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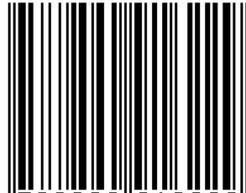
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TABLE OF CONTENTS

GENERATION Y IN POLAND – EXPECTATIONS AND ATTITUDES OF YOUNG PEOPLE.....	13
DR AGNIESZKA STANIMIR	13
INNOVATIONS AND ONLINE MARKETING SERVICES TRENDS IN ALBANIAN TOURISM SECTOR..	22
ELTON NOTI, PHD	22
BRUNELA TREBICKA, PHD	22
COMMUNICATION ABOUT SEX-REPRODUCTIVE HEALTH ISSUES WITH ADOLESCENTS: A TABOO AMONG MALAYSIAN PARENTS?	27
KHAMSIH ISMAIL.....	27
SITI RAFIAH ABD HAMID	27
THE EFFECTIVENESS OF GO GREEN IMPLEMENTATION AMONG SOCIETY IN KOTA BHARU, KELANTAN	42
CHE RUSULI M.S., NAQIAH M.,	42
FITRIANI Q, SYAHIDA N.,.....	42
HAKIM M.....	42
FAITH-BASED ORGANISATIONS (FBO): A REVIEW OF LITERATURE ON THEIR NATURE AND CONTRASTING IDENTITIES WITH NGO IN COMMUNITY DEVELOPMENT INTERVENTION.....	47
ASMA LAILEE MOHD. NOOR	47
NOOR HISHAM MD NAWI	47
ISLAMIC SOCIAL ETHICS: AN ANALYSIS OF MISKAWAYH’S THOUGHT	62
PROFESSOR DR. MOHD NASIR OMAR,	62
AVIATION ENTREPRENEUR MODEL (AEM) IN MALAYSIA: A REVIEW	69
SUHAILA ABDUL KADIR	69
MUHAMAD SAUFI CHE RUSULI	69
PHYSICAL EVIDENCE.....	79
MR.SC. BESIM ARIFI, PHD CAND.	79
DISPUTES AND THEIR RESOLUTION IN THE ELECTRONIC COMMUNICATIONS MARKET	84
JONIDA GJIK.....	84
IMPORTANCE OF FLEXIBILITY OF EMPLOYMENT IN A PROFESSIONAL EDUCATION OF PERSONS ENDANGERED BY A SOCIAL EXCLUSION	90

MALGORZATA DOBROWOLSKA	90
HISTORY AND TYPOLOGY OF THE INSTRUMENTAL CASE (BASED ON THE COMPARATIVE STUDY OF THE LITERARY DOCUMENTS IN TURKIC LANGUAGES)	96
AYNUR GADIMALIYEVA	96
PRE-SERVICE TEACHERS' ATTITUDES TOWARDS STUDYING CHEMISTRY	102
MOHAMMED YOUSEF MAI	102
ARABIC LANGUAGE INFLUENCE ON THE IRAQI EFL TERTIARY LEARNERS' USE OF GRAMMATICAL COHESIVE DEVICES IN THEIR ARGUMENTATIVE ESSAYS	116
JASIM MOHAMMED ABBAS	116
MUHAMMAD SUBAKIR MOHD. YASIN.....	116
KEMBOJA ISMAIL	116
APPLICATION CASES OF MAIN TOURIST DESTINATION COMPETITIVENESS MODELS IN DIFFERENT COUNTRIES OF THE WORLD, ESPECIALLY IN BALKAN REGION DESTINATIONS.....	125
SONILA BERDO	125
MODERNISM, GOD, AND CHURCH IN THE THINKING OF J. MACBRIDE STERRETT	131
SIMUȚ CIPRIAN.....	131
THE MANAGEMENT PROCESS AT THE PRETRIAL STAGE UNDER MALAYSIAN RULES OF COURT 2012.....	139
NORMAN ZAKIYY	139
KAMAL HALILI HASSAN	139
MANAGEMENT DEBIT - REGIONAL DIRECTORATE OF ROAD TRANSPORT SERVICES SHKODRA	146
SUELA E. SHPUZA	146
WHICH FOREIGN LANGUAGE SHOULD BE TAUGHT IN THE ALBANIAN EDUCATION SYSTEM?..	149
EVA PAPAMIHALI	149
MARINE ALGAE FROM BLACK SEA - IMPORTANT RESOURCES IN THE PHARMACEUTICAL AND MEDICAL RESEARCH.....	154
EMIN CADAR.....	154
CRISTINA-LUIZA ERIMIA	154
ANETA TOMESCU	154
STELIAN PARIS	154
RODICA SÎRBU	154

EUROPEAN PATIENTS' RIGHTS TO BE PROTECTED AGAINST COUNTERFEIT MEDICINES	161
CRISTINA-LUIZA ERIMIA	161
RODICA SÎRBU	161
RADU GEORGE CAZACINCU	161
EMIN CADAR.....	161
ANETA TOMESCU	161
STELIAN PARIS	161
CONFLICT – A NECESSARY EVIL.....	167
STELIAN PARIS	167
RODICA SÎRBU	167
EMIN CADAR.....	167
ANETA TOMESCU	167
CRISTINA-LUIZA ERIMIA	167
LOCAL ANESTHETICS – SUBSTANCES WITH MULTIPLE APPLICATION IN MEDICINE	173
RODICA SÎRBU	173
EMIN CADAR.....	173
CEZAR LAURENȚIU TOMESCU	173
CRISTINA-LUIZA ERIMIA	173
STELIAN PARIS	173
ANETA TOMESCU	173
METHOTREXATE THERAPY IN OBSTETRICAL DISEASES	183
ANETA TOMESCU	183
STELIAN PARIS	183
EMIN CADAR.....	183
CRISTINA-LUIZA ERIMIA	183
CEZAR LAURENTIU TOMESCU	183
ASSESSMENT OF PARTICIPATION IN CULTURAL ACTIVITIES IN POLAND BY SELECTED MULTIVARIATE METHODS	198
ALICJA GRZEŚKOWIAK	198
THE DIVERSIFICATION OF E- SERVICES IN TOURISM MARKETING – CASE OF ALBANIA	207
ELTON NOTI, PHD	207
BRUNELA TREBICKA, PHD.....	207
CIVIL SOCIETY FROM HISTORICAL TO CONTEMPORARY PERSPECTIVES.....	212
ARDIAN KASTRATI	212

HUMAN BEINGS TRAFFICKING. THE ALBANIAN LEGISLATION	217
NIKOLIN HASANI, PH.D.....	217
EFFECTS OF SOCIO-CULTURAL DEVELOPMENTS OF GJAKOVAR SOCIETY	223
BEKIM AVDIAJ	223
LUMNIJE AVDIAJ	223
MODERN FORMS OF BANK SERVICE IN ALBANIA	233
JEHONA GJERMIZI, PHD CAND.....	233
DR. BLERIM KOLA	233
JOB SATISFACTION OF SOCIAL SERVICE WORKERS IN PENITENTIARY INSTITUTIONS IN ALBANIA	240
ENIDA KUME.....	240
AN ALBANIAN CASE STUDY ON MEASURING THE SERVICE QUALITY IN AN ACADEMIC LIBRARY	248
BLERIM KOLA, PHD.....	248
TEACHER’S BELIEF IN ENHANCING CHILDREN IMAGINATION THROUGH CHILDREN MALAY TRADITIONAL SONG.....	254
AZLI ARIFFIN	254
PROFESOR DR. SAEDAH SIRAJ.....	254
DR. ABDUL TALIB BIN MOHAMED HASHIM	254
CUSTOMER PREFERENCES TOWARDS REGIONAL FOOD - ALBANIAN CASE	261
EDLIRA LLAZO PH.D	261
TAX EVASION AS A CAUSE OF INFORMAL ECONOMY: CASE OF ALBANIA	262
BRUNELA TREBICKA, PHD	262
HYSEN HODA, PHD	262
NATASHA HODA, PHD CAND.....	262
CHALLENGES THAT CONTRIBUTE TO SME, GROWTH IN MANUFACTURING AND SERVICE INDUSTRY	263
SITI SOM HUSIN	263
THE IMPACT OF INTEGRATED MARKETING COMMUNICATION IN CUSTOMER SATISFACTION IN INSURANCE COMPANIES IN ALBANIA	264
VIOLETA NEZA PHD CAND.....	264

EDLIRALLAZO, PHD.....	264
IMPACT OF OFFENSES IN ALTERNATIVE SENTENCES	265
ADRIAN LEKA, PHD.....	265

Generation Y in Poland – expectations and attitudes of young people

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Abstract

The article presents an assessment of students studying economics who belong to the Generation Y. Generation Y is a group of people born in the 80s and 90s of the twentieth century. The aim of this study was to verify the correctness of judgments about Generation Y. The article presents results concerning the behaviour of students in 2001 and 2015 years. Subjective evaluation of opinion of Generation Y was examined in the areas of faculty chosen, work, internet, mobility. Data analysis was performed using positional statistics, bar diagrams and parallel set. It was confirmed almost all opinions about Generation Y, indicating only a small difference in the perception of mobility by young students of economics.

Keywords: Generation Y, expectations, behaviour of young people, statistical analysis, parallel sets

1. Introduction

The aim of the study was to examine whether the Generation Y in Poland corresponds to the reported in the literature characteristics of this age cohort. To achieve this goal were used data collected during questionnaire survey, which was conducted in 2001 and 2015 years.

Generation Y is the youngest group of workforce. Their behaviour patterns are significantly different from the elderly. Understanding their expectations in both the private and professional life is very important, for example in the process of human resource management. Managers must often solve the task of "how to turn this (Generation Y) high maintenance workforce into a high productivity workforce" (Martin, 2005). Characteristics of Generation Y has been repeatedly presented at various scientific articles, for example Barwińska-Małajowicz A. (2011), Bąkowska J. (2013), Hammill G. (2005), Gentry, et al. (2011), Martini, C. (2005), Parment A. (2013), Stanimir (2014, 2015a, 2015b, 2015c). For this reason, only short characteristics of this age cohort is presented below.

Generation Y are people who were born between 1980 and 1999. But those years are conventionally determined. Affiliation to the Generation Y depends on the culture, lifestyle, family and friends patterns, social surrounding [Stanimir 2015c, p. 22]. Deal (2007, p. 14) writes that all generations have similar values and "they just express them differently". Gentry et al. (2011, p. 41) define Generation Y as: "grew up in the digital age", and Generation Y use technology and digital media in every area of life. Social networks and other kinds of virtual communication are integral characteristics of the Generation Y, so this is the first generation naturally without territorial limitations in communications. "Communicators and social networks replace and simplify verbal communication. Decline verbal communication causes problems in the process of applying for work and its implementation." [Stanimir 2015b, p. 173]. Quality of life is very important for them. They believe in education as a key to success. People from Generation Y highly appreciate their abilities and they believe in their own uniqueness. In every area of life they have high expectations and a strong aversion to criticism. They pay high attention to private life, simultaneously with expectation of more freedom and flexibility of working time. Like Martini (2005, p. 40) writes this is first non-nuclear family generation. Their opinion about work is: we must work, but not a lifelong, so they are looking for life-work balance. This is a different attitude toward Generation X, which works to live [Gursoy et al. 2008, p. 451]. Stanimir (2014) shows the differences in perception of life-work balance not only between generations but also differences between men and women of Generation Y. The perception of work is quite different as for Generation X or Baby Boomers. "They know their worth on the labour market" (Barwińska-Małajowicz A. 2011 p. 304). For Generation Y work is a way for self-realisation. They are looking for job which gives them more opportunities to realize private interests. Generation Y

appreciate the authorities, but their loyalty ends very quickly. It is multitasking Generation, but in work they need constant feedback, only then they can function correctly. Stanimir (2015c, p. 27) writes that "Generation Y declare their willingness to learn new things but it must be associated with the possibility of achieving additional benefits and not only the execution of work".

In this article are presented results of the analysis of data from questionnaire surveys, which were conducted among students of economic studies in 2001 and 2015 in Wrocław. The respondents in both periods were 20-25 years old. In 2001 they were the first people from generation Y, which began its career and studies. They were born between 1976 and 1981. The respondents in 2015 were born between 1990 and 1995. In 2001 students were asked for opinion about:

I. Chosen faculty

II. Work.

In 2015 the survey was conducted to identify the diversity of the behaviour of young people in three areas related to private and professional life:

I. Internet

II. Work

III. Mobility.

Questionnaire in 2001 didn't contain questions related to the importance and use of the Internet, because, at that time, it was not seen as one of the most important sources of information, entertainment, communication or work.

2. Data Characteristics

Below are presented questions which were contained in surveys in 2001 and 2015.

In questionnaire in 2001 in area of chosen faculty, were asked literal questions:

- *Why did you choose University of Economics (X1)?* (possible answers: I am interested in economics, management, computer science and financial (a); prestige of the university (b); easy entrance examinations (c); no entrance examinations (d); easy studies (e); my friends have chosen this school (f); other (g));

- *Do you think that studying will help you to find preferred job/occupation (X2)?* (possible answers: yes (a); no (b), don't know (c)).

In area of work, were asked literal questions:

- *Do you have a job (X3)?* (yes (a), casual work (b), no (c));

- *Where wish you to work after graduation (X4)?* (own company (a); employee in a large company (b); employee of a small business (c); managerial position (d); other (e)).

In 2015 the profile of students, their skills and expectations are different than 14 years ago. For this reason, the range of questions has changed. In the area of Internet use the following questions were asked:

- *How important part of life is the Internet for you?* ([very important] 5 4 3 2 1 [completely unimportant]);

- *For what purpose do you most often use the Internet?* Rank 7 means the most important, 1 – the least important (Communication; Official matters; Learning and working; Finance and banking; Entertainment; Shopping; Others).

In area of work, were asked literal questions:

- *Do you have a job or have you ever worked since the age of 18 years?* (yes, no);

- *Are you ready to work abroad* (yes, no, don't know);

- *If you don't want work abroad give three main reasons why?* Rank 3 means main, 2 – very important, 1 – important (lack of knowledge of language; current job in Poland; don't like to go abroad for a long time; safety concerns; family; other);

- *What factors are important to you during your job search and choose the right company?* Select answer: very important, important, I do not know, unimportant, totally unimportant (precisely defined responsibilities; the diversity of the social package; information about bonuses; information about flexible work hours; earnings amount; stability of employment; company location, company image, friends in the company, other).

In area of mobility, were asked literal questions:

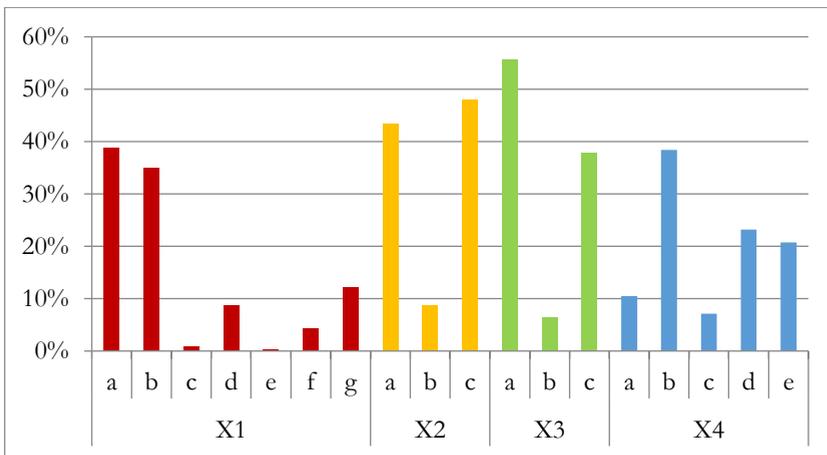
- *Have you participated in student exchange programs between universities?* (yes and I never go again; yes and I want go again; no and I do not want to go; no but I'm going to go; don't know).

- *Please do subjective evaluation of your language skills.* English and other languages. Mark 5 means very good skills, 2 – insufficient language skills (in everyday communication; reading, writing, professional communication – at work).

3. Main conclusions of the analysis

Figure 1 shows the frequencies of choices of response variants in the four variables (X1-X4). Based on the answers given by students in 2001, should be noted that most people chose business schools because of the interest in subjects and because of the prestige of the university. 43% of respondents thought that their chosen studies will help them to find preferred job or occupation. 48% of respondents didn't know whether the studies will be helpful in achieving this goal (association of categories of variables X1 and X2 are presented in the next paragraph below). 56% of respondents worked during the study, 38% - didn't. After graduation, most people wanted to work in a large company (38%), and 23% of respondents wanted to occupy managerial positions. Only 11% of respondents planned to work in their own company.

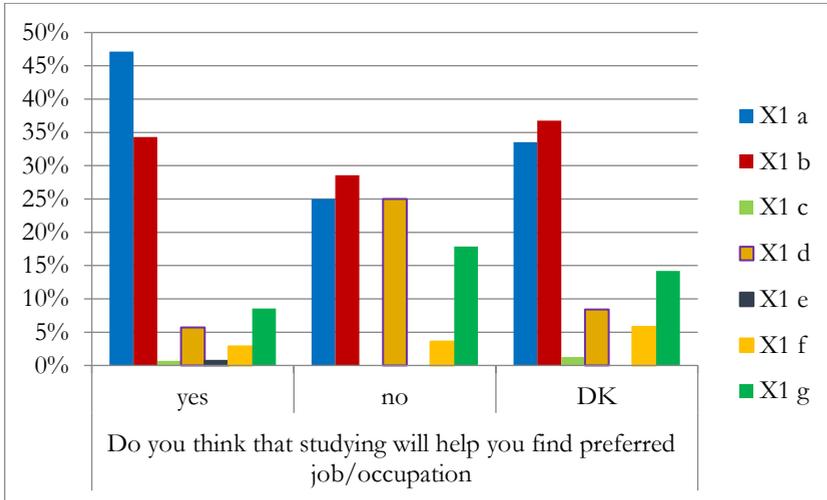
Fig. 1. Frequencies of answers given for questions X1-X4



Source: own elaborations.

Figure 2 presents the reasons for the choice of economic study described by those who believed (or not), that the study will help them to find preferred work. Regardless of whether the respondents believed that the study will help them to find a preferred job or not (or don't have an opinion), one of the main reasons for the choice made was the prestige of the university. Those who were convinced that find employment in an ideal job, most often made choices of school according to their scientific interests.

