunities for academics and practitioners to understand the internal connections between distinct disciplines that link the field together. This becomes a daunting problem, particularly for a field that prides itself on being multidisciplinary, applied, and oriented to problem-solving (Green & Haines, 2008; Taylor, 2007; Theodori, 2007; Walzer, 2010).

Community

The debate as to what constitutes a community is an ongoing, and perhaps never ending discussion (Green & Haines, 2008; Theodori, 2007). Human ecology, systems theory, and field theory are among some of the most commonly known approaches to the study of community (Luloff & Krannich, 2002). Human ecology defines community as the structure of relationships through which a localized population meets its daily requirements (cf. Luloff & Krannich, 2002).

Human ecology is concerned with community structure, which is comprised of the mechanisms by which the population organizes itself for survival in a particular habitat (Poplin, 1979). Further, the ecological perspective emphasizes society's adaptive processes to achieve such goal (Hawley, 1950). According to this approach, adaptive mechanisms emerge in response to changing technological, organizational, and environmental conditions (Duncan, 1959, 1964).

Systems theory defines community as the combination of social units and systems that perform major social functions (cf. Luloff & Krannich, 2002). From this perspective, a social system is a highly organized set of socially significant relationships between two or more persons or groups (Bates & Bacon, 1972; Poplin, 1979). According to this approach, the community can be viewed as a system comprised of statuses and roles, and groups and institutions that are closely articulated with one another (Poplin, 1979).

In addition to structure and function, interaction within a social group is an important component of a community. Field theory (Kaufman, 1959; Wilkinson, 1991) posits social interaction as the most critical feature of community. From this perspective, a community's existence, structure, and functioning are possible through local social relationships emerging from the interaction of its residents. Such social interaction consists of the extent and nature of relationships among the different stakeholders within a geographical area.

Guided by these approaches, we define a community as a locality comprised by people residing in a geographical area; the resources such people require to subsist and progress; and the processes in which such individuals engage to distribute and exchange such resources to fulfill local needs and wants.

For our purposes, the different people (stakeholders) and resources within a community will be considered its "*elements*". The ways in which diverse and often competing stakeholders interact to develop strategies, programs, projects, and rules of action will be considered "*processes*".

Elements of Community

Communities need a wide range of resources (Taylor, 2007), also referred to as assets

(Flora & Flora, 2008; Goreham, Tweeten, Taylor, & Fier, 2009; Green & Haines, 2008), for subsistence and progress. In here, such resources are considered elements, as these are the "building blocks" for community life. Community resources are, thus, essential for communities to function, as they allow localities to emerge and evolve by fulfilling locally required needs and wants.

A first set of resources includes human resources (Taylor, 2007). These include the different stakeholders in the community. Community stakeholders (or groups of organizations often found in a community), according to Smith (1991, 1997) consist of families/residents (households), government, businesses (for profit), and the voluntary/non profit sector (volunteer and grassroots). Such entities are, in different situations and at different levels, part of the decision-making processes leading to specific community goals (as defined by a community's needs and wants).

The relevance of human resources in community development is the role they play in providing particular capacities to the community. Stakeholders implement, facilitate, and/or receive capacities that allow the continual mobilization of resources within (and outside) the community. Through these capacities, stakeholders seek to establish the ways in which resources are distributed, traded, and managed.

A second resource includes the physical component of a community (Taylor, 2007). The physical resource consists of the built and natural assets of the community that, taken together, conform its character (William, 2007). Physical resources are important for functional, aesthetic, and symbolic reasons. Functionally, people want to live in communities that facilitate means for subsistence, communication, and mobilization (e.g. transportation) so commercialization, provision of services,

and engagement in recreational and leisure activities can be achieved (Richards & Dalbey, 2006). Aesthetically, people want to live in places that are pleasurable for them (Howe, McMahon, & Propst, 1997; Richards & Dalbey, 2006; William, 2007). Symbolically, the physical resource plays a critical role in the formation of sentiments and identity towards a community (Gustafson, 2001; Howe et al., 1997; Hummon, 1992; Matarrita-Cascante, Stedman, & Luloff, 2010).

Key to the survival and development of any community are also the value that social groups give to local resources. Such value refers to the ways in which human and physical resources are turned into/become economic resources. Economic resources are the established market values of goods and services that are produced as a result of the interrelations of human and physical resources. Thus, economic resources are the productive and financial assets that respond to the distribution of resources destined to fulfill the wants and needs of a local population. Such resources are established and pursued to distribute and secure the community's livelihood through a system of prices.

Processes within community

The mechanisms by which local human, physical, and economic resources are combined to pursue community development efforts are here called processes. From a community development perspective, processes at the local level are concerned with the provision and management of resources that seek to improve a community's living conditions.

Community development processes focused on economic development pertains the establishment of local efforts aimed at improving the community's economic and financial resources. These processes are often directly related to poverty reduction; development, retention, and expansion of local businesses; reduction of economic leakages; jobs creation, and income generation (Marais & Botes, 2007; Taylor, 2007).

Community development processes focused on human development are concerned with personal development reflecting people's (including youth, adults, and elders) individual conditions (e.g. improvements to physical, spiritual, mental and emotional health, literacy and education levels, and skills for particular tasks; Acharya, Yoshino, Jimba, & Wakai, 2007; Kane, 2010); intrapersonal development reflecting internal sociopsychological conditions (e.g. attachment to and satisfaction with the community; Binns, 2010; Theodori, 2000, 2001; Matarrita-Cascante et al., 2010); and interpersonal development reflecting the conditions of social relationships (e.g. reduction of criminal and deviant behaviors, promotion of broad involvement, power distribution, tolerance and equality, cooperation, self-empowerment, leadership, and capacity-building; Brennan & Israel, 2009; Craig, 2002; Kelly & Caputo, 2006; Lane & Henry, 2001; Richards & Dalbey, 2006; Speak, 2000; Tabbush, 2010).

Thus, community development, through human development processes, seeks to improve the characteristics of human conditions within and between individuals. As a result, human development processes seek healthier and more educated individuals, with stronger bonds amongst each other, and with the capacity to lead local efforts through established purposive collective action.

Community development through physical development entails efforts aimed at creating and managing local built and natural resources. Among the former, community development is often associated with infrastructure development processes including downtown revitalization, real-estate and commercial development, construction and maintenance of roads, streets, and sidewalks, and the promotion of communities through branding and marketing practices (Richards & Dalbey, 2006). Among the physical natural environment, community development is concerned with the ways in which natural resources are distributed and used locally. This requires processes of resource management balancing for human consumption, conservation, and sustainability (Kemp, 2010; Marfo, 2008; Maser, 1997).

While conceptualized as economic, human, and physical development, such processes are highly inter-related and are, often, inclusive. Further, the nature of such processes is highly dependent on who is the community developer (i.e. the "who"; Walzer, 2010). Knowing the "who" is important because it reflects the needs and wants sought to be fulfilled, and the routes of action associated with each community development process. Understanding the person or groups leading such efforts is important because, depending on this, approaches taken, goals set, and resulting outcomes can differ extensively.

In summary, community development operates with different elements (i.e. stakeholders and resources) that undergo certain processes that seek to improve the community. Developed programs/strategies seeking improved living conditions can vary in many ways depending on the particular resource(s) being developed. This often reflects the goals and training

of who is implementing such efforts. Based on these different views of community development, we offer a definition and characterization of community development in the following section.

Community development

Based on the elements and processes examined in the previous section, we have built a definition of community development: Community development is a process that entails organization, facilitation, and action, which allows people to establish ways to create the community they want to live in. It is a process that provides vision, planning, direction, and coordinated action towards desired goals associated with the promotion of efforts aimed at improving the conditions in which local resources operate. As a result, community developers harness local economic, human, and physical resources to secure daily requirements and

respond to changing needs and conditions.

Because of the multiple stakeholders involved, their goals, and the forms (processes) in which they appropriate, use, and manage local resources, community development produces many different outcomes. However, within such variability, overarching forms of community development that take place in a community can be noted and categorized. We summarized such forms in a community development typology that represent the different community development forms particularly focused on the view of community guiding the community development efforts, the benefits they produce to the community, who is the principal stakeholder leading the community development process, and the levels of input, involvement, and learning outcomes for local residents. Such typology can also be seen as a continuum, as community development efforts can vary in forms and can be placed along intermediate points in respect to the major categories presented here. Following a people-centered approach (in contrast to a developer-centered approach; Botes & Van Rensburg, 2000), forms of community development were labeled here as imposed, directed, and self-help.

Imposed forms of community development

Within the imposed form of community development, the predominant view of community consists of a place where people exchange goods and services to fulfil major functions necessary for survival and progress. Imposed community development efforts seek to improve the living conditions of a community through physical and economic development mostly by developing infrastructure and/or technology (structural hereon). Projects or strategies included in this form of community development are often technical in nature and are commonly promoted by contracted private industry (on instances extra-local to the community) or government institutions. From this perspective, the community developer is concerned with providing the community with an asset that makes life possible and/or easier. An example of a project fitting this category is the construction of roads, which makes transportation possible and more efficient in a particular community.

Without structural contributions, the community would find it hard to subsist, or would subsist in a less efficient form, limiting the capacities to progress. Community development efforts fitting this perspective parallel the “method” approach to community development as defined by Christenson and Robinson (1980), as it places particular emphasis on a specific purpose or end. Thus, imposed community development forms focus on “hard tasks” (Botes & van Rensburg, 2000). Botes and van Rensburg (2000) denote such tasks as technological, financial, physical, and material, and their implementation reflect what Summers (1986) and Wilkinson (1991) called development in the community processes.

Due to the nature of structural assets, which require specific skills and technology, the implementer focuses its attention on providing such assets mainly guided by its own expertise and judgment. The community developer in this case does not require/seek the community’s (i.e. residents) input and involvement in the process (therefore the name of imposed). Consequently, projects/strategies in this category rarely produce learning outcomes (e.g. technical knowhow, learning about working together, learning about local resources) for the large majority of the community residents.

Directed forms of community development

Directed forms of community development are a combination or mid-point between imposed and self-help forms. Within this form of community development, the predominant view of community is as a place where people exchange goods and services to fulfill major functions necessary for survival. Yet, although limited, some emphasis is placed on viewing community as a place where people associate and create meaningful relationships. The community is therefore mostly defined, as in the case of imposed forms of community development, by the functions necessary for survival of the

community. Projects or strategies fitting in this form of community development are mostly interested in structural improvements to the community.

Commonly practiced by local governments or funded institutions, directed projects or strategies are interested or required to engage in participatory/democratic efforts. In this form of community development, the community or group of residents are, for the most part, often directed towards a program or activity that has been previously designed by a group of stakeholders within the community (e.g. local government) and asked to provide feedback. The project or program is then modified based on the input of the community. Thus, the benefits to the community from directed projects are also linked to the community through the promotion of interactional processes. An example of a directed community development project is when a local government asks the residents of a community to provide feedback in the design of a greenway or bike paths.

The notion of inviting residents to the decision-making process is to some extent new. According to Richards and Dalbey (2006, p.22), "not until the 1960s and early 1970s was broader-based citizen participation tolerated in local land use decision-making." However, on instances, while the resident's input is taken into consideration, it is not to the extent that it would create major changes in the program or activity, reflecting more tokenistic forms of participation (Arnstein, 1969). Taking a more critical stance, Botes and van Rensburg (2000, p. 43) noted that "community participation is in these cases is nothing more than an attempt to convince beneficiaries what is best for them." Despite how seriously the input of the community is taken or not, directed forms of community development often provide residents with some level of information and voice. Thus, the resident's involvement in the process is sufficient to result in a moderate level of learning outcomes.

Self-help form of community development

Within the self-help form of community development, the major view of the community is that of a place where people associate with each other while building meaningful relationships critical for the community's subsistence. From this perspective, the community is defined by the relationships existing among individuals, and not by the functions each resident performs. As a result, whereas imposed forms of community development are focused on task accomplishment, self-help forms focus on interactional processes. Self-help forms of community development reflect development of community type efforts as defined by Wilkinson (1991). In this form of community development, the community or group of residents are often the leading stakeholders promoting a program or activity. From this approach, the community's input and involvement in the process are high, resulting in high levels of learning outcomes for the community. An example of a self-help form of community development can be the establishment of community gardens, which allow residents to interact and at the same time produce goods needed in the community.

Self-help forms of community development are focused on "soft issues" as defined by Botes and van Rensburg (2000). Support for this form of community development has gained much attention in academic and extension circles, and overall popular media. Such interest is fed by the relationships noted between local involvement/participation, and multiple outcomes including increased local control; affirmative success, effectiveness, and support rates; capacity-building; community agency; cohesion; identity formation; and local empowerment (Craig, 2002; Laverack, 2001, 2005; Matarrita-Cascante, Brennan, & Luloff, 2010; Rappaport, 1987; Richards & Dalbey, 2006; Simpson, Wood, & Daws, 2003).

This form of community development does not ignore end-result approaches (particularly as produced outcomes are critical for a community's sense of achievement and success; Simpson et al., 2003), yet places major emphasis on the establishment of mechanisms that allow the promotion of capacity-building through the interaction of its residents. The major contribution of self-help forms of community development is that it provides residents with capacities necessary to take over the direction of change in their locality (Matarrita-Cascante, 2010; Richards & Dalbey, 2006). Thus, in this form of community development, particular emphasis is placed on the enhancement of the human resource of the community resulting in high levels of learning outcomes for local residents.

The provided definition of community development allows the delimitation of the different elements and processes that exist in a community. Such elements and processes, from a community development approach, merge to produce goals that seek to improve a community's living conditions and quality of life. Further, the offered conceptualization allows us to produce a typology that synthesizes the different forms and context in which community development occurs in modern times.

While some might argue that some of the forms presented here might not be considered community development due to the lack of local residents' involvement, the benefits that such efforts bring to the community cannot be ignored. Nor should it be taken that these forms of community development are mutually exclusive. Due to the different aspects that comprise a community, the need for development of structural and interactional components of a community are both important. Multiple forms of development (local resident based as well as structured governmental agencies) often do exist in the same space. A key aspect of development is to link them or at the least make them aware of each other and their activities. Overall, the approach taken here is that all the different forms of community development are critical for the improvement of a community's living conditions through the fulfilment of local needs and wants by management and allocation of resources.

However, it is important to differentiate between different forms of community development efforts as they tackle different needs and wants, resources, stakeholders, and processes. Therefore, it is important to identify and understand the ways in which each form is associated with community development and, more importantly, how such forms benefits the community. Throughout this article the contribution that imposed forms of community development have on the community is noted. This form of development often focuses on providing localities with the structural components needed for communities to operate. On the other extreme of the typology (continuum), self-help forms of community development are critical for the provision of more than just desired goals. Such forms of community development focus on the establishment of mechanisms promoting skills and know-how for a wider local population. These mechanisms are essential for community members to better connect and associate, key to more democratic community-level processes. As a mid-point, the directed forms of community development is preferred

Such forms differ in approaches and outcomes, but, again, both are needed for survival and progress of communities. Each form has its strengths and weaknesses. Overall, imposed efforts provide residents with assets that otherwise would be nearly impossible for them to develop (for instance, sidewalks and roads), as they lack the technology, funds, and skills to do so. Furthermore, the stakeholders promoting efforts within this category have the expertise and resources to conduct these types of efforts in a timely and efficient manner. Efforts within this form of community development, however, lack the capacity to include residents in the decision-making process. Failure to do so can result in a variety of negative effects including high dependency, alienation, opposition to the project, reduced long-term sustainable goals, failure to empower residents, lack of attachment, ownership associated with the project, and overall fails to build "community" (as defined from an interactional standpoint).

Directed forms of community development present strengths in its inclusion of local voices. While such involvement is often limited, residents and stakeholders collaborate and promote the inclusion of a mixture of administrative and grassrootsbased activism. As diversity of stakeholders is present in this form of community development, changes can be palpable often in a timely manner. Additionally, as different stakeholders participate and exchange ideas, the emergence of "community" can occur. However, directed forms of community development face the risk of generating resentment and divisiveness when the input of the residents is not taken seriously. Further, as the projects are often designed and led by administrators, efforts can fail to be sustainable and end with the loss or replacement of such persons. Additionally, in many instances, such managerial positions can result in limited innovation. Instead of the creativity and innovation needed from local leaders, managerial roles tend to focus largely on maintaining local programs. Growth, change, or significant adaptations are not seen as an end goal. Alternatively, community-based activities and activities led by more classic examples of leaders have been shown to foster innovation, sustainability, and dedication from involved citizens.

Self-help forms of community development provide residents with opportunities to develop capacities resulting in self-reliance and greater control over change in the community. These efforts can lead to innovation, sustainable outcomes, and the formation of feelings of attachment and ownership, while also building "community." However, self-help forms of community development can present limitations in regards the nature of the projects to be developed. Residents often lack by themselves the technology, time, funds, and expertise to design, implement, and maintain particular projects (e.g. the construction of a highway). Additionally, this form of community development faces constant challenges as it heavily relies on local participation and involvement. This can be a problem in many communities, where reduced levels of participation are a well-known phenomenon (Putnam, 2001). This in turn, affects the possibilities of such projects being successful and sustainable.

Conclusion

Ignoring one form over another runs the risk of becoming too reliant on specific conceptualizations of community that fail to account for aspects of a locality that are important. Further, this can result in local efforts ignoring the strengths and weaknesses present in each form. For instance, a strong concern with participatory processes is important for communities to engage in better informed and diverse decisions; however, few community residents have the economic and technological resources to develop the necessary infrastructure for communities to operate (Geoghegan & Powell, 2009). Conversely, becoming too concerned with community development processes that promote programs or projects that are aimed at fulfilling infrastructure without accounting for the needs, requirements, and involvement of the community, faces the risk of being rejected by its residents, generating conflicts, becoming too costly, and promoting dependency on top-down processes (Knotts, 2006; Richards & Dalbey, 2006). This is particularly relevant, as noted by Simpson et al. (2003), due to the capacities and innovations that people can build as they become involved and participate in local efforts.

Policy-makers, practitioners, and academics should benefit from better understanding not only what community development is from a conceptual and overarching standpoint, but from an applied perspective, by acknowledging the different stakeholders, goals, and processes engaged to achieve such goals. Understanding of the different forms of community development and how they can complement each other is critical for establishing future processes that try to minimize the weaknesses of each form and promote their strengths.

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Free time for seniors as an activating action

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Abstract

Modern civilization is primarily a fast pace of life, a number of changes in human life, the need to face many tasks and obligations. Free time in contemporary European democratic societies is one of more important non-economic indicators describing the quality of life of citizens (Flora, Noll 1999). Intense activity leads to fatigue, fatigue and sometimes discouragement. This is to effectively and perform their duties properly and meet the everyday demands, the end is planning free leisure, entertainment, or leisure time. The sphere of free time fulfills important roles in human life, translated into the quality of the individual and of age society. This applies to all ages, especially seniors who are a special category, both addressees and recipients of free time. The demographic processes that we can currently observe in Europe, also in many countries around the world, they lead to an increase in number and the proportion of older people in society. Seniors represent a diverse social group in terms of cultural features, social status, health problems, economic situation. Aging in itself is a process, thus the needs and forms of activity and lifestyles, they correlate with the date of free time. The aim of this article is an attempt to present the seniors free time, its functions, types and forms in the context of the activities undertaken by them actively.

Keywords: free time, old age, senior, activity, activation

Introduction

Old age and activity

Old age is a natural phenomenon, which is a very individual process. The limits of old age are very fluid and the process of aging goes through stages. Aging is continuous and irreversible. The elderly are not only from biological or physiological, but also stand out against the background of society different visible features, behavior, etc. The aging as a natural process of development, is one of the stages of life of a man who can neither be withdrawn nor reversible, what more is the period of the life that everyone wants to live. Aging is of great importance in the individual, social, family and economic life. Old age as the last step in life until recently was perceived as a period of degradation of health perception of somatic complaints, failure, progressive dependency on environment, isolation, and lack of acceptance alone. However, over the past years there has been a significant improvement in the social perception of old age, which may be a period of development and the implementation of new tasks, adapted to the capabilities and senior needs, where attention is paid to processes and passiveness. Most importantly, from childhood to shape the habits of active life, active ways of spending free time, which will promote the process of active aging (Perek-Białas, Worek 2005).

Nowadays, old age is perceived as culturally shaped and stage of life aging as a natural process of life (Hamilton, 2006). Such change has been made both by the social activity of the elderly themselves and by the way a series of activities for seniors promoting successful, active old age. The increasing social activity of older people and the high demands placed on them, the fact that old age has its rights and eliminates restrictions. Seniors increasingly feeling the power to direct their own development, the participation in all sorts of initiatives characterizing activating culture.

Helena Radlińska already in the twentieth century, she wrote that old age is a modified profession, including education work on yourself: In professions that require education and training work on yourself-old age is delayed" (Radlińska 1947). Polish Seniors. They are increasingly involved in social life, they care about the longest possible preservation of

intellectual and physical skills, by participating in various forms of social activation. According to Aleksander Kamiński, author of the quote „ add life to years and not years to life ", promoter of the theory of activity and education to old age, the key to a positive and satisfactory aging is to support seniors in expanding their interests, aspirations, skills and eliminating erroneous habits . The foundation of a healthy retirement is to accept their aging And try to organize yourself a satisfying, active life again.

In consideration of old age and aging, regardless of the scientific discipline and cultural factors, the category is commonly analyzed human activity. Usually Defined is she as Innate trend down actions, way Communicating with other people and the surrounding world. Theories of adaptation to old age assume it is a period that allows seniors to maintain the present, and even deepening activity in family, social and work sometimes, and improving the quality of life associated with his sense of feel iem (Steuden, 2010).

Although old age is a process that of Natural causes can not be stopped, its effects, especially the negative ones, can be reduced or slowed down their pace. All activities, especially taken with Their own will, they can provide a lot of joy, enrich health, improve the well-being and make people more confident. It is precisely by the activity of the old man can strengthen the meaning of life, strengthen satisfaction, and also change the quality of life.