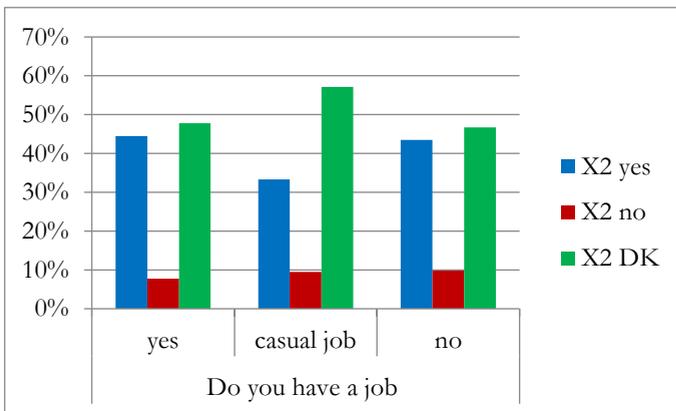
Fig. 2. Frequencies of answers given for questions X2 taking into account the variants of X1 (*Why did you choose University of Economics*)



Source: own elaborations.

Figure 3 shows a breakdown of people who worked or not during their studies, due to the expectations for employment after graduation. Among those who worked dominated those who didn't know whether studies will help them to find ideal job. The share of people who positively assessed the chances of finding preferred employment is a little lower. The smallest group of people who believe that studies will help them in finding the perfect job or occupation, are those who have worked casual.

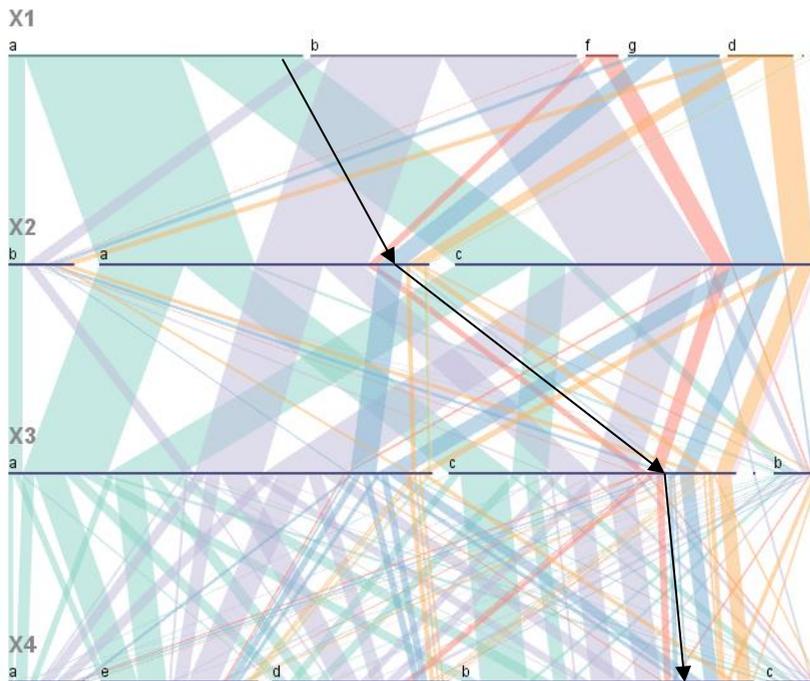
Fig. 3. Frequencies of answers given for questions X3 taking into account the variants of X2 (*Do you think that studying will help you find preferred job/occupation*)



Source: own elaborations.

Figure 4 shows the graph constructed using the Parallel Sets V2.1¹ program. Method of Parallel Sets is a technique for visualization categorical data, which are cross-tabulated. The horizontal lines shows the frequencies of each category for chosen variable. From each category in upper line goes ribbons which connect all categories from bottom line, corresponding to frequencies of how often each category occurred. The lowest division indicates the size of this part of the population that chooses indicated pattern (track) of categories of the variables.

Fig. 4. Parallel stets of Variables X1, X2, X3, X4



Source: own elaborations using Parallel Sets V2.1.

The most numerous group (pattern dividing the population is indicated in Figure 4 by arrows), covering 6% of the study population, are people who chose the university because of the compatibility of their interests (X1a), thought that the studies will be helpful in finding preferred job or occupation (X2a), they didn't have work (X3c), and after graduation they wanted to work in a large company (X4b). It was interesting what path chose people for whom very important was the prestige of the university (the purple colour of ribbons). In the first step are constructed two main groups: those who believed that the studies will help to find a dream job and those who didn't know whether the studies provide such an opportunity. After taking another variable into account, population becomes increasingly diverse – it can be identify four main paths. After taking the last variable into account, the largest group (4% of the population) are people who chose the university because of its prestige (X1b), but they didn't know if studies are helpful in finding preferred job (X2c), they were working during studies (X3a) and didn't have defined plans for jobs after graduation.

¹ Szczegółowy opis programu znajduje się na <https://eagereyes.org/parallel-sets>.

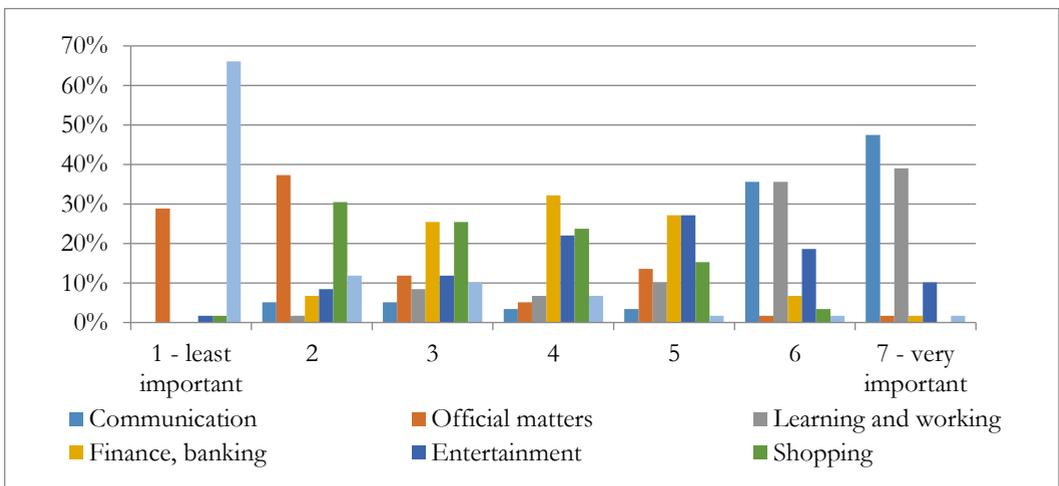
First area analysed in 2015 was Internet use. In 2015, the Y Generation, evaluated Internet as very important and as essential part of life.

Very important	Important
70%	28%

The result confirms that Generation Y is a generation of ICT with natural use of the modern technologies, specially the Internet. If for 98% of young people the Internet was important in their daily lives, so it was examined for what purpose were they used it.

Figure 5 shows the frequency of Internet use by students corresponding to different purposes.

Fig. 5. Frequencies of Internet use divided into purposes

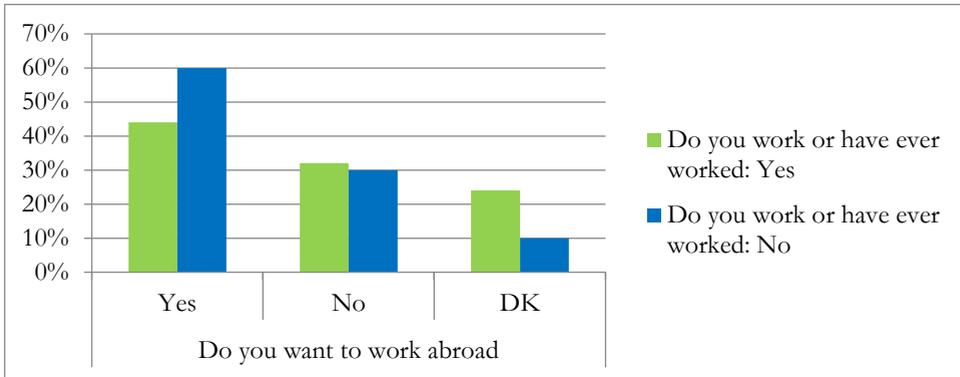


Source: own elaborations.

Use of the Internet by different generations of Poles, was discussed in the article Stanimir (2015a). There were used data from panel survey: Soical Polish Diagnozis [Rada Monitoringu Spoiecznego 2013]. There were obtained results similar to those presented in Figure 1. The most important for Generation Y were the possibilities of using the Internet to communicate, work and study. Finance and banking were often indicated as carried out via the Internet, as well as entertainment. Young people least likely used the Internet to deal with official matters. As indicated in the article Stanimir (2015 a, p. 51) in 2013, young people also used the Internet to communicate, entertainment and study or work, but also to deal with banking matters. On the other hand they didn't use the Internet to do shopping or own creativity. Also, online shopping was rarely indicated by the Generation Y in 2015.

Figure 6 shows opinions about working abroad but taking into account respondents who have ever worked or not.

Fig. 6. Frequencies of respondents who wanted to work abroad divided into groups of people ever worked or not.

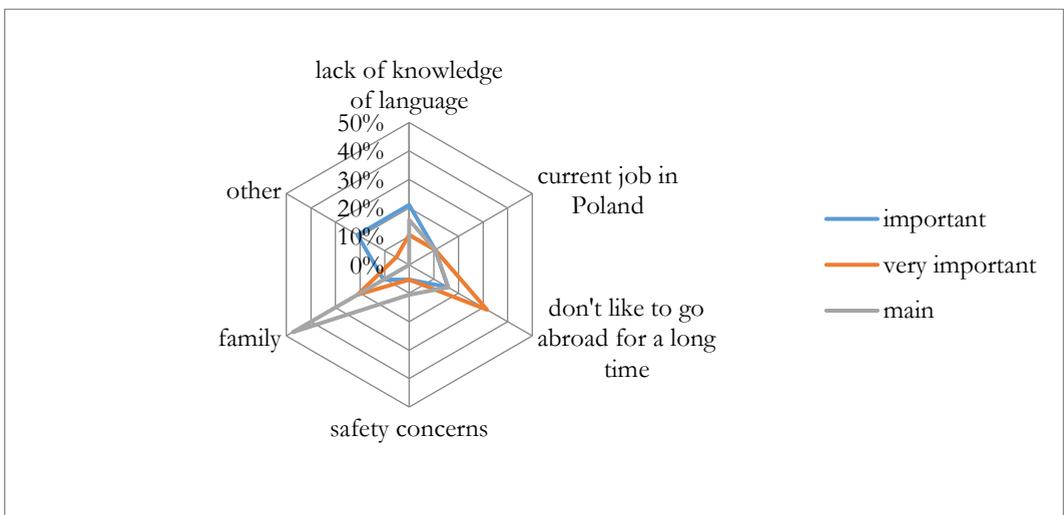


Source: own elaborations.

Figure 6 presents the attitudes of Generation Y to work abroad in association with situation, whether they ever worked, or still never were worked. Chi-square statistic for this association is equal 1,22 and p-value: 0,54. It follows that the analyzed variables are independent. From Figure 6 shows that more people who have already worked didn't know whether they want to work abroad. Thus, their tendency to mobility were not specified. A greater percentage of people who have never worked wanted to leave to work abroad than from people who have already taken a job.

Both among people who worked or didn't have gainful employment, about 30% did not want to work abroad. The question is what is the main reason of this situation. The respondents could identify three reasons (main, very important and important) for not want to work abroad. Figure 7 shows the obtained results. Main reason why they didn't want go abroad to work was a family, very important reason was that they don't like go abroad for a long time, and important reasons were lack of language knowledge and other.

Fig. 7. Main reasons for not going to work abroad



Source: own elaborations.

Another question asked to respondents was related to expectations of future jobs. Table 1 shows the median for each variant.

Table 1. Median value for all factors defining ideal company or work place.

Median	Very important	Important	DK	Unimportant	Totally unimportant
Precisely defined responsibilities					
The diversity of the social package					
Information about bonuses					
Information about flexible work hours					
Earnings amount					
Stability of employment					
Company location					
Company image					
Friends in the company					

Source: own elaborations.

Very important factor in the process of choosing right company was salary. Important were: precisely defined responsibilities, diversity of the social package, information about bonuses and flexible work hours, stability of employment and finally company location. Unimportant was company image.

In the next step, was examined the current students tendency to mobility. Mobility is understood as a willingness to participate in the exchange of students between universities. This variable is analysed in correspondence to language knowledge and skills. Only 6% of all population took part in such a kind of studies, and half of them didn't want to participate again. 45% of respondents didn't take part in students exchange and didn't want to, despite the fact that 59% of them well-evaluate their own language skills in everyday communication, 70% in reading, 41% in writing and 19% in professional conversations – at work.

5. Conclusions

When analysis subjective evaluation of opinion of Generation Y was examined in the areas of faculty chosen, work, internet, mobility. It was confirmed almost all opinions about Generation Y, indicating only a small difference in the perception of mobility by young students of economics. It was pointed out that for students in 2001, it was important to pursue their own interests. They chose the university, which gave them a very good education. Many of them believed that the selected studies are the way to their ideal career path. In 2015, students were asked about the importance of the Internet in their daily lives. Their opinion was consistent with the characteristics of Generation Y. The Internet was for them ways to communicate, learn, work and entertainment. These choices are also consistent with the general characteristics of Generation Y. Aspect of the employment, which does not correspond to common views and opinions on Generation Y is mobility. Students showed average interest in working abroad and lack of willingness to travel abroad to study.

6. Acknowledgements

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Innovations and Online Marketing Services Trends in Albanian Tourism Sector

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Abstract

Albania is a rich country with a lot of nature and cultural tourism resources situated in the in the Balkans region where there are much opportunities for developing different types of tourism. After a long period of transition, since the fall of the communist regime in 1990, the tourism industry began to be considered as one of the economic sectors with potential for development in the future. But, tourism enterprises had to be faced with a high competition from other countries in the region and a lack of experience in the field of tourism services. This study aims to identify the attitudes of senior management of tourism enterprises (Accommodation units, Travel Agencies and Restaurants) on the adoption of new services on the Internet, the use of ICT to sell the services offered and how much they were aware of the benefits that online marketing brought using their websites etc. To realize the aim, are raised the research questions and hypotheses. The research instrument used was a questionnaire. The sample consisted of N = 208 participants, representatives of tourism enterprises at five districts of Albania, respectively: Tirana, Durres, Shkodra, Vlore and Saranda .The results show that the entrepreneurs/managers make a very good job for the creation of new services via the Internet, also they support significantly the use of ICT-s to sell their services, they were aware of the benefits that brought a website to the marketing of tourism services and there was a great interest to learn more about the internet.

Keywords: marketing, ICT-s, innovations, tourism services, Albania

1. Introduction

Tourism is an industry where competition is very high and some of the competitive dimensions in this area are the innovations in the field of online marketing. Albania is a country still in transition, where after 50 years into an isolated political and economical system, the private tourism enterprises that provide tourism services have to be faced with a number of challenges related to quality and innovation in information technology and marketing .

For a short time, the online marketing became a worldwide phenomenon, by shifting the interest of new tourism developments towards it. One of the main reasons for the increased attention to marketing is that it represents the trend of the time. On the other hand, seeing the advances in technology, it's activities have supported the tourism industry too much. This is shown nowadays through the increasing level of internet use by different age groups motivated by the tourism products or services search.

The online marketing, as well as other profiles of electronic services are become a model applicable in many countries of Europe and beyond, which provide further benefits through online presence. Given the fact that there are the resources needed (do not need much capital available) and the tendency of today's tourism enterprises to online marketing and electronic services, would be necessary to be undertaken a study regarding the argumentation why it is necessary to use online marketing and what is the most appropriate profile of electronic services to be provided on a website.

The revolution in information and communication technology (ICT) has changed not only lives, but also the way people do business. Tourism is characterized by the need to ensure quick and accurate information for the consumer. The first step to achieve this objective, a so-called "one -stop" is through the Global Distribution Systems (GDS), a form of the Inter-Organizational Systems (IOS). GDS-s have evolved from computerized systems reservation (CRS) and have facilitated the collection of information from airlines, which enables travel agents (as a mediator of information) as well as tourists to make reservations and other services in a single market (Joo , 2002) .

Regarding the internet access in Albania according to AKEP (2015), the number of subscribers with broadband access from fixed networks by the end of 2014 was about 207,000, compared to 183,000 in 2013, representing an annual increase of 13.3 %. All the main operators of fixed internet in Albanian market have increased the number of subscribers for the year 2014. The number of mobile subscribers who have broadband access by using wireless networks (3G USB cards/modems and handsets) in 2014 was 1.4 million or 16 % more than in 2013. The use of 3G broadband access networks has been increased with 59 % for the access via USB/modem, and 12 % through via mobile devices. The rate of penetration (number of subscribers per 100 inhabitants) of fixed network broadband access by the end of 2014 was 31.7 % compared with 6.40 % in 2013.

1.1 The aim and research questions

This study aims to identify the attitudes of senior management of tourism enterprises (Accommodation units, Travel Agencies and Restaurants) on the adoption of new services on the Internet, the use of ICT to sell the services offered and how much they were aware of the benefits that online marketing brought using their websites

- 1- Are managers aware of the benefits of a website in the marketing of tourism services?
- 2- Are managers / entrepreneurs likely to introduce innovative online services?
- 3- Is there interest in learning more about online services?

2. Literature review

The tourism industry consists of many business activities such as: the accommodation sector, travel agencies, restaurants, bars, various activities related with transportation services, product manufacturing activities, crafts , cultural activities, sports, different parks (archaeological, natural, national, etc.), museums etc.

But this study is focused on the accommodation sector, travel agencies and restaurants as main sectors in Albania, which use extensively the information and communication technologies for business purposes.

The use with creativity of corporate websites and their connection with the search engines and other appropriate sites are considered an important part of achieving customer awareness and motivation. The influence of advertising, has reached to penetrate visibly to customers, who are looking for services/products that are advertised, after their demands match exactly with that product/service and the provider who trades them and not with others who can be offered.

The trade developments through Internet during recent years, have used the network as an excellent instrument with relatively low cost for creating customer awareness, using multimedia methods, which can be supported as well through the provision of printed information to potential buyers who have shown interest in advance. At the same time, they can at least partially replace expensive brochures, having the same information or other online resources such as the website's options "download".

Improvements in reservation systems that have occurred during last year's, have made it easier for the sector to develop and combine tourist itineraries , in a very simple and fast manner to customers.

Likewise, sophisticated postal databases systems, based on computers have become facilitator instruments, contributing to realize marketing processes more easily and accurately.