Very often old age is associated with worsening health conditions, it can not always mean lack of life satisfaction. This means that positive aging is not just a "privilege" for healthy people. This attitude requires a certain discipline, and draws attention to the fact that the permanent grow together does not have to be sad. It mainly refers to Getting the right distance to own and to live (Hill 2009). Any type of activity that an elderly person enters is called in ko nkretnej to meet the needs or interests of implementation. It is important to fix it and continuous stimulation for activity to keep the desire for action. Senior citizens aware of the beneficial effects of their activity are more likely to work on themselves, as long as possible to maintain good physical condition and psychical. Many people realize that the longer they work on themselves, the later they will begin to feel the effects of old age. At the moment of cessation of these activities the individual notes that he is on the threshold of authentic, declining old age (Kamiński 1986).

One of the most commonly known methods of positive passage in Age is an activity. The human organism of nature is designed for activity. Its refusal may result in faster infirmity. A man leading active lifestyle signs of aging will feel later than his passive peers. Activity is a way of life positive. It affects communication with the public and the world.

The forms of activity are divided into three groups:

Formal appearing in participation and work for social associations, local community, volunteer activities, involvement in Politics, etc.

Informal, frequent contact with Family, friends, friends, neighbors, etc.

Loneliness - activity manifested by developing your own interests, giving up hobbies, passion, watching television, reading, solving crossword puzzles,

In addition to seniority are influenced by various factors that can decide on making activity retired or its omission (Szatur- Jaworska, Błędowski, Dziegielewska 2006):

Education - people with Higher education is more aware of the positive relation of activity to life, therefore they more often take it;

Family environment - the family, its origin and intergenerational relations have a large impact on activity;

Condition and health - this condition is very important because better health and psychophysical efficiency facilitate activity;

Material conditions - depending on what kind of activity a senior can afford for financial reasons, eg travels, sanatorium, participation in Cultural events;

Sex - women far outnumber retirees so they are more likely to be active;

Place of residence (city, village) - offer addressed to seniors living in rural areas is definitely poorer;

Influence of cultural institutions - if in There is a cultural institution in your area, which also directs your offer to seniors, then this age group is more likely to be interested in activity.

It is important to attach great importance to the preservation of active lifestyle, by continuing those forms of activity that have so far given so much satisfaction, and There was no time for such things as gardening, traveling, learning foreign languages. If this is not possible, focus on developing other new interests. Senior activity fulfills many important functions including:

- Adaptive - serves better adaptation to the new, ever-changing conditions of both the family and the situation Social;
- Integrative - helps in Adapting to a group of people in Similar age;
- Compensation - allows to compensate for deficiencies in Areas such as lack of professional work, etc. ;
- Educating - leads to the development of acquired or acquired new dispositions;
- Entertainment - recreation - by filling free time, neutralizes stress and returns the desire to live;
- psychohigieniczną - keeping activity improves quality of life and increases the level of satisfaction;

This, in How can a person experience his or her old age? Individual personality conditioning but also with Adopted in A family lifestyle, cultivating the tradition. Active aging can be characterized by preference for their chosen lifestyles, such as (Czerniawska 2000):

Completely passive style - characterized by staying in Home and Limitation of family contacts and Social to a minimum. This type of behavior may result with illness or disability, where the barrier is the difficulty in Movement, but also other matter is the mental barrier, where the older man reluctant to use Of any form of activity, withdraws from Social life and It closes in Myself;

Family style - people who make this style feel fulfilled by playing the role of grandmother or grandfather helping children to raise grandchildren. This form of activity occupies the entire free space for the elders so that they no longer have time for another form of activity;

Style resulting from Possession of a parcel garden - people who have a parcel garden especially retired spend all their spare time nursing and plant the plants which brings them full satisfaction. They can This way of making new social contacts eg from Members of the Family Garden Gardeners and neighbors;

Style based on activity in Social association - this is a style implemented especially by older people who enjoy good health and are socially active and socially. Such persons are active in Various societies, associations, circles of interests, trade unions, political parties and operate in Volunteering. These people are rewarded for their work for others, for their help and for their social life;

Domocentric style - this is style with Borderline family and Completely passive. These people are accomplished by practicing their hobby (crossbreeding, flower breeding, etc.) but without going out Home They use the mass media and engage in Help the family;

Pious style - it is performed by religious people who use it Excess leisure time is focused on more active participation in Church life and numerous church movements

A different distribution of active aging due to the interest has G. Orzechowska (Orzechowska 1999), who distinguishes the following forms:

Home-based activity related to running a family home and the functioning of the immediate family

Cultural activity, which is predominantly manifested in the urban lifestyle: reading the press, watching television, participating in socio-cultural institutions

Occupational activity that satisfies the need for recognition, improves well-being, improves self-esteem

Social activity means voluntary action for a specific group or local environment, eg: Increasingly popular volunteering among seniors

educational activity, which allows the extension of memory performance, mind, experience new information technologies and learning opportunities tailored to the interests of each senior eg.: Am squint to participate in UTA

Religious activity, which, with age, becomes significant

recreational activity, which sometimes is a substitute for a recent work, otherwise allows for communing with nature and requires a greater effort from fizyczneg

Increased activity contributes to improving a person's well-being, improving self-esteem, lowering anxiety, helping in acceptance of the last phase of life, a It also leads to increased frequency and Intensity of interpersonal contacts. Wide range of activities in every phase of development involves developing personality, increasing self-confidence, broadening the horizons of thought. These elements have an impact on building a positive self image, and in Consequences of better coping with any problems that arise in the life. Active person in crisis situation does not close in He himself, takes a stand ready to act into develop such an attitude play an important role such factors jak: personality type, health status, family situation, material, education, access to cultural institutions.

Functions, types and forms of "free time"

The term "free time" has appeared and disseminated relatively late, It was not until 1957 that it was recognized by the UNESCO International Commission (Matyjas 2003). There are currently many free time definitions. They accentuate its various aspects - sociological, psychological, pedagogical and physiological-health. It seems that one of the more comprehensive definition presents M.Kwilecka, where free time is: *„ sphere ... free, unhampered human activity, time spent on various activities providing leisure, entertainment, broadening knowledge and interests held, the development of creative abilities, and so A time when the feelings of coercion are minimal, the time of activity chosen according to our own reason, reason and willingness. Such free time is the sphere of human existence, where there are no direct obligations and normative constraints, ie autonomous time, discretionary, freely used by man according to his own tastes and possibilities, that is, time totally dependent on the individual, regardless of his Use The free time is related to shaping and improving life both in its social as well as individual form "* (Kwilecka 2006). Human time in most cases is roughly divided equally in sleep, rest and work, and this rhythm is strongly linked to gender, age, and social position (Ciskszentmihalyi1997). What man remains in the day, after fulfilling all obligations connected with creative and productive activity and being free time. Today it is filled with three types of behavior:

- use of public communication

- lead the conversation

- course with a variety of activities ranging from hobbies, sports, to cinema, theater or restaurants (Ciskszentmihalyi1997). Such a division is convergent wyróżnianymi by researchers culture systems and refers to social life in the collective włości of local or broader (K łoskowska 19720).

With discussed k Westie activity linked to the cap of the free time of the elderly. However, as Brunon Synak observes, the free time of old people is a difficult category to identify, because it is not easy to point out what their daily routine is to be voluntary and what is compulsory (Synak, 1982). Therefore, some scholars take the concept further, or the time półwolny seniors, that is, one: *„ which is designed for operations to duty, which is performed with the feeling that they should be performed, and at the same time combined with the awareness of voluntary and pleasure to perform actions' (* Zaorska 1987).

Undoubtedly, free time is the only sphere in a man's life in which he can freely and freely develop without the compulsion of any institution of social life. The lack of sense of duty, the freedom of choice, and his or her consciousness are the basis for determining which behaviors are free and which are not. Their choice is conditioned by the specific characteristics of man and his current situation. To participate fully in free time, a certain level of education (usually medium) and material status is required. The latter is important in that, in the absence of satisfying the needs, even understood only subjectively, free time is sold on the secondary labor market. Certain behavior in their free time are strongly correlated with the basic socio-demographic characteristics (sex, age, social position) participants of social life. Free time fully to man important

functions, which, in principle, in equal measure must exist in the life of the individual. In doing so can lead to disturbances in the functioning of a man not only as a member of the community, but also as a biological organism. C performs the following curtains free functions (Wnuk-Lipinski 1972):

- an educational function involving the expansion of their skills and knowledge. Through personal development is met the need to explore the world and to develop Own skills
- switches the function will raise implemented by learning how to behave in a given situation, the assimilation of social norms and values
- integration function, which is connected with the strengthening of family ties, friends. The implementation of this function involves performing joint activities in a free time
- recreational function consisting in rest, both in the physical and mental dimensions of the individual
- a cultural function realized by the creation of cultural values

Compensation-function, which satisfies the needs of selected, including those mental spending leisure time and resting in a fun way is essential in every individual's life. The most obvious function of free time is rest, which can be active, doing something that brings peace and unloading of tension and passivity, which does not require physical involvement, for example: crocheting.

Forms of entertainment, which in youth were joyful, with age may already be unreachable, for example: sports. But an excess of free time, a feature that most seniors, allows for other reasonable and satisfactory development, eg. volunteering, travel, childminding, pilgrimage, prayer.

Increasingly popular form of seniority is participation in universities of the Third Age, Senior Clubs or volunteering. As noted Czerniawska: „ *aim of the Third Age University is not only improving the lives of the participants, but also a change for the better conditions of life of the elderly living in the community and in the world* ” (Czerniawska 2000). The overall aim is functioning UTA quality of life of older people. G hunted objective is to stimulateseniors conducted in the form of lectures, seminars, discussions, foreign languages language courses, sightseeing trips and recreation and rehabilitation (Steuden 2012).

Manlomd is not only a social being but also an active being by nature. This activity expresses needs, not only the basic biological but also Those second order, showing Come on between Others through The need Affiliation, Recognition, Cognitive, Prestige, respect, aesthetic experience or science. In the process of education, realized among other things through participation in the UTW, seniors have the opportunity to realize their own interests, to broaden their knowledge, to shape their personality and creativity, to develop their ability to work in Team, and also Skilful management sometimes free.

Next form of seniors activation is functioning and activity Clubs Senior. The main function of such activities tytuacji ins for older people is to organize free time. Programs used in such institutions may be the reason used in other markings on a similar profile. In addition to spending leisure time, the purpose of this institution is to meet the needs of a higher order by fostering numerous social contacts, which promotes social bonding, prevents loneliness, boredom and emptiness. Club members have the opportunity to help each other, seek specialist advice. We could talk about fulfilling certain Features: Compensatory through Replenishment Contacts Social, Integrative that Community, psychotherapeutic, preventing aging and adaptation stress by adjusting to changes in living conditions (Lesczyńska-Rejchert 2010). Among the forms of social, cultural and physical activity are conducted various educational profiles, interest groups, hobbies, readings, lectures. Meetings with interesting people are organized, readers are encouraged and encouraged to amateur artistic activities. Popular is the common viewing of television that ends in a discussion. Various shows, social games, concert halls, cinemas, theaters are offered. Very popular dance evenings, trips, pilgrimages, and occasional meetings. Members associated in the Club not only actively participate in the proposed forms of activity but also have an impact on determining the curriculum and activities of the Club (Szatur- Jaworska, Błędowski, Dzięgielewska 2006).

Research conducted by the Center for Social Opinion Research in 2012 in the Ogonopolska trial shows that 65% of the respondents have as much free time as they need. 21% thought they had too much free time, and 14% have not enough (Omyłka-Rudzka 2012). Research on older people clearly indicates that seniority leisure is closely linked to Age and

Generally, however, the area of interest of seniors is quite narrow. Rarely is the use of Engage in social or political activity. This is confirmed by the SHARE study, conducted by the Institute for Educational Research, with which shows that the current level of total *mości* in the last 12 months showed 22% of respondents, about 30% of the indicated activity as reading books and Newspapers, secondly, is participation in religious practices. Relatives spend a lot of time watching television (40%), including newspapers. In addition study shows that activity in all analyzed areas decreases with age, except for great religious *kyki* (Holzer-Żelażewska, Maliszewska, Paczyński 2014). The presented test results are consistent with research of the European Commission, which in the age group 55+ are the most popular form of activity actions in religious organization, church, charity or dealing with social (Bojanowska 2016).

Summary

Into a free time definition we could implement a whole range of human needs: aesthetic, cognitive, emocjonalnych, twórczych. Niebagatelne importance in the spending it also has a social aspect, the Community, because it satisfies the need for affiliation, or belonging to different social groups, and the need for acceptance *ws* pressure. Basic, which need universal, common to all human beings, affect the development of both individual physical, intellectual, emotional, and social and spiritual. As time goes by, human needs change as well as the power and capacity to meet them.

Nowdays demographic trends indicate that we will be increasingly aging population, the all the circumstances relating to the changes in in daily life. It becomes necessary to undertake a wide range of activities aimed at changing the image of the elderly and and old age phenomena. Increase in the number of older people regardless of their age and social, economic an political potencial people age should cause to seek ways of rengthening and activating (*empowerment*) of the game ups abrogated thus depend on nannies from social assistance through the wider activation of older people in environment, mainly in the local perspective.

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The Usage Of New Media In Cultural Diplomacy: A Case Of Turkey

Berna Berkman Köseleli

Abstract

This study attempts to reveal new media usage in cultural diplomacy which is acting by Turkey. The interactions between governments in culture, art, education, science to improve relations are defined as cultural diplomacy. New media could be an important sphere to consolidate relations and dialogue between states in diplomatic affairs. Cultural diplomacy is also acted as a soft power tool to control and effect public perceptions. The function of new media in cultural diplomacy is considered with a quantitative research by applying a case study in this study. The official Twitter accounts of Foreign Ministry of Turkey are examined in a month period in terms of their content. It is seen that there is a more need to lessen disagreements, to change the misperception about publics, to repair governmental relations by acting cultural diplomacy in Turkey. The governmental organizations should add new communication channels like new media to get feedback of different voices, values, opinions. If communication means are used to support exchanging information and culture, thus the gap between publics may diminish. Diplomatic facilities, events or activities could be reported to the publics instantly by using new media.

Keywords:

Cultural Diplomacy, Soft Power, Turkey, New Media.

An Introduction to the Conceptual Framework

Cultural diplomacy, in the strict sense, is a governmental practice that operates in the name of a clearly defined ethos of national or local representation, in a space where nationalism and internationalism merge. Cultural diplomacy can also be practiced by other agencies such as non-state actors and various initiatives of civil society. So the meaning of cultural diplomacy has broadened considerably, thus the term has come to be used as a partial or total replacement for many previously used notions, such as foreign cultural relations, international cultural relations, international cultural exchange or international cultural cooperation (Ang, I. et al., 2015: 367). On the other hand, the well-known definition of M. Cummings (2009: 1) points out that the cultural diplomacy refers to the exchange of ideas, information, art and other aspects of culture among nations and their peoples in order to foster mutual understanding.

The cultural diplomacy approaches are gathered in three basic heading by the report of Cultural Diplomacy Platform which was established by the European Union Commission in 2016. 'The public diplomacy approach', according to which the government has a monopoly on the practice and goals of cultural diplomacy; 'the strategic communications approach', which does not necessarily entail the involvement of the government but implies its role in fostering a specific strategic interest, and 'the cultural relations approach', which looks at cultural diplomacy as a practice based on dialogue and collaboration, detached from a soft power (2016: 2). According to the report, states are still perceived as the main actors carrying out cultural diplomacy, new stakeholders become more active such as non-governmental organizations, private entities, civil initiatives and etc. besides the state's monopoly.

Cultural diplomacy is considered as a part of public diplomacy, advocated as a more citizen-oriented form of diplomacy than the standard model, whose targets are no longer other governments so much as diverse national and global audiences and publics (Ang, I. et al., 2015: 368). Cultural diplomacy constitute a practical agenda for integrating the work of cultural institutions into the existing structures and working practices of public diplomacy (Bound, K. et al., 2007: 65). Where the rise of public diplomacy could be described as the shift from few-to-few communication to few-to-many, this era will be characterized by the growth of many to many interactions (Bound, K. et al., 2007: 75). Cultural diplomacy is differently implemented from traditional diplomacy; official visitings and statements. Public opinion, values, needs and demands become important in diplomacy issues. According to K. Bound et al. (2007: 68- 70) social software platforms help to

coordinate the growing numbers of cultural players, and cultural institutions should continue to develop online services for their visitors.

The concept of cultural diplomacy, in some arguments, can be seen as activities for shaping opinions about the country's cultural heritage or promoting the country with the aid of history itself. As Ryniejska Kieldanowicz (2009: 2) countries recognize that showing cultural heritage provides them with an opportunity of presenting who they are, creating positive images, thus helping to achieve their political aims. Ryniejska (2009: 10) stresses that cultural diplomacy is commonly accepted as brand management and identity building. Both are based on the task of creating a proposition or undertaking, usually based on values, that should be effective to impact in many situations and many target groups.

Cultural diplomacy is often viewed negatively due to its connotations with colonialism, imperialism and propaganda. Dominant states have always used culture to transmit political, social, cultural and economic values (Nisbett, 2013: 558). The term discussed differently by M. Nisbett who claims that cultural diplomacy could be a positive diplomatic action and international cultural relations if it is not used for serving propaganda.

Zamorano (2016: 180) considers cultural diplomacy as an area of government intervention and based on various temporal, communicative and political participation variables, and he put forwards its boundaries in relation to other activities such as public diplomacy and propaganda. In this point of view, cultural diplomacy is associated with a variety of goals that result from contextualized definitions of national interest and securing power. By this reason, the borders between this group activities and public diplomacy, branding and propaganda is blurring (2016: 181). Cultural diplomacy is structured following diverse government strategies of bureaucratic, social or industrial pre-eminence and the power relations of these spheres in different contexts. According to Zamorano's approach, the historical developments in diplomacy displays that war and geopolitical tensions often result in cultural diplomacy serving as neo-propaganda (2016: 181). Zamorano (2016: 175-176) mentions that cultural diplomacy is integrated with soft power arguments and employed separately from hard power, so it can be use as a soft power tool to constitute the persuasion mechanisms without using coercive methods.

S. Mark (2009: 1) points out cultural diplomacy as its contribution to cultural relations and domestic objectives. According to Mark, cultural diplomacy has the potential to become a much more powerful tool for improving a country's image, nation branding, social cohesion. In the point of Mark's view, cultural diplomacy is defined as the deployment of state's culture in support of its foreign policy goals or diplomacy (2009: 7). Cultural diplomacy's functional objectives also include advancing trade, political, diplomatic and economic interests, developing bilateral relationships across the board, including economic, trade, political, cultural and diplomatic elements, connecting with groups abroad that are important to the cultural diplomacy practitioner (such as diasporas), and helping to maintain bilateral relationships in times of tension (2009: 9).

New media give some operational advantages to policy makers on managing information networks. As Hwajung Kim (2011: 2) says, the new way of communication with information technologies provides new opportunity for cultural policy makers to broaden their target audience and to promote culture even more widely with its new media platforms. Cultural diplomacy using information technologies can strengthen soft power if cultural policy makers make use of new communication technologies effectively and strategically. H. Kim (2011: 1) defines cultural diplomacy as forming international bridges and interactions, identifying networks and power domains within cultures and transcending national and cultural boundaries. It is important in Kim's approach that implementing cultural exchanges and developing communication through information technologies bringing nations people closer together (2011: 12). The changes on political-economic system, neoliberal policies, globalization, the participation of new diplomatic actors such as non-governmental organizations, private entities, civil initiatives transform the way of cultural diplomacy. The emerging technologies and the digital networks are accompanying to this recently changes and can use so as to support the international cultural relations.

Historical Development of Cultural Diplomacy

In the view of Espinosa (1976: 35-36), the practice of cultural diplomacy is rooted to the 19 th century especially in the continent of America. In the early 19 th century, North Americans came in closer contact with South American countries. From the mid 19 th century there was a noticeable awakening of interest between in all South American colonies, and the beginning of more lasting cooperative activities in the sciences, archeology, ethnology, education, history and literature.

Similar initiative actions have been occurred in Europe, nearly in the same historical period. Paschalidis, (2009: 277-279) who categorizes the development of interconnected cultural relations in historical phases, emphasizes that the emergence

of foreign cultural affairs dates back to 1870s in Europe along with the beginnings of Cultural Institutes abroad. The establishment of such national associations coincide with the age of neo-imperialism. The origins of the globally familiar presence of the British Council, the French, the Italian or the Goethe Institute, lie in the mission imperialism of European colonialism.

As Paschalidis (2009: 280-281), the institutionalization of external cultural policy widened with the I. World War. The Cultural Institutes along with the various related bodies and activities (scholarships, student and academic exchanges, art exhibitions, theatre, concert tours, etc.) become standard feature of the official external cultural policy of great countries. States initiated, administered and financed these cultural policies, but it was seen that the ideal of cultural nationalism had replaced by the cultural propaganda.

As Glade's (2009: 240-241) expression, cultural diplomacy began as a permanent function at the State Department in the 1930s. However this diplomatic affair became increasingly important in the 1940s and 1960s along with public diplomacy. Cultural diplomacy was in progress with new actors like US Information Agency and UNESCO after the II. World War. Paschalidis (2009: 282) mentions that despite the efforts of UNESCO on international cultural cooperation, culture was politicized and turned into a vehicle for ideology among the East and West Blocs.

Glade (2009: 242) states that culture was enlisted in the service of diplomacy within cooperation; when the II World War ended and once a new set of challenges came into view, organizational mechanisms were implemented for political, social, cultural renovation and economic reconstruction of Western Europe. In accordance with this effort, UNESCO (1946), an affiliated agency of UN, was established as a forum for cultural diplomacy (Glade, 2009: 243). On the other hand, US Information Agency was established in 1953 for monitoring public policies abroad and presenting government policies. The Voice of America, which had been launched in 1942 for multilingual broadcasting, were either modified and transferred to the Department of State for a sustained program in public, as well as, cultural diplomacy and the Marshall Plan (1948), which was a financial support program, was acted as an supplementary element in European reconstruction effort (Glade, 2009: 242-243).

Until the end of Cold War, Great Britain, France, Germany, USA and Soviet Union were the pioneer forces in terms of creating the instruments to the external cultural policy. Since then, 'soft power' come to forefront and various instruments have been developed by a range of other countries to promote their diplomatic agendas (Paschalidis, 2009: 283). The political-economics landscape evaluated into multipolar system after the Cold War. There is a need to promote mutual understanding and reciprocal dialogue by bridging cultural relations in the new era of diplomacy which is conducting with multi-actors and new communicative tools.