Developments in the field of communication technology and entertainment, are forcing businesses, which provide services to business travelers, to modify their products and services including :

- Mobile phones on aircraft seats, computer games and even to the mini - casino
- Equipment with special effects at conference rooms
- Access to the Internet and mini - offices in hotel rooms (Swarbrooke and Horner , 2001).

New forms of using online applications and their application in tourism industry.

Currently, Web 2.0 and "user-generated information" are the biggest online developments, which are reshaping the traditional marketing methods in tourism businesses (Reactive, 2007). Traditional marketing methods like the "word of mouth" is changing significantly. Introduction of web 2.0 technology played a major role in how consumers of a service or product evaluate that experience. Within the context of the tourism industry, this can be achieved by exchanging pictures, travel blogs, video sharing, etc. Before entering the Web 2.0 customers were only able to be engaged in research information and in some cases even be included in any purchase. Now, consumers are able to identify, edit, comment and buy products/ services. Web 2.0 has put tourists between functionality and product distribution.

There are many blogs in the tourism industry such as: tripadvisor.com, hotelchatter.com, booking.com etc. Every person can create a blog in web using the free applications, such as google search engine, which can be used to publish links of other blogs, texts, images, video and audio etc. (Sigal, 2007).

The online services trends mentioned above have a something in common that are focused on the customer. Social media and "user-generated information" are technologies dictated by the customer. One implication of these trends online, means that customers now have more control over the decision to travel, thus making tourism. But often, traders have less control in the fact that the message was perceived as relevant to the audience they are addressing. But this loss of control does not mean necessarily to have negative effects as web-sites generated by users can create a kind of loyalty and can establish a close link between the customer and the service provider (Cox et al., 2007).

The tourism industry in general, is widely influenced by the technological revolution. Either tourist destination, or tourist enterprises, need to adopt innovative methods and boost their competitiveness in this business. For his part, the new customer is full of knowledge and seeking more and more information becomes more and more familiar with innovation, demanding flexible services, specialized, accessible, interactive and communications products with main entrepreneurs. Therefore, day by day are launched the best practices regarding new management tactics, taking advantage of the technological revolution and new processes in business operations and dynamics of the industry.

According to Buhalis (1998), can be pursued two strategic directions: tourism enterprises or may provide value differentiated from competitors by developing programs of high quality and personalized, for which consumers will be willing to pay a price high, or they can provide cost value, offering less expensive products than those of competitors, through standardization and consolidation and quantity. He also suggests a strategic framework, demonstrating how ICT-s can contribute to the development of the strategy of tourism business, and all possible interactions between tourism enterprises and their clients, but must be updated to technological progress, the adapt to new services that may be offered.

3. Methodology

In this paper is used the quantitative method approach through the use of surveys to collect data.

Research Context. The study was conducted in five areas of Albania, known as main tourism destinations from north to south such as: Tirana, Vlora, Durres, Shkodra and Saranda. Sampling is based on a list of registered tourism enterprises in Albanian Tourism Association (ATA) and is referred to three types of tourism services: accommodation units, travel agencies and restaurants. Once the respective districts have been selected, then, it is taken a percentage from each district.

Sampling. In this study, was included one of the most common models of non probability sampling called quota sampling. Data analysis was realized through the statistical software SPSS 16.

Inclusion criteria. To participate in the study, participants must be over the age of 18 and had the primary responsibility to manage a tourism enterprise. They could be self owners, key managers or when they were not found, could be old employees. In other cases, have participated ICT specialists employed in the relevant enterprises. *Research tool.* In order to realize the study as a research tool was used a questionnaire.

Procedures of gathering data. The method of data collection for this study was that of a face -to-face interview.

4. Results

The three types of activities that have participated in this study, according to predetermined criteria, were: accommodation units at a rate of 56.2 %, travel agencies at 22.1 % and restaurants at 21.6 %. In the field of tourism usually these are the types of activities that are studied. As regards the period of starting the business, the enterprises had an average of 10 years that they were operating in the market.

In the table 1 is introduced the level of know - how and innovations offered by the Internet within the company. According to the table, the enterprises which participated in this study agree with the statement that they do a lot for creating new services via the Internet (78.9 %), the entrepreneurs or managers have supported the use of ICT-s for selling the services offered (82.2 %) they had invested in the development of ICT and website - it (85.1 %) and were aware of the benefits that a website has in the marketing of tourism services (85.1 %). Also, they claimed that there is a great interest in learning about the internet and new information technology in the field of tourism (91.8 %)

	<u>Strongly disagree</u>	<u>Disagree</u>	<u>Neutral</u>	<u>Agree</u>	<u>Strongly agree</u>
We do a very good job for the creation of new services via the Internet	1.4%	4.8%	14.9%	51.0%	27.9%
Entrepreneurs or managers significantly supports the use of information technology and the Internet to sell the services	1.9%	3.4%	12.5%	51.0%	31.2%
Entrepreneur / manager has invested enough in developing information technology and website - it	1.0%	10.6%	19.2%	43.3%	26.0%
Senior management is aware of the benefits of a website in the marketing of tourist services	1.0%	4.3%	9.6%	49.0%	36.1%
Generally , there is a great interest in learning about the internet and new information technology in the field of	5%	1.4%	6.2%	27.9%	63.9%

The relation between know - how and skills to use the website

The level to which the enterprise recognizes and invests in ICT is very important for the future of it in relation with ICT . The employees themselves may be more adaptive or not to ICT-s . In this study the correlation between the know - how of entrepreneurship and complex skills or not to use the website, is moderately positive ($r_s=.386$, $p<.001$), (Table 2).

Table 2. The relation between know - how and skills to use the website

			Know - how	Skills
Spearman's rho	Know - how	Correlation	1.000	.386**
		Coefficient		
		Sig. (2-tailed)	.	.000
		N	208	208

** . The correlation is statistically significant at the level 0.01 (2-tailed).

5. Conclusions

The enterprises in this study reported the highest levels of information technology use in their daily work. This indicator is positive and also related to their positions, which were as well positive about information technology. ICT is often used as a marketing tool, aiming at a wider market. In this study, the entrepreneurs expressed positively to its use as a marketing tool, however the levels are not too high.

According to responses, the online marketing through a website is extensively widespread in Albania and enterprises themselves have monitored what other companies do in terms of website use and designs. A large part of them are active participants in social networks like facebook, twitter etc. Also, a relatively large part was listed in external web portals, which make possible online bookings and service sales and argued that promotional activities via the Internet are very effective way to reach new market segments.

6. Recommendations

- Quality improvement of websites, especially in the sector of accommodation units.
- Participation of staff in professional trainings on innovation in the field of ICT-s in tourism.
- Recruitment of staff specialized in designing and updating information on online services
- Raising awareness of entrepreneurs on further investment in innovation related to online services.
- Inclusion of the possibility of e-commerce through the websites for the three types of tourism enterprises.

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Communication about Sex-Reproductive Health Issues with Adolescents: A Taboo among Malaysian Parents?

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Abstract

Young people need to establish their identity and develop the ability to make their own decisions and plan for their future life. This establishment is an important process which is facilitated by good communication with parents and family, especially regarding problem-solving skills. Through open communication they can express their ideas freely, which then leads to family satisfaction and lessen conflict. Parent-child communication would heighten family cohesion, contentment, psychological well-being and at the same time thwart detrimental life consequences for adolescents. Research has also revealed that family environment and communication is in fact a predictive factor for risky behaviour in young people around the world. Thus, effective communication is imperative in promoting good family functioning. Many parents are still reluctant to discuss sex-related issues with their children openly. Parents found that such talks are hard to initiate. This study has two-pronged objectives, first, to examine sexuality and reproductive health that adolescents communicate to their parents and second, is to explore adolescents' views on communication with parents on matters related to the topics. The population of this study was lower secondary school students who came from four different zones in Peninsular Malaysia and East Malaysia. Quantitative data was collected from 504 respondents from urban, semi urban and rural geographical school locations for study via multistage stratified sampling procedure. This survey employed two sets of constructs from the Highly At-Risk Behaviours Questionnaire (a questionnaire to gauge adolescents highly at-risk behaviours) - HARBQ. Descriptive (means, standard deviation and percentages) and inferential statistical analyses in this study revealed several interesting findings. Interestingly Malaysian teens were found rarely discussed issue related to sex and reproductive health with their parents. Ironically, they were open for discussion about these matters with their parents as long as would not turn them down. The respondents were also found positive in that they could communicate with their parents on matters related sexual and reproductive health issues. Findings from this study provide crucial information which may help improvise existing interventions and communication of knowledge and skills on reproductive health to adolescents especially by parents. Counsellors could use the information to provide effective treatment; intervention and preventive plan for teenagers to enable them to cope with the issues and in reducing unwanted consequences that may arise in the future.

Keywords: Communication, reproductive health, sexuality, psychological well-being, intervention, at-risk behaviours

1 Introduction

The present generation of young people is approaching half of the world population. Statistically, about 1.2 billion young people between the ages of 10 and 19, or 18% of the world population are alive across the world today and majority of them are adolescents. In Malaysia, this age group make up 19.2% of the total population (WHO, Western Pacific Region, 2009). Thus, the population of adolescents that we have today could be the largest cohort ever and they "represent a tremendous asset for our future, and we must not miss the opportunity to empower them and help them flourish (Nasser, 2011, pg. 58). They are Generation Y (15 to 32 years old) and Generation Z (0 to 14 years old) who grew up with technology, so being connected and tech savvy; crave for attention, feedback and guidance; open-minded and want to be included and involved in many life activities.

Neither young children nor adults, adolescents need help and support for services that respond to their distinctive needs, challenges and aspirations for the future because, developmentally, as they go through the transition from childhood to adulthood, adolescents will go through the “storm and stress” period i.e. experiencing intense physical, psychological, emotional and economic changes. Most importantly they also experience remarkable changes and challenges in sexuality development. At the same time, these young people are at risk of adverse reproductive health outcomes. Changes in social culture resulting from globalization, and the breaking down of traditions are likely to cause the adolescents to be sexually active before marriage compared to their parents’ generation (Kamrani, Syed Yahya, Hamzah & Ahmad, 2011). Sexually active adolescents of both sexes are increasingly at high risk of unintended pregnancy, unsafe abortions, maternal health complications as well as contracting and transmitting sexually transmitted diseases (STDs), including HIV/AIDS. Many adolescents and their peers are typically poorly informed on how to protect themselves and the inadequate information makes them more vulnerable. Their vulnerability to this phenomenon is also due to the lack of skills in negotiating sexual relationship (Low, 2009). Although reports have shown that adolescents’ fertility rates have fallen, still, 20,000 girls under age 18 give birth in developing countries every day. Every year, there are 70,000 adolescent deaths from complications of pregnancy and childbirth (UNFPA, 2014).

So, will adolescents seek advice or opinion from their parents if they have questions regarding sex and reproductive health matters? In Malaysia, like many Asian societies where traditional and conservative minds prevail, issues relating to sexual and reproductive health are often highly sensitive or taboo and considered impolite to discuss openly (Okwun, Siraj & Okwun, 2012). Within family, many parents are reluctant to discuss anything about sex-related issues with their children and they found such talks as inappropriate and hard to initiate. Many adults feel hesitant to communicate openly in the presence of children. Malaysian adolescents also do not talk about subjects related to reproductive health and sexuality with their parents except probably after puberty whereby they experience menarche. Due to the sensitivities of the issues and limitations of the communication, adolescents have inadequate information, guidance and support in managing their sexual and reproductive health issues.

Much has been reiterated about the restriction of parent-adolescent communication about sexuality issues but the situation could be different with the parents of the present teenage generation. Although school-based programs appear to be practical choices for sexual and reproductive health education, there is a profound need to explore on the extent of the openness of the adolescents in Malaysian secondary. Another crucial issue is to understand the views of these adolescents about their parents’ openness to talk or discuss sexuality and reproductive health matters. More importantly, in the perspective of the present study, the alarming rate of underage pregnancies revealed by National Population and Family Development Board (NPFDB, Malaysia), involving 1,048 teen cases between January and March 2013 (the Malay Mail, January 14, 2014) served as a “wake-up call” on the importance of parents role in educating their children at home.

In line with the awareness and concerns, the purpose of this research was to seek the view of the adolescents about topics that they talk to their parents and their thoughts about parents’ reaction if they discuss issues related to sexuality and reproductive health. Their openness in terms of communicating sexuality and reproductive health issues with their parents was also examined. The findings would highlight if the topic under study is still a barrier between adolescents and parents. The statistical data would be used to determine if communication on the topics related to the issues is still considered a taboo. Stratified clustered sampling procedure was applied in five zones throughout Malaysia. Data were examined via descriptive and inferential statistics. The outcomes are relevant to relevant parties for further interventions.

2. Problem Statement and Justifications

In Malaysia, the phenomenon of premarital sexual activity has been increasing over the years (IPH, 2008). Unwed pregnancy and baby dumping are also on the rise in Malaysia. Although researchers might claim that Malaysian statistics are not reliable due to under reporting of the pregnancy and the outcomes, a study conducted on 14 tertiary hospitals in Malaysia, Clinical Research Center (CRC), Ministry of Health, Malaysia reported that there are increasing incidences of unwed pregnancies throughout Malaysia especially in the younger age group between 10-20 years old (Ruhazain, Ravichandran, Rozima, Karalasingam, Soelar, Sa’at, Baharum, 2013). They are in the age range of adolescence and engaging in early sexual activity places them at risk. Although the statistics are worrisome, prevention and protection against at-risk behavior especially involving unhealthy sexual behavior can still be done for the young people. They must be given adequate sexual and reproductive health knowledge.

Studies show that most of the sexual and reproductive health knowledge acquired by Malaysian students was from teachers, friends, parents and media. For instance, in Kelantan, Malaysia it was found that the main source (64%) of sexual information was friends (Ab. Rahman, Ab. Rahman, Ibrahim, Salleh, Ismail, Ali, Wan Muda, Ishak & Ahmad, 2011). Nevertheless, adolescents who are curious on sexual topic may adopt the value and trust the sources from mass media especially internet to avoid the embarrassment of discussing the topic with adult (Yaacob, Wong, Baharuddin, Mansor, Juhari, & Abu Talib, 2010). A study in Kelantan revealed that the main source (64%) of sexual information was friends (Ab. Rahman, Ab. Rahman, Ibrahim, Salleh, Ismail, Ali, Wan Muda, Ishak & Ahmad, 2011). Malaysian adolescent boys (n = 31) aged between 13 and 17 years involved in a qualitative study reported that their sources of sexual information were mainly from male friends or through the mass media (Low, Ng, Fadzil, & Ang (2007). Nonetheless, information from these sources might not be correct and may deceive adolescents' understanding about an appropriate sexuality and reproduction health. As the role of school and teachers in delivering related information, in Malaysia, sexuality education is embedded across other subjects like Science, Additional Science, Biology, Islamic Education, Moral Education (Chan & Jaafar, 2009) and not taught as an independent subject in school. Majority of parents (73%) of rural elementary school children supported the inclusion of various sexual health topics in school curriculum provided the contents were in line with religious teachings (Makol-Abdul, Nurullah, Imam & A. Rahman, 2010). Scholars viewed that since education begins from home, parents can play a vital role to reduce adolescent risk behaviours while encouraging healthy sexual development (Martino, Elliott, Corona, Kanouse, & Schuster, 2008). It is obvious that the level of awareness and knowledge on sexual issues is still lacking but adolescent boys claimed that their parents did not talk to them about sexual matters (Low, Ng, Fadzil, & Ang (2007).

Thus, one of the ways in which this outcome can be achieved is through parent-adolescent communication. Researchers have revealed that adolescents, who communicated regularly with their parents about sex, sexuality, and development issues, are more likely to have open and closer relationships with them. The young people are also more likely to talk with their parents in the future about sex-related issues than adolescents who rarely had such communication with their parents (Martino et. al, 2008). Studies in developed countries have revealed that adolescents who talk with their parents about sexuality are less likely compared to their peers to get involved in sexual risk behaviours, and more likely to delay first intercourse (Kaljee, Green, Lerdboon, Riel, Van Pam, Tho, Ha, Minh, Li, Chen, & Stanton, 2011). Nonetheless, few studies in developing countries have examined parent-child communication about sex. A study in India reported that only one third of the girls were told about menstruation by their mothers but only one fourth were explained the reason (Kotecha, Patel, Baxi, Mazumdar, Misra, Modi, & Diwanji, 2009). Talking about sexuality can be a tremendous challenge for many parents and adolescents and if it happens at all, usually consists of parents advising their unmarried children not to have sex (Trinh, 2004). However in his study, he found that parents in Vietnam openly discussed sexual issues with their adolescent children. "Most parents directly communicated (i.e., providing explanations, asking questions, sharing their own stories, warning of risks, and advising on safe sex behaviours) with their adolescent children on topics such as male-female sexual relationships, virginity, pregnancy, abortion, condom use, and HIV/AIDS" (Trinh, 2004, pg. 11). In Eastern Eutopia, nonetheless, parents believed that informing adolescents about sex and teaching them how to protect themselves would make them sexually active (Ayalew, Mengisite & Semahegn, 2014)

It is evident that in Malaysia, sex is still considered a sensitive topic. Due to the sensitivity of this issue as well as the cultural and religious realities of the country, adolescents receive inadequate education, guidance and services on reproductive health. Malaysian adolescents often do not discuss subjects relating to reproductive health and sexuality with anyone except about puberty changes. In other words, topics related to sex and reproductive health is still forbidden or rather a taboo in family. Therefore, there is a deep and unmet need for a reliable and open source of information amongst adolescents.

Despite the sensitivity of such discussion in family, would there be a probability of certain sex and reproductive health-related matters or concerns that Malaysian adolescents discussed with their parents? What were the opinions of these young peoples' about their parents, if ever they communicate with them on issues and concern about sexual and reproductive health talk about issues of their concerns. The findings could also provide crucial information if the intervention strategies should be focused on the adolescents or on educating the parents on better approach to deliver of knowledge and skills on reproductive health matters to adolescents. Counselors and individuals or organizations working with adolescents could use the information to provide effective treatments, crisis interventions and preventive plans for adolescents so they can cope with the issues and in reducing unwanted consequences that may arise in the future such as teens unwed pregnancy, abortion, contracting and transmitting STDs and HIV/AIDS and other unhealthy habits related to sexual and reproductive health issues.

Objectives:

- a. To examine the scopes of sex and reproductive health issues that adolescents discuss with their parents.
- b. To explore adolescents' views on communication with parents about sex and reproductive health issues.