A Discussion on the Cultural Diplomacy of Turkey

3.1. Actors

Foreign Ministry of Turkey constitute a department on cultural diplomacy in 2010 to keep close relations with foreign countries and coordinate the operation of the public foundations (YEE) and official entities (TIKA, AFAD, YTB) which are serving for international social and cultural activities. Multilateral platforms (UNESCO), bilateral agreements, scholarships, mutual cultural days/ years, international exhibitions and fairs are also supported by the Foreign Ministry within the scope of cultural diplomacy. Essentially, the institutionalization of cultural diplomacy in Turkey dates back to older times. In this context, Turkish Cooperation and Coordination Agency (TIKA) was established in 1992 as a technical aid organization under the Ministry of Foreign Affairs to provide the adaptation and the developmental needs of the Turkic Republics after the disintegration of the Soviet Union. ¹ Since 2002, TIKA has expanded its function through the development assistance activities which are conducted abroad and become a global organization as a new policy aspect of Turkish Prime Ministry. Its projects are undertaken by more than 50 Program Coordination Offices and also in 150 countries ranging from Central Asia and the Balkans to the Middle East, Africa, Latin America and the Pacific Islands and operate without discriminating race, language, religion and sect. ² Another governmental agency, Disaster and Emergency Management Presidency (AFAD), acting in accordance with Prime Ministry, supports humanitarian assistance to over 50 countries around the globe

¹ <http://www.tika.gov.tr/en>

² Turkish Cooperation and Coordination Agency (2014), Annual Report, Retrieved at September 04, 2017, from http://www.tika.gov.tr/upload/2016/INGILIZCE%20SITE%20ESERLER/FAAL%C4%B0YET%20RAPORLARI/PDFLER/FR2014_ENG.pdf

at the international level. The agency is providing various facilities to refugee camps like housing, healthcare, education, psychological support. ¹

The Foreign Ministry established a new agency in 2010 to strengthen the social and cultural relationships with related countries. Presidency for Turks Abroad and Related Communities (YTB) is engaged in coordinating Turkish citizens and related communities abroad, and students studying in Turkey with international scholarship. YTB try to announce its activities in social media platforms (Facebook, Twitter, YouTube channel) and has an online library in its web sites ² The field of cultural diplomacy is expanded by the participation of new actors in Turkey. As a public foundation, Yunus Emre Institute (YEE) started to operate in 2009 to promote Turkish language, its history, culture and arts, and create informational documents on cultural issues, build the bridges between Turkey and other countries by intercultural exchange. Several activities are organized to represent Turkish culture with the international events. The organizations are represented in its web site and the page has an open access to various social media platforms of the Institute (Twitter, Facebook, Instagram, YouTube channel, Google+). A national Voice Radio is on air via the web site of the Institute which is sharing Turkish music to the foreign and domestic publics. ³

The Foreign Ministry is sometimes operating along with the Ministry of Culture and Tourism while carrying out international cultural facilities. Directorate General of Libraries and Publications of this Ministry has a project for funding authors by supplying their translation and publication cost. While Directorate General of Fine Arts is arranging international art exhibitions, Directorate General of Promotion supports the student exchange programs, and all these actions are driven under the Ministry mentioned above. On the other hand, a web site, with a campaign concept 'Turkey Home', is constructed to make a contribution of Turkey's global outlook and the related social media platforms are attached to the campaign page. ⁴ It has reached 6 million users on social media platforms (Twitter, Facebook, Instagram, LinkedIn, Vine, Google+). The Ministry of Culture and Tourism also established a Cultural Diplomacy Bureau in 2014 and begin to act intercultural projects, for instance giving travelling awards to the foreign students. Because of the new establishment of the Bureau, social media usage is limited to input information about Turkey's culture in digital platforms.

The constitutions on higher education in Turkey make an implicit and indirect contribution to the cultural diplomacy, even tough having different missions. For instance, The Higher Education Council (YOK) is funding student and academic exchange programs as the name of Erasmus, Farabi, Mevlana and prepared a web site with a topic 'Study in Turkey' to announce the acting program currently. ⁵ In addition, UNESCO Chair in Cultural Diplomacy, Governance and Education is founded at Istanbul Aydın University in 2015. The constitution aims to build an international network and bridge by executing the exchange of opinions, values, traditions, and other aspects of culture and identity. The international peace and sustainability is the another issue of the Chair, in this regard international meetings, conferences are organized and periodicals are published. Briefly, the cultural diplomacy actors are operating in a decentralized manner in Turkey's landscape, but the several cultural activities are supported for consolidating close relations.

3.2. Tools

The function of new media in cultural diplomacy is considered with a quantitative research by applying a case of Turkey in this study. Twitter accounts of Foreign Ministry of Turkey are examined by using an empirical analysis. The Ministry arranged official Twitter accounts in four language (Turkish, English, French, Arabic) in 2009. The official Twitter accounts (@TC_Disisleri, @MFATurkey, @MFATurkeyFre, @MFATurkeyAra) of Foreign Ministry are followed in a month period, from 1th August to 1th September, in terms of their contents. The analysis of 222 tweets are considered also with a relevant evaluation including the role of new media in cultural diplomacy.

Total amount of Twitter messages which are posted to the page (@TC_Disisleri) within the research period are 88, and 58 of them are retweet. Tweets are concern with official statements of the Turkish Ministry on the regional and global developments. Retweets are belongs to the official Twitter account of Foreign Minister to present the foreign visitings and meetings. Besides, the page is also examined with its attached items such as link, photograph, video, hashtag (#), mention

¹ <https://www.afad.gov.tr/en/>

² <https://www.ytb.gov.tr/>

³ <http://www.yee.org.tr/en/>

⁴ <http://www.hometurkey.com/>

⁵ <http://www.studyinturkey.gov.tr/>

(@). In a monthly period, this Twitter account includes 27 link in which of them related with official news cooperations (Anadolu Agency, TRT Channel). The account reports routinely official statements and opinions of Ministry by the links. As a commonly used way, photographs are uploaded to present formal agenda of Foreign Minister. The page account is including 55 photograph, but video sharing is not used as an attachment tool. Hashtag and mention items are displaying the mutual interactivity in Twitter platforms. The number of hashtags are 74 in the page. While the hashtags was posted frequently, the mentions take place rarely in the page. Hashtags are giving references to the countries (#Turkey, #Russia, #Iraq) and also the important days and events. The official accounts (@MFATurkeyFre, @MFATurkeyAra) which are reporting the messages in French (23 tweet) and Arabic (20 tweet) languages are less activated. In these accounts, all tweets are shared only with a link attachment to the Ministry web site. Besides, the pages don't include any hashtag or mention. The account of '@MFATurkey' is commonly used with interactive items such as mentions and hashtags. The tweets (20) and retweets (57) are related with foreign contacts and official statements (See the Table 1).

	Tweet	Re-tweet	Link	Photo Image	Video	#	@
@TC_Disisleri	30	58	27	55	-	74	1
@MFATurkey	34	57	24	65	-	93	15
@MFATurkeyFre	23	-	23	-	-	-	-
@MFATurkeyAra	20	-	20	-	-	-	-

It is seen that activities on cultural diplomacy are not represented in these main Twitter Accounts of Foreign Ministry. Instead of this, cultural affairs are represented in another Twitter account, called as 'public diplomacy'. The page is driven by the Public Diplomacy Coordination Office. The Office is operated under the organizational structure of Prime Ministry and opened access its Twitter account in 2011 in four languages. The page (@BasbakanlikKDK) is announcing the international cultural affairs of Turkey by retweeting the other pages related to TIKA, AFAD, YTB, YEE. The total amount of the Twitter messages are 25 in a month period and 24 of them are retweet. In the account, 10 links, 19 photographs, 2 videos, 17 hashtags, 4 mentions are sited. The page contents are including the announcement of student exchange programs, courses on Turkish language, seminars, scholarships, celebrating cultural days/ years and humanitarian aid organizations.

Consequently, the Ministry departments began to utilize new media tools in diplomacy, but so to say, the departments should benefit more robustly from interactive features and operational capacity of new media for informing and promoting the cultural diplomacy activities. The instant messages and interactive attachments are used limitedly, therefore the intercultural relations aren't so visible and the usage of new media remains its weakness. Cultural diplomacy is represented on new media platforms in a decentralized way and still evaluated as a subset of public diplomacy affairs. As it is understood, the usage of new communicative tools in cultural diplomacy is comprehended in a narrow scale by the officials.

The Foreign Ministry prefers to implement cultural diplomacy in practice with its real actors instead of virtual tools and methods.

Conclusion

The rise of new media platforms is enabling the users to access huge masses and transmit opinions, values and demands. Diplomatic facilities, events or activities can be reported to the foreign publics instantly by using new media platforms. New communication technologies has been rapidly emerging and growing especially in the advanced capitalist economies. Dominant states have more capacity to operate new media tools and its outputs. There is a need to change the misperception between publics, and to repair the governmental relations in a compromising manner by acting cultural diplomacy in Turkey. The Foreign Ministry of Turkey have a remarkable capacity to restructure cultural diplomacy, but the Ministry departments are lacking in raising new media platforms in some respects. The officials should prefer to act strategies for improving new communicative tools and platforms in diplomacy.

The digital networks on cultural diplomacy are required to coordinate the intercultural activities and keep close relations with publics. Governments should increase the coordination with new stakeholders of cultural diplomacy so as to better exchange. If a country try to impose its cultural heritage, values and products by one-sided, the diplomatic action will be

turn into propaganda or cultural imperialism. But, if the countries establish mutual understanding, reciprocal dialogue, interconnectivity and multi-dimensional cultural relations, this could be repair and reconstruct the relations. The governmental organizations should add new communication channels like new media to reach publics to improve cultural relations. Furthermore, getting feedback of different voices, values, opinions by new media can remove prejudices against different identities. As Cunningham (2010: 113) says, "strategic communication can be built by utilizing new media accurately." If the communication means are used to support exchanging information and culture, thus the gap between publics may diminish.

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Regional Integration in the Horn of Africa: Some Findings

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Abstract

In the Horn of Africa there is a regional bloc that comprises eight countries namely Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, South Sudan and Uganda. The appellation of the organisation is called IGAD (Intergovernmental Authority on Development). It was established in 1986, yet it could not bring a desired result. Even the least form of integration i.e. Free Trade Area (FTA) could not achieve. So that this paper will probe the challenges associated with the regional integration agenda of IGAD. This paper is an excerpt from a study conducted by the author regarding IGAD. Thus the paper will present the findings of the said study. The study used qualitative approach for data collection. Interview with IGAD officers has been conducted to know the cause for the failure of IGAD's integration process. IGAD lacks both financial and human capacity to fulfil its objectives, absence of regional institutions (such as Bank of IGAD) worsen the situation, emerging and subsequent security threats such as terrorism, pastoral conflict, tense relationship among member states, undermining of the informal trade remains the road block of regional integration.

Keywords: Regional Integration, Horn of Africa, Economic Growth, IGAD

Introduction

This paper focuses on the findings that emerged from the data. It also discusses the themes that emerged from the interviews relating to regional integration in the IGAD region. The main purpose of this study is to probe mechanisms through which the IGAD regional integration programmes could be achieved and how these mechanisms could contribute towards the socio-economic growth of IGAD countries.

Specific objectives of this paper are as follows:

1. Explore the core socioeconomic and political challenges that hamper the regional integration agenda of IGAD,
2. Investigate the appropriate measures that could be taken by IGAD to remedy the situation and describe whether these actions address the organizational challenges of IGAD's regional integration endeavors,
3. Probe the best practices that IGAD might take from other regional groupings within or outside Africa.

In order to meet these objectives, the researchers interviewed IGAD officials in Addis Ababa and Djibouti. The researchers followed research ethics procedures and the interview was made with unreserved consent of the interviewees. The Headquarters of IGAD is in Djibouti while its peace and security branch is located in Addis Ababa. The interviews were conducted with five officers of IGAD. These officers have immense knowledge on the IGAD regional integration process. They are high profile individuals and were selected by the researcher for their potential to provide the requisite information.

Table 1. Biographic data of respondents

Name	Age	Qualification	Position in IGAD	Country
Andrew	38	MA: economics	Director: Division of economic cooperation and social development	Uganda

Hussein	49	MSc: IT, Diploma In library science	Director: Information, documentation & knowledge mgt division	Djibouti
Johannes	54	MA: economics	Head: Transport and communications	Sudan
Kendrick	45	MA: Infrastructure development	Director: Infrastructure development division	Kenya
Trevor	48	MA: conflict resolution	Director: Security Sector Programme (ISSP)	Ethiopia

The data were captured between the time of April 18 to June 10, 2016 in Djibouti and Addis Ababa. After analyzing of the data, the following themes and sub-themes as shown in Table 2 below emerged:

Table 2. Emerging Themes

Main themes	Sub themes
1. Factors related to Capacity building within IGAD	1.1. Financial capacity 1.2. Dependency on donor funds
2. Lack of feasible infrastructure in the region	
3. Harmonisation of policies	3.1. Bilateral agreements
4. Challenges of free movement of people	4.1. One stop border post 4.2. People to people interaction
5. Effects of political factors on regional integration	5.1. Lack of political will and commitment 5.2. Coinciding membership
6. Lack of peace and security	6.1. Terrorism

1. Factors related to capacity

Capacity refers to the ability of achieving projects with adequate human and financial means.

In this regard, Andrew (Participant 1) stated the following:

"IGAD has the potential of becoming one of the best organizations in Africa should it adhere to all its policies that it has adopted since its inception."

Kendrick (participant 2) also supported the views of Andrew and said that IGAD had capacity challenges associated with the structure. The structure of IGAD has never changed since its inception. It is so archaic that it hinders the organisation from moving forward. In line with this, Dan (2010) wrote that the secretariat's ability is highly restricted by a top down decision making structure. The Assembly of the Heads of state is the ultimate decision making organ and this hinders a participatory method of decision making.

Kendrick continued by saying that the organization does not have a clear programme on how to deal with disasters such as drought in the Horn of Africa. In this vein, Abdi & Seid (2013) indicated that member state countries should strive to act closely based on what type of regional integration or cooperation would achieve specific objectives of the organization.

In addition, Kendrick said that:

"Subsequent trainings have been offered. Project management, monitoring and evaluation training is given to project officers. Gender and conflict workshops are also organised. But it seems as if these trainings do not yield any results."

Trevor (participant 3) agreed with Andrew and Kendrick by stating that IGAD had capacity challenges but it is not something that is related to lack of knowledge and skills among IGAD officers. In certain areas, it needs specialists and professionals while it also needs resources.

In addition, Andrew bolstered his argument by saying that:

"We have quite a lot of capacity building programmes that are supported by our partners. But I can never say that we have adequate resources. IGAD needs improvement. If you have the adequate capacity, the implementation of the policies will be easier."

Hussien (Participant 4) also supported other respondents by saying the following:

"We cannot talk about IGAD in isolation. This organisation represents member states. If it fails, it means all of the states are failing. So the capacity of IGAD should not be limited to the Secretariat. It is also within the mandate of member states to make sure that it delivers. This is their organisation. Member states failed to compliment staff even when there was a serious need to address conflicts and other forms of disasters. The ultimate mandate of IGAD lies at the top of its hierarchy – i.e. the summit or the Assembly. So the capacity problem is caused by the member states that give IGAD narrow mandates and inadequate capacity. The actual implementation of all IGAD projects is done by member states."

Johannes (Participant 5) also acknowledges the capacity challenges of IGAD. According to him, the capacity problem of IGAD might be serious but not critical. He further said that there is a way out if member states can look for a solution. He expanded his argument with the following sentiments:

"Sometimes you might have heard a lot of generalized statements about lack of capacity in the organization. But when people are criticizing they just look at the weaknesses. They do not look at the strengths. So sometimes those statements are not balanced because one could not say that you are not doing well rather he must point out the areas that you are weak at."

Johannes further said that IGAD has the capacity to address these problems but it is also the responsibility of member states.

1.1. Financial capacity

All the respondents stated that the financial capacity of IGAD is at its lowest. Kendrick said that in terms of financial capacity, there are challenges. Johannes said that *"IGAD is financially weak. Financial weakness hampers the ability of implementing its policies. Johannes further said that lack of an IGAD Development Bank worsens the situation. IGAD needs to have its own resources rather than depend on donors or partners. Member states of IGAD are only paying the salaries of IGAD officials. The real programs are run by donor funds. So each partner has their own agenda. So if it really wants to move forward, IGAD must have its own resources. In a nutshell, IGAD has to develop its own development bank."*

Financial incapacity of IGAD, according to Hussien, leads to a narrow agenda that does not address the overall needs of the member states.

1.2. Dependency on donor's funds

All the respondents mentioned that dependency on donor funds is not a problem and there is no influence by donor countries. According to Trevor:

"Donor countries express their interest and their focus. You cannot use that money beyond their commitment earmark. For instance, Japan gave us USD\$750 Million to counter terrorism in Somalia. Japan's interest is Somalia, IGAD cannot use that money to develop Kenya or Uganda. In the aid politics, there is no free lunch. In fact, they might not twist your hand and say to you, do this and don't do that. However, one way or another they impose their interest."

Hussien said that, IGAD is dependent on partner funding, explaining that;

"In the 20th century, it is a fact that developing states are dependent on developed countries to secure funds for both national and regional projects. It is also a fact that if you do not have the capacity to buy a car, you may borrow money from the bank or other sources. I think all the issues of regional integration are controlled by national interest. Member states have their own interest." Hussein said that even if we depend on donors, we have to bargain in order not to lose our integrity.

Kendrick also supported Hussein's view. He said that dependency on donor countries is not influencing the regional process of IGAD. Kendrick thinks that having funds from external donors is not a problem in the first place and it does not bring any influence on the proposed projects. *"If a project is relevant to the citizen and if you have the ability to borrow by all means*

borrow and do it. There are a lot of people saying that it is not good to rely too much on foreign funding. However, regional projects are capital intensive, if you do not have the resources, it is wise to get these somewhere else. The benefits outweigh whatever costs that means there is no problem on the foreign aid IGAD depends on. If there is capability of getting funds, it is better to limit the conditions and scope of the donating country", said Kendrick.

In addition, all respondents said that IGAD has development partners. There is also an IGAD Partner Forum (IPF) that constitutes the donor countries of IGAD. IPF is established to facilitate the flow of funds from partners to IGAD's projects. So far, the member states appear not to be funding a lot of regional projects of IGAD. Instead, there is over-reliance on funds from developed countries.

Johannes agreed with the other respondents that dependency on donor funding is inevitable due to lack of regional financial institutions. According to him, the challenge of dependency could not be alleviated until IGAD is able to establish a development bank. According to Trevor and Hussien, the partners of IGAD are also benefiting in one way or another when they allocate funds for projects.

3. Lack of feasible infrastructure

Infrastructure includes the construction of roads, railways, ports, power and communication facilities. In this regard, Johannes said that IGAD is presently making road connectivity that measures about 5 000km. According to Johannes, IGAD is a facilitator for making the projects. In addition, IGAD is instrumental in making energy (power), telecom, and railway connectivity.

Hussien supported Johannes's view by saying that, *"in terms of connection, we are connecting capital cities with ports, which is the first step towards development. We have the main road connection but it needs sub-roads because integration is about the entire people not just connecting the capitals."*

According to Kendrick, IGAD facilitates the interconnection of trans-African Highway number 4, which links Cape Town and Cairo. The missing link of this Highway was in Kenya between the borders of Siweru and Moyale in Ethiopia. This missing link is expected to be completed at the end of 2016. For a region to be connected, people should be able to move as well as goods. For all practical purposes infrastructure is one of the main drivers of the integration process.

Andrew and Trevor supported the notion that infrastructure is one of the key drivers of integration. Both said that there are infrastructure challenges for IGAD to speed up its integration process. In the aviation industry; there is no network among airlines of the region. The only airlines that fly across the region are Ethiopian and Kenyan airways. At least those airlines connect the capital cities of certain member states. Hussien and Trevor said that the region's airways are not enough to cover the whole region and the price of airfare is too high. In line with this, Gerald (2012) also observed the high cost of transport in the region which is associated with lack of harmonisation of transport policies.

In relation to the cost of developing infrastructure, Johannes said that it is quite expensive. Johannes added that it was expensive to communicate especially across borders. The calling rate of the region is quite expensive. According to Johannes, there are two kinds of regional integration challenges in the IGAD region, these are physical and non-physical barriers.

Andrew agreed with Johannes and stated that:

"Sometimes it is easier to call the USA or UK than to communicate with the next door member states. Why I would have easier access to communicate with the outside world than with my own people still confuses me to date."

Physical barriers refer to solid road blocks of regional integration. The majority of respondents said that physical barriers refer to infrastructure such as road, railway, and airways. The non-physical ones were identified as visas, immigration regulations and policies in general. In order to address the problems of non-physical barriers, political will and commitment are the two prerequisites. The regional integration process in general has tariff and non-tariff barriers. The imposition of heavy tariffs on goods that pass through member states is the main challenge for the promotion of FTA in the region.

Trevor agreed with the others on the main challenges of IGAD in advancing connectivity projects. He said that *"we need more projects on connectivity of roads. With the addition of the problem of donor fatigue due to duplicated projects in the South-Eastern Africa region, the infrastructure projects suffer from lack of sustainable financial contributions."*

Hussein agreed with Trevor that in infrastructure connectivity, roads were being rehabilitated and undergoing maintenance. These roads will have to be regulated within the law. When constructing a road, according to Kendrick, there must be quality control. In addition, there must be maintenance. Lack of routine maintenance is exacerbating the poor state of infrastructure in the region. Routine maintenance includes even mundane issues such as cutting the grass, opening the caravan and mending the boreholes.

Johannes agreed with Kendrick's opinions. He said that when an infrastructure is designed, there should be some pre-determined costs, including the cost of renewing. If there is a failure to maintain projects, their sustainability can therefore not be guaranteed. Lack of adequate maintenance resources remains the challenge of infrastructure development in the region.