Research Questions:

This study sought to answer the following questions:

- What are the scopes of sex and reproductive health issues that adolescents discuss with their parents?
- What are the adolescents' views on communication with parents about sex and reproductive health issues?

Research Methodology**Population**

The targeted population the study intends to generalize its findings are Lower Secondary School students in Malaysia. This population included all Form Two students in Lower Secondary Schools in the northern, central, southern, and eastern zones of Peninsular Malaysia and also the Sabah and Sarawak zones. The total enrolment of secondary school students from West and East Malaysia was about 2.3 million and approximately 1.4 million of them were in lower secondary levels (Ministry of Education Malaysia, 2013).

Multistage sampling procedure was adopted in selecting the participants for this study. The sample was representative in terms of school location (both rural and urban schools), minority and at risk students (remote area, *orang asli*/aborigines and students with special needs).

Determining Adequate Sample Size

Representative sampling enables the researcher to generalize and make claims of knowledge about the population (Gay & Airasian, 2006). Based on Krejcie & Morgan (1970) if the total population is 1,000,000, hence the sample size recommended is 384 respondents. However due to students' diversity in this country, problem related to form's completion and the return rate, this study has identified randomly 60 schools throughout Malaysia, and has selected 1,500 lower secondary school students who were in Form students One, Two and Three respectively, to participate in this study.

Sampling Procedures and Data Collection

Quantitative data was collected based on the stratified multistage sampling procedure. This procedure is based on grouping units into subpopulations called strata and using hierarchical structure of units within each stratum (Jain & Hausman, 2006). In stratified sampling, a random sample is drawn from all the strata and the primary goal of stratification is homogeneity. Based on the multistage sampling method, the cluster sampling was done in stages, which involved selection of clusters within clusters (Gay & Airasian, 2003; Neuman, 1997). This sampling procedure in essence is a way to reduce the population by reducing it up to smaller groups, which then can be the subject of random sampling.

In the first stage, the states in Malaysia was classified randomly as the following: Northern states (Perlis, Kedah and Pulau Pinang); Central states (Perak, Selangor and Wilayah Persekutuan Kuala Lumpur); Southern states (Negeri Sembilan, Melaka and Johor); Eastern states (Kelantan, Terengganu and Pahang) and East Malaysian states (Sabah and Sarawak). Data was collected from several zones. In the second stage, the lower secondary schools was assigned according to zones. In the third stage, 60 schools were randomly drawn from these zones and 2,500 students were identified. Finally 25 boys and 25 girls were selected from each school to participate in this study.

From 1,500 questionnaires posted to respective school through 'snail mail', 1,120 were returned. However, 504 data were analysed for this research purposes due to some inevitable problems like some schools also involved the upper forms student as respondents. The remaining data was utilized for other purposes. The number of schools met the targeted 95%

of the confidence interval. Several respondent's demographic variables were identified namely; age, gender, mother tongue, religions, home address, type of home, parents' marital statuses, siblings, stay with siblings, stay with grandparents, marital status, frequency of communicating with mom, frequency of communicating with dad, raised by both parents, closer to either parent.

The response rate is equivalent to 74.7%. According to Diem (2003) 50-60% of response rate is often considered an acceptable return rate for survey research. Babbie (1989) proposed that at least 50% of response rate is adequate, 60% of response rate is considered good and response rate of 70% is considered as very good. This allows the researchers to proceed with the data analysis.

Methodology

Instrumentation:

Two instruments have been developed and they are: Highly At-Risk Behaviors Questionnaire (a questionnaire to gauge adolescents highly at-risk behaviors)- HARBQ. For the purpose of this study, only data from two constructs of Parent-Adolescent Communication Patterns were analysed, which were (i) Parent-adolescent discussion on puberty, reproductive, and sexuality issues; and (ii) Adolescents' opinion about Parent-adolescent reproductive health, and sexuality issues communication pattern

Pilot Study:

A pilot study was conducted on 81 Form Two respondents from a secondary school in the Klang Valley in November 2012. Eleven items (16 through 26) in Section B (patterns of adolescents-parents communication on puberty, reproductive, and sexuality issues) used a Likert scale 0 (never), 1 (rarely), 2 (occasionally), 3 (quite frequent) and 4 (very frequent); while 16 items (45 through 60) which asked about parent-child reproductive health, and sexuality issues communication pattern used different Likert scales Likert scale of 1 (strongly disagree) through 5 (strongly agree). The two constructs yielded astounding reliability estimates. Table 1 tabulates the individual reliability estimates of each construct measured with rather high alpha values of 0.955 and 0.919 respectively.

Table 1: Pilot study (Internal Reliability Estimates of Constructs)

	Parent-Adolescent Communication Patterns	Items	Reliability Estimates (α)
1.	Scopes of parent-adolescent discussion on puberty, reproductive, and sexuality issues	16 through 24 (9 items)	.967
2.	Adolescents' views on parent-adolescent reproductive health, and sexuality issues communication pattern	45 through 60 (16 items)	.898

Data Analysis and Results

Analyses of data for this study are summarized in the table below.

Table 2: Data Analysis

No.	Research Question	Statistical Analysis
1.	What are the scopes of sex and reproductive health issues that adolescents discuss with their parents?	Descriptive (Means, Standard Deviations), Percentages.

2.	What are adolescents' views on communication with parents about sex and reproductive health issues?	Descriptive (Means, Percentages, Standard Deviations),
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Demographic characteristics of respondents

Forty six percents (n = 232) were males while the rest (n = 272) were females. On the background, majority of the respondents were from urban schools (75.6%) while the remaining were from rural schools (24.4%). As of age, of 504 respondents, eighty one (16.1%) were 13, 193 (38.3%) were 14 and 230 (45.6%) were 15 years old respectively. Table 3 tabulates the age range, gender and school locations of the respondents who completed the entire questionnaire from the two constructs. These breakdowns were basically based on the number of completed items found in the questionnaires.

Table 3: Respondents Demographic Background

Age	Location	Gender		Total
		Male	Female	
13	Urban	15	19	34
	Rural	15	32	47
	Total	30	51	81
14	Urban	79	57	136
	Rural	15	42	57
	Total	94	99	193
15	Urban	97	114	211
	Rural	11	8	19
	Total	108	122	230

Findings

Findings of this study are presented according to the research questions as follows:

RQ1: What are the scopes of reproductive health issues that adolescents discuss with their parents?

Descriptive statistics namely frequency counts, percentages, means and standard deviations were employed in making sense of the data analysed. Table 4 tabulates the findings related to parent-child communication on reproductive health.

Nine items on communication issues related to reproductive health were asked in the survey. All issues were hardly discussed by the respondents with their parents. Approximately 76% to 90% of the respondents claimed that they had never and rarely discussed the issue related to (in descending order) pregnancy abstinence (89.9%), abortion (89.4%), sexual transmitted diseases (88.9%), fertilization (88.8%), prostitution (88.4%), pregnancy (86.7%), followed by discussions on menstruation (78.7%) and sexual relationship (76.0%).

Although more than half of the respondents (43.6%) claimed that they had either never or rarely discussed homosexuality-related issue, 33% reported that they had discussed (quite, and very frequent) with their parents about it. As compared to eight other scopes, for an unclear reason, as shown in the table, less than 80% adolescents responded to item "discussion

about homosexuality” These findings showed that of the nine issues adolescents and parents actually had a rather open discussion on topic related to homosexuality.

Table 4: Scopes of Reproductive Health Issues Adolescents Discussed with Their Parents

Item	Issues	Never (%)	Rarely (%)	Occasionally (%)	Quite frequent	Very frequent	Mean	SD
16	Discussion on pregnancy	384 (76.2)	53 (10.5)	25 (5.0)	9 (1.8)	9 (1.0)	.31	.746
17	Discussion on fertilization	411 (81.5)	37 (7.3)	13 (2.6)	6 (1.2)	4 (0.8)	.20	.630
18	Discussion on sex relationship	334 (66.3)	49 (9.7)	35 (6.9)	18 (3.6)	37 (7.3)	.68	1.165
19	Discussion on menses	347 (68.8)	50 (9.9)	23 (4.6)	19 (3.8)	30 (6.0)	.58	1.569
20	Discussion on sexual transferred diseases	406 (80.6)	42 (8.3)	17 (3.4)	3 (0.6)	5 (1.0)	.22	.641
21	Discussion on pregnancy abstinence	412 (81.7)	41 (8.1)	10 (2.0)	8 (1.6)	2 (0.4)	.20	.594
22	Discussion on abortion	416 (82.5)	35 (6.9)	16 (3.2)	4 (0.8)	3 (0.6)	.19	.592
23	Discussion on prostitution	411 (81.5)	35 (6.9)	11 (2.2)	6 (1.2)	5 (1.0)	.23	.747
24	Discussion on homosexuality	183 (36.3)	37 (7.3)	11 (2.2)	72 (14.3)	94 (18.7)	2.24	2.202

RQ2. What are the Adolescents' Views on Communication about Sex and Reproductive Health Issues with Their Parents?

There were mixed findings with regards to adolescents' views on communication about sex and reproductive health issues with their parents. As demonstrated in the table above, majority of the respondents were in disagreement (strongly disagreed and agree) with six statements. In descending orders: "I will only arouse suspicions on my parents' part if I ask sexual matters to them" (97.4%); "I am too ashamed to discuss sexual matters with my parents" (95.2%); "It is too difficult to find the right time and place to discuss sexual matters with my parents" (88.4%); "My parents are just too busy to discuss sexual matters with me" (87.1%); "My parents would be angry if I try to discuss sexual matters with them" (85.9%); and "My parents would be asking too many personal questions if I try to discuss sexual matters with them" (84.1%). Nonetheless the percentage of respondents that were uncertain of their opinions related to the subject matter range from moderate to moderately high. For example, they were uncertain if their parents would nag in case they try and ask questions related to sex (60.3%) and if their parents were dishonest when discussing about sexual matters with them (49.7%).

Although 49.6% of the respondents were uncertain if there was a need for them to ask any sexual-related questions to their parents as they had knowledge about the issues, about 30% disagree on the statement. On a positive note, some seemed to agree that to certain extent, they need to communicate about this issue with their parents. Despite nearing half of the respondents (45.2%) were uncertain if their parents were not too old to discuss sexual matters with them, 37% reported that they disagreed with the statement. About 44% of the respondents also disagree that their parents have little knowledge about sexual matters and slightly less than that (40.2%) were uncertain about the matter. Like almost equally distributed, 34.3% of the respondents had the opinion that their parents would not turn them down if they asked about the sex-related matters; 34.6% were uncertain and 30.4% agree (strongly agree and agree) their parents would refuse to answer such questions.

The following Table 5 tabulates the findings on adolescents' views on communication about sex and reproductive health issues with parents

Table 5: Adolescents' Views on Communication about Sex & Reproductive Health Issues with Parents

Items	Issues	Strongly disagree (%)	Disagree (%)	Uncertain (%)	Agree	Strongly agree	Mean	SD
45	I am too ashamed to discuss sexual matters with my parents	464 (92.0)	16 (3.2)	7 (1.4)	6 (1.2)	4 (0.8)	1.10	.447
46	My parents refused to answer any sexual related questions	76 (12.9)	126 (21.4)	204 (34.6)	96 (16.3)	83 (14.1)	1.13	.568
47	My parents would nag if I try and ask questions related to sex	61 (10.4)	86 (14.6)	355 (60.3)	51 (8.7)	28 (4.8)	1.47	1.03 7
48	There is no need for me to ask any sexual related questions to my parents as I already knew about them	91 (15.4)	98 (16.6)	292 (49.6)	63 (10.7)	39 (6.6)	1.14	.550
49	My parents have little knowledge about sexual matters	123 (20.9)	137 (23.3)	237 (40.2)	59 (10)	27 (4.6)	1.25	.539

50	My parents were dishonest when discussing about sexual matters with me	98 (16.6)	78 (13.2)	293 (49.7)	67 (11.4)	43 (7.3)	1.11	.363
51	My parents were too old to discuss sexual matters with me	118 (20)	100 (17)	266 (45.2)	57 (9.7)	36 (6.1)	1.09	.351
52	I will only arouse suspicions on my parents' part if I ask sexual matters to them	482 (95.6)	9 (1.8)	4 (0.8)	0 (0)	2 (0.4)	1.05	.283
53	It is too difficult to find the right time and place to discuss sexual matters with my parents	413 (81.9)	33 (6.5)	30 (6.0)	13 (2.6)	4 (0.8)	1.01	.147

Table 5 (cont.): Adolescents' Views on Communication about Sex & Reproductive Health Issues with Parents

Items	Issues	Strongly disagree (%)	Disagree (%)	Uncertain (%)	Agree	Strongly agree	Mean	SD
54	My parents are just too busy to discuss sexual matters with me	399 (79.2)	45 (8.9)	37 (7.3)	8 (1.9)	2 (0.4)	1.00	.066
55	My parents would be asking too many personal questions if I try to discuss sexual matters with them	392 (77.8)	32 (6.3)	52 (19.3)	15 (3.0)	2 (0.4)	1.00	0.66
56	My parents refused to listen to what I have to say about sex	313 (62.1)	54 (10.7)	81 (16.1)	44 (8.7)	2 (0.4)	1.74	1.059
59	I would be arguing with my parents if we were to discuss about sexual matters	296 (58.1)	74 (14.7)	91 (18.1)	27 (5.4)	2 (0.4)	1.69	.986
60	My parents are too shy to discuss sexual matters with me	298 (59.1)	54 (10.7)	90 (17.9)	47 (9.3)	4 (0.8)	1.79	1.059
61	I find it difficult to be honest with my parents about my behaviour regarding sexual matters	143 (28.4)	26 (5.2)	41 (8.1)	22 (4.4)	1 (0.2)	1.75	1.069

62	My parents would be angry if I try to discuss sexual matters with them	386 (76.6)	47 (9.3)	37 (7.3)	18 (3.6)	1 (0.2)	1.57	0.925
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In sum, in many instances, there was a possibility that the respondents were quite positive they could communicate with their parents on matters related to sexual and reproductive health issues.

Discussion

Two research questions were addressed to accomplish the respective aims of the research. With respect to sex and reproductive health scopes, descriptive analyses of the data in this study consistently revealed that Malaysian adolescents were reserved and hardly discussed culturally forbidden issues such as sex related matters and reproductive issues with their parents. Majority of the respondents in this study did not communicate issues related to fertilization, pregnancy and pregnancy abstinence, sexual relationship, abortion, STD and prostitution with their parents.

Menstruation matters which were supposed to be experienced by all female adolescents when they reach puberty were also not communicated to their parents. These encounters are in agreement with Okwun, Siraj and Okwun (2013) that Malaysian, a rather traditional and conservative nation it is considered impolite to discuss openly topics concerning sexual and reproductive health as they are normally highly sensitive or taboo. In support, literature review and research findings on sexual and reproductive health of Malaysian adolescents agreed that cultural and religious sensitivities impede collection of data on issues as premarital sex, abortion and homosexuality (WHO, 2005 in Temple-Smith, Moore & Josenthal, 2015). Research findings from India (Kotecha, Patel, Baxi, Mazumdar, Misra, Modi & Diwanji, 2009), Vietnam (Trinh, 2004) and Africa (Ayalew, Mengisite & Semahegn, 2014) were in line with the results of the topic under study.

Nonetheless, it is interesting to mention that as compared to other scope of discussion, more than 30% of the adolescents involved in this study reported that they had conversed about homosexuality (quite, and very frequent, respectively) to their parents. Another thought-provoking issue that need to be addressed is "what are the reasons for the little openness of some adolescents to talk about it with their parents?"

"Homosexuality involves not just sexual contact with persons of the same sex but also a romantic feeling, emotional attraction, fantasies, and a sense of identity" (Temple-Smith, Moore & Rosenthal, 2015, pg. 165). Typically, the words "gay" and "lesbian" are used to refer to homosexual men and women (FamilyDoctor.org, 2010). Unlike other scope of discussion related to adolescents biological development (e.g. mensuration, fertilization), social psychosocial issues involving both genders (e.g. sex relationship, pregnancy abstinence, STD, abortion and prostitution), homosexuality is rather a unusual issue as it involved intimate relationship among the same gender. Several significant news were highlighted by and debated on mass media between 2011 to 2013 about same-sex civil unions or marriages involving international celebrities and Malaysian living abroad in 2011 to 2013 which majority of the people in this country especially among the Muslims observed as a "deviant culture." One main reason that could probably explain the findings was a contemporary issue that received a wide media coverage at a time when this data was collected in 2013. Regular references related to the matter in the mass media appeared to have left an impression on the public. Thus, the awareness on the subject ran high and could probably have been mentioned in family communication, in direct or indirect manner due to phenomenological factor. Section 69 (d) of the Law Reform (Marriage and Divorce) Act 1976 states that in Malaysia, "A marriage which takes place after the appointment date (March 1, 1982) shall be void if the parties are not respectively male and female" (Government of Malaysia, 2006). Since majority of the respondents in this study were Muslim (69.4%), the deterrence of homosexual behaviour is strongly emphasized in the Islamic teachings by Muslim scholars, religious teachers and parents as a strong reminder to the adolescents. It is mentioned repeatedly across the Holy Qur'an for example:

"And [We had sent] Lot when he said to his people, "Do you commit such immorality as no one has preceded you with from among the worlds? Indeed, you approach men with desire, instead of women. Rather, you are a transgressing people" (Al-Araf, 80-81); and

"Do you approach males among the worlds (165). And leave what your Lord has created for you as mates? But you are a people transgressing" (Ash-Shura, 65-166)".

In support of the religious belief and culture especially among Muslims, parents have always considered homosexuality to be wrong and alien. In many instances, when a parent hears for the first time that someone that their children is in love with is a gay or lesbian, the feelings can range from bewilderment and confusion to fear and anger.

In addressing the second aim of this study, that is exploring the adolescents' views on communication about sex and reproductive health issues with parents, findings of this study revealed several exciting discoveries. Majority of the adolescents examined in this study indicated that they are not too ashamed to talk about sexual matters with their parents as they believed that they would not arouse suspicion and made their parents angry. They also purported that it was not too difficult to find the right time and place to talk about it with parents and refuted that their parents were too busy to address their concern about sex and reproductive health –related issues. Apart from that the adolescents also trusted that their parents would not provoke them with personal questions if they tried to ask them about the issues. They were quite positive that parents would not nag or even dishonest in the discussion or too old and have little knowledge about sexual matters.

Hence, is it really a big deal to talk to parents about sex and reproductive health issue? The answer could probably be "no" on the adolescents' part. These findings perhaps were contributed by the younger generation that got involved in this study. As the age range of the adolescents in this study was between 13 to 15 years old, they fell in the category of Generation Z (Gen-Z also known as iGen or Post-Millennials). Experts differ on when the earliest members of Gen-Z were born. Some claimed that were 1990 to 2001 babies but some researchers start this generation at the mid-1990s or from the mid-2000s to the present day (Horovitz, 2012). On the other hand some researchers addressed those who were born from the early 1980s to the early 2000s as millennial (also known as Millennial Generation).

Whether they are in the demographic cohort of Gen-Z or towards the end of Gen-Y, the more important fact is they were part of a generation that is global, social, visual and technological. As of the present time, they are the most connected, sophisticated and educated ever. Almost all information is accessible to them via one touch of the keypad buttons. They are "digital natives." Social media platform is one of the ways to communicate with the outside world. This generation is not bothered about privacy and are willing to share intimate details about themselves. This could be a logical explanation that they do not have problems or boundaries to discuss a lot of things concerning their life including sex and reproductive health issues. Firstly, information can easily be obtained on line secondly, physical and virtual peers and friends are always out there to justify their curiosity. Based on this openness, probably they have the willingness to share their private matter even with their parents.

Are parents ready enough to talk about the matters openly? Generation gap and culture could possibly be the limitations of such private communication. Most of the parents of the respondents were of Generation X or baby boomer generation (born between 1946 and 1964) who probably delayed parenthood. Researchers and scholars mentioned that from the Baby Boomers to Generation X, each generation has distinctive parenting styles. Baby Boomers engaged in more discussions with their children, and tried to be more nurturing than critical and they exercised parenting like everything else they did, with idealism and righteousness while Generation X exercise protective and hands-on child-raising style and they are highly involved in their children's lives (Howe, 2014).

Hence, how best can we communicate personal and private issues other than academic achievement, aspirations and educational as well as career pathways? We also put a lot of focus on adolescents' physical health, emotional well-being and mental health, but unfortunately we ignore sexual health. Despite all the education and knowledge that the parents might have personally acquired and have imparted to their children, the problem of 'teenagers and sex' continues to be a matter of concern for everyone despite the notion that ideal parenting requires that the child be guided and prepared for a mature marital relationship. Regardless of the generation which they belonged to, parents can actually benefit from the multigenerational family teams through open positive communication.

Many factors probably impede parents from discussing sexual matters with their children. Among the factors was lack of sexuality information (Lefkowitz & Stoppa, 2006; German & Constantine, 2010). A review by Ayalew, Mengisite and Semahegn (2014) on studies conducted in developing countries like South America and Africa, gender of parents hinder discussions about sexuality with adolescents where boys might receive little or no information from their parents. Fathers communicate rarely over sexual matters with their children. In Ghana on the other hand, German and Constantine (2010)

found that some parents viewed discussions on sexual matters with adolescents as a means that could tempt them to indulge in sexual intercourse. Other parents also viewed adolescents as too young to discuss sexual matters while others view adolescents as knowledgeable since they learn from the peers and media (Lefkowitz, Stoppa, 2006).

Like other developing countries, it is important to suggest that in Malaysia, cultural factors might also repressed parents from discussing sexual matters with teenagers since the sexual topics were considered culturally sensitive. Ayalew, Mengisite and Semahegn (2014) affirmed that parents may also restrained themselves from discussing sexual matters with their children due to cultural taboos and beliefs is in line with the findings of Okwun, Siraj and Okwun (2013). This substantiates several studies where cultural taboos have persisted and inhibit parents from discussing sexual matters with their children and the finding of present study can safely be implicated that communication on sex and reproductive issues between parents and their teenagers is still a taboo.

Implications of the study

This study implicates several important sectors of the Malaysian society; namely parents-teachers' association (PTA / PIBG), NGOs working closely with adolescents, curriculum designers, counsellors and finally policy makers in Malaysia per se. The parents-teachers association is capable of organizing parenting program which focus much on how to communicate with adolescents of the 21st century. There shouldn't be any generation gap between parents and their children. Issues on pubescence, sexuality matters and reproductive health are important matters that should be handled subtly both by teachers and parents. It should no longer be perceived as a taboo by parents and teachers alike. Curriculum designers on the other hand, must consider real current issues related to adolescents' development and growth when reviewing and restructuring the existing curriculum. Thus, such curriculum may be compatible for the younger generation. Similarly, counsellors need current information from studies and identify and devise suitable interventions for the 21st century adolescents. To the current adolescents, actions are faster than words, thus, their extra energy needs to be channelled accordingly. In this context counsellors might select suitable activities which motivate adrenalin rush and are challenging for the younger generation and help them develop the right self-efficacy, self esteem, and self confidence effectively. Perhaps these attributes may prevent them from deviating. Eventually policy makers will make a huge impact on the lives of adolescents by suggesting policies that will ensure the rights of adolescents to education and by funding appropriate programmes for youth sustainability and survivability. In sum, findings from this study may help every section of the society to play their positive roles in ensuring that Malaysian adolescents are progressing positively and not digressing in any manner.

Recommendations for Future Research

Future studies may focus on other issues related to adolescents. Fewer studies in Malaysia have focus on adolescents' career paths and impact of substance abuse on future lives of adolescents, and the impact of "feminine curriculum" on boys or the impact of "masculine curriculum" for girls. Perhaps these areas of studies may be ventured in the future by other researchers.

Limitations

While this study has brought highlighted that the teenagers opted not to discuss sex and reproductive health issues despite promoting positive opinions that it did not really a problem to discuss the issues with their parents, there are limitations. First, as this study utilized cross-sectional design, inferences about causality cannot be explained. Secondly, this study examined the views of the teenagers only and thus, parents' opinion about the issues might be disregarded. Finally, this quantitative study provides a general view and did not look into the length and depth of discussions on difficulty in the means to deliver sexuality messages to adolescents. Furthermore, other factors like parenting and family communication style were not considered as factors that impact sexuality communication. However, the topic under study has shed light on the views of the teenagers as well as constrictions to parent-teenagers communication about sexual and reproductive health matters.

Conclusions

Majority of the adolescents, i.e. approximately 76% to 90% the respondents in this study claimed that they did not discuss sexual matters with their parents; hence they continue to lack information from parents which otherwise could have endowed them to discuss openly about their sexual and reproductive health needs. The adolescents' viewed that there was no problem to discuss about the sexual and reproductive health issues with their parents but still they were reluctant or did not discuss about it openly with them. The young people participated in this study were born in visual and technological era and most connected to social media. Hence, whether or not they communicate the issues with their parents probably is not that important to them as they can read them online from various websites. On parents' part, their limited access to sexuality information which could perpetuate beliefs, taboos and negative attitudes among themselves could hinder them from discussing sexual matters with adolescents. Parents might think that searching for relevant information related to sexual and reproductive health is not the main priority as they probably perceive that "the right time will come" as their children would be taught at school by science and religious education teachers. Given guidance on sex education principles, parents/caretakers could initiate or improve discussions about sexual matters with adolescents.

In sum, there is an immense need that modular-based programs are initiated by government particularly the Ministry of Women, Family and Community Malaysia in collaboration with the non-governmental organizations (NGO) to provide trainings to increase knowledge and skills of the parents and care providers with the 'challenging' tasks of providing adolescents sexual and reproductive health information with an open, friendly and non-threatening approaches to promote healthy sexual and reproductive lives.

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The Malay Mail Tuesday January 14, 2014: Schools to teach teen pregnancy

The Effectiveness of Go Green Implementation among Society in Kota Bharu, Kelantan

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Abstract

Nowadays, Go Green has becoming an initiative in protecting the natural resources for the next generation and protects human health through environmental management and implementation of green ways of life. This study seeks to identify the effectiveness of the implementation of Go Green by Majlis Perbandaran Kota Bharu (MPKB) Kelantan. The population of this study includes society in Kelantan and 200 respondents will be involved which is lives in Pengkalan Chepa, Kubang Kerian, Pasir Tumbuh, Wakaf Bharu and Kijang. The results from this study hoped will contribute to the body of knowledge which has a positive significant relationship with education, technologies and legal actions.

Keywords: Environmental management, Green, Education, Technologies, Legal actions.

Introduction

The awareness towards having healthy life is increasing day by day. Go green campaigns are widely used to expose the environmental issues to the public and at the same time to inculcate the awareness of green behavior on the environment. Go Green campaigns becoming very important to keep our environment clean and healthy from any disease as well as free pollutions. Latest news reported that the severe haze with a high API that caused by an open burning claimed many lives of the society and this situation should be taken into action in order to overcome it. Many parties (e.g. government, state, local authority, etc.) have to take this matter seriously and each person in this world has to know the important of Go Green implementation so that they able to protect our planet from destroyed. For example, pollution can happen from various types such as air, water, soil, noise, radioactive, thermal, light and visual. Other than that, it could lead to killing diseases for instance long period of time disclosure to polluted air can give effects to loss of lung capacity, decreased the lung function and could shortened life span. On the other hand, water pollution may possibly cause diarrhea, malaria, hepatitis A, lead poisoning and many more which can be conclude that different type of pollution are able to lead to different type of diseases that possibly will take someone life especially the lives of your loves ones. All these can happen when there is no action have been taken to implement Go Green in people daily lives. Although, there are global campaign have taken place such as Earth Hour, Earth Day, World Environment Day and so on, but it still not effective if no one is practicing and implementing Go Green approach in their daily lives. Moreover, people or society need to change their habit (e.g. throwing rubbish in public, use recycle items and reduce the usage of plastics bag) in order to reduce global warming.

A large number of customers show increased environmental awareness and a preference for green concept (e.g.: firms, products, etc.), revealing their willingness to purchase and pay more (Han et al., 2011). Consumers or individual who are well aware and concerned about the environmental issues are known as green consumers (Soonthonsmai, 2007). At present, people have aware that their consumption activities will lead to the environmental problems (Tsen et al., 2006). Carrus et al. (2015) state that social interaction in natural environments may represent a source of distraction from the relationship with restorative natural environments. It is found by Murray (2012) that if rebound effects are ignored when evaluating 'green' consumption, environmental benefits will be overstated by around 20% for reduced vehicle use, and 7%

for reduced electricity use. Commonly, in business world or manufacturing industry have done many effort on producing the products in green standards. People also need to aware how important green product in their live, even they not perfectly implementing go green in their daily life. The term "green" usually connecting on keep the environment clean and it refers to the action that reduce the impact on the environment and keep it clean or free from any pollution such as reuse the certain item, recycling or purchasing green product (Wolfe & Shanklin, 2001).

According to Coleman (2011), Go Green consumption can have different meanings for different people and different purposes. Thus, this study defined "Go Green" is the initiative in protecting the natural resources for our next generation and protects human health through environmental management and implementing green ways of life. Higher education must play important roles to educate the next generation, not only to promote social and economic development, but they should ensure these developments will be sustainable (Xiong et al., 2013). Until now, only several countries has implement Green concept in their daily life and it was not successful educate. Building "green curricula" is the most crucial part to increase students' environmental awareness in school and university (Boks & Diehl, 2006). Nejati and Nejati (2013) urged that universities worldwide are changing their mission, vision, and educational practices to better cope with growing concerns about social and environmental issues. Still many of university especially leaders and academicians are unaware or ignorant of sustainability principles in the university setting. Many of the activities related to green in the university has remained unsustainable (Lim et al., 2015; Geng et al., 2013; Xiong et al., 2013; Lozano, 2006).

Knowledge is recognized in consumer research as a characteristic that influences all phases in the decision process (Laroche et al., 2001). Knowledge and information about Go Green had been publicly spread. However, there are slow effort to develop the culture on practicing in daily life such as campaign, talk, program and etc. Geng et al. (2013) noted that pamphlets and outdoor bulletin boards that contain best practices of green need to be daily promote to the society. Hosseinpour et al. (2015) revealed a previous studies done by Han et al. (2009) and Laroche et al. (2001) observed that women have strongly different in terms of having environmentally friendly behavior rather than men. These studies concluded that not only women are more environmentally concerned but they also willing to pay for green products. Nejati and Nejati (2013) found that this Go Green issues remains under researched and needs to be further explored.

Nevertheless, those efforts (Coleman et al., 2011; Tsen et al., 2006; Wolfe & Shanklin, 2001) still inadequate and not give much impact or affect towards society. Furthermore, this study seeks to know how effective the implementation of Go Green among society in Kota Bharu, Kelantan especially Majlis Perbadanan Kota Bharu (MPKB) management. The objectives of this study are as follows:

RO1. To identify the level of education that influences the implementation of Go Green in MPKB.

RO2. To determine the level of awareness, education and knowledge attitudes towards Go Green implementation in MPKB.

RO3. To recommend solution to MPKB towards implementation of GO GREEN activities.

The present study attempts to answer the following four principal research questions are formulated:

RQ1. Is it the level of education influence GO GREEN implementation?

RQ2. Is there any significant relationship between level of awareness, education and knowledge attitude towards Go Green implementation?

RQ3. Is there any recommendation or solution towards Go Green implementation activities to MPKB?

THEORETICAL FRAMEWORK

The underpinned framework for this study was derived from the in-depth factors and theoretical statements from preceding works. The following model in Figure 1 illustrates the relationship between awareness attitudes, level of education and knowledge.

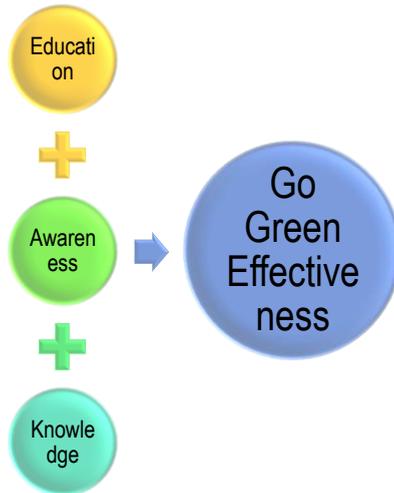


Figure 1. A Proposed of Go Green Theoretical Framework

Methods

Research methodology is refer to effective method to get the useful information with the minimum cost in achieve a research (Babbie, 2011; Bhattacharjee, 2012; Creswell, 2003; Fowler, 2009). To give the focus, this study will determine the suitable research methodology for applied to achieve the original purpose of the research. The population of this study is society that lives in Kelantan. The sample of the study is 300 respondents which live area of Pengkalan Chepa, Kubang Kerian, Pasir Tumboh, Wakaf Bharu and Kijang. Questionnaire will be use to be answered by respondent and return it within a certain period of time. The data was analyzed by using SPSS system. Descriptive statistics were used to analyze, organize, summarize and describe the collected data. This software can predict with confidence what will happen next so it can make smarter decisions, solve problems and improve outcomes.

Expected Outcome

Expected outcome is a prediction what the researcher expects after the study has conducted. These studies have three outcomes which are educations, technologies and legal actions. The first expected outcome is to provide more green education and awareness towards Go Green since primary school or kindergarten. It's explained details about effect, cost and benefit that they will get if all the society implementing Go Green activities. If they succeed, they will protect the environment all the time.

Practical Implications

The second expected outcomes is to create a machine so called "Recycle Go Green Vending Machine" that can accept recycle tin can and the others waste will be disposed. For the recycle waste such as bottle, paper, plastic and aluminums

canned will be enter to the machines, and there will be exchange into coins. Furthermore, if this vending machine started to use in UMK, the machine could generate income back to university.

Society Implications

Lastly, the implementation of recycle law for environmental care needs to be tightened. At present, the society is not concerned to the environmental care that can be seen around Kota Bharu. Other countries around the world apply this recycle policy. For example, university or schools are the focus of sustainability efforts because they are both extremely important sites of learning and significant consumers of natural resources. Through the existing case study could help people to illustrate on how conservation efforts (directed at energy and resource use) can directly address environmental sustainability and support environmental education (Schelly et al., 2012.)

Conclusion

Of course, this research is limited by its very nature as a case study. While individual cases can offer rich descriptions, rich answer how and why questions, and provide propositions for new theory. The study also tends to propose more complex theories than can be validated by examination of a wider variety of cases. However, the limitation of the study has come across, but, our expected outcome is focuses on the development practicing Go Green in people daily life from the beginning of age. Future research should examine a wider such as variety of cases, degrees of conservation and types of sustainability efforts in order to develop theories and practices in the school level efforts that contribute to the Go Green practices.

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Faith-Based Organisations (FBO): A Review of Literature on their Nature and Contrasting Identities with NGO in Community Development Intervention

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Abstract

Organizations with a faith basis play a dominant role within the development sector. In the latter half of the twenty-first century, many faith-based organizations (FBOs), motivated by their religious faith and beliefs, began to work beyond their own borders to improve the material well-being of the world's poor. However, despite the significant presence of FBOs within the arena of aid and development, little agreement exists within the development literature as to the similarity or distinction between aid agencies that are faith based and secular. This study reviews the existing literature on the nature of the FBOs in order to analyse how FBOs are understood in relation to NGOs. It also suggests a number of different typologies that captures these diverse ranges of views of how FBOs are understood.

Keywords: faith-based organisations, nongovernmental, community development,

1. Introduction

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. It is very synonym with the alleviation of poverty and the establishment of equal opportunities and equitable distribution of economics and social rewards, which is also an on-going issue for all countries. Indeed in September 2000, alarmed by growing global poverty and a widening in the gap between the rich and the poor, the United Nations launched its Millennium Project, which called on member states to eradicate poverty and hunger, reduce the incidence of disease, provide universal primary education for children, create a healthier environment, and encourage global partnership for continued development. In those nations whose histories include strained relations among diverse ethnic and racial groups, the problems of economics and social inequity are especially salient.

As noted by Soon (2005), the problem outlined by the UN Millennium Project have been recognized by all government leaders. Series of development plans reflect the on-going concerns with these problems. All nations are still trying their best in reducing poverty rates, increasing adult literacy rates, and perhaps more importantly pursuing policies of inclusion for all racial and ethnic groups while advancing in economic growth and development. This is not to deny that a number of chronic problems remain. Policies that sought to bring a greater proportion of primarily rural residents into a decent standard of living have not always had the intended results.

On the basis of the framework outline by Lea and Chaudri (1983), there were mixture of approaches in community development intervention from those of technocratic model to reformist and free market. Generally the approaches had been relatively free market model before 1950s, then shifted towards technocratic and reformist models towards the end of 1960s to 1990, and reemphasis on free market model during the post-1990. The emphasis on community development approaches tended to varies from different period of development although we can trace the overlapping in the approaches.