All the respondents said that the involvement of the private companies in the infrastructure sector is so limited. According to the respondents, when it comes to regional projects, companies mainly involve themselves as contractors or consultants. Private companies are only involved in the power construction sector, telecommunication and the development of ports. Due to the very fast remittances, private companies are often involved in the telecommunication business sector. If you look at the telecom industry, you will notice that there are a number of private companies in the region. In Kenya, the telecommunication sector is dominated by the private sector. In Uganda, it is the same. The initial capital of the telecom industry is not so high and the remittance is higher and faster. The private industry is a business driven system.

All respondents agree that, on roads connectivity, IGAD does not involve private companies. The road tender is mainly given to government companies because infrastructure is very expensive. Road, railway and other related constructions can only be serviced through the funds of the governments which are member states. Private companies are profit-oriented. They have difficulties in funding road projects. Infrastructure is capital intensive because of this. IGAD prefers government companies than private ones.

4. Harmonisation of policies

One of the most vital elements of the integration process is harmonization of policies. In response to this, Kendrick said that the harmonization of policies poses a lot of challenges. IGAD had some meetings among transport ministers of member states regarding harmonising of vehicle carrier policies and licensing. It must be noted that the IGAD secretariat can only make recommendations at a technical level regarding policy changes pertaining to the harmonisation of, for instance, vehicle policies. The ultimate decision on harmonisation of policies and their enactment lies with the summit of heads of states.

Kendrick agreed that the process is quite tedious and difficult. Recommendations continue to be made to ease the burden that the IGAD faces regarding the above problem. Also, it should be noted that it takes time before recommendations are addressed. Making policy out of these recommendations involves another tedious process which takes time.

Trevor stated that the harmonisation of policies is difficult to implement in the region. IGAD could not force states to harmonies their laws because of the principle of sovereignty. The most difficult barrier in harmonization of laws is sovereignty. States have to surrender their sovereignty to empower IGAD with policy making. In line with this, Kasner (1983) contended that harmonisation of policies could be implemented only if states are ready to relinquish certain portions of their sovereignty.

IGAD is also working with Kenya, Uganda, Sudan, South Sudan and Somalia to draft policies which are user-friendly. Gradually, this cooperation will upgrade to harmonisation of other policies. At least for now, there is a platform and framework to go about implementing these policy recommendations. IGAD is also in the process to establish regional platforms for regional issues to address and resist, the emerging and evolving problems of the region.

Hussien agreed with the other participants that the attainment of harmonisation of laws in the region was still a long way off. He said that:

"If you take the ICT, it is too costly, bringing these to our side must have been quite a lot of investment. The bottom line is usually profit for those companies that brought those technologies. Even delivering the IC for the people of the region is a problem let alone harmonising ICT policies. This is because, we have a lot of legacies, ideology, technology or thinking that we continue to contend with in this day and age. And these do not help us to get to where we want to go as IGAD. States also have also shown some dislike of some of the features of technology. Do you stop some using skype to talk to relatives

or business partners? Some states fear that certain information available to the citizenry may be politically insensitive and may result in some form of the "Arab spring" which caught Egypt by surprise. There is quite a lot of harmonising to be done."

4.1. Bilateral agreement

Hussien believes that regional integration takes time as it needs a lot of negotiations. The IGAD region has different nations that have diversified interest, but they still rely on each other. Ethiopia and Djibouti, for instance, rely heavily on each other for survival. Most of the food from Djibouti comes from Ethiopia and some commodities are also from Djibouti. There are so many Somalia businessmen in Kenya while there are Ethiopian and Ugandan business persons in Djibouti. Some industries in the South Sudan are predominately owned by Eritrean investors.

Kendrick supported Hussein's view that the bilateral agreements of member states in various sectors are flourishing. "It seems that a lot of negotiations and work has been done bilaterally. However, IGAD lacks the capacity to regulate and rationalize bilateral agreements so that they become regional", said Kendrick.

Andrew agreed with Kendrick and Hussien that member states should be able to sign bilateral agreements in order to expedite regional development.

Johannes also supported the views of the other respondents by saying the following:

"I told you that infrastructure is one of the main drivers of integration. We are doing very well in terms of connectivity. Our members are doing a commendable job bilaterally."

Trevor also supported the view of Johannes as follows:

"Ethiopia and Djibouti are the greatest trading partners. These countries are trading with their neighbours and they have a lot of bilateral arrangements and are working together. For me this is one of the giant steps towards integration. If you check Sudan and Ethiopia, you will also find that the two countries are working together. Kenya and Ethiopia are also working together as well as Kenya and Uganda and Kenya and South Sudan. What I can tell you is that even Ethiopia and Somaliland have found the urge to work together."

5. Challenges of free movement of people

For Trevor, the movement of people is limited due to a tense relationship between IGAD member states. He added that in the Sudan-Uganda, there is no free movement of people because of the rivalry between the two, resulting in the closure of the border since the 1998 war. The Sudan-South Sudan border does not entertain free movement of people because of territorial claim and the unresolved issues. The Kenya-Somalia border is not that much suitable for the free movement of people because of the threat of terrorist attacks.

Kendrick supported Trevor's view that the integration process should enable the movement of people and goods as smooth as possible. Andrew also said that in the IGAD region, movement of people is difficult.

Johannes agreed with Andrew and Kendrick by articulating that:

"We have to develop the protocol of free movement of people. If heads of governments pass this protocol, it will have a lot of use. After the approval of the protocol, it gives people of the region the right to establish residency and business."

Hussien said that a lot of work has to be done to enhance the movement of people. The people of IGAD have to interact within the region. This is the starting point of future integration. As a citizen of the IGAD region, there should be minimum problems to move from one member states to another one, and at least visas should be issued on arrivals.

In a nutshell, all respondents agree that the movement of people should be allowed for legal, formal or informal, economic or political as well as social or environmental reasons.

According to the respondents, IGAD should also be on the lookout for trafficking activities. Thus far, there are three routes of the trafficking "industry", namely,

1. Europe – that crosses Sudan, Libya, Egypt and the Mediterranean Sea;

2. Middle East – via Ethiopia, Djibouti, Somaliland to Yemen and Saudi Arabia;
3. South Africa – this is a dangerous route that people were forced to cross six countries to reach their destination. Most Eritreans, Ethiopians and Somalis are travelling through this route.

Johannes said that people still prefer illegal routes to migrate. In 2014, many Ethiopians were chased from Saudi Arabia and most of them went back using illegal routes and traffickers. Most of the trafficked are fascinated by the good economic prospects in foreign countries.

Andrew further lamented that *“We do not need a visa to visit our intertwined countries. Our movement is hampered by the strict requirement of visa and these strict procedures are discouraging people from doing business amongst themselves.”*

5.1. One-stop border post

Andrew explained the principle as follows:

“One-stop border posts essentially means when you are travelling from one side of the border with or without goods. Once you clear your documents at border one for instance, you do not have to do the same at border two. These documents should be able to be captured electronically. The migration officer at the other side of the border should just check the documents and make an entry stamp.”

Trevor supported the views of the other respondents by saying that modern equipment like scanners can help in the screening of trucks without offloading all those shipments. Trevor further explained that:

Information can come to border officers before the people and trucks arrive.

Kendrick also supported the principle of one stop border post. He said that:

“For people to be integrated, they need to move from one place to another to trade. For that to happen, you have to have the necessary infrastructure.”

All the respondents are in agreement that the border areas are HIV hot spots. In this regard, the respondents said that IGAD has a regional HIV/AIDS programme that focuses on cross border population that migrate a lot. These are the truck drivers, refugees and cross border traders. In support of the respondents Gerald (2012) indicates that, a fundamental principle for sustainable development is that human being. Wellbeing that is health, wealth and quality of life of people is part of and linked to the diversity, productivity and quality of the ecosystem of the region.

5.2. People-to-people interaction

Slocum and Langenhove (2004) indicated that beyond trade and tariffs, regional integration should be conceived of as a dialectical unity of social, economic and political processes.” The New Regionalism Theory also stated that integration process should involve non-state actors including the people (Hettne, 2010). It results in the diffusion of political power from centralised state to other actors such as the people themselves (Laurson, 2008). It is in this vein that Hussein stressed that IGAD should normalize and harmonies border polices of member countries so that border towns can share resources especially that people along the borders are the same in terms of culture, race and lineage. Hussein further said the following: *“The relationship is already there. Even in the economic sphere, unregulated commerce is conducted in border areas.”*

Andrew agreed with Hussien that member states have to strengthen the interaction between people. In the border area, there is an informal socio-economic interaction between people of two or more countries. Andrew added that the border area might be divided by boundaries but residents of the area have blood relationship. They get married to each other. *“In some areas, you have so much migration of people because of the nomadic lifestyle where they stay during winter and move to the other area later”,* indicated Andrew.

The other feature of people-to-people interaction is informal trade. All the respondents said that, if one goes to the borders people are the same on both sides. They trade between each other but this trade is unrecorded and registered by member states. Kendrick added that Moyale is a border town between Kenya and Ethiopia. People of Kenya work and sleep in Moyale. They move around, go to the cattle market on the Ethiopian side and buy whatever they want. In fact, such kind of common market will reduce conflict among pastoralist communities. According to the study conducted by the World Bank (2014) and ECA (2006) frequent and increasing trades will reduce conflicts by about 17%.

Hussien agreed with Kendrick that if one goes to Kenya and Uganda, there are two border towns on either side. These are Marba border and Bsiya. In fact, some people even farm on both sides. In terms of cross-border trade, the informal transaction is already there. There is a lot of trade but this trade is not formal but informal. Here, the boundaries are artificial and separate family members. For example, one may have relatives on the other side of the border.

6. Effects of political factors on regional integration

6.1. Lack of political will

According to Johannes, political will and financial means are the key drivers of integration of which without them one cannot talk about integration. Johannes added that once the political will is there the other drivers will follow. In support of this Kidane (2013) stated that political setting is the foremost component for the success of integration process. In addition, Draper et al. (2007) indicated that in Africa politics is the major driver of integration.

The majority of the respondents agreed that political will and other drivers of integration are pillars of a region. They are connected to each other. Member states must harmonize their developmental policies. The harmonization of policies has been done everywhere from Latin America, Europe, EAC etc. Andrew added that the systems have already been developed, provided that member states render their political will or agree on the matter. They are the ones responsible for signing the agreements and not the Secretariat. Biswano (2005) also support this view that nations could only integrate with their free will rather than coercion. This contention was raised by Haas (1964) that states has to redefine their national interest to regional perspectives based on their will.

Kendrick said that the decision of summits should be implemented by member states. Making deliberations in the annual meetings is not sufficient. However, for regional integration to be a reality the meetings should be coupled with implementation and political will. The ratification of protocols demands political will from each member state.

Trevor indicated that there was lack of cooperation among member states due to the tense relationship each state had with the other. He added that the relationship between Ethiopia and Eritrea is not cordial at the moment. Similarly, the relation between Eritrea and Djibouti is not healthy. The South Sudan and Sudan relation is not good since they did not have clearly demarcated borders. There is tension between Sudan and Uganda because of previous political squabbles.

For Hussien, IGAD is just a secretariat that implements decisions of member states and the commitment of member states determined the achievements of the secretariat. Hence, when one mentioned the problems of political will and commitment, it directly reflected on the heads of states. These are the main actors of the integration process.

Johannes also agreed with the other respondents that the protocol for free movement of people had been adopted. The protocol promotes the right of establishing business, work, education (e.g. Universities). But heads of states are the ones that should ratify the protocol. In line with what Johannes said, Layne (2006) further stressed that despite abundant declarations, measures, policy statements, political commitments, and intra-national institutional configurations, there is little advancement in forwarding clear and breakthrough guidelines for policy makers and researchers.

Andrew supported the views of other respondents that member states lack trust for each other and the integration process. Due to lack of trust member states are not willing to do tasks that benefit the entire region. Instead of rendering political will and commitment for the regional project, member states prefer to construct roads that will connect them with a "trustworthy neighbour" country. The road between Ethiopia and Sudan was constructed through bilateral agreement between the two countries. The interconnection has been done by the countries. This shows that if member states are committed, they will facilitate the integration process. In supporting this view, Layne (2006) stated that member states have to forego their national interest for regional common good.

Besides, member states are also competing to get the status of hegemonic state. According to Trevor, Ethiopia and Kenya behave like the hegemonic states of the region. For Trevor:

"The term hegemonic is difficult to understand. In ECOWAS, Nigeria is a hegemonic state, it has political influence, big economy and strong military. In the SADC region, South Africa can be classified as the hegemonic state due to its vibrant economy. If you look within the IGAD perspective, Ethiopia looks like a hegemonic country. Ethiopia's fastest growing economy makes her more viable to become a hegemonic power. Ethiopia has political influence and a strong military. Besides, the population of Ethiopia is by far large and greater than the sum of Kenya and Uganda. Population by itself is

power. Kenya is another emerging hegemonic power because of her good economic standing, except that the country is mired in corruption scandals. I am therefore pessimistic about the political will of the member states when it comes to the amelioration of hegemonic power in the region”.

Andrew agreed with Trevor noting that lack of hegemonic power in the region could be one of the challenges of regional integration. He added that states of the region are not in good standing to nominate the region's hegemonic state, but Ethiopia will be a hegemonic state since geographically it is situated at the centre of the IGAD region and shares a border with all IGAD members except Uganda. This is supported by Nomvete (2009) when he stated that there must be at least one big or powerful state in a region, which is imbued with either socio-economic or political power or popularity in the international arena. Ethiopia as the location of African Union headquarter could regard as popular state in the international community.

Johannes supported Andrew and Trevor's views noting that Kenya could be a hegemonic power of the region. However, the country has been targeted by terrorists leaving Ethiopia as the most stable country in the region, hence placing Ethiopia in a better position to become the hegemonic state of the region.

6.2. Coinciding membership

Trevor noted overlapping membership is a problem. Kenya and Uganda are member states of EAC. All member states except Somalia are members of COMESA. Djibouti, Eritrea, Sudan and Somalia are members of CEN-SAD. Trevor noted that, dual accountability and dual membership affects member states' ability to attain their priority and commitment. This contention is also supported by Estrada (2009) when he indicated that regional integration may contribute to international frictions between competing blocs through creating multiple legal frameworks and various dispute settlement mechanisms as well as absorbing other multilateral arrangements.

Johannes agreed with Trevor's and Estrada's view that overlapping membership makes member states to be uncommitted. The most problematic consequence of coinciding membership was that it brings overlapping programs. Previously there was an Inter-Regional Coordination Committee that gave recommendations on projects of building a road. According to Johannes, although there was a tender for overlapping programs, it lacked coordination among different RECs of the South Eastern Africa including SADC, COMESA, EAC, IOC and IGAD.

Andrew and Hussein bolstered the views of the other respondents by saying that the Tripartite Agreement (TA) is just a political agenda that has nothing to do with the reality. In the beginning one has to finish what he is doing in the IGAD region. Jumping from one configuration to another is meaningless. The TA is an agreement between COMESA, SADC and EAC where they agreed to work in the infrastructure projects. But practically, all the three organisations did their own projects without engaging IGAD. A study conducted by IGAD (2011) also confirm that due to overlapping projects, donor countries considered the organisation as political group because many projects of IGAD is also run by COMESA. Indeed, overlapping of regional projects create confusion on donor countries and development partners. It creates paradox on which project should get funded.

7. Lack of peace and security

All the respondents said that the best achievement of IGAD lies in the peace and security sector. Hussien said that, IGAD achieved quite a lot of mediation and peace security tasks. However, its achievement in the Sudan and Somalia peace process is still far from over. In relation to this Peter (2012) enunciated that integration will lead to not only on economic unity but also cooperation in the peace and security sector. Redie (2013) also stated that regional integration in the region could serve as a resolving mechanisms for pastoralist conflict over grazing land and water. A sound regional policy could reduce socio economic problems.

In light of the above, Trevor said that:

“Even though IGAD has been grappling with extraordinary circumstances, the IGAD mediation process is successful so far. Both the Sudan and Somalia peace processes are effective. In Somalia at least the federal government is established. It is a success story. The impending Comprehensive Peace Agreement (CPA) between South Sudan and Sudan is also a success story of IGAD. In addition, the peace accord between President Salva Kir and Rick Machar is also a success story. But the problem is that there remains an emergent conflict that borders on religiosity.”

Andrew also agreed with Trevor by saying the following:

"I think those extraordinary issues are spoiling the achievements of IGAD. However, if you look at the issue of peace and security, IGAD has been able to establish the Sudan peace process. When Sudan separated with South Sudan, IGAD is the one that midwifed the process. IGAD has been working with Somalia including the rebel groups. With limited resources, IGAD is doing well in the peace and security sector. This clearly shows despite whatever happens, we are on the right track. Even if people from outside might not agree, we have a good record especially in the peace and security sector."

The majority of respondents said that the IGAD region was notorious for frequent conflicts and wars. According to the World Bank report (2013), since 2005-2011, there were a series of attacks by pirates and warlords in the region. As a result of that, Euro naval forces and many actors were drawn to the offshore of Somalia to protect European interests. Because of this intervention since 2011, piracy declined. Indeed, this trend of piracy in Somalia and the weak political system makes the country to be one of the weakest in the horn of Africa (World Bank, 2013).

Johannes, also a participant, said the following: *"Eritrea also suspended its membership from IGAD. We don't know when it intends to come back. It is part of the consequence of the Ethio-Eritrea border war. South Sudan is part of IGAD but suddenly war broke out in its mainland, right in the capital city called Juba. The Eritrean government captured parts of Djibouti. Somalia is also a failed state for the last 25 years. On the overall, things are not well in this part of the world."*

Kendrick also reflected on the views of Andrew and Johannes. He said that:

"Member states are more committed with conflict resolution efforts. If one looks at the meetings held by member states for Somalia and South Sudan, you will find that there have been many. South Sudan now is committed to peace. The same is true about Somalia. Stopping internecine conflicts means a lot to the development of the region."

Hussien also agreed with Kendrick that organised transnational crimes affect the socio-economic development of the region. Hussien added that arms trafficking, money laundering, insurgent groups, and terrorism were the main security challenges of the region which compromised the integration process. Money laundering was affecting the financial integration of the region while insurgent groups were involved in the demolition of regional infrastructure in order to unseat the central government.

For Hussien, one cannot control the insurgent movement unless the incumbent forces win or lose. He said that one has to know the reality. In Ethiopia, there were civil wars for more than three decades. There was mediation and discussion but it did not bring any solution. Finally, the one who won the battle came to power.

Trevor supported Hussien's view that the Sudanese civil war is the longest one in Africa. Many mediations were conducted but neither of the parties agreed to cease their warfare. At last the civil war came to an end with the secession of South Sudan.

The majority of respondents believe that IGAD's engagement with the media is quite limited. This is due to the different policies of member states towards the media. The respondents also worry about the growing negative impact of social media. The Information Resource and Communication Centre of IGAD is responsible for liaising with the media. It is faced with challenges. Johannes and Kendrick emphasised the need for inclusiveness in IGAD's mediation process. Accordingly, IGAD's peace process is an inclusive one as it involves civil societies, elders, warring factions, international institutions (Such as African Union), interested countries, and IGAD partners.

Hussien supported this view and said that:

"IGAD is neutral in the mediation process. In the CPA, IGAD was mediating the South Sudan and Sudan. It was mediating as a neutral partner. CPA is too vital to bring relative peace in Southern Sudan."

7.1. Terrorism

Andrew noted that terrorism is one of the major challenges of regional integration. The frequent attacks such as in Kenya affects the country in many ways. It affects the country's stability and its cost of life, the cost of finance as well as the tourism industry. This was witnessed by the recent attacks by Al Shabab on the 11 April 2015 at Garissa University where almost 147 Kenyans were killed (ISS, 2015). The same is true about other countries such as Ethiopia, Uganda and Djibouti which

are embroiled in terrorist activities. Andrew emphasised that even profiling and labelling has its negative impact on socio-economic development. After 9/11, travelling to US or Europe with a Muslim name was not easy.

Hussien added that the same is true for peaceful Somalis who want to travel across the IGAD region and also to the United States of America since President Trump was sworn into the oval office. They are interrogated and watched out by immigration officers. Even if a religion could serve as a pretext to mobilize people to engage in terrorist activities, it will be a bad deduction to associate all sects of Islam with terrorism.

In supporting Hussein, Victoria (2011) maintains that religion as a means of controlling state power is not a new phenomenon. She indicates that there were the Jacobins in France that indorsed for the origins of terrorism in the 13th century. Other terrorists that justify their acts as religiously correct include Irish Republican Army, National Organisation of Cypriote Fighters, Muslim National Front in Algeria. In line with this, the majority of respondents believed that terrorism and radical Islam have a nexus relationship. Kendrick said the following in this regard:

“Radical Islam is a problem. Definitely Radicalisation is a challenge. This is because of our proximity to the Middle East conflict centre. This proximity makes us highly vulnerable. In addition, the Somalia crises aggravated the problem of radical Islam. Somalia became a theatre for foreign fighters, foreign ideology and narratives that are beyond the doctrine of Islam.” This is in line with Dawit (2016), who indicated that Wahhabism, which is also part of the radical Islam, is a problem in the region in that it does not tolerate other forms of religion. He further stated that Wahhabism observes a strict interpretation of Islam, condemned other interpretations and innovations and it saw Western values and civilization as abhorrently evil. Dawit's assertion was also made true by the US state department's report about the beheading of two Muslim clerics from Shi sect in Somalia (US state Department, 2009).

The use of force to defeat terrorist groups like Al-Shabab is not working. The best way is to study the root causes of terrorism. According to a study conducted by Institute for security studies (2015), the brutality of security forces within IGAD is mentioned as the reason instigating the citizens to join terrorist groups. Atin and Willian (2007) also argue that economic factors in this region are the root causes of terrorism. Furthermore, poverty might lead the unsatisfied youth to join terrorist groups.

Conclusion

This paper presents the opinion of the respondents. Most of them revealed that IGAD lacks financial capacity, unclear programmes and a static structure that hampers the secretariat to work effectively. It was also revealed that regional projects are depending on donor countries since IGAD lacks financial institutions that could develop its own source of funding. Presently, IGAD is engaging the member states in building roads that could connect all the countries in the horn of Africa. Unfortunately, there is a slow progress in this regard as many of these countries are reluctant to participate in this worthy programme. The infrastructure in most of these countries is not adequate to fully and quickly transport goods and people. The involvement of the private sector in helping IGAD is also limited. Lack of harmonization of policies is another challenge that the IGAD is battling with. Instead of thinking and acting regionally, member states prefer to engage in bilateral agreements with countries of their own. According to the respondents, free movement of people is hampered by a tense relationship among member states. Respondents further said that strict visa regulations and inadequate infrastructure are also discouraging people to move, work and trade. Even though IGAD does not encourage people to people interaction, informal trade along the borders continue to take place. According to the respondents, political will is the key for integration. The lack of political will could be manifested in the overlapping of membership. The region is notorious for subsequent conflicts. Peace in the region could be one of the recipes to bring harmony and stability in the region.