In the current phase of community development, within the general development framework of neo-liberal and globalization of the economy, community development has tended to provide more ground for free market approach with the

development of infrastructure and incentives for private capitals in rural areas. It aims to receive priority for public investment and policy support (Ngah, 2012). However, the main players and funding will come from the private sector with public sector investment as catalyst to spark private sector participation. In this case, the private sector includes private agencies and non-governmental organisations.

2. NGO: An Actor in Community Development Intervention

The government is not the only actor in its effort to ensure a balanced development to all folks of life. It has been trying very hard in order to bridge the gap between urban and rural, and between the rich and the poor.

The last 20 years have seen the emergence of a new category of actors on the community development stage. As noted by Meyer (2012), participation by nongovernmental organisations (NGOs) in community development has intensified significantly during the last two decades. A nongovernmental organisation is not-for-profit, voluntary citizens' group, which is organised on a local, national, or international level to address issues in support of the public good. Task-oriented and made up of people with common interests, NGOs perform a variety of services and humanitarian functions, bring citizens' concerns to governments, monitor policy and program implementation, and encourage participation of civil society stakeholders at the community level. They provide analysis and expertise, serve as early warning mechanisms, and help monitor and implement agreements (Hilton, 2012).

Their number has grown exponentially; the size of some of them makes them significant players in social welfare and employment market at the national level; the funding they attract has increased enormously; and their visibility to the general public has never been higher. NGOs are perceived as having two distinctive features that differentiate them from other community developers. First, they are advocates of the most vulnerable populations and their motivation is widely perceived as mainly altruistic. Second, their actions at the grassroots level are seen as conducted at private-sector level of cost control and efficiency, while they achieve development objectives and serve the needs of many people.

History of NGO establishment could be traced back to 1945 when the United Nations (UN) was created. Later the term became used more widely. Today, according to the UN, any kind of private organization that is independent from government control can be termed an "NGO", provided it is not-for-profit, non-prevention, and not simply an opposition political party. Since then, there are many variations of nongovernmental organisations has been substantiated across the nation.

NGOs types can be understood by their orientation and level of how they operate. There are four orientations in NGOs which could be identified as charitable, service, participatory, and empowering. Charitable orientation often involves a top-down paternalistic effort with little participation by the beneficiaries. It includes NGOs with activities directed toward meeting the needs of the poor peoples. Service orientation includes NGOs with activities such as the provision of health, family planning or education services in which the program is designed by the NGO and people are expected to participate in its implementation and in receiving the service. Participatory orientation is characterized by self-help projects where local people are involved particularly in the implementation of a project by contributing cash, tools, land, materials, labor, etc. In the classical community development project, participation begins with the need definition and continues into the planning and implementation stages. Empowering orientation aims to help poor people develop a clearer understanding of the social, political and economic factors affecting their lives, and to strengthen their awareness of their own potential power to control their lives. There is maximum involvement of the beneficiaries with NGOs acting as facilitators.

Operation of NGOs could be categorized into four levels; community-based, city-wide, national, and international. Community-based organizations arise out of people's own initiatives. They can be responsible for raising the consciousness of the urban poor, helping them to understand their rights in accessing needed services, and providing such services. City-wide organizations include organizations such as chambers of commerce and industry, coalitions of business, ethnic or educational groups, and associations of community organizations. National NGOs include national organizations such as the YMCAs/YWCAs, professional associations, and similar groups. Some have state and city branches and assist local NGOs. International NGOs range from secular agencies such as Ducere Foundation and Save the Children organizations, OXFAM, CARE, Ford Foundation, and Rockefeller Foundation to religiously motivated groups. They can be responsible for funding local NGOs, institutions and projects and implementing projects.

There are also numerous classifications of NGOs. The typology the World Bank uses divides them into Operational and Advocacy. Operational NGOs seek to achieve small-scale change directly through projects. They mobilize financial resources, materials, and volunteers to create localized programs. They hold large-scale fundraising events and may apply to governments and organizations for grants or contracts to raise money for projects. They often operate in a hierarchical structure; a main headquarters being staffed by professionals who plan projects, create budgets, keep accounts, and report and communicate with operational fieldworkers who work directly on projects. Operational NGOs deal with a wide range of issues, but are most often associated with the delivery of services or environmental issues, emergency relief, and public welfare. Operational NGOs can be further categorized by the division into relief-oriented versus development-oriented organizations; according to whether they stress service delivery or participation; whether they are religious or secular; and whether they are more public or private-oriented. Although operational NGOs can be community-based, many are national or international. The defining activity of operational NGOs is the implementation of projects.

Campaigning NGOs seek to achieve large-scale change promoted indirectly through influence of the political system. Campaigning NGOs need an efficient and effective group of professional members who are able to keep supporters informed, and motivated. They must plan and host demonstrations and events that will keep their cause in the media. They must maintain a large informed network of supporters who can be mobilized for events to garner media attention and influence policy changes. The defining activity of campaigning NGOs is holding demonstrations. Campaigning NGOs often deal with this issues relating to human rights, women's rights, children's rights. The primary purpose of an Advocacy NGO is to defend or promote a specific cause. As opposed to operational project management, these organizations typically try to raise awareness, acceptance and knowledge by lobbying, press work and activist event (Davies, 2014).

Another typology which can be used to understand NGOs is that there are faith based and secular NGOs. Organizations with a faith basis play a dominant role within the development sector. In the latter half of the twenty-first century, many faith-based organizations (FBOs), motivated by their religious faith and beliefs, began to work beyond their own borders to improve the material well-being of the world's poor. However, despite the significant presence of FBOs within the arena of aid and development, little agreement exists within the development literature as to the similarity or distinction between aid agencies that are faith based and secular. This study reviews the existing literature on the nature of the FBOs in order to analyse how FBOs are understood in relation to NGOs. It also suggests a number of different typologies that captures these diverse ranges of views of how FBOs are understood.

3. Methodology

This study employed textual and discourse analysis to gather information and to see the underlying themes and Keywords which contributed to the production of a critical compilation of works written by scholars and intellectuals worldwide concerning the nature of faith based organisations and the extent of their relations to nongovernmental organisations.

4. FBO: A Clearer Vision of Its Nature

It has been proposed that welfare services constitutes a site where the sacred and secular interact (Angell, 2010 p. 75), but as the above quote suggests, just what distinguishes a so-called faith-based organization from other services may not be readily apparent. Nor is there any consensus as to what the term faith-based organization means or even whether it is an appropriate term to describe initiatives of religious groups for whom faith is not a key component of their religion (Alison, 2010).

That faith is often regarded as synonymous with religion reflects the overwhelming influence of Christianity, Islam, and Judaism in the literature about welfare provision by religious organizations, and a lack of recognition that faith is not necessarily the most important tenet in some other religions (Jawad, 2009). But some have proposed that the focus on faith reflects a predominantly Protestant and Western perspective in the literature (Zain, 2012).

Hence, it is important to clarify at the outset in using the term faith-based organization, this study is referring to a community service agency which employs qualified community workers and has its identity and mission, self-consciously derived from the teachings of one or more religious or spiritual traditions or is auspiced by any religious organization or religious community. In addition to welfare organizations established by religious organizations, in some countries there is also a tradition of philanthropic established by the urban bourgeoisie or nobility which take their inspiration from, and identify with,

religious teachings (Fix and Fix, 2002). Hence, the definition of faith-based organization which has been adopted in this study is a community service agency which explicitly identifies with a religious tradition or is auspiced by any religious organization or community. Programmes or services offered by a faith-based agency do not necessarily have any religious content.

This definition restricted the scope further to organizations which employ qualified social workers, but recognizes that this is a narrower definition than has sometimes been adopted by those writing about faith-based organizations (McGrew and Cnaan, 2006) who will refer to any kind of faith-related voluntary association, including churches, mosques, synagogues, and congregations, engaging in social welfare. Such a broad definition includes organizations where welfare provision is not among their key reasons for existence (Unruh and Sider, 2005).

Expressions of faith include the branding of an organization, organizational structure, how it understands its purpose, and the role of religion in service provision (Cnaan and Boddie, 2006; Unruh and Sider, 2005). Each of these expressions will now be considered in turn, along with the impact of changing circumstances upon the faith basis of welfare organizations.

4.1 Branding

The branding of an organization, including the name and signage, are often the first indications that it may have some faith basis but this is not necessarily an accurate predictor with some faith-based organizations intentionally choosing names which have no religious connotations (Ebaugh, *et al.*, 2009). For example, in New York, a faith-based organization serving people with HIV/AIDS changed its name from Upper Room to Harlem United, downplaying its religious basis and seeking to emphasize the compassionate and non-judgemental nature of the services provided. On the other hand, having a name with religious connotations may be more a reflection of history than of contemporary circumstances. Although its name and symbol might suggest a religious organization, the Red Cross is typically now regarded to be an organization which had no religious origins but which is now ostensibly secular.

An analysis of the names of the approximately 50 publicly listed member organizations of Catholic Social Services reveals considerable diversity in naming. Member organizations had names which could be categorized as follows:-

1. Explicitly Catholic (e.g. CatholicCare)
2. Obviously Catholic to anyone who knows some basics about Catholic culture (e.g. Corpus Christi Community)
3. Obviously Catholic to those with some advanced knowledge about Catholicism (e.g. MacKillop Family Services)
4. Of some religion persuasion (e.g. Bethlehem Community Inc.)
5. Of no obvious religious persuasion (e.g. Keysborough Learning Centre)

The importance of the names was discussed by a number of the Australian research participants, particularly in respect of many of the welfare agencies associated with Roman Catholic dioceses across the country changing their name from 'CentaCare' to the more ostensibly religious 'CatholicCare' which was commented on by social workers working for other organizations. One explanation given to me was that this name change was premised on a belief that this would endear the agencies more to the Catholic community by being more upfront as to this being a religion response to the welfare needs in the community. Observations from Australian social workers in Catholic welfare organizations included the comment:

"In our diocese, they think people don't see CentaCare as Catholic, you know, as a response from the religion to welfare. So they think the name, if you call it CatholicCare, people when they see CatholicCare in the paper will think here is the church doing something good."

However, concerns were also raised that this might alienate potential service users and it was observed that such changes may be more about serving the needs of the religious faithful than in affecting how services are provided.

A further complication with naming is that some external programme funding requires host organizations to promote the name of the programme rather than of the auspicing organization. This may include using programme rather than agency letterhead, such that service users may be quite unaware that the services they are receiving are actually being provided by a faith-based organization.

Acknowledging that the distinction between religious and cultural symbols can be blurred (Netting, 2004), visual branding may nevertheless be used to promote messages as to the extent to which an organization is faith-based (Ebaugh *et al.*, 2003). In an organization where some research participants actually questioned whether or not it was really 'faith based', it was noted that the symbol of the cross on the logo had become much less noticeable on a recent revision. This does not necessarily reflect any lessening of religious faith in the organization's underpinnings or values but may represent a conscious decision that their faith is best expressed in how they treat service users rather than in the use of symbols or signage (Tangenberg, 2005).

How organizations brand themselves is not only important in respect of communications with service users, but also to other stakeholders including donors. In an analysis of religious welfare in Lebanon, it was observed that whereas some organizations appealed to donors on the basis of being a 'civilizing force', others marketed donations as being a form of religious 'worship' (Jawad, 2009). However, despite what may seem apparent branding as being faith based, organizations may not be recognized as such in the wider community. For example in the UK, the Charity Commission for England and Wales does not necessarily classify welfare organizations as having a faith basis even though this might be implicit in their name, such as Jewish Care. Only organizations which explicitly state their objectives as religious rather than welfare provision are readily identifiable as having a faith basis (Charities Aid Foundation, 2013).

4.2 Organizational Structure

Whether or not indicated in their name, faith-based organizations typically have some degree of affiliation with a religious constituency, and it is this religious affiliation that differentiates them from their secular counterparts (Ferris, 2005). This may include welfare services auspiced by local groups or congregations, those at the district or diocesan level, and independent welfare organizations that are affiliated with one or more faith communities (Sinha, 2013). Furthermore there are organizations with a faith basis which may operate independently of institutional religion and have only informal connections with religious hierarchies (Deines, 2008), although they may have had such relationship previously.

Both national and religious characteristics may influence the organization of faith-based welfare services. Over the past decade and a half, much of the literature which has emerged concerning faith-based welfare provision and which has originated from the US has focused on initiatives provided by local faith congregations (Boddie and Cnaan, 2006), particularly from those associated with Protestants forms of Christianity (Unruh and Sider, 2005). However, some religions such as Islam and Catholicism have more of a propensity to develop centralized services which may be organized on a national or regional basis (Sinha, 2013). Such services are about a need for taking communal responsibility for members of society experiencing disadvantage rather than an explicit faith-based identity. Hence, within a nation such as the US, it has been proposed that models for analysing Protestant faith-based initiatives may have limited utility in other settings (Smith and Sosin, 2001).

In contrast to the US, Australian faith based welfare organizations are often associated with religious which have strong national or international structures, resulting in welfare agencies often being organized at regional level (Karim, 2005). Particularly since the mid-1990s, the welfare agencies of the major Christian communities in Australia have formed alliances with similar agencies from either the same or from other regions. This has led to the establishment of some large organizations under a single management structures, agencies such as CatholicCare, Anglicare, and UnitingCare. The trend of federating welfare organizations associated with a particular religion under a single umbrella is not confined to Australia but has also occurred in the other countries worldwide (Vanderwoerd, 2004).

A key aspect of organizational structures concerns decision-making process within organizations. It may be important that the leadership is both skilled in managing a welfare agency and that there are processes reflecting the religious belief of the religious auspice (Schneider, 1999). Whereas in some faith based welfare organizations the major decisions are made by management groups controlled by the religious auspice. In others, the auspicing group may be entitled to nominate some but not all members of a board of management. Furthermore, there may be rules as to how many board members are required to be co-religionists (Sinha, 2013).

A mix of motivations for appointment to a board management of a faith based organization can lead to a decision-making which is based on maintaining ethics or values rather than purely rational grounds (Torry, 2005). Hence, Clarke and Jennings (2008) have proposed that the term 'faith-based organizations' refer to any organization that derives inspiration and guidance for its activities from the teachings and principles of the faith. But just because people claim to believe in God or some other deity does not necessarily result in a consensus as to what this means, and the implications for service provision (Dezerotes, 2009).

While some may argue that this is no more than wishful thinking, it has been declared that faith based organizations have a set of characteristics that distinguish them from their secular counterparts. The language of faith, the religious idiom, frequently better reflects the cultural norms in which the poor and marginalized operate (Clarke and Jennings, 2008, p. 15).

Alternatively, faith based organizations may reflect the cultural norms of the groups which established them. For example, in Indonesia five types of religious welfare organizations have been identified; organizations established and managed by religious orders, charitable organizations set by elite families associated with a religious tradition, religious organizations associated with popular political movements, international humanitarian relief organizations, and religious organizations closely associated with the state. Not only are these organizations distinguishable in terms of organizational structure, but also in terms of their aims or mission (Jawad, 2009).

4.3 Purpose

Although faith based organizations are those that derive their identity and purpose from a particular or spiritual tradition (Palmer, 2011), organizations which emerge from the same religious tradition may develop divergent understandings as to what their purpose should be (Cameron, 2004). For example, Islamic social teachings has been regarded as 'the most systematic and thorough attempt by a religious faith to articulate its position on social policy', and frequently informs understandings of social responsibility and welfare provision but can lead to radically different outcomes depending on how it is interpreted. However, although both justices for the individual and in society are recognized, interpretations of Islamic social teaching often give preference to one or other of these emphases (Ramadan, 2010).

Some religious organizations have understood their purpose in the wider world to consist of providing services to disadvantaged members of the community with little or no expectations of altering the religious beliefs and practices of those to whom the services are provided (Davies-Kielda, 2007). To guard against accusations of proselytizing, some faith based organizations make it known to staff that they may face being dismissed from their position if they seek to convert service users (Conradson, 2011), while in others staff are encouraged to change the topic when service users raise issues of a religious or spiritual nature (Pipes and Ebaugh, 2002). Elsewhere however, the hope of religious conversion underpins service provision by some religious organizations. This can range from low-key invitations about which the recipient is made aware that their decision to participate or not in religious activities will have no impact on receipt of welfare services. Through to coercive or manipulative attempts involving inducements for those who choose to become involved in a religion, including providing services only to individuals who have participated in religious activities such as prayers or worship conducted by the organization (Belcher and DeForge, 2007).

Hence, Gilligan (2010) has identified two contrasting approaches to faith based social work which he has labelled 'liberal or open' and 'fundamentalist or exclusive'. In the former approach, religious belief are recognized as an underlying motivation to service provision and the religious underpinnings of a programme or agency may in fact emerge in the public sphere as a commitment to care rather than use explicitly religious language, whereas the latter is premised on the belief that religious salvation is the ultimate imperative.

This question is whether faith based welfare organizations are called to be the 'mouthpiece of God' or 'the quiet voice of God'. In other words, are they called to preach or to be a presence through service provision? This is far from a new question, and in her analysis of welfare services in Malaysia, Gill (2012) has reported that a far more influential factor in the structuring of faith based welfare services was the distinction between '*kaum muda*' and '*kaum tua*' understandings of the Muslim duty and service. Confident in their own forgiveness, '*kaum tua*' became involved in charity as a way of bringing people to God. Consequently, they measured their success in terms of conversions gained rather than poverty relieved. Their good works served as a demonstration of individual conversion, fulfilling their duty as Muslims to show love for others. Because they understood poverty to be a result of sinfulness, '*kaum tua*' offered forgiveness rather than condemnation, and preferred to see the institutions they established as 'homes' rather than asylums of reformatories. However, their

compassion was tempered by a sense of moral superiority which justified their interference in the lives of those who came to them for help. 'Kaum muda' on the other hand, value the poor because their suffering was seen as bringing them closer to God. Charity was not about moral superiority, but about bearing witness and adhering to the values of the Quran, seeing the mercy of God rather than the sinners in the individual who came to them for help. In their approaches, they looked for outward conformity rather than individual conversion, believing that ritual and practice would bring the poor to salvation.

Payne (2005) paints a similar story in Britain in the 19th century where the evangelicals most likely to regard themselves as successful if they achieved conversion. Such tensions were also being played out in the US where some early leaders in the Charity Organizations Societies warned volunteers that the aim of 'friendly visiting' was not spiritual conversion but rather to provide charity to the most needy and vulnerable members of the community (Scales and Kelly, 2011).

Clarke's (2008) writing on the role of faith based organizations in development studies has proposed that rather than a dichotomy between implicit and explicit expressions of religion, a continuum is required. In particular, he notes four main ways in which faith manifests itself in the work of faith based organizations; passive, active, persuasive, and exclusive.

Passive means the teachings of the faith are subsidiary to broader humanitarian principles as a motivation for action and in mobilizing staff and supporters and play a secondary role to humanitarian considerations in identifying, helping, or working with beneficiaries and partners.

Active way means faith provides an important an explicit motivation for action and in mobilizing staff and supporters. It plays a direct role in identifying, helping or working with beneficiaries and partners, although there is no overt discrimination against non-believers and the organization supports multi-faith cooperation.

Persuasive way is when faith provides an important an explicit motivation for action and in mobilizing staff and supporters. It plays a significant role in identifying, helping or working with beneficiaries and partners and provides the dominant basis for engagement. It aims to bring new converts to the faith and to advance the interests of the faith at the expense of others.

Exclusive way means faith provides the principal or overriding motivation for action and in mobilizing staff and supporters. It provides the principal or sole consideration in identifying beneficiaries. Social and political engagement is rooted in the faith and is often militant or violent, and directed against one or more rival faiths (Clarke, 2008, p.32-33).

Clarke notes that it is the first and second categories of faith-based organisations that are most likely to attract support, including financial donations, in the wider community. Furthermore, such organisations may truly believe that addressing humanitarian concerns is more urgent than addressing religious practice. For example, Islamic Relief acknowledged that the facilities for community prayer available in a refugee camp were inappropriate but considered its priorities to be concerned around ensuring basic living standards in terms of food, shelter, water, and sanitation (Shamsuddin, 2012). Nevertheless, potentially all four of Clarke's organizational categories allow for faith-based organisations to prophetic and to care for the vulnerable. Moreover, although explicitly religious outcomes are only mentioned in the latter two of Clarke's categories, to some extent these may also underpin the expectations of stakeholders in the first two categories.

While conversion is often considered in respect of non-members becoming active in, and taking on the values of a new religion, an expectation of conversion may also be placed upon members whose beliefs or actions are considered to be in opposition to religious teachings. For example, Islamic charities in Somalia often seek to create good Muslims who will purify their practice rather than win new converts to Islam (Kroessin and Mohamed, 2008, p. 207). An example of this may also be found in Malaysia where the message of an education campaign aimed at Muslim men was that 'Violence against women is illegal and betrays the example set by our Prophet' (Ahmad, 2012).

Whether faith-based organisations view their purpose as predominantly serving co-religionists or outsiders is also critical, given that services provided by religious agencies to members of their own religion may vary considerably from services aimed at the wider community (Thyer, 2006; Baker, 2012). For instance, faith-based welfare organisations particularly those associated with immigrant groups, will often provide services only to their own community members (Clarke, 2008), and in turn, may be preferred by members of their communities for their ability to provide culturally and linguistically sensitive services. Furthermore, organisations associated with minority religions are often concerned to pass their faith on to their youth which is not only an investment by religious organisations in the long term future of their communities but also because this contributes to civil society more generally by being a moderating influence against extremism (Green, 2010).

Seeking to understand the purpose of a faith-based organisation requires going beyond focusing on the attributes of the organisation and taking account of expected service user characteristics particularly in respect of their religious beliefs or

affiliations. Whether recipients of welfare services are viewed primarily as service users or as potential converts will affect both how services are provided and the service user experience.

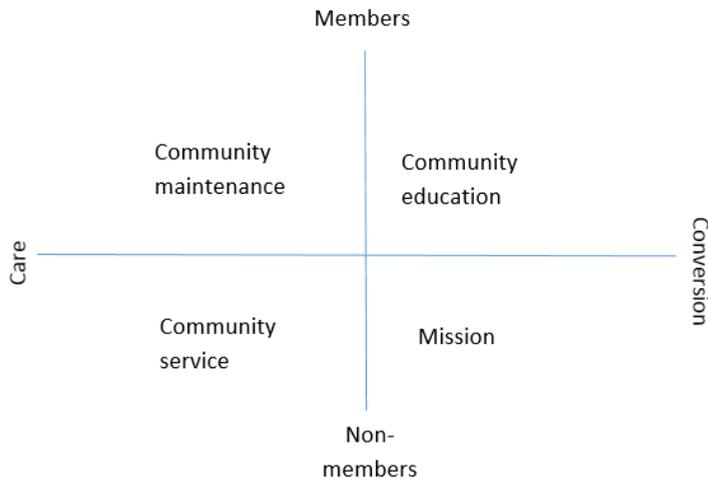


Figure 1: Service orientation of faith based organisations as determined by target group (members versus non-members) and service aim (care versus conversion)

The above figure is designed to understand the service orientation of faith based organisations as determined by target group and service aim. It consists of two intersecting axis. The first axis relates to the target group and whether it is exclusively or primarily aimed at members or non-members of a religious community. This crosses another axis in which the emphasis of service provision varies, ranging from being primarily concerned with care to a strong emphasis on conversion.

The emphasis of organisations which primarily provide care services for members of a faith community may be typified as 'community maintenance'. An example of this would be the welfare programmes of the Church of Sweden. With the majority of Swedes identifying as members of the church, the welfare work of the church is primarily to its own members. But given that religion is widely regarded to be a private matter in Swedish society, services provided by the church place their emphasis on care rather than on religious conversion. Similarly many Jewish welfare organisations tend to provide services largely to their own members, and actively seeking converts is not a feature of Judaism (Crisp, 2013; Beckman, 2006).

In contrast to the Church of Sweden, services provided by welfare organisations associated with the Catholic Church in Australia which are often aimed at the wider community tend to be characterized by an ethic of 'community service' (Crisp, 2013). As might be expected in settings which are staffed by welfare professionals, religious conversion is not considered a primary aim of welfare provision in programmes characterized by community service (Smith and Sosin, 2001).

Services aimed at community members which place an emphasis on religious conversion will have a 'community education' focus. An example of this is the domestic violence prevention programme mentioned previously which appeals to the religious beliefs of Islamic men.

The fourth quadrant which comprises organisations and programmes aimed at non-members with a strong religious focus may be typified as 'mission'. Staff are typically required to be of the faith and programmes have a strong religious content. Many faith-based welfare programmes offered in many South East Asian countries such as Indonesia and the Philippine which include religious content may be characterized in this quadrant (Tirrito and Cascio, 2003).

Any typology of faith-based welfare services will have its limitations not at least of which includes considerable variation in praxis within and between religious traditions (Dinham, 2009). It is recognized that the predominant emphasis of organisations is not necessarily fixed within a particular quadrant and may vary both across time and between different programmes conducted by an agency (Unruh and Sider, 2005). Furthermore, while recognizing that real organisations and programmes rarely fit perfectly into ideal types, this framework demonstrates the diversity of faith-based welfare organisations, although it is recognized that the predominant quadrants may vary in different religious and national contexts. Furthermore, although it has sometimes been proposed that the opposite of a programme or agency which is highly explicit in its religious identity is one with a secular orientation, the framework recognizes that such distinctions have been questioned.

A further aspect of purpose relates to the financial aims of faith-based organisations. While faith-based organisations to be non-profit voluntary organisations (Hiemstra, 2002), they may need to generate some income to supplement state funding and donations. In some organisations this may lead to ensuring that the costs of providing the service are paid for by service users (Valins, 2011). However rather than requiring fees to be paid by the users of all services, the aims of some programmes may include generation of a profit which may be used to subsidise other services provided by the organisation (Torry, 2005).

4.4 Service Provision

Often closely related to how an organisations views its purpose is the nature of service provision. Faith-based organisations range in scope from those offering a single service to large multi-programme and multi-agencies which provide services to a wide range of needs within communities on a local, regional, national, or international basis (Rogers, 2005; Berger, 2003). However, due to the differing needs, resources, and priorities in different communities, effective faith-based organisations need to find ways of working which are appropriate in and for the communities where they work. In addition to being providers of welfare services, faith-based organisations may also be involved in public debates about the nature of service delivery (Angell, 2010).

It is important to distinguish 'faith-placed' services which use the resources of a religious group, but that are otherwise quite separate from 'faith-based' services which are provided by a religious organisation either for its members or the wider community (Fagan, 2010). In delineating the place of professional social work from the broader activities of religious groups or organisations, Torry's (2005) definition of faith-based organisations is those 'organisations firmly related to a religious tradition but which do not have a religious activity as their primary aim'. He argues that 'such organisations occupy a place between religious organisations and secular organisations, and deserve a treatment of their own'. This is in contrast with the more common binary view of organisations as either religious or secular (Linden, 2008), although it is noted that in some countries such as Greece (Fouka, 2012) and Italy (Backstrom, 2011), even the distinction between religious and secular is less than clear.

For Torry (2005), the difference between religious and faith-based organisations is not whether they are run by clergy or laity but rather the activities they undertake. Hence, as long as there is some religious connection or underpinning, the work cannot truly be called secular. Similarly Belcher and DeForge (2007) have classified organisations on the basis of activities and in their writing about social work in faith-based organisations, deliberately excluded services which sought to proselytise service users. Although no such exclusion was made in this current volume, the focus on faith-based organisations which employ professional social workers resulted in the majority of social workers interviewed working in organisations that would be categorised by Torry as faith-based rather than religious and reflects that it is more common for social workers to be employed in community agencies than in local parishes where the primary aims are religious (Ebear, 2008).

For Unruh and Sider (2005), the critical question seems to be not whether the organisations is faith-based but whether or not the programmes it delivers are. They note that the programmes run by a single organisation can range from those with a very explicit faith element in the programme, requiring staff to have a strong faith commitment consistent with the programme's content, and no religious requirements on the staff employed to run such programmes, with a range of types in between these ends of a continuum. As they consider a wide range of factors including mission statement, founding, religious affiliation, organisational decision-making, sources of funding, in addition to religious content in programmes and staffing, Unruh and Sider demonstrate why there is such a broad range of organisations which come under the umbrella of being faith-based. However, an important critique of their work is that Unruh and Sider have created a typology of faith-

based organisations which best fits with direct practice and does not readily apply to other aspects of social work such as advocacy and policy development (Netting, 2004).

4.5 Changing Circumstances

Long term survival has required many faith-based organisations to change, innovate and merge with other similar organisations (Lake, 2013). In doing so, the nature of religious expression can change significantly. Small local initiatives have sometimes given impetus to the emergence of large welfare agencies, but while growth may result in faith-based organisations becoming economically more viable, it can also bring challenges for faith-based organisations in maintaining their faith identity (Ferguson, 2004). Similarly, as the needs of the target population change, faith-based organisations may need to redefine their purpose. In particular, it has been recognised that as the needs of ethnic communities change, ethnic religious organisations providing welfare to their members sometimes find themselves with the potential capacity to provide services to members outside their communities (Boddie, 2011).

Changes sometimes result in organisations becoming independent of their founders. While Netting (2004) proposed that if an organisation calls itself faith-based then it is the question which has been raised by Torry (2005) as to whether this can be so if the link with the founding vision or religious values is broken. This is particularly an issue concerning organisations which were originally established by religious groups and may have an ethos which reflects their religious origins but which are now community organisations with no formal link to religious groups (Middlemiss, 2006).

Faith-based organisations frequently claim themselves to be different from their secular counterparts whether this be in respect of what or how services are provided (Davies-Kielda, 2007). Yet, despite such perceptions, there is no single definition as to what a faith-based organisation is and against which claims of distinctiveness may be judged. Furthermore, Ebaugh *et al.* (2006) have previously concluded that there are multiple dimensions to religiosity among faith-based organisations and that scoring high on one of these dimensions is not a predictor of scoring highly on another. In particular, organisations which have a strong faith identity in terms of name or organisational structure often provide seemingly secular services where there is no explicit religious content (Vanderwoerd, 2004). Thus, although this review has not been able to conclusively resolve the question of what is a faith-based organisation, it does explain why seemingly very different organisations, in respect of their branding, organisational structure, purpose and service provision, can claim to be faith-based. Perhaps it is not how organisations perceive themselves but how they are perceived by others that is the critical question as Rogers *et al.* (2005) mentioned:

“What makes an organization faith-based? It is not in these external variables of name or location or organisational type, then perhaps it is in the meaning given to the context by others”

5 Understanding FBOs in their relation to NGOs

While religious groups are generally primarily concerned with the spiritual well-being of their members, many have also long been interested in addressing the physical well-being of their communities as well. Indeed, for many this has often been a core aspect of their existence (Hovland, 2008). This concern with physical well-being is often experienced and delivered through faith-based organizations (FBOs) affiliated with religious communities (Clarke, 2008; Clarke and Jennings, 2008; Clarke *et al.*, 2011). Clarke (2006) suggests these agencies can, in fact, be considered forerunners to modern NGOs as they have been providing support for the poor for a very long time.

Yet, for decades FBOs were ignored in mainstream discussions of community development (Willis, 2013). However, FBOs have begun to initiate contact with aid donors in recent years to seek increased involvement (and funding) in community development interventions (Marshall and Van Saanen, 2007). Therefore, the exclusion of FBOs from community development work is now diminishing.

There are seven broad categories in the literature, ranging from FBOs being considered in all substantive matters as being the same as NGOs to being considered entirely incomparable – with a range of relationships in between (Clarke, 2015). In

light of this review a final typology will be proposed which suggests that understanding FBOs is perhaps best done by considering the range of its constitutive identities, including that of NGOs.

The first manner in which FBOs are often compared to NGOs in the FBO literature are as organizations that sit within the intersection of NGOs and religious organizations (refer Figure 1) – that is, these FBOs can be classified as both, NGOs because of the work in which they are engaged, and as religious organizations due to their faith-based identity. The consequence of this dual identity is that these organizations are quite distinct from both, solely secular development focussed NGOs and solely non-development sectarian organizations (Haynes, 2009; Nishimuko, 2008). In this sense, FBOs have two identities (Lloyd, 2007; James, 2009). As Flannigan identifies, this dual citizenship or intersection approach can be found in FBOs of all faiths, including not just Christian, but also Buddhist, Hindu, Jewish and Muslim organizations (Jaffrelot, 2008; Lunn, 2009). This typology recognizes that while NGOs and religious organizations are distinct, that a number of organizations (FBOs in this instance) do straddle both worlds. The point of distinction between FBOs and NGOs in this typology is the religious basis that gives rise to the FBOs development motivation. This typology though, does not clarify whether there are clear distinctive approaches to development programme implementation within communities.

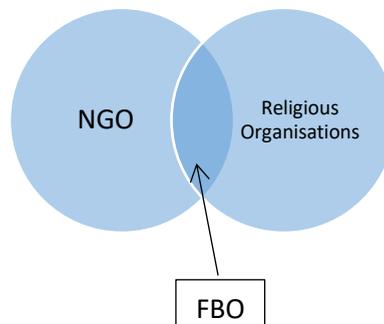


Figure 2: FBO at the intersection of NGOs and Religious Organizations

The second manner in which they are sometimes conceived is completely distinct and separate from NGOs. While they may undertake similar activities and share much of the same 'DNA', it is precisely their religiosity that makes them incomparable to NGOs. This religious motivation that underscores their existence is sufficiently differentiated from NGOs to render them completely distinct entities (James, 2009). In this sense, the work that FBOs undertake is substantially different from NGOs as it is informed by religious principles and teachings that if not incompatible with the underpinnings of development activities undertaken by secular NGOs are at least sufficiently differentiated to result in a distinct development approach. This alternative approach is largely based on alternative development values (Olson, 2008). Clarke (2006) puts forward three types of FBOs that fall into this distinct from category. The first are apex bodies or faith-based representative organizations. The second are FBOs that focus on socio-religious goals and the final type of FBO that is distinct to NGOs, are those that engage in illegal and sometimes violent activities.

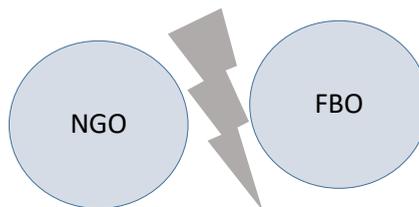


Figure 3: FBO as completely separated from NGOs

The third manner in which FBOs are sometimes conceived sits in binary opposition to this previous approach. The value of this typology is that it does away with looking for differences and focuses on the similarities and primarily the purpose of the FBO which is, to respond to the humanitarian imperative (Berger, 2003). Therefore, in this sense they are effectively the same as NGOs and can quite rightly be described as NGOs themselves – in more plain language, they are interchangeable (Marshall, 2005). However, the failure of this typology is that it does not give weight to the motivation of FBOs doing this development work. It does not show the differences in value sets, motivations, linkages to communities and broader networks that FBOs have in contrast with secular NGOs. This difference in values, while perhaps not obvious in programme implementation, can be an important point of distinction between NGOs and FBOs.



Figure 4: FBO and NGO as interchangeable

A fourth understanding of the difference between NGOs and FBOs is to consider FBOs a subset of NGOs in the sense that the term NGO is quite broad and includes an array of organizations that are non-governmental and that FBOs are one such grouping of organizations (Audet et al., 2013; Thomas, 2004). As the NGO sector therefore, is more heterogeneous than homogenous, a binary distinction based on faith motivation is somewhat artificial and does not capture the complex nature of civil society with competing priorities, networks, aspirations and agendas. The advantage of this typology highlights the similarities in structures, functions, etc. as well as the fact that many in both secular and religious NGOs have a faith motivation for what they do (Leurs, 2012). However, the model does fall short in not embodying the differing relationships FBOs have with donor and recipient communities, compared to secular NGOs (McDui-ra and Rees, 2010).

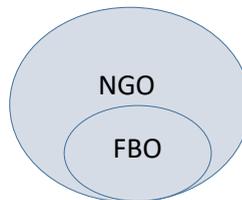


Figure 5: FBO is subset of NGO

This is slightly different to the fifth manner in which to understand FBOs and they are sometimes described as FBOs coexisting with NGOs. In this way of understanding, FBOs are given equal weightage as NGOs as key stakeholders within civil society each playing important but distinct roles in holding the state and market to account. However, FBOs are also seen to play a role outside their own faith boundaries (Lunn, 2009). Moreover, FBOs play a very significant role in the provision of social services, often on behalf of governments unable to establish the trust and relations required to engage in difficult communities (Clarke et al., 2011; Nishimuko, 2008).