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The Mirrors for Princes and Historical Codes of the Modern Leadership in the Middle East.

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Abstract

The *Mirrors for Princes* are administrative texts of ancient history. These texts, referred to by different names, are considered to be important because they have a function of projection, for rulers of the period. And their importance is not limited by this, because of its features. Since criticism and suggestions for the next ruler also shows the people's expectations, it is a reflection of the social and political characteristics of the period as well as texts. However, the *Mirrors for Princes* is not merely an object or the text to understand history or a period of time because these texts are elements of historical and social memory. From the text, written in the changing conditions and at different times, it can be understood that there were changing political and societal realities as well as unchanging elements. In this respect, the *Mirrors for Princes* can be considered not only an illumination of the past, staying in the dusty shelves of history, but also a relevant reflection that reaches to now. The main purpose of this study is to find out the secrets of leadership from this reflection. The main argument of this study is that this region has a historical code of the current leadership, which can be interpreted by the *Mirrors for Princes*. The backbone of the work depends on the interpretation and analysis of the *Mirrors for Princes*. This text was written in different times for different rulers; it raised powerful leaders from the Ottoman, Seljuk, Mongol, and Iranian societies. This research seeks to find out a different leader perception typology from commonalities despite social differences to different states and periodic variations. Considering that the *Mirrors for Princes* is an extensive literature, this study should be evaluated as a motivational tool for comprehensive successors.

Keywords: Mirror for Princes, Mirror for Princes and Sultans, Mirror for The Muslim Princes, Circle of Justice, Leadership

Introduction

As a period when the computer and the internet network surrounds the whole world, there are many possibilities for academicians and specialists (practitioners or theoreticians) who work in fields such as political science, sociology, public administration and social sciences to easily and quickly reach a lot of data that can be used to analyze or understand a society or its administrative and political system. These possibilities, of course, are often narrowed or distorted by some censorship, constraints or manipulations. However, it is clear that the availability of detailed information, especially through data banks or search engines, is too large to compare with previous periods. In this sense, it can be considered that the societies are getting close to each other in terms of life patterns, consumption habits, expectation of welfare and freedom. However, in this new small globe, whose distances are shortened, communication and transportation facilities are developed, the flow of life is accelerated, and thus the differences are reduced, it is expected that people living in different societies should not have any difficulties in understanding leaders and their rhetoric and reactions. However, it is seen that theoreticians or practitioners, especially from within the formation which can be called Western-style political understanding, often have difficulty in understanding the Orient specific-especially the Middle East-. In this sense, one of the most basic and functional means to trace the history of the codes of political and administrative reality appears as the mirrors for princes.

Although societies are becoming increasingly differentiated and increasingly similar to each other in their development, they eventually have codes that carry them from the past to today. Even though they are in the same country and within the same political system, cities are differentiated according to their spatial and architectural qualities; it is mentioned that cities have souls and they are distinguished from each other while living together. Societies on a higher scale are also

different due to Rams and Memes which they brought from history. Therefore, it is possible to say that in the sense of social and managerial reality, today's general view of the past or today's given data will not be enough alone, or at least past accumulation and experience will facilitate understanding. In this sense, one of the most basic and functional means to trace the history of the codes of political and administrative reality appears as the mirrors for princes.

Mirrors of Princes and Eastern Texts

The term "mirror for prince", when considered in general, emerges as a conceptualisation peculiar to the West. The mirrors for princes can be regarded as basic texts with mirror-like qualities for any historical period review. It is not possible to encounter western mirrors for princes in east in the same sense. The works which are in the Turkish - Persian and Arab tradition dominant in the Middle East and which resemble the mirrors for princes in the West are generally texts such as politics, advice, pleadings, and travel books. Anthony Black, as a worker on Eastern and Western political thought, describes the Islamic political thought in the first five centuries in his work *The West ...* and explains this in three ways. These are: *Nasihah al Muluk*, which he regards as the recommendation texts to kings, *fiqh* which he describes as religious law and a New Platonist understanding of philosophy. (Black, 2008:8)

In the same work, Black explains that the Islamic experts often compare the works of *Nasihah-ul Muluk* (*Nasihah al Muluk*) with the western mirrors for princes, whereas they are different from those of the monarchical state in Europe and The *nasihatulmuluk*-like qualitative works written as a recommendation to kings were written in the Muslim world much earlier and more variously than the first European examples and one of the most important examples is the *Politics of Nizamülmülk*. Besides, one of the most important channels in political Islam is the Iranian effect. (Black, 2008: 101-102 ; Black,2011)

Pal Fodor is encountered as a remarkable name for the western mirrors for princes and eastern style political texts (*The Politics of the Orient*). Fodor explains why he uses the expression mirrors for princes instead of the words like politics, pleadings, and advice in his studies of the monarchs of the East. According to this, there are a lot of factors in Fodor's choosing the expression mirrors for princes of Europe or of the kings in the same way. The most important of these is the fact that the expression mirror of the prince is more comprehensive than the other determinations, and on the other hand it presents the opportunity to recognize the mirrors of the traditionally rich princes of the near east'. In addition, according to the authors, the texts of the Ottoman monarch's mirrors are the continuation and complement of the Islamic monarch's mirrors. (Fodor,1999: 281-282)

The mirrors for princes or another opinion on the discussion of politics belongs to H Bahadır Türk as the author of the book titled *Shepherd and King* which is one of the most comprehensive analysis written in Turkish. After entering the discussion on this subject, he states that his choice of politics corresponded to the mirrors princes in the Western literature and even their equivalents. (Türk,2012: 23-35). Although the above-mentioned authors have differences regarding the processing of these matters, they at least agree that the subject is at the forefront and scope of the subject, and that the Eastern texts of politics or advice are as important and interesting as the mirrors for princes. From this point of view, it will be appropriate to admit that the Middle Eastern texts of this frame, in particular, meet at least the qualification of mirrors for princes.

General Framework of Mirrors for Princes (Importance, Origin and Scope)

The mirrors for princes contain important clues about the time of the state they tell, the state administration, their functions, and the experience and political accumulation of administrators. These texts are not only an indication of the legitimacy and limits of power, but also provide access to the views of the political elite who think in this respect (Fodor,1999: 281). It is also possible to see how the understanding of worldly and prestigious power is fostered through these texts.

The Islamic-based Middle East oriented mirrors for princes carry a number of difficulties as well as being richly descriptive and guiding rich texts for researchers of this field. It is possible to draw a brief outline of what these difficulties are, by taking advantage of the findings of Ahmet Uğur in the form of "major problems of politics". (Uğur,1992: 13)

Firstly, one of the main difficulties of working in this field is the width of the field itself. Particularly in the 11th and 12th centuries, it appears that a large complex has emerged in this area. Moreover, the texts are written in Arabic, Turkish, Farsi and their combination of different languages such as the Ottoman language, and are the works close to the manuscript. This makes it difficult for readers to access and review works.

Secondly, it is not easy to distinguish these texts which have different names such as justice letters, politics, pleadings, advice letters, and letters of Turkish-Islamic rules and regulations. It is hard to say that the authors of the works in this respect are also consensus on what they analyze and examine later.

Another problem similar to the above is that the same work is recorded in different names in libraries. This causes duplicate works to appear, preventing them from determining how many works they actually have, and thus creating a time-consuming process. Another difficulty in this regard is that not all of the texts considered as the same as the mirrors for princes are directly related to this topic. It is seen that the vast majority of those which are involved are not receiving systematic remuneration or are randomly packed into a few pages.

Another important challenge is related to the identification information, such as the author and the names of the works. Many works prepared in this framework do not have clear information about the names of the authors or the history of the writings, but some are referred to in different dialects with different names and dates. Moreover, it is seen that many works have chosen a general name such as Siyasetname, Pendname or Nasihatül Mülük, which can cause confusion about the author and source of the book.

Another point that makes it difficult to study the mirrors for princes is that spiritual and earthly things are taken together, as Fodor also mentions it. (Fodor,1999: 281) More precisely, the root of a secular sovereignty can be fed on a religious or even sectarian basis, which reveals the fact that the view is influenced by sectarian and socio-cultural differences, even though the origin is the same religion. Of course, it is not easy to catch these social differences or nuances.

Mirrors for princes, with the subjects such as rulers and administration, can be regarded as basic texts for mirroring the state, society and the domination of the kingdom for any historical period examination. When assessed in this direction, it is necessary to consider that the formation of the social and political formation is an important function of the mirrors for princes. The mirrors for princes are usually written for three sections. These are generic ones written for rulers, viziers and senior executives, as well as for other literate sections of the society (Uğur,1992:7).

The roots of the mirrors for princes are quite early in the East. The general view in this regard links the beginning of politics-style texts with the post-Islamic period, especially with the Umayyad period. It is possible to explain this with the accumulation of the developed and comprehensive forms of such texts at a certain period. Fodor refers to the period of the fall of the Umayyads as the starting point for the first Islamic-based examples of politics and emphasizes that the internal political processes of the Arab-Islamic empire and the cultural endeavors to them are determinative in the formation of this tradition (Fodor,1999: 282)

It is possible to say that Black does the same detection. However, it is often referred to Plato and Aristotle as early examples in the Western way, which extends to the 4th century. (Uğur,1992:3). In this sense, it is possible that the beginning of this style can be taken back further in the Middle East. Especially, some tablets in studies on Mesopotamian and Anatolian civilizations show that there are boundaries for rulers or administrators who will come after themselves thousands of years before, it is possible to count them as ancestors or first examples of politics, justice or laws.

As an example of the first politics in Turkish political life, Yusuf Has Hacıp's Kutadgu Bilig is the starting point of his work. So this information is generally true, and even in the official education sites of the state, it is processed in the same frame. (www.eba.gov.tr) As it is known, this work was written in Karahanlılar period, the first Muslim Turkish state. In making this determination, it is necessary to admit that, of course, the value of the work as well as political religious motives is a specific determinant of its scope. However, the Orkhon Inscriptions, which were written long before this work, actually contain many political consultations and draw a framework on what should and should not be done for the state's presidency. The fact that one of these books belongs to the Vizier Tonyukuk can also be considered to strengthen this argument. Therefore, it would not be so wrong to accept the Orkhon Inscriptions written between 716 and 735 during the Göktürk period as the first Turkish mirror for prince as a sample of the text or at least as a substitute. (Taşağıl:2003)

As can be seen from the above frame, the extent of the scope of this deep history of the origins of the mirrors for princes originating in the Middle East is quite extensive. However, aside from starting from the primitive examples, it is impossible and even insignificant to try to fit into the work of even the entire text of the same mirror for prince in classic Islamic thought. In the last period of the Ottoman period, as a name that has been examined by the Bursalı Mehmet Tahir, a study of these works reveals the number of political Islamic works that can be reached in this way as 172, which also shows how wide the scope is. (Uğur,1992:13-14) In addition, there are some difficulties in working on these works that have a mirror for prince

as explained above. However, there is also the advantage of working in these texts that if the basic texts can be chosen, they should be of a quality that allows them to find the main points for the majority, if not all, due to similarities in approach, method and content. Therefore, a study has been carried out on the basis of the principal mirrors for princes in the Turkish Iranian and Islamic tradition, which is accepted as the basis in this study.

Main Characteristics of the Mirrors for Princes

The *Mirrors for Princes* are very important administrative texts. First, they provide considerable information about the political and administrative climate of the period. Such studies generally belong to two separate periods. A part of these texts-comparatively limited-were written in the most powerful period of the state. The second and more intense times of writing, were crisis periods. As a result, the writers aim to reflect and show the mistakes of the rulers of the time in which the old powerful state was in ashes.

In light of the above given information, it is possible to summarize the main features of ruler mirrors as follows:

Justices, politics, Islamic guild rules and regulations, pleadings, advices are the main kinds of mirrors for princes.

They carry mirror quality for the state and the ruler.

They include not only information about management and managers but also about the economic and social characteristics of the period.

They are mostly fed on a religious and sectarian basis and are framed as a moral attitude. In this respect, they are characteristic of moral texts.

It is observed that the mirrors for princes use a strong narrative language, which often uses authors' words, and that the reflections of the communal nature of the situation are in the foreground.

The issues they focus on may vary depending on the characteristics of the period they are written and the welfare of the society at this time, depending on the qualifications of the rulers.

The vast majority of those written during periods of crisis or malfeasance were written to lift the state again and to resume the limits of the religious and cultural legitimacy of the rulers. In this respect, they are reform documents.

In times of strong rulers who have a high level of prosperity and social satisfaction, it is often seen that the praise part is heavier and is prepared with a content about the continuity of the present situation.

Whereas the vast majority focuses on function, some of them, though limited, take structure, that is system, in the center.

The mirrors for princes were mostly built on a balance based on contrast.

These texts are generally not binding, they are works based on advice.

Basic Characteristics of Mirrors for Princes: Religion, Balance and Justice

Religion as a Basic Element

Looking at post-Islamic Middle Eastern texts of mirrors of princes, these texts seem to contain three key elements. These are Religion, Balance and Justice. Religion is, of course, Islamic religion, and a state and leadership understanding must be adopted according to its needs. This point is a dimension that is not sufficiently emphasized when the issue of secularism, which is often skipped in comparison with Western state understanding, is on the agenda.

Almost all of the Post-Islamic Period Middle Eastern mirrors for princes, despite some sectarian and ethno cultural sociological differences, take into the center an understanding of religion based justice systems such as the Holy Book, Hadith, fiqh and Sunnah. In this sense, the ideal state conforms to this. The ideal leader is a good religious person and a Muslim. It is possible to give examples of this from almost every mirror for prince. The characteristics that the Ahl-i Sunnah Speakers call in their rulers are being Muslim, having reached the age of free-wise intelligence, being a man, having justice and knowledge, being devout and having virtue. (See Mehmet Evkuran, 2003, p.222; by Bahadır Türk page 100.) It should not be too surprising to see the reflection of the stated conception in this context in today's states or in their leaders.

Contrast or Balance?

When one looks at the mirrors for princes as a whole, one of the most remarkable features is that they are based on contrasts. In fact, one of the most important characteristics of the general life practice of the Orient is the dilemmas. This situation manifests itself in the form of triplets in Western thought and life style. When you look at dilemmas, the first thing that attracts attention is a rationale based on contrast. This is again as it is in the example of the east, hidden in the TaiChi symbol Yin and Yang. As they are known, these are the contrasts of each other. However, in this contradiction there is a thought of "every side also contains the opposite." In this case it appears that three dimensions have come forward. The first is that there are two opposite truths, like good-bad, beautiful-ugly, right wrong. In the second dimension these two opposing elements are very close to each other and sometimes even inside and the third dimension is that the contrasts gain meaning together, and even life balance through these contrasts.

When we look at the rulers' mirror, a Tai Chi situation is encountered. Therefore, these texts are often interpreted as a contrasting expression. However, this situation brings with it a balance rather than a contrast. There are basic preferences or phenomena, one of which is positive and the other is negative, which are often given in a form that would accommodate a religious reference. But as long as these two are together, it is meaningful because the positive is fed by the weakness of the negative, or by the harm of the other and vice versa. When we look at the mirrors for princes, it is seen that this state is preferred not to give an emphasis of contradiction under its origin but to determine and adopt the ideal, and that the meaning imposed on the state of equilibrium is used in a way to overcome its contrasts. This is a matter of being measured in a sense. For example, the presence of hell is one of the most important instruments of providing the work to go to heaven. But at the same time, it is ideal to configure without escaping and exaggeration. When the texts are examined at large, it is seen that the necessary qualities and the features that should not be on a ruler are given together, or in the advice letters, it is seen that the same level of necessity is given to what should and should not be done. A common advice in this regard is on avoiding extravagance and understatement, and balance is the key element of such studies. Because the balance appears as a constitutive principle for the actions of the ruler, the ruler. (Türk,2012: 39)

Traces of the balance can be found at every point from the daily hustle of social life to the nuances of managerial life. With a few examples, it would be instructive to establish this balance issue. Equilibrium in religion, justice, military, administration, generosity, and even in sexuality is important. The question of equilibrium is so important in this social reality that Fodor explains the reasons for writing these texts outwardly through the exchange of balances among the great powers or by the alterations of the balances. (Fodor,1999: 281)

According to Tusi, justice is a balance. Instead of modesty and multiplicity, average makes it right. İbni Tevmiye says, "If the senior managers are mild-mannered, the assistants should be hard, and when they are not, the assistants must be soft-tempered". (Türk,2012: 123.) Maverdi counts the equilibrium elements such as a determined but not rigid, soft but not feeble, generous but not wasted person among the qualities of the person who will pass to the ummah with reference to Caliph Umar. (Maverdi,2013:105)

Es-Sealibî says "The ideal ruler, who acts with the principle of metering, should approach his bureaucrats with an ideal balance and know where to reward and punish them." Es-Sealibi points to the bond between the idea of the measure and justice. Because Justice is a state of balance (Türk,2012: 82) According to Sadi Shirazi, a just ruler resembles a solid wall. If it loses its equality of justice and leans on one side, it is necessary to know it will collapse. (Şirazi,2016: 102)

The balance of the army is emphasized in Koçi Bey Risales. According to Koçi Bey, the capillary army and the tamar army must balance each other. When the tamar system was broken and balanced, the capillary army took power and the economic power of the country. (Fodor,1999: 295-296) Al-fahri also refers to İbnu Tiktaka Hüsrev Perviz's advice to his son. Accordingly, it is also dangerous to act too generously and to be stingy to soldiers. That's why you need to give a decent salary (tip) to the soldier.

According to Farabi's state understanding, when the balance that exists in nature is deteriorated in society life, social resolution becomes inevitable. (Hopaç,2016:371) Again, according to Farabi, the "leader" is to be characterized and to be measured in sexual desire as ethical characteristics when counting the qualities of the "leader" . (Islamic thinkers page 25) According to Tusi, a ruler should manage the situation of the community in balance with grace and hardness. (Tusi,2016: 188-189) In the Kabusname, another work in the same form as a mirror for prince, it is stated that very much or little of the

sexuality is also harmful, and that a medium level of everything is nice, so that even the extreme heat and cold should be avoided and warm times should be chosen for sexuality. (Keykavus:288)

As it is known, in the case of mirrors for princes, it is seen that the author frequently resorted to the use of metaphors and words of condolence. The determination and the influence of these texts also come from this great significance. Even in the use of metaphors, one of the most common methods is balance. Some of the most frequently used metaphors are organismic metaphors, including body parts such as the heart and the head. According to Akhisari, Veysi and Koçi Bey, the ruler is the heart of the body and according to the writer of *Kitab-ı Müstetab*, the ruler is the soul of the body. According to Veysi, if the heart is not regular and loses its balance, the disorder will definitely occur in the case of the body. (Fodor,1999: 299-300)

Entering the Justice Charter or Managing with the Verge of Justice

The concept of justice is one of the main areas of debate in every period of Islamic societies. When the mirrors for princes are examined, this concept appears to be in the center (Fodor,1999: 283) The fact that this concept is centralized and so many discussed can be interpreted in two ways. First, justice is of utmost importance in terms of religion and societies, and it is very important for these social structures. Secondly, if this issue occupies an important agenda, it is probable that serious problems related to the issue are also occurring. Today, Middle Eastern societies are often at the center of justice-based debates. It is not a coincidence that problems often come to the fore in different dimensions of adulthood in narrower fields such as social justice, income justice and justice in representation, in particular the problem of justice in general.

Justice is of the utmost importance because it is an ordained command before everything else. In the Qur'an, it is said "Allah surely orders justice, goodness and looking after relatives, and forbids shamelessness, mischief and extravagance. As mentioned above, there is a search for a religious notion and an equilibrium situation at the root of justice. Therefore, these three concepts are in fact close to each other and complement each other. And these are the bases upon which the earth is built. Thus, according to Yusuf Has Hajib, the law restricting adherence is a pole for this sky; if the law breaks down, the sky cannot stand in place. (*Kutadgu Bilig* 3463. couplet) Justice is a siege for society. Justice in this sense is metaphorically like a circle. The circle should be considered in two forms; the first being socially enveloping and the second one being restrictive in terms of the ruler.

It may seem controversial how limited the kingdom of God as the shadow of the earth will be, but in the end it is a reality. Therefore, a ruler who wants to rule with justice must take all the classes of his people into this circle, and himself must rule with divine justice. Justice and equity for the sultan are seen as a source of righteous behavior ... cruelty and injustice are regarded as the reason for the disintegration of the subject. (Pal Fodor, quoted from Salimzjanova and Karcckson, p. 300)

When we look within the boundaries of our topic, a few dimensions of justice come to the forefront. First, as mentioned above, there are mirrors for princes directly so-called justice. This topic will not be entered specifically here. Secondly, justice as opposed to cruelty; and just to cruel; is the instrument of balance and order. Thus, it deserves to be one of the most basic concepts even in this respect. As Inalcik emphasizes, the bond between absolute authority and justice, which has been in the Middle East for a long time, has become a fundamental principle. (Inalcik,1965:49) Thirdly, when justice, which was just described as a circle, turns out to be a verge from inside the circle, a very special concept (or even an approach), called the verge of Justice, and which has many economic social and administrative dimensions, is emerging.

Justice is so important that Nizamül Mülk, known as a religious vizier, in his famous work titled *Politics*, says "Empire will eventually stand with unbelief, but never with unfair". (Nizam'ül-Mülk, 1999) According to Ibn al Mukaffa, the best of the rulers is only able to secure his government with justice among his people. In his duty, in his word and in his action, a ruler is the man who must be the most adherent man. (Mukaffa,2016:131,59) According to Shayzari, justice is one of the four things that cannot be considered apart from the ruler. In addition, justice that provides obedience is regarded as one of the superior qualities for a ruler (Şeyzeri, 2013: 95). Yusuf Has Hacib states that justice should be pursued in this matter, and that even if necessary, it may be migrated elsewhere. Where a man finds justice and reputation, he must go there; he finds happiness in there (*Kutadgu Bilig*, 3462. couplet) It is possible to further examples of the above-mentioned. Because many mirrors for princes start talking about justice. However, as a third important dimension here with justice, it will be appropriate to look at the Verge of Justice approach.

If we start with the metaphor of the subject circle, the verge is more than the circle because it has both the envelope of the circle and the inside. The Verge of justice is an approach rather than a concept, and it is also a system. It is claimed that the origin of the understanding of the Verge of Justice goes back as far as to Sumerians. With much debate in this regard, it is undoubtedly the fact that this frame system is involved in the same time as the mirror for prince written in many places from Iran to the Arabic geography, then to the Ottoman capital.

Verge of Justice is a management system. It is a political sovereignty. Verge of justice is the management of economic, social and political things. Due to its many different applications, the chain of circles is a cyclical chain of management in which the numbers are changing but the central concept of justice and key concepts has not changed. It is possible to catch important codes of the present state system through this system when considering the basic elements of the Verge of Justice as a structural-functional characteristic of the agrarian society or as the management information of traditional agrarian societies (Yilmaz,2012: 17-29) . It is possible to follow this system of Justice- State-Shariat-Country-Army-Property-People-Justice with the help of figure 1. According to that, the justice circle operates as follows.

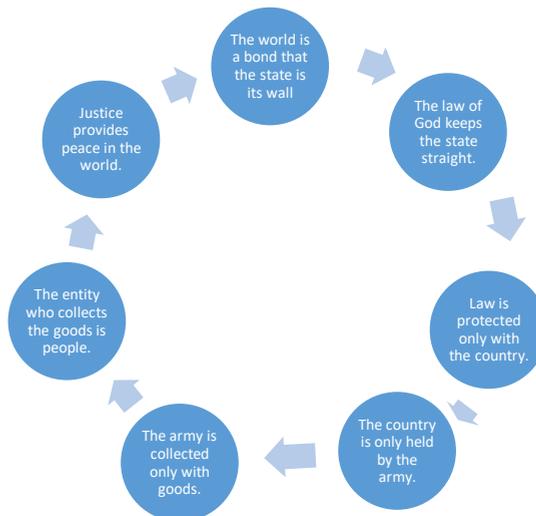


Figure 1: Daire-I Adalet (Circle of Justice or Power)

As understood from the circular system in the form of a verge above, the state is bound to the law, law to country, the country to army, the army to the money, money to the public and public to justice. Here justice has a broader notion than law. It is clear that the concepts such as country, people and power are the basic elements of the state and that it requires a current system like the military financial resource system. All of this system is endowed with the essence of adultery by many authors, as well as by the writer. The whole of this system is based on the essence of justice, which is seen by many authors of mirrors for princes as important.

Leader Typology of Mirrors for Princes

Adept Father: When the mirrors for princes are examined, it appears that lots of elements can be counted as the ideal leader's characteristics, most of which are abstract. However, some of them come to the fore. First, it can be said that it is a kind of loving father figure. In fact, the perception of politics, or more precisely, the perception of power as male sovereign has existed since ancient Greeks, even from Russia and even Mesopotamian civilizations. For example, in history, it is known that at the head of the cities there are the administrators called Babaghug in the sense of the father of the city. (Kıldıroğlu,2016: 114) In Kutadgu Bilig, it is said "If the father is the ruler, the son is born, and he becomes the ruler like his father." (Kutadgu bilig, 1950 couplet) But this male sovereignty state is somewhat of a family concept and sociologically identical to his father, the father figure who protects and protects him, and is seen as having a direct word on it. In this case it would be insufficient to explain it only with patriarchy or masculinity. While the figure of the state is being examined, it is seen that the family metaphor is brought forward with the thought of cooperation and solidarity, and the state is portrayed

as a large family. (Köylü,2016: 201) According to this understanding, in the Turkish States; often state is regarded as father, motherland as mother, and nation as children. (Duman,2016: 197)

Because of the abstract nature of the state concept, the father is more identified with the ruler as a symbol of power. The merciful and protective aspect of the rulers also makes him look like a father. (Çapraz,2016: 127) When we look at the subject through the mirrors for princes, it is understood that this compassionate guardian, but also the symbol of authority and power, continues to exist for the rulers of the father figure. Ibn al-Mukaffa, for example, approached the subject by saying, "If the Sultan sees you like a brother, you will see him as a father." (Mukaffa,2016:61) In the Kabusname, it is said that "the wise man knows his master as his father, mother and sister." (Keykavus: 230) According to Sadi Shirazi, the monarchs are portrayed as the father of orphaned children, and it is expressed that the orphans should be shown more affection and compassion than their fathers and suffer with their troubles. (According to Sadi Shirazi p.83) A similar approach is also seen in Tusi. So that the love of the ruler against the people is a father's love, the love of the people against him is a child's love, and if the people love each other, it should be brother's love. (Tusi,2016: .257) Türk: 115) This father-child relationship is of course not one-sided. So, Kinalzade takes the analogy a step further and says that the love of the people to their ruler is superior to that of the love of the father, but that the love of the ruler to the people is less than the love of the father to his child. (Türk,2012: 168)

A Religious Person: Being called as a sultan, a vizier, a sultan or a gentleman; a leader is a human being in the end. But he is a religious figure. Because the law required to keep society together and to govern the state, and the individual virtues also have a religious origin. The emperor has an important power of being the shadow of God that reflects on the world and has significant responsibility as required by the principle of balance. However, at the same time, he is a human and a subject of God. The first and the most important condition of being a good emperor is being a good religious and Muslim person. It is possible to monitor this situation from mirrors for princes.

The mirrors for princes refer not only to the rulers, but also to the religiousness of other important state officials. For example, the person in charge of state affairs must be knowledgeable, dignified, and of course must be true and religious. (Türk,2012: 186.) According to Kutadgu Bilig, Hajibs who helped in the service of the ruler must be a person who is pious and religious (Kutadgu Bilig, 2462. couplet) According to Ghazali, it is emphasized that a vizier is a religious person, a person who is confident in his / her right, moral and acting in a prudent manner in public affairs. Also, if the president is not smart and devout, he will be dismissed from his office soon after. (Gazali,130-138.) According to Maverdi, the head of state should know and take care of the supremacy of the science. Because it is what will make religious values alive. (Maverdi,2013:137) İb-ni Mukaffa states that managers should not be able to behave in a way that religious people would not like as a means of love of service, and that virtue must be seen in religious people, and courage in towns, villages and tribes. (Mukaffa,2016: .55-66) According to Sadi Shirazi, only religiosity is important and the ruler must always keep the scholars and leaders of the religion as honorable. (Şirazi,2016: 80)

As you can see, religiosity is very important for a ruler. In such a structure it is almost impossible to expect the leader to have at least a position against religion, even if he is not a very religious person. Here, however, we must pay attention to an emphasis on religiousness, which is justice. As stated in Nizamül Mülk's politics and in some other important works, the expression "country may stay strong with kufr (unbelievers), but with injustice it will not." has become a common saying. (Koçi Bey, Gazali, Nizamul Mülk Siyasetname p.)

Roaring Lion: while people's relationship with nature enables them to find ways to struggle against its challenges, it also results in respect and taking it as example. In this sense, many animals in the nature have been symbolized with certain characteristics, and from this point of view, the way of analogy has been opened. For example, elephant is associated with greatness; fox is associated with canniness; snake is associated with sneakiness; and, rabbit is associated with cowardice. Similarly, lion is seen as the symbol of power, courage, authority, and potency. In Turkish classics, animals such as lion, tiger, and hawk are commonly used in the analogies about leadership. This analogy also reflects as a symbol of nobility. For example, Salur Kazan talks about his ancestry as saying that he has a root in Akkaya's tiger and Aksaz's lion. (Safran,2016:.32)

Lion is a king that has strong physical qualities and a powerful roaring sound that can be heard and felt from kilometres away. It is seen that this characteristic of lion is frequently used in metaphorical ways in terms of administration, and it is accepted and respected by the society. This is the reason why especially among Turkish people many famous leaders

have lion (aslan¹) as their names or surnames. Names such as Aslan Bey, Sultan Kılıçarslan, Arslan Taman Kağan, Arslan Yabgu, and Sultan Alparslan can be shown as examples of this.

The importance socially given to the lion is also observed in mirrors for princes. Historically, one of the most important duties of rulers is that they are also commanders; in this sense, the characterization of lion is an emphasis on the ruler's quality of being commander. It is not surprising when it is thought that some of the qualities a commander should have are courage, bravery, power, and fearlessness. In addition to this, powerful oratory is still seen one of the most prominent qualities of a leader. A commander who roars like a lion and spreads fear among the enemy but also motivates his herd is surely considered as having leadership qualities. One of the texts in which the most important analogies about lion takes place is Kutadgu Bilig. Yusuf Has Hacib initially interrelates language and lion. Language is a lion; and if the owner of it is not careful, it will get the owner into trouble. (Couplet 164) According to another couplet, it is written that to rule over the world and to overcome wild ass, one should be lion. Beys are similar to lions, and if a lion leads dogs, dogs will act like lions; if a dog leads lions, lions will act like dogs. (Kutadgu Bilig, Couplets 284,764, 2047, 2048) According to İbnül Tıktaka, a good ruler should be more aggressive than a lion. (Tıktaka,2016: 12)

Lion does not only represent positive characteristics. According to Gazali, a ruler who cannot placate has nature of an animal just like a lion disguised as a human. (Gazali,2016:62) According to İbni Mukavva, a person who is close to the ruler is like one who rides a lion. The one who looks at him feels scared but it is more frightening for the lion. (Mukaffa,2016: 58) according to Essealibi, a predatory lion is better than a cruel ruler (Türk,2012: 118).

Well, is not there any solution if a ruler who is as courageous and powerful as a lion is cruel or does not know how to act? According to Sadi Şirazi, although cat seems weak and feeble, it can beat lion by scratching lion's eyes out with its nails. Again, if ants reach a consensus, they can make the lion regret the day it was born. (Şirazi,2016: 119,122) Attar, on the other hand, states that a ruler should have necessary qualifications by making analogy that when a lion is without its teeth and nails, it is treated as cripple by foxes. (Attar,2013: 83) Finally, as one of the authors who care about lions most, Yusuf Has Hacib indicates that a person who knows how to manipulate and to play tricks can even deal with a lion. (Kutadgu Bilig, couplet 2327) To summarize, it is important for a ruler to be a lion; but it is more important for him to stay as lion.

Fair Shepherd: The metaphor of shepherd is also closely related to nature and culture. As it is known, a great deal of people in this geography earn their lives through stockbreeding. In fact, Turkish people are known as migrant settlers since they live in a mobilized way with their herds. Shepherd has interesting characteristics. He has a herd that has different types of animals having different qualities such as sheep, goats, females, males, babies, and grown-ups. While a shepherd is pasturing his herd, he does not discriminate; he aims to feed and protect them all. What is beneficial for the herd in the production and protection process is also beneficial for the shepherd.

The Arabic version of the word shepherd is *râ'inâ*. It is considered that companions of Prophet Muhammad addressed to the prophet as *Ra'inâ* meaning *protect us*, but did not refer to the meaning shepherd in this context. (Kur'an,2011:22) Again in Koran, in Surah of Bakara, the situation of the prophet against the ones who do not believe is liken to a shepherd who calls out and a herd that does not hear anything. (Surah Of Bakara, 171. Verse) Similarly, in the Old Testament, the statement "*God who shepherds me through my life*" is mentioned. (Genesis 48)

In such a social reality environment, it is seen that the metaphor of shepherd is one of the most determinant qualifications. By indicating that like all herds need a shepherd, society also needs a governor, Maverdi states that although people are not happy with this situation, it is better than living without a governor. (Maverdi,2013: 60) EbûMansur es-Seâlibi, on the other hand, indicates that just like a herd would be destroyed without a shepherd, people will also destroy each other without a ruler (EbûMansur es-Seâlibi, *Âdabu'l-Mulûk*, p. 33 as qtd.: (Türk,2012: 23)

Also, Katudgu Bilig describes the society as a herd and the bey as a shepherd, but he states that shepherd should be merciful while treating the herd. (Kutadgu Bilig, 1412. Couplet) Based on hadith, İbnTeymiye uses the statement "you are all shepherds and you are responsible for the ones you shepherding." (Türk,2012: 153) By referring to the Prophet, Gazali writes that each shepherd will be questioned about where he pastured the herd and how he treated the herd, and each ruler will be questioned about how he treated his people. (Gazali,2016: 120) According to Sadi Şirazi, a leader should not

¹ "Pipeline creates tribal dissent," *Indian Country Today*, 27 September 2010.

be only fair but he should also be guardian. As a shepherd would keep the wolf out of his herd, ruler should also keep bad people out of his society. (Şirazi,2016: 89)

Well, does the ruler exist for the society or does the society exist for the ruler? İbn Tıktaka summarizes the topic by stating that the ones whose shepherd is wolf torture themselves. (Tıktaka,2016: 42) Sadi Şirazi, on the other hand, states it more clearly when he says herd is not there for the shepherd but the shepherd is there to serve the herd. (Türk,2012: 143) However, this situation does not fill the gap between leader's effect on the society and the society's effect on leader.

When all these illustrations are considered, shepherd has a wise, protector, and self-sacrificing personality. But the shepherd is also the irreplaceable one for the herd and he has the right to decide about the herd. Also, if the herd is shepherd's own property, his rights will be more. In this metaphorical narration, the meaning of being for the shepherd is that shepherd's livelihood and even life depends on the herd but also the herd's life depends on the shepherd because while the shepherd can sacrifice some to feed himself or to please his guests, the herd cannot take a risk of living without a shepherd.

Conclusion

There are some historical facts that shape societies, political administrative institutions embedded in them, concepts, and titles. Each society undergoes a change in terms of its main components, and depending on its knowledge about other societies, it obtains some new qualities or loses some old qualities, institutions, and habits. Especially the development of mass communication and transportation seems to approximate societies and values. On the other hand, there are also historical administrative codes that societies bring from their pasts. It is seen that today, many habits experienced in the society, the facts known by people, and the rituals repeated by new generations are based on a historical root because societies have memory; and the experience, habits, truths, and faults continue to exist by being transferred from one generation to the other. When considered from this point of view, understanding the past means understanding the present events or situations better. Within the context of this study, mirrors for princes can have an active and facilitative function in understanding political and administrative facts occurring in today's Middle East, and the perception of leadership that gains importance in this context.

Although the roots of mirrors for princes date back to much earlier times, this study focuses on fundamental texts found in the geography of Middle East after Islam. As a result of the analysis, it is possible to make some observations. Addressed with different names, mirrors for princes have been basic political and administrative texts of this geography. It is observed that Eastern mirrors for princes are structured on three fundamental factors; these are religion, balance, and justice.

From the perspective of leader typology, it is seen that the described or idealised leader is a benevolent father for his children, a fair shepherd for his herd, and a religious person who roars against his enemy. When we take a look at it in today's perception, leaders are people who have weaknesses in front of the society and God although they have many strong personality traits. This person is religious, and develops an identity within a moral doctrine.

The symbolization of the leader through the use of lion metaphor is observed with the qualities of power, authority, and oratory. As the threat or the perception of threat in the society increases, a lionhearted leader who roars is appreciated more. Although people themselves are sometimes scared of the roaring of their own leader, they have an absolute faith that this roar will protect them in dark forests.

The father figure is generally benevolent. The real expectation from him is to act with compassion. However, as indicated by a common statement, the father both loves and beats. Father's approach to his children defines his worldview, and a good part of it is based on unwritten social rules called mores. Mores do not only have a negative meaning as it is expected, on the contrary, it is a way of having government and laws in a migrant settler society.

The perception of a fair shepherd is not interpreted in a negative concept by the people who are called herd. To give examples from the recent past, it is understood from the statements of politicians who says that this duty cannot be fulfilled by the people who cannot shepherd two geese or three sheep. It is also an indicator that people are not disturbed by the nickname, shepherd, of a leader who is one of the most important political figures in recent past of Turkey. Like a shepherd who does not sacrifice his herd, leaders also protect their teams although they make frequent mistakes. This is about

balance. The distortion of this justice-centred balance is one of the most serious dangers for both the leader and the society. The worldview of this geography's people, which is based on emotions rather than logic, also reflects in mirrors for princes; this situation shows itself in the fact that the determinant is moral rather than material, and the subject rather than the system. It is observed in mirrors for princes that there is a dominant understanding based on happiness rather than wealth and prosperity, on justice rather than order, on leader rather than system, on courage rather than weapon, and on governor rather than government.

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Enculturation of Ambon's Public Spaces as a Tool of Building Inclusivity of Segregated Communities

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Abstract

Beside having significant values that would enrich the Indonesian nation, tribal, cultural, and religious diversity brought seeds of conflicts that could potentially disrupt social order and threaten national unity. The conflicts that occurred in Ambon from 1999 to 2004 were conflict examples that were caused by religious plurality that had appeared many societal problems that could not be fully resolved until today. The trust among Ambon's plural communities had not returned well and it was even worsened by settlement segregation separating Muslim and Christian communities that factually brought potential for further conflicts. In the present life of Ambon's segregated society today public spaces inspired by brotherhood and "unity in diversity" spirits that could be meeting and socializing means of the communities and to reduce the social polarization were to be absolutely necessary. Unfortunately, the existing public spaces in Ambon for the time being served only as stages of activities and they did not connect with the communities' social spectrums so that the public spaces remained meaningless. A public space here served just as a witness, not as a means of socializing in accordance with the communities' cultures and characters. This paper would discuss how to integrate the communities' cultures and characters into a public space design that had significant meaning in overcoming the polarization of Ambon's segregated communities. The public space would be designed by taking into account a location choice where two segregated communities could easily meet. In the public space a macro space concept where the sea as the front page of Ambon communities should be applied and even forwarded since such a concept tended to be forgotten. Beside the spatial format, the public space should also be designed by facilitating various cultural-based activities so that the communities' characteristics that were integrated in the urban culture and daily activities would appear in the public spaces.

Keywords: Enculturation, Ambon, Public Spaces, Inclusivity Building

Introduction

Indonesia's Moluccas islands were historically islands of peace having abundance of local wisdom that nourishes their people. 'Hidop Orang Basudara' was a noble civilization strategy to prevent and resolve conflicts and to build true peace among indigenous Moluccas people. 'Hidop Baku Bae' (peace) was a key word in Moluccas customary values referring to a sacred, dynamic and sustainable process to reconcile and reunite the conflicting parties. 'Hidop Baku Bae' was a customary life achievement that was not just found but it should be consistently and continuously created and built. 'Hidop Orang Basudara' and 'Hidop Baku Bae' local wisdoms had become a harmony binding among the Moluccas people for centuries and strengthened solidarity and order in the countries of Moluccas and elsewhere so that they were driven to be agents and pioneers of peace in their own countries and outside the region as well.

Ambon as the capital of Moluccas that inherits the characteristics of Moluccas' culture¹ appears as a dense, pluralistic, and segregative city. Since long time, Ambon has a long history as the center of economic interaction, governmental politics, and culture. It is different from most other cities Ambon people were not only inherited by pluralism but they were also characterized by a strict segregation based on religious matters and strict segregation of settlement clusters according to the line of religion that had been established since the time of Dutch colonialism². For the sake of surveillance of the people, the Dutch colonial government reorganized the settlement system that was called Hena or Aman into *Negeri* (Country)³. Therefore any community that used to be called Hena or Aman would change into *Negeri*. In the socio-historical process, these *negeris* clustered in certain religion so that there were two religious-based community groups that were later known as Ambon Sarani (Christian) and Ambon Salam (Muslim)⁴

Such segregative dwellings appeared to be one of the triggers of Ambon's long conflict that began in January 1999 which was initiated by dramatically decreasing social interaction among Ambonese people. They lived in groups based on religious similarities to form a deeper segregating partition. The social interaction patterns experienced a shift that were marked by the increasingly widespread interaction pattern having conflictual characteristics. The basic building of a plural-segregative society seemed to find a consolidation momentum so that it reached a total elimination phase. Public facilities such as markets, schools, hospitals, and others were segregated, such as muslim markets, namely Batumerah and Old markets, and christian markets namely Passo, Tagalaya, and Batumeja markets. This dwelling and other facilities segregation had made Ambon experience social segregation. This condition caused mutual distrust among the people.

The present Ambon communities' socio-cultural condition is in post-conflict reconciliation (of Muslims and Christians) phase after the 1999 conflict. The destruction of public facilities such as education and health facilities have been temporarily fixed and this fact appears to show significant progress. Similarly, the distorting social-cultural relations that affects the social cohesion degree and creates social distance and community segregation have been gradually fixed.

Despite experiencing such distortion that caused disputes or conflicts among communities and created social distance and stretched the social cohesion degree the Ambon communities basically had open, tolerant and appreciative characteristics to cultural diversity, respecting collective life in the spirit of "orang basudara" (brotherhood). These characteristics manifest in their territorial-geneological social relationship such as "pela" and "gandong" fraternal cultures or other cultural activities. Ambon communities' cultural characteristics remain having a very strategic potential to be utilized as a safety valve, especially for social stability and security.

The phrase of "Ambon Manise" reflects the totality of the life aspects of Ambon communities, both physically and socially. Physically, "Ambon Manise" means the natural beauty of Ambon City and its environment that is clean, orderly, safe and comfortable; and socio-culturally it reflects to harmonious interaction among the groups and the groups members within the society as it commonly reflects in the cultural fraternity relationship patterns of "pela" and "gandong". The Ambon communities have a philosophy of "Bersatu Manggurebe Maju" which democratically puts forward collective values in order to reach consensus, a teamwork to have a honest, transparent, and democratic competition in order to reach safe, harmonious and prosperous Ambon city in the future.

In such a situation the role of public space is significant enough to further strengthen the brotherhood among those who recently had social conflict experiences. This public space is not only understood as physically geographic where the communities gather but it is more as a sphere or environment where the communities will probably interact not only face to face but also to make verbal and inner dialogue. The public space becomes a medium of communication of the Ambon people having *kewil* habit (to discuss mutual interests) so as to be a mediator of the people's *paparipi* nature (hurry and rapidly heating up) that usually emerges from private spaces spreading over the city area. Such a space is expected to dilute the differences and to be an arena of amalgamation occurrence (melting pot) meaning the groups and /or individuals will voluntarily merge their respective identity so as to facilitate the occurrence of assimilation and cooperation, or at least to build tolerant attitude and behavior among the members of different communities

B. the Characteristics of Ambon's Communities and Ambon City as that is Based on "Orang Basudara" Culture

¹ Aholiab Watloly, 2016, "Gambaran Umum Kota Ambon" presented at Focus Group Discussion on Design of Public Space Based on Ambon's Local Wisdoms", Ambon pp. 2-4

² Tamrin Amal Tomagola, et al, 2007, Format Ulang Birokarasi Kota Ambon, Inninawa, Makassar.

³ Abdullah, Subair. 2014, Merayakan Satu Dekade Pasca Konflik: Hidup Harmonis dalam Bingkai Segregasi, Jurnal Studi Islam Volume 3 Nr. 1, 2014

⁴ Tamrin Amal Tomagola, et al, op.cit.

The characteristics of Ambon's communities can be read and understood from their various traditions and daily life habits. They, since the beginning of the city construction until today, were made of multi-identity migrant communities, multicultural communities, harbor communities adorned with beach and beautiful sea (water front city). As a hallmark of the urban migrants, the Ambon's communities are embedded in the diversity of ethnic and traditional identities. There are Ambonese, Dutch, Portuguese, Chinese, Arabic, Javanese, Timorese, Kisar, Minang, Tapa, Banda, Tanembar, Babar, Letti and so on which continue to color the Ambon social configuration until now.

Of the Ambon's citizens there are some having ethnic-identity backgrounds of the Netherlands, Portuguese, Arabic, Chinese, and Spanish. There are also citizens coming from ethnic-identity backgrounds of Ambon, Java, Timor, Sulawesi, Toraja, Madura, and so forth. The coming of the migrants did not only happen in the past but it happens until now (post conflict), the Ambon demography continues to grow due to the never stopped migrant influx and they who are interested in the beauty and hospitality of Ambon. Having such a multi-ethnic diversity the Ambon's communities are expected to embrace each other in establishing the identity and togetherness concept as Ambon's citizens in a cross-cutting affiliated identity that are supporting each other. As a result, Ambon's communities having a mixed identity will emerge.

The genuine characteristic of Ambon's citizens from the beginning was open to differences, meaning they were accustomed with mutual attitudes to accept and recognize differences and to build cooperation across differences for the common good. The other characteristics were expressed in inter-racial and inter-ethnic relations in Ambon City where they would always be open to ethnic or racial differences in a cultural identity so the term "Katong Samua Orang Basudara" had become a strong social capital perform the national principle of *Bhinneka Tunggal Ika* (Unity in Diversity) in city called Ambon Manise. The openness and plurality natures makes the Ambon's citizens very sensitive to conflicts eventhough they are factually true peace-lovers (*hidup bae-bae*). Under these circumstances the existing local wisdom modes in preventing conflict, resolving conflict and building sustainable peace should be the main capital of the Ambon's communities. As a plural society they often experience conflicts but thereis always local wisdom capital that keeps them open for mutual admonition, counseling, and forgiving each other. *Katong Samua Orang Basudara* is guided by a social ratio that becomes the customary ratio of Moluccas or Ambon communities and it becomes a collective mind of civilized Moluccas communities. The Ambon people have always been the reality portrait of *Hidup Orang Basudara*¹. The description above shows that the plurality of the Ambon's community must not be used as a means of triggering social conflicts as it is opposed to the authenticity of hearts, characteristics and traditions of the Ambon's communities themselves. The plurality of Ambon's communities could be a social and development capitals to achieve a sustainable development of Ambon City.

C. Public Space Concept as a Facility for the Segregated Communities Encounters

A public space as a means of inculturation can be understood as two things, namely public space and public sphere. Public space here means a physical space or place of communities in conducting social activities and a place of social interaction. Such a public space will be a node and landmark of the city navigation tool that could perform as pedestrian, pavement / plaza, public square, and park². A public space as a public sphere was an idea of a Germany philosopher, Jurgen Habermas, who defines public space as a space for critical discussion that is open to all. In this public space, private citizens gather to form a public in which the public reason will be directed to oversee the government's and state's power. The public space here assumes freedom of speech and assembly, free press, and the rights of free participation in political debates and decision-making³. Habermas further states that public space is a democratic space that can be used as a vehicle for community discourse, meaning that citizens can express their opinions, interests and needs discursively. A public space has an important role in the democratic process because it can be the citizens' arena to communicate with each other regarding their political anxieties⁴.

From the definition, a public space as a plural space is considered as a place of social life of citizens to interact with each other through the democratic principles for the common good⁵ and the arena for the communities to participate in deliberation (on issues of political/policy legitimacy) which is an ideal picture of democracy in which there are justice,

¹ Watloly dalam Ralalahu (2012) dan Watloly dkk. (2016)

² Lynch, K. 1960. *The Image of City*, MIT Press. Cambridge, MA.

³ Siahaan, James, 2014, *Ruang Publik: Antara Harapan dan Kenyataan*, www.tataruang.atr-bpn.go.id/Bulletin/upload/data_artikel/edisi4c.pdf

⁴ Noor, Irfan, 2016, *Identitas, Agama, Ruang Publik dan Post Sekularisme; Perspektif Diskursus Jurgen Habermas*, *Jurnal Ilmiah Ilmu Ushuludin*, (p-ISSN: 1412-5188/e-ISSN: 2549-3752)

⁵ Kurniawan, Robby.C, 2011, *Ruang Publik Pasca Era Reformasi*, *Jurnal Ilmiah Administrasi Publik dan Pembangunan*, Vol. 2, No. 2, Juli – Desember 2011, hal. 368.

diversity, freedom and solidarity values¹. A public space is not only physical in nature such as a park, a field, a legal institution or organization but the citizens' communion itself is actually a public space. Therefore, public space should be free, open, transparent and no government intervention as it is autonomous. In other words, a public space should be easily accessible to everyone. From this public space the power of society's or citizen's solidarity can be directed to positive goals and vice versa².

The emergence of social media often called "virtual world" as a new medium provides a wider transformation, both theoretical and practical, on how a public space takes place in a virtual space. The internet's characteristics as a medium, the users accessing, to the information distributed in the virtual (public) space should be of concern how to see the real characteristics of the public space of the virtual world, taking into account the positive and negative aspects³. A virtual public space is like a double-edged blade meaning it can quickly change from an assisting tool to a "killer" and vice versa because of its virtual nature, there is no physical presence. Thus, to build harmony in society, we can not rely solely on the development of information technology⁴. No matter how sophisticated the virtual world, it is a world that has no touch of real sympathy and empathy to be used as a modality of building brotherhood in the real world. Therefore, an encounter place which is the a physical public space to build harmony of the citizens is a necessity that can not be negotiable (*conditio sine qua non*⁵).

A public space is significant for urban areas and urban life because it is a social construction of a space of spatial behavioral that is defined and to determine the space around us as an integral part of our social existence. Besides, a public space is able to build inclusivity where every community group always has its own belief, character and problem. When it is only self-kept, not communicated with other groups, what will happen is then exclusivity that has the potential to become prejudice seeds, social jealousy, social segregation, etc. What comes later is the feeling of "in group" and "out group" that are easily provoked by irresponsible parties having certain interests⁶. The public space here will be able to play a positive role that can be a space of encounter among communities having different backgrounds and they can interact with each other so that one is to know the others, and vice versa. A public space will not and should not eliminate differences but it can find "links" between different groups of the communities in the form of shared concerns perceived as members of the community, such as education, the environment, economic difficulties, etc. Face-to-face and eye encounters will create a natural, not artificial, sense of sympathy and empathy as it is possible in the virtual world. On the other hand, such a physical public space could be a "cross-cutting affiliation" for all citizens involved although they are different but have shared concerns that must be fought, including the longingness of safe, comfortable, and not bothered by fear and worry life. A public space could also become the reintegration of the socio-spatial division so as a mediator between private spaces dominating the city and it plays an important role in socio-spatial division. Without the mediation process the spatial movement within the city becomes very limited. In relation to this matter, a public space is also considered capable to be a forum for communication and coordination.

D. Public Space Concept as a Facilities of Ambon Communities Inculturation

The early building of Ambon's community was based on a hallmark of a harbor-town community, built by the Portuguese and the VOC in the 16th to the 18th century. The social life of the community was systematically designated as a distinctive residential system equipped with beaches, seas, ports and fortified buildings that characterized the "port of town" and merchant community as well as sailors. As a port town community the anthropological characteristics of Ambon's people was always close to the beach and the sea. The characters were also influenced by the local viewpoints of the indigeneous Ambon's people as other Moluccas' communities living in mountainous areas but they always had a bay or an harbor as an entrance and exit of their respective *negeri*. They had an intact marine and land zonation system without separating the sea from the land.

Sea water was always to be a social event of together afternoon bathing and swimming after doing activities in the forest or garden. After that they then looked for a river to cleanse their body of salty water and the habit was called "spul badan".

¹ Wicandra OB, 2013, *Merebut Kuasa atas Ruang Publik: Pertarungan Ruang Komunitas Mural di Surabaya*, Disertasi, Petra Christian University

² Pancasiwi, Hermawan, 2016, *Budaya Berbasis Kearifan Lokal sebagai Modalitas untuk Perjumpaan dan Interaksi*, paper yang tidak dipublikasikan.

³ Ibid

⁴ Ibid

⁵ Ibid

⁶ Ibid

The romanticism of the beautiful beach and marine having sand and headland had always been a reference to the cosmological identity of Ambon's citizens. Their relationship with the sea and the coast became an inseparable unity. Various songs were created and inherited to remember and restore the freshness of their lives. The songs always told the charm of Ambon city life with its beautiful beach and sea.

The writing above explains that a public space, in the context of post-conflict Ambon, a public space can play an important role in the socio-spatial division of the Ambon's communities having the anthropological characteristic space concept that is always close to the beach and sea. Sociologically, the Ambon's communities need public spaces arranged with the charm of the sea, beach and headland that will provide a powerful psychological effects to restore the freshness of the existence of "Orang Basudara" culture in a cosmological space and their original nature as a marine love communities having beautiful beaches to build encounter processes and to do consolidation of "Hidup Orang Basudara". The public space management implementing the philosophy of *Tempat (tampa) Bakumpul Orang Basudara* will make the existing social institutions such as governmental institutions, customary institutions, educational institutions, and communities involve in the management and utilization of the public spaces effectively and efficiently. Thus, the presence of public spaces in Ambon city becomes relevant as a primary need to motivate the lives of *Orang Basudara* to be more constructive so that the density, narrowness, and social sloth that tend to be social problems in Ambon city will be easily handled. The concept of the macro space of Ambon's communities which is inseparably related to the sea makes the beach a "yard" so that the public space as an encounter space is more precisely placed by the beach. The phenomenon of new development that tends to close the shore makes it necessary to review the policy on the development and urban planning of Ambon city.

The open spaces of Ambon city are designed to support the ecological and socio-cultural benefits that promote people's welfare¹. Currently the concept of an open space is still directed to a green open space and it is understood as a green park. Seeing the situation of the Ambon city it is necessary to think about open spaces that are not considered only as green parks but they should be more interpreted as spaces that can be utilized as a public spaces where people can interact in them, meet each other and greet without any divider.

A public space in the context of physical public spaces here is a place for community interaction having a social role. In socially critical situation the local wisdom values could be musically elaborated and packaged into messages that must be more "touching" than the speeches or appeals of formal leaders that are often verily normative. Moreover, if such activities in the public spaces are able to invite all parties, particularly the conflicting ones, the social conditions will soon recover and be much more lasting than if they were carried out under pressure or coercion conducted by the authorities. All these can only happen in public spaces that are physically open.

A public space viewed from local wisdom and people's daily life is very close to the original characteristics of Ambon's communities themselves, particularly in building *Tempat (tampa) Bakumpul Orang Basudara*. The space of *Bakumpul Orang Basudara* gives a strong cosmological inspiration so that they will understand and accept a public space as a cosmological house of *Orang Basudara* viewing the object of public space as a house and a yard of *Katong Orang Basudara*, thus it will awaken a consolidation room of *Orang Basudara* strongly and firmly inside every public space.

The Ambon' communities, especially the post-conflict Ambon's youths, need public spaces to build encounter processes and to make a consolidation of *Hidup Orang Basudara*. Public spaces arranged with the charm of the sea, beaches and promontory will provide powerful psychological effects to restore the freshness of the existence of *Orang Basudara* in their a cosmological space and their original characteristics as a sea-love communities having beautiful beaches.

The conflict phenomenon of Ambon's communities is not static but it tends to be dynamic. Conflicting trend that easily changes has a close relationship with 3 dimensions, namely: time, resources and infrastructure². The behavior of Ambon's people that are easy to fight but also easy to reconcile is caused by the behavior that tend to be the fundamental weaknesses of the people, such as *kalakuanj jumawa* that is tempamental and emotional characters. These characteristics make Ambon's people less able to control themselves, easily provoked, doubled with *kalakuanj paparipi*, that is the characteristics of rush and quickly respond. A sense of solidarity that is embroiled in emotion that has been a specific characteristic of Ambon's communities which is a reflection of the sense of brotherhood (*Orang Basudara*) wrapped with emotional fanaticism tends to harm. On the other hand, the essence of peace and peace modus in indigenous people of *Orang Basudara*³ have three meanings that are free of war, free of civic irregularity, and calmness that balance the

¹ Rencana Pembangunan Jangka Panjang (RPJP) Kota Ambon, Perda Kota Ambon no. 4 Tahun 2006.

² Watloly, dkk. 2016, Perdamaian Berbasis Adat Orang Bersaudara, PT Kanisius, Yogyakarta, hal. 27-36.

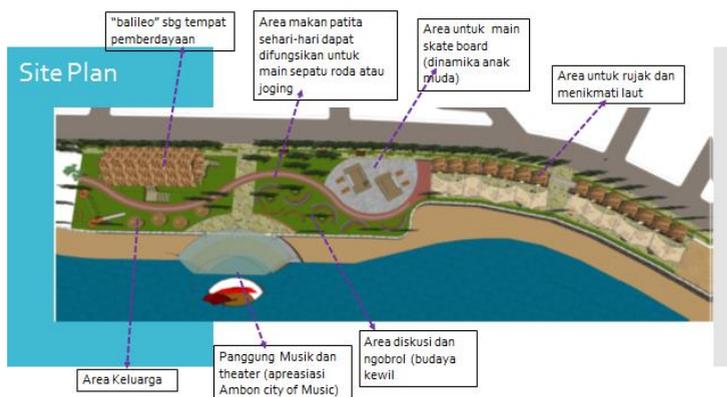
³ Ibid hal. 71,72

three meanings, namely social meaning which creates harmony, tolerance and harmony that are called *bakudame deng basudara*, the meaning of the nature creating harmony with nature (*bakudame deng gunung tanah*) and inner meaning creating peace and inner welfare (*bakudame deng sanang heart dame deng sanang hati*).

Therefore, peace as a process must be planned and executed, not given, it must be built and pursued in Ambon's communities and must be a serious effort. To achieve the peace process, two concepts of reconciliation are made in stages¹, namely first to build a continuous dialogical relationship, and second to bring and to engage the reconciled parties in an activity which can create dependence on each other. The efforts will be very effective if they are run in a public space concept that became a means of encounter that is based on Ambon's own culture. The public space should be a living rule which in the community of *Orang Basudara* is called "Atoran" which means that traditional values are used as a sacred norm which serves to direct, control, and reward or sanction². Cultural traditions that must be developed through the public spaces are, among others³:

- a. the tradition of *kumpul basudara* (gathering relatives)
- b. *panas pela* (to strengthen kinship ties between indigenous communities having fraternal relations)
- c. *panas gandong* (to strengthen kinship relationship of relatives)
- d. *Yelim* (tradition of helping each other when happy or hard)
- e. *Moritari* (art or rule of life in the race of doing good)
- f. *Kalwedo* (sharing greetings, joyful spirit and peace in a strong cultural bond), etc.

Therefore, to realize true peace for Ambon's communities, besidean encounter space, a public space must also be able to represent the living *atoran* and tradition. Here is an example or model of public spaces that the Ambon's communities need, especially in the border area between 2 or more segregated settlers:



E. Conclusion

The inculturation process of a public space means the process of cultural initiation of "*Orang Basudara*" of Ambon's communities that elevates local cultural values as part of the work of peace proclamation. This enforces a life-loving process as brothers and sisters and to avoid violence and this can be one of the ways to resolve any conflict. Through the inculturation process in the public space, peace proclamation will be well received by the local communities according to the languages of individuals and cultures that have grown and rooted in Ambonese plural communities. Therefore, the public space inculturation that performs as a reciprocal relationship among individuals and communities that interact in that space having *Orang Basudara* culture is expected to merge in the rules, limitations and meanings of the social order of the Ambon's communities to lead a lasting peaceful life.

¹ Ibid hal. 74

² Ibid. Hal. 78

³ Ibid. Hal. 79

The Neutrality of International Courts and Tribunals: Why and to What Degree?

Merve Ozkan Borsa

Abstract

It goes without saying that the principle of separation of powers leads to an independent judiciary imposing the rule of law and thereby assurance for the society so as to be prevented against any abuse of power, which is an integral part and a must of democratic values. This independence and impartiality crystallize as to the degree the judiciary (as an institution) and individual judges are able to hold responsibility without being influenced or intervened by any other source. The confidence of the society and the maintenance of justice can only be ensured provided that this independence and impartiality is taken under guarantee by binding instruments and that the manner in which jurisdiction is performed is carried out in accordance to such requirement. Nevertheless, the author of this paper claims that if meant to remain pretty much uncontested, such rhetoric holds true merely for domestic law, since I believe there is reasonable ground to state that this idea –and “ideal” too, since it has also reached such a level-, is relevant mainly for the domestic laws, dissenting from international law; like the title of the article provocatively illustrates. Likewise, there has been theoretical objections asserting that independence, impartiality and neutrality of international courts and tribunals is not required for fair decisions, justice or the court’s effectiveness.

Keywords: Neutrality International Courts Tribunals

Introduction

As regards to above objections, two main critiques can be introduced:

For the first type of objection, it is possible to note that law –not limited to international law but as a “logic”-, most of the time cannot –if not “never”- be free from external factors such as conjuncture, the demands of society, power struggles and alike. This state of affair enables alleging indecency of neutrality and independence of international courts, because, –since we are not in an era of natural or divine law which is based on human conscience, theology or any other origins similar to those-, “law” itself has been a phenomenon constructed depending upon and in relation to such influences. And what the law actually does is merely to mask and sustain the inequality and oppression characteristic of capitalist society. Under such circumstances, the judges to be dependent on some factors like moral ideals, ideological imperatives or certain interests and alike that influence their judgments –though theoretically speaking- can be justifiable and even demandable in the name of eroding the current inequalities and unfairness by re-distributing the justice to reach *de lege feranda* –under the assumption that the influences are not further deepening the existing negative features of the current situation-. This way, by the judges who are belonging to different cultures; different moral systems will be able to be represented in the court and this will open a way for different moralities to take the scene, since current law represents the value prevalent in certain geographies. The phenomenon of “international community”’s becoming a matter of discussion can be used as a supportive argument for this objection. On the other hand, a counter-argument -amongst others-, can be developed to challenge this view by expressing that it ignores the consensual characteristic of international law.

A second main objection can be founded on the basis of an utilitarian perspective. Such perspective suggests that an international court can be effectively working only when instruments have been set up as to allow the court’s jurisdiction to be open to the influence of governments and when the judges can closely be controlled by governments. The main reason for this, according to the approach, is the argument that if the governments can influence the decision of the Court, they become more willing to resort to the Court. This approach can be supported by the theory of “constrained independence”. According to this theory, states create independent international tribunals aiming at enhancing the credibility of their commitments in multilateral settings and then they limit the potential for judicial overreaching by structural, political, and discursive mechanisms. As opposed to that, it is possible to challenge utilitarian objection by the evidence of some states’ resorting to international courts –or establishing them in the very beginning- without any opportunity and facility as claimed.

The application impediments, on the other hand, possess a variety of difficulties ranging from physical shortcomings to structural inadequacies, from the minor and basic ones to the major and unchangables.

All in all, while implying a positive sense regarding justice, effectivity, integrity and credibility, but not exempted from neither theoretical objections nor application impediments, the issue of independence, impartiality and neutrality of international courts and tribunals and their judges has been a moot question in the area of international legal interactions. In this paper, the issue of neutrality of international law will be evaluated by the inquiry of the current and possible theoretical and ampirical/practical objections towards the nearly uncontested dictum and assertion of the (necessity of and) neutrality of international courts and tribunals. The title asks the question of why and to what degree international courts and tribunals are neutral. In this case, the theoretical objections will be explored for discussing the first interrogative article (why should international courts and tribunals be neutral?), while the study on ampirical objections will pave way for discussing the second. At the same time, counter-arguments will also be developed towards each of the objections.

Comprehensive and Multidimensional Model: Life Therapy and Spiritual Psychotherapy for Prevention and Treatment of Addiction

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Abstract

Individual, familial, social, economic, political, existential and spiritual factors all influence substance use. Lifestyle, quality of life, parenting style and parents' personality disorders and mental health problems, social capital, poverty and the largest globe businesses of illegal-drugs in the world have also share a significant effect on the addiction. One should consider all of those factors in order to efficiently prevention and treatment of the addiction. Each factor should be considered in the treatment and interventions.

Keywords: Comprehensive, Multidimensional Model, Life Therapy, Spiritual Psychotherapy, Prevention, Treatment, Addiction

Introduction

Individual factors

Individual, physiological, temperamental and personality factors are peculiar in each individual and are even different in identical twins. Due to some difficulties and shortcomings, some individuals are more prone to any addiction in general and addiction to substance in particular. Lifestyle, quality of life and parenting style are extremely important and much more effective.

Familial factors

The main pathology in addiction is the family pathology. Parents' personality disorders and mental health problems, social capital, lifestyle, quality of life and parenting style, either cause or prevent substance use in adolescents.

Social, economic and political factors

The largest globe businesses are 3: 1- petroleum, 2 - weapon, 3 – illegal drugs

Illegal drug trade is now the third largest business in the world and plays a significant Economic, social and political role. In Iran 74% of addicts use traditional substances and 26% use recreational ones. They cost 3. 5 billion \$ and 1. 75 billion \$ each year respectively. Total costs reach to 5. 25 billion \$ annually. At least twice of that will be the cost of preventive and therapeutic interventions. 17-20% of adult population is addicted to tobacco. No country has paid the price for controlling substances as much as Iran did. More than 4000 martyrs and 12000 more injured in substance control operations.

For the life therapy or spiritual therapy, the concepts are applied to a therapeutic context of care and compassion which means love and belief beyond oneself. By cultivating a soulful and spiritual existence, thus conducting one's clinical practice on the basis of these tenets of transcendence, the therapist can guide the patient to reach his or her own authentic self. Changing the mechanisms, through changing psychotherapeutic techniques that will be named 'spiritual psychotherapy' and life therapy will be discussed.

1- Acceptant and trust 2- Reality Technique 3- Clarification 4- Responsibility 5- Love of self 6- Love of belonging 7- Love of work 8- Love of others 9- Forgiveness 10- spiritual light 11- Unity 12-Transformation 13-Recognition of behavioral

consequences 14-Exclusion: give up, vomiting 15-Inclusion-Incorporation 16- Flexibility 17-Affective self-regulation 18- Enhance introspective abilities 19-Introspective self-reflection 20-Analysis of: thoughts, emotions, aims and life 21-Control training of thoughts, emotions and behavior 22- Challenge solving 23- Reinforcement (permanent - temporary) 24-Self-Monitoring and Instruction training 25-Mirroring 26- Commitment 27-Appropriate response 28-Means of Trial and Error 29-Modeling 30-When and how to control 31-Over control and under control 32-Appraising (critical) 33-Basic belief systems 34-Think locally, view globally and spirituality, act specifically 35-Future focusing (continuing of life).

The Role of the Judge in the Interpretation of Contracts

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Abstract

This article analysis the historical perspectives of interpretation all types of contracts: The first part gives , the interpretation of contracts by fundamental human rights. The interpretation of contracts we overview of fundamental human rights. The second part is concentrated, the concept of influence legal dictation by the european judge. The influence of legal mediation of Fundamental Rights on the interpretation. The immediate legal effect of fundamental rights on the interpretation. The third part, improvement in the influence of fundamental rights in the interpretation of contract by the judge. The influence legal dictation by the european judge and the influence legal réceptionnée by internal justice - The Fourth part treats improvement in the influence of rights fundamentals in the interpretation of the contract. The need for upgrading of contractors and the need improvement the decision-making process. The overview provided in this article has revealed the fundamental rights, although they affect the assessment of the validity of the contract, can not justify pourautant some observed shortcomings and inconsistencies. From jurisprudence have already taken courses on the interpretation of the contract through the Medes took fundamental rights, it seemed necessary to highlight some pointsperfectibles and consider for thought, without that they do not even constituentelle a continuum which take account of one of these hypothèsesdevrait necessarily justify the other. Rather proposals drizzle point necessarily linked with each other, put that nevertheless part of a general approach. These are intended for the idea that a more consistent protectioncontractors, Regulation of private matters, including interpretation disputes etl'appréhension of fundamental rights in this context should be encouraged internally. The European Court has demonstrated that it could intervene in this context - and notmay augur a result it will give to its action - it was necessary to engage for thought in terms of judgments, so that the interests of the contractors are the best preserved, and intervention in the interpretation most consistent. Ignore influencejouée by the European judge should barren since it exists concretely and sansdoute will tend to grow in terms of the real authority of the European Court in domestic law. Pourautant, the question of contract interpretation - even the rights of prism . to the fundamental - normally and logically falls within the jurisdiction of domestic courts, which should be encouraged, not excluding taking into account the European influence.

Keywords: copyright, comparative law, development of copyright, Stabilisation, lEuropean union concept of copyright

An Evaluation of the Nature of Public Spaces in the Private Realm over the Examples of Privately Owned Public Spaces in NYC

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Abstract

The designing and implementation of public spaces have a crucial role in the development of cities. A city's success is generally based on the quality of its public spaces and it is a fact that public space is an elementary aspect of urban life. Moreover, one mandatory standard for big cities to function well is there to be a welcoming public space, where a number of urban activities can take place. According to the general notion, parks, streets, city squares, sidewalks, etc. can be included in public spaces. In addition to these, some indoor spaces such as below ground stories, plaza entrances and places like waterfronts or elevated structures with new functions have been considered as public space nowadays. In order to create, design and finance public spaces, sometimes private organizations and public governmental bodies cooperate. However, a game changer in the public and private realm was the 1961 zoning program of New York City Department of City Planning. This program gave permission to private developers build more floor space than they were allowed in exchange for supplying public spaces. As a result of this act, privately owned public spaces (POPS) were created blurring the definition of public space. Today there are more than five hundred POPS in NYC including indoor and outdoor spaces. This study will try to provide an analysis and general view of POPS as public spaces questioning the issues about their use, control and ownership. The criteria of successful urban design for public spaces and the role of governmental authorities in regulating and planning the public spaces will be discussed along with the boundaries and scope of public activities that can take place in public spaces. Finally, the question of whether the ownership of public space by private harms the concept of public space and the rights of citizens will be approached via different perspectives. After looking at the conceptual definitions of public space in literature and analyzing specific examples of POPS, this paper will attempt to come up with a functioning definition of public space in the private realm.

Keywords: public space, new york city, privately owned public spaces, urban planning

Introduction

Individuals of a city use public space to gather, interact with each other and to simply be and express themselves. Since before the time of the Greek Agora city life has in many ways been defined by its public space (Wilshire, 2012). Due to political and economic benefits, these public spaces are in a delicate position of privatization, which can lead to the end of public space as we know it. Public spaces are symbolic "places" that can be scenes for conflict between contradicting actors or stages of marketing for the business sector. Especially after globalization has accelerated, big cities are facing the consequences of privatization of public space due to their increasing population and economic significance as well as being a political platform.

New York City, being the capital of world financial markets, is one of the biggest and most important metropolises of the world. Consequently, it has also been a city that was majorly affected by the privatization of public space. In 1961, the zoning plan gave permission to land owners and developers to build more floors in exchange of providing public space in their own property for the public. Blurring the limits and the definition of public space, the questions of who these public spaces are for and whether they are venues for free speech or just a landscape for specified people were raised. Occupy

Wall Street in Zuccotti Park in 2011 was a reflection of this confusion and it was a demonstration of how these privately owned public spaces (POPS) can actually be used by random people, that it wasn't originally intended for corporate people only.

The privatization of public spaces is a controversial issue and this paper will be examining the situation by discussing specific examples of privately owned public spaces in NYC and try to understand if this system is actually working.

Public Space

In order to discuss the current issues about the topic it is important to understand what public space is. Space points out to a more abstract area defined only by physical means whereas place gives a meaning to space in the context of social and economic purposes as well as ownership matters. Public space, on the other hand, is a completely different concept. It is a "place" where the community can access no matter what their gender, economic class or race is. They are for everybody and they are also venues of free speech, protest, social interaction and spontaneous activities. *"In the parks, plazas, markets, waterfronts, and natural areas of our cities, people from different cultural groups can come together in a supportive context of mutual enjoyment. As these experiences are repeated, public spaces become vessels to carry positive communal meanings"* (Carr, Francis, Rivlin and Stone, 1992). A space cannot be considered public unless it is generally occupied by the community members (Kimmelman, 2012).

Public and private spaces co-exist rather than having very definite boundaries with each other. They have different levels of accessibilities and they usually do intersect. It is very uncommon that a space is either private or public but generally interfered physically and politically. From this perspective, the ownership and property issue raises: who owns and determines how resources are used, and what then is truly public? (Giesecking, Mangold, Katz, Low, & Saegert, 2014). Mitchell mentions "the right to inhabit", as the sum of diverse ways an individual or a group can occupy a public space, is an essential human right (Purcell, 2003). In this context, public should be perceived within the concept of commons, resources which are available to all community members (Blackmar, 2006).

City parks, squares, plazas, market areas, piers, areas within public buildings, airports, some lobbies, etc. are some examples of public spaces. Nevertheless, the concept of public space has evolved and changed in the second half of 20th century due to private-public cooperation. POPS is an example to this. As a matter of fact, it wouldn't be such a wrong action to say that public spaces are transforming into private spaces. Cities are malleable, pliable, and constantly changing, and as such the experience we have of urban spaces is always a negotiation between various powers and influences (Giesecking, Mangold, Katz, Low, & Saegert, 2014).

Privatization of Public Spaces

The reason behind privatizing the public spaces is mostly economic. Providing public space can be an economic burden on public authorities, which they cannot always fulfill. Besides, the private organizations cherish the chance to get more income and have some control over urban space. In 1970's, the idea of private sector contributing to public institutions became a popular answer to the incompetency of public authorities in the name of creating more efficiency. It was a win-win solution.

One of the consequences of this approach was the private sector having a bigger act in society. In this way, private organizations gained high social reputation by contributing to public. Socially responsible commitments draw more people's attention as this is a popular issue in the modern age. Giving back to community by creating a public space attached to business structures bring more consumers to these organizations. Additionally, they are also given the opportunity to expand their use of land such as building more floors. If this trend continues, it will eradicate the last remaining spaces for democratic practices, places where a wide variety of people from different gender, class, culture, nationality and ethnicity intermingle peacefully (Low, Taplin and Scheld, 2005).

New York City has the biggest urban area in the US with its metropolitan area and almost twenty million population and it is the leading city of United States. Therefore, it sets an example with its public space privatization moves to other cities not only in the US but in the world.

Privately Owned Public Spaces in New York City

New York City has limited funds for improving its public spaces as well and the regulations encourage the private organizations to get involved in privatizing public spaces. In 1961, NYC zoning plan granted the permission to build 20% more to developers who promised a contribution of creating a public space. The developers gained even more floor area depending on their contributions. For example, an indoor public space gave 12:1, meaning that the developer had the right to build twelve times the indoor public space he provided.

These privately owned public spaces, POPS, had some criteria according to the law. The developers had to create public spaces with useful and aesthetic utilities such as plants, benches, tables, etc. for public use. POPS are generally located in urban areas that are crowded and dense by buildings for the purpose of maintaining breathing space, air, greens and light to the residents. The Department of City Planning set some design rules for POPS such as being welcoming and inviting, accessible and giving the message of openness to public, safe, well-lit, comfortable and having seats. NYC has 530 privately owned public spaces in various forms such as sidewalks, arcades, urban plazas, parks, etc. adding up to more than three million square feet (Dimmer, 2013).

As a result, a huge number of public spaces were created mostly in Manhattan but the quality of these places is not so good. Some of them are being actively used but some of them are inaccessible or unusable. 16% of these POPS are actively used, 21% are simple resting places, 18% are circulation bound but 41% of POPS in NYC are in an unusable condition (Helleman, 2016). Thanks to Harvard Professor Jerold S. Kayden, all of these privately owned public spaces are spotted, presented and evaluated in his book of "Privately Owned Public Space: New York City Experience" (Privately Owned Public Spaces, 2007). This way, the public will be more aware of what they own as a public space and the owners will be more in the light to pursue their responsibilities. Later in 2002, Mr. Kayden established APOPS (Advocates of Privately Owned Public Spaces) and is working with NYC Department of City Planning and The Municipal Art Society of New York to activate POPS.

Zuccotti Park

Zuccotti Park is a POPS in Lower Manhattan. In fact it was once known as Liberty Plaza Park and it was the result of an agreement between New York City and US Steel in 1968. US Steel provided this park to public in memory of the protests in 1770's against UK taxes for tea in exchange of more floors for its building, One Liberty Plaza. However, in the 9/11 incident, the park was badly damaged but thanks to John Zuccotti, the chairman of the company who owns the land, pioneered a fundraising for the renewal of the park. After that, the park's name was changed to Zuccotti Park.



Figure 1 Zuccotti Park Restrictions (Woodward, 2012).

In September 2011, the park was used as the base for protests of Occupy Wall Street due to its closeness to New York stock exchange and it being actually a public space. The protesters symbolically wanted to reclaim the name "liberty" in the park in opposition of its name after a businessman. Fitting the scene, Occupy Wall Street was a protest against capitalism

and inequity with the slogan of “We are the 99%” regarding the economic system that only benefits the richest 1%. The protesters stayed in the park constantly for almost a month and police had no chance of interfering because it was a public park which had to be open 24 hours a day. Occupy also called attention to the co-opting of the public commons by the moneyed individuals and groups (Ulam, 2013).



Figure 2. Occupy Wall Street (Helleman, 2016).

In October, owner of the park, Brookfield Properties, claimed that the park needed to be sanitized in spite of protesters cleaning the park every day and giving access to pedestrians. Continuous arguments of Brookfield Properties saying that the park was threatened led to the forcible eviction of protesters by NYPD on November 15th. Even though the protesters were legally allowed to return to Zuccotti Park after the cleaning, New York Supreme Court didn't let them back and the park was closed until January 2012.

Trump Tower in Manhattan

With the 1961 zoning plan in NYC, the developer of Trump Tower had the privilege of adding twenty extra floors to the building in exchange of a public atrium with a bench, restrooms and two upper-level public gardens. Twenty floors are almost the one third of the building equaling to more than \$500 million today (Chaban, 2015).



Figure 3. Trump Tower (Mahony, 2016).

Nevertheless, the agreement was breached many times until now. The main issue was mostly the promised bench in the atrium, sometimes disappearing and sometimes mysteriously being replaced. In 1983, when Trump Tower was opened, the bench was in the atrium but it was covered with planters and in a situation that couldn't be used. Trump explained the situation to the Department of City Planning as: "We have had tremendous difficulties with respect to the bench—drug addicts, vagrants, et cetera have come to the atrium in large numbers. Additionally, all sorts of 'horrors' had been taking place that effectively ruined the beautiful ambience of the space which everyone loves so much." Later on, the planters were removed anyways due to the POPS agreement (Rosenberger, 2016)

In the coming years, the agreement was breached again resulting in fines from the department of city planning. In July 2016, the bench disappeared again and Trump Tower Commercial LLC had to pay a fine of \$10,000 for not showing up in the court regarding the case of the bench. Later in August 2016, new metal benches were placed in the atrium but they still had to pay the fine due to their prior violation. However, the corporation neglected the agreement and inserted large counters of Trump Merchandise sellers into the atrium resulting in a \$4000 fine by the city (Mahony, 2016).



Figure 4&5. Trump Tower Atrium With/Without Bench (Rosenberger, 2016).

Other POPS in Trump Tower are not functioning properly as well. There are reports of users stating that guards of Trump Tower are discouraging people to enter public gardens on the fourth and fifth floor. Despite the well-observed signs of Trump Ice Cream Parlor, Trump Grill and Trump Store, the signs to these POPS gardens are not very visible. Sometimes the gardens deny access with a velvet rope for no reason or when they are open, they lack the required tables and the agreed trees in the gardens are almost dead (Rosenberger, 2016).

Additionally, Trump uses the public atrium improperly for his press conferences and campaign rallies from time to time but the agreement of POPS in 1970's indicates that the atrium can only be used four times a year with a prior permission from the city. The Trump Organization made an explanation to The Wall Street Journal about this issue stating that there is no such agreement to limit the use of the atrium as Trump pleases (Mahony, 2016). According to Kayden, these kinds of

violations of POPS agreements such as denial of access, implementation of sales counters, removal of garden furnitures, etc. are not uncommon in most POPS.

Le Parker Meridien Hotel

Le Parker Meridien is at West 56th Street in Manhattan and it is a leisurely hotel with an upscale lobby. This lobby is one of the many POPS of NYC due to the agreement of the building and the city in 1970's. Even though the lobby is a privately owned public space, there is a café called Knave in this lobby with the price of \$8 for a coffee and \$23 for a cocktail. In 2015, Chaban from The New York Times decided to make a small test for the publicness of this place by bringing a pizza and some friends to hang out in the lobby. The bartender politely asked them to leave because outside food was illegal and if they wanted to eat, they had to buy from the Knave. The question of what happens to homeless residents wanting to rest in this POPS remains a mystery (Mahony, 2016).

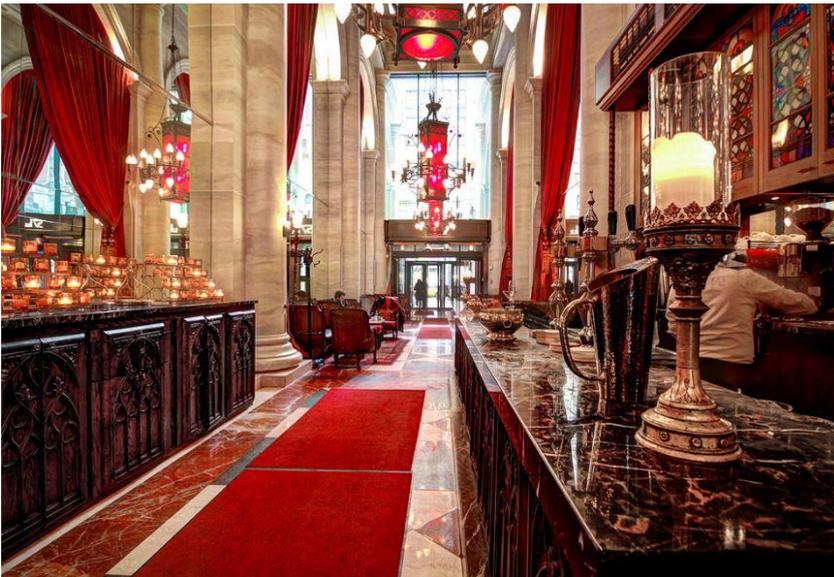


Figure 6. Le Park Meridien Lobby, Knave Cafe (Mahony, 2016).

Hotel lobbies are relatively easier urban areas to satisfy the POPS requirements due to their very nature being open to strangers. However, the above-mentioned incident shows that only passers-by are welcome in this privately owned public space. There are no other indications of being public other than the small sign next to the entrance of the lobby, not to mention the high ceiling, the concierge desk and the luxury café. It is certainly less inviting for the every day community. The inherent cruelty involved is something that affects us all, whether or not we happen to have the price of a coffee to spare by way of paying a half-hour's rent on a place to sit (Greenfield, 2013).

The Effects of the Privatization of Public Space

The goal of privatizing public space was to conserve parks and provide the residents an area for expressing themselves but the turn out of events seems like this approach is changing the notion of public space. The purpose in the beginning was to create public space for everyone, not just for the wealthy. This is a disconcerting fact given that the present economic situation of other cities is also pointing them to this direction for the maintenance of public spaces as well. To sum up, it can be stated that the privatization of public space deepens the gap between the poor and rich. big urban projects on the drawing boards in New York still tend to be the products of negotiations between government agencies anxious for economic improvement and private developers angling for zoning exemptions.

At first glance, parks and public spaces are not strictly crucial public amenities like fire and police stations. Therefore, the government struggles to allocate funds for public spaces and gives this opportunity/duty to private organizations which lead the public spaces become luxury spaces used only by the luxury class.

Over the years, the most consistent victims of POPS have been the homeless (Mahony, 2016). The indoor privately owned public spaces generally resemble shopping malls rather than public parks. Consequently, the retail organizations renting space from these POPS are not fit with the public space character and they often see the homeless as threats to the customers. This result in efforts to push them out of the public spaces and the homeless usually rely on public space for basic functions such as eating, resting and surviving cold winter months. Those without shelter are generally considered a threat to public sometimes due to their small contribution to the consumer economy. Sometimes this is the reason behind their "removal" from the "public" atriums by the private organizations who own these public spaces.

The above examples show that POPS are supervised by more authoritative manners and they restrict the users' acts within these spaces putting an important social dimension at stake. *"When space is controlled, and especially when the public is unclear about what the legal or acceptable boundaries of activity are, we tend to police ourselves, to monitor our behaviour and to limit our interactions, especially after embarrassing confrontations with security"* (Garrett, 2015). Even though they are accessible and usable by public, they usually have small nuances of capitalism giving public the feeling that the privately owned public space only belongs to certain people. They use surveillance cameras, generally a security guard is present and the atmosphere is very corporate due to the architectural elements and existing logos. Additionally, POPS encourage consumption more.

According to the New York City's zoning resolution, privately owned public spaces' owners are not obliged to be detected by the government about their rules and regulations for the POPS. This means that they are almost free to do or restrict anything on privately owned public spaces decreasing their accountability. Private ownership harms the concept of public space, where a collective memory should be formed. Due to the freedom of control over public space, which is granted to private organizations, social and individual rights are destroyed. The freedom to make and remake our cities and ourselves is one of the most precious yet most neglected of our human rights (Harvey, 2008).

Conclusion

Public spaces need to be considered as philosophical entities as well as physical places. They need to be spaces of free speech, expression and gathering for the public and the public should have a say in defining the requirements of a public space. At the most basic level, if a city isn't furnished with a well-developed fabric of public spaces of different sizes and shapes and types, there is no place to simply *be* if you are not actively consuming (Greenfield, 2013). Public spaces should cherish cultural diversity and equity even if they use private financial means to maintain the space. Designers, architects and urban professionals need to be fair when measuring how public these spaces are. Increased control over public spaces hinders the creation of a welcoming space.

Public authorities have the responsibility to provide public spaces for the community interaction and city social life as public spaces contribute essentially to the urban quality of life. Privatized public spaces are not public any more because the government does not have a vital say in the context of public spaces. Even though there are not enough funds to create equal public spaces all over the city, the public authority should be responsible for providing public space and ideally guard them. Public spaces are too fundamental to be placed in private hands even for the sake of efficiency and capital. Private sector can also have a role in this setting but only along with public authorities and community participation.

In this situation, our cities are turning into environments of surplus only and they provide for the wealthiest and strongest. Public spaces transform into pseudo-public spaces that are actually private properties far from civic formations. Civilization means that each citizen has the right to grow and to become who they are, and it also means that the city is designed and structured in a way that helps them do so (Greenfield, 2013). People should have a right to the public space with absolute accessibility and the permission to use the space spontaneously. The Occupy protests and the APOPS are results of an emerging awareness about the fundamentality of public space. Though it is unlikely to have publicly controlled spaces rather than privately owned spaces in the near future due to the financial situation, this awareness will lead to a better understanding of the importance of public spaces when it comes to the richness of city life.

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