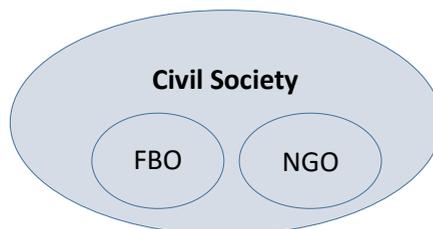


Figure 6: FBO coexisting with NGO

A sixth manner in which FBOs might be understood is an atomistic group of many individual and distinct organizations that have many differences but a common faith-based

premise. This approach accounts for the marked differences between FBOs that are small micro agencies located at a congregational level as well as international aid agencies operating transnational partnerships (Boehle, 2010; James, 2009; Bradley, 2009). Another interesting aspect captured within this typology is the nature of culture and religious interpretation that affects how FBOs operate within the development sector (Saddiq, 2009). Thus, even within FBOs sharing the same faith, there can be wide distinctions in how each FBO can operationalize this faith.

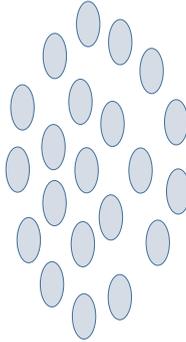


Figure 7: Atomistic view of FBO

The seventh model which may integrate all the others and better reflect the distinctiveness of FBOs might be understood as having in relation to NGOs. FBOs are constitutive of a number of bodies that are involved in development activities. FBOs can claim heritage and relationship to NGOs, religious organizations, civil society organizations and communities. In this sense they are somewhat creatures with a 'Frankenstein' nature – distinctive and existing in their own right, but drawing on aspects and parts of other stakeholders. In this sense, FBOs are distinct from NGOs, but containing elements of NGOs within them (Lunn, 2009). By drawing on a range of heritages and holding membership within different areas of society, FBOs are a unique amalgam working within the development sector to improve the lives of the poor with this approach.



Figure 8: Constitutive view of FBO

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Islamic Social Ethics: An Analysis of Miskawayh's Thought

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Abstract

Early Muslim discussions on ethics, such as those by al-Kindi (d.874) and al-Farabi (d.950), did not attain to the status of a discipline though invariably serving as an introduction or parts of their wider studies on politics, law and other fields of knowledge. Miskawayh (d. 1030), however, through his chief ethical treatise *Tahdhib al-Akhlaq* (1966), was the first Muslim moralist to work out a very clear, and in many respects, a thorough analytical system of ethics in Islam. The great Muslim scholar, al-Ghazali (d. 1111), as has been brought out by a number of writers on his ethical thought, incorporated the greater part of Miskawayh's treatise, especially in his *Ihya' 'Ulum al-Din* (1976). Miskawayh's ethical work was thus occupying a prominent place in this particular branch of Islamic ethical literature. It is scarcely an exaggeration to say that most of the later works that deal with this subject use it as their main authority and some of them are even based on it. Hence, a close examination of this unique compendium is indispensable for a proper understanding of Islamic ethical thought. Thus, this qualitative study which applies conceptual content analysis method seeks to make a critical analysis of such an influential works on ethics with the purpose of elucidating its views concerning social ethics, love and friendship.

Keywords: Miskawayh, ethics (akhlaq), society, association, love, friendship.

Introduction

Our philosopher's full name is Abu 'Ali Ahmad Ibn Muhammad Ibn Ya'qub Miskawayh. He is also called Miskawayh, but wrongly known as "ibn" or "son" of Miskawayh. The title (laqab) "*Miskawayh*" ("*Maskawayh*" is also a well attested vocalisation) is his own and not that of his father or grandfather. This is supported by the fact that there are many of his biographers, including al-Tawhidi (1883, 1929, 1953), al-Tha'alibi (1934) and al-Sijistani (1979), who were closely associated with Miskawayh, and who may rightly be supposed to have correct information about his name, call him "*Abu 'Ali Miskawayh*" or simply "*Miskawayh*". Trusting their evidence we may safely maintain that "*Miskawayh*" was his personal title and that the form "*Abu 'Ali Miskawayh*" is his own name, and not that of his father or grandfather. Accordingly, we will refer hereafter to him as Miskawayh.

Miskawayh was born probably around the year 320/932 in al-Rayy (somewhere in the area of Teheran today), and died at an old age on the 9th of Safar 421/16th February 1030, though the question regarding his date of birth is still unresolved. Margoliouth (1920-1921), gave it as provisionally fixed as 330/941 or a little earlier. 'Abd al-'Aziz 'Izzat (1946) tentatively fixes his birth date as 325/936, while 'Abd al-Rahman Badawi (1963-1966) holds that it should be 320/932 if not earlier. The writer feels that 'Abd al-Rahman Badawi's view is probably the most nearly correct because Miskawayh, in Badawi's argument, took over as secretary to the Buwayhids' vizier al-Muhallabi (d. 352/963) in 341/953, by which time he must have been around 19 to 21 years old to hold such an important office. Moreover, Miskawayh's (1914, 1916) own view that a boy of twenty years is decidedly young, might also persuade us that the date as suggested by Badawi is most likely to be accurate.

Miskawayh was also known as *Abu 'Ali al-Khazin* and *al-Mu'allim al-Thalith* (the third teacher). The first is probably because of his long service as librarian to several Buwayhids (al-Tha'alibi 1934). A Library in those days was known as *khizanat al-kutub* (treasury of books) and the librarian thereof was as *khazin*. The second is attributed to him by al-'Amili (1938). But there is no further indication of the basis on which this title is given to Miskawayh. It is possible, then, that al-'Amili refers to Miskawayh as the third teacher of ethics, the first and the second being Aristotle and al-Farabi (d. 950) respectively.

That Miskawayh was a *Shi'i* is also evident. He not only served successive Buwayhid rulers, whose families were of Iranian origin and of *Shi'i* persuasion, but he was also familiar himself with the *Shi'i* traditions and quoted extensively from the sayings of 'Ali (d. 661), in a section of his work entitled *Jawidan Khirad* (1983:110-113). It was also perhaps because of Miskawayh being a *Shi'i*, that al-'Amili (1938:139-204) dedicated a considerable section of his work, *A'yan al-Shi'a*, to him. Miskawayh's views (1968:62-63), that the *imam* and the philosophers are, in many respects, similar to the prophet except

that the latter is confirmed by God through obtaining revelation, might also indicate that he was a *Shi'i*. However, we have not found any clear evidence in Miskawayh's writings which could, in some way, reveal that he was proud to be a *Shi'i* or that he made an effort to disparage other Muslim sects, especially the *Sunni*. Yet Miskawayh's (1983: 117, 129, 130, 154, 157, 159) frequent references to several *Sunni* scholars including Abu Hanifa (d. 767), al-Shafi'i (d. 820), Abu Musa al-Ash'ari (d. 935), Hasan al-Basri (d. 728), and others, proved that he was not fanatically inclined towards any school of thought but instead took the stand of an open-minded scholar, who loved and appreciated knowledge and truth regardless of their sources.

The information available to us about Miskawayh's life and thought is rather scanty. Despite that, the letter sent to him by his friend al-Khawarazmi (1879) provided us with two important clues. Firstly, it tells us that his father died when Miskawayh was still young; and secondly, that his mother was remarried to another man far below her age, which Miskawayh did not approve of very much. The fact that he lamented about not having a good chance in his early life and tended to admire those who were provided with such an opportunity, in his opinion, by being accustomed to observe the morality of the *Shari'a* (Islamic law) and later studied works on ethics, arithmetic, geometry and philosophy, which he himself seemed to have missed, reveals that his parents did not pay much attention to the education and training of their son. All of these factors served to handicap his moral development, as he himself deplors:

"He (i.e., Miskawayh), on the other hand, who does not have this chance in his early life and whose ill luck it is to be brought up by his parents to recite immoral poetry, to accept its lies, and to admire its references to vile deeds and the pursuit of pleasures as is found, for instance, in the poetry of Imru'l-Qays, al-Nabighah and their like; who later serves under chiefs who encourage him to recite such poetry or to compose its like and bestow generous gifts upon him; who has the misfortune of being associated with fellows that assist him in the quest of bodily pleasures, and becomes inclined to covet excessively food, drink, vehicles, ornaments, and the possession of thoroughbred horses and handsome slaves, as was the case with me at certain times in my life; and who then indulges in them and neglects for their sake the happiness to which he is fitted" (Miskawayh 1968:45).

Despite the above disadvantages in Miskawayh's upbringing, it seemed that it was his parents who helped him to complete his early education, as was usual in those days in the *Qur'an* and the *Sunna* which had formed the basis of Islamic education since the first century of Islam (Ibn Khaldun 1958). His knowledge of these basic subjects is featured later in all his works, notably the *Jawidan Khirad* (1983). The fact that he was appointed as a secretary to the Buwayhids' viziers, al-Muhallabi (d. 964), at a young age, shows also that he must have completed this basic training to enable him to qualify for such an important office at such an early age. It is probable that the events of his younger days led Miskawayh to turn to philosophy, choosing particularly ethics, a field in which his early life, he felt, left much to be desired. It is here that the origin of his concern with ethics can be located which subsequently turned to be his main preoccupation.

Ethics (Akhlāq) According to Miskawayh

For Miskawayh (1966), ethics is not merely aimed at theoretical knowledge alone, but above all is to enable one to become oneself good. And so also with the virtues, the goals of ethics: they are not non-existent, but are real, they are actions and deeds. Thus, it is not enough to know and to have such noble states of the soul, but what is even more crucial is to use and to bring them out from potentiality to actuality by actions and deeds. For it is only by doing just acts, for instance, that the just man is produced, and by doing courageous and temperate acts, the result would be the courageous and the temperate man. Without doing so, no one would have any prospect of becoming either good or virtuous.

The same is also applied to happiness, the end of virtues, and the attainment of which is the supreme goal of ethics (Miskawayh 1966). Since happiness is also the completion of every virtue, and since virtue is realised only by deeds and actions, it follows that happiness must also lie in action and activity. It lies in living and being active. Man should, then, acquire all means to perform his actions well and to demonstrate his virtues and happiness in such activities as justice, courage, and temperance, just as the highest joy of the writer lies in displaying his writing. This is exactly what we called "the moral man in action", and it is here that the science of ethics becomes complete.

Yet since virtues are actions and deeds, and since the virtuous man cannot perform his virtues towards himself, but towards others, virtues are, therefore, realised only when one actively participates and lives with other people and has dealings and various kinds of association with them. Similarly, happiness, which is the completion and the end of every single virtue, is not, therefore, within the capacity of a single person but of the community of people as a whole. Hence, man may achieve

only a portion of it in isolation, and has to acquire the rest from contact and association with others. It is here that the indispensable need for association lies, and the rejection of some sections of ascetic life (al-zuhd) arises.

Aristotle (1980) has already spoken of the life of the happy man being hard if he were a solitary. For by himself "it is not easy to be continuously active; but with others and towards others, it is easier". Then, al-Farabi (1983) puts forward the idea that the isolated man will achieve only a portion of the human virtues and, hence, he needs the aid of others so as to become perfect and happy. His Christian pupil, Yahya (1978), in spite of being silent on the point of the connection between virtues and living in isolation, has recommended an ascetic life to the learned men and religious leaders. He claims that it is a life that consists of having little (qilla) desire for wealth, honour, high positions and other worldly pleasures, but he deemed it as unwise to kings and great men.

Miskawayh (1900; and 1966), on the contrary, has directed serious criticisms against those ascetics who seek solitude from the public, levelling accusations of being uncivilised, unjust, amoral and selfish. For virtues and their end, i.e. happiness, are not merely a matter of merit but the performance of what is specific to man through his contact and communication with other men. Such a group of ascetics obtain their necessities of life from others and yet fail to serve them in return. Here are some extracts of his unfavourable remarks:

"It is clear, therefore, that those who have sought virtue in asceticism (al-zuhd) and abstinence from association with other people and who have secluded themselves from them by living in caves in the mountain, or building cells in the desert, or roaming about from one country to another - that such people do not realise any of the human virtues we have enumerated. For he who does not mingle with other people and who does not live with them in cities cannot show temperance, intrepidity, liberality, or justice. On the contrary, all the faculties and aptitudes with which he is equipped are nullified, since they are not directed towards either good or evil. And when they become nil and cease to perform their own distinctive actions, those who possess them are reduced to the rank of inanimate objects or dead people". (Miskawayh 1968: 25-26).

These remarks and others similar to them, indicate that Miskawayh's criticism is directed not against asceticism in its totality, but, fundamentally, at those ascetics who do not mix with other people, choosing a solitary life. This is verified by the fact that he is equally drawn to *sufi* (Islamic mystic) sources as he regularly quotes excerpts from numerous eminent sufi masters including Hasan al-Basri (d. 728) Rabi'a al-'Adawiyya (d. 752) al-Junayd (d. 910), and Abu Yazid al-Bistami (d. 875), and correspondingly devotes two brief sections of his *Jawidan Khirad* to the collection of their aphorisms (Miskawayh 1966; and 1983).

Man Is a Social and Political Being By Nature

With regards to the question of why man, and even morally happy man, is in need of other man so as to become happy, Miskawayh (1900; 1966; and 1951) agrees in principle with his predecessors, particularly, Aristotle (1980) and al-Farabi (1983), that man is both a social and a political being by nature. He is born neither complete nor self-sufficient but with deficiencies. He cannot, therefore, live by himself alone but has to have recourse to the help of other people in order to preserve himself as well as to remedy his weakness and become complete through the co-operation of others. In short, man is, according to Miskawayh, in dire need of his fellowmen by the demands of his very nature and also by necessity. As he puts it:

"Man, of all the animals, cannot attain his perfection by himself alone. He must have recourse to the help of a great number of people in order to achieve a good life and follow the right path. This is why the philosophers have said: Man is a civic being by nature. This means that he needs to live in a city with a large population in order to achieve human happiness. Every man needs other people by nature as well as by necessity. He must, therefore, be friendly towards others, associate well with them, and hold them in sincere affection, for they complement him and complete his humanity; and he himself plays the same role in their life" (Miskawayh 1968: 25).

Nevertheless, Miskawayh (1966; and 1968), as is his habit, seldom leaves the ideas that he received without impressing his personal stamp on them. As in the argument that the very name "man" (*insan*) is derived from the root word *uns* (fellowship) not from *nisyan* (forgetfulness) as some people would think. Each man is, then, born with this quality of fellowship and, therefore, inclined naturally towards it. After that, the Islamic law (Shari'a) helps to develop this human quality by enjoining people to meet one with another (al-Qur'an, 49:13), and by making it obligatory upon them to observe religious duties such as prayer (*salat*), especially communal prayer, and pilgrimage to the Holy land, Mecca (*hajj*). Through

daily prayers, for instance, the members of the households and small communities come together five times a day; through Friday prayer the residents of a particular town or city gather together once a week; and through pilgrimage people from all over the world meet one another. Thus, by observing the *Shari'a*, man may first experience this inborn fellowship, and by meeting and having recourse to the help of others, he may later find his happiness. This is perhaps the meaning of what Miskawayh said: that man is, by nature, in need of other men; and it is here that Miskawayh distances himself from both his Greek and Arabic predecessors.

Another interesting improvement made by Miskawayh (1966) over those ideas of his predecessors in this connection is that man, he says, also needs the aid of others by necessity. For, unlike angels, who do not deal in business so as to need justice or have fear of anything so as to need bravery, men have to deal in various transactions with one another. And unlike animals, who are self-sufficient and need no instruction or learning, men are not self-sufficient but ought to rely themselves on the help and the instruction of others, in order to meet his basic needs as well as other necessities for life. And even then a little assistance will not suffice, for men's needs are unlimited, yet it is not within the power of any single one of them to achieve them all.

There is, then, a genuine need of a great number of individuals to form a community and live together at a particular time, or place, or in a city, exchanging and sharing their mutual needs and specialities, so that each of them may find his need and attain his perfection through the co-operation of others. Here, a significant connection between man, society, city, state or civilisation is profoundly established by Miskawayh. The following are examples of such a connection:

"It is sufficient to declare that in the provision of all these necessities and in deriving benefit from them, man has need of helpers: and because his case is different from that of animals, man is said to be sociable by nature, i.e., man has need of different kinds of help which cannot be realised except by people building towns and forming communities. The name for this gathering into communities is *tamaddun* - political or social life. Whether according to their requirements people set up tents to dwell in or build houses of earth or live on the tops of mountains in communities, whatever may be the case, because the need of mutual assistance has brought them together, their community is called *tamaddun* (civilisation) and the place *madina* (town or city)" (Miskawayh 1945:142).

Society and state are, therefore, based on the very need of man for survival. They are the essential authorities for the cultivation of virtues, political reform and social co-operation so as to restore conditions that are crucial for the attainment of collective happiness. Nevertheless, even though Miskawayh appears to be in agreement with their predecessors including Plato (1974), Galen (1937), and al-Farabi (1985; and 1985a) on some of the important political principles, such as on the idea that the philosopher, or the moral philosopher, the most learned and wisest, is most fitted to rule, and on the idea that the ruler is accountable not only for the security and moral life of his subjects, but above all, for the attainment of their happiness, yet as a whole, Miskawayh's ethics is individualistic. Though he refers to both family and political society as formative institutions, the centre of his system is fundamentally the individual. His discussions of society and state are scattered all over his works and do not offer any consistent theory of social or political determination of virtues.

Virtues Are Realised Only Through Association

In the introduction to his translation of Aristotle's *Nicomachean Ethics*, Sir David Ross (1980), expresses the opinion that Aristotle's two books on friendship, books VIII and IX, stand in no vital relation to the other sections of the work, and they would probably have been a separate treatise but wrongly included in the *Nicomachean Ethics*. However, the virtues of love and friendship in Miskawayh (1966), represent some of the most important parts of his work on *Tahdhib al-Akhlaq*, for to Miskawayh, virtues and their end i.e. happiness, are realised only through companionship and association with others, or that is to say, practically through love and friendship.

Thus, it appears that in Miskawayh's thought there is a different understanding of the social motivation and existence of man. There is a view of creation which Aristotle would not have held, one which has to do with the community of faith which is the purpose of God's act of creation. There is a genuine need of a great number of people, who should form such a community, living together, exchanging and sharing their needs and specialities, so that each of them may attain his specific happiness through the co-operation of others. Hence, the men who are furthest from virtue are those who depart from a civilised life, who seclude themselves from society and remain without friends. Loving no one and loved by no one. That is why Miskawayh, for instance, stresses that the happy one, is the one who is adorned with nothing but virtues, is the one who wins friends.

To Miskawayh (1966), love (mahabba) originates from the very name man, *insan*. The word *insan* is derived from the Arabic substantive *uns* meaning "to associate" or "to be friendly" towards others. Man is, then, by nature inclined to fellowship and is never averse to others. Friendship (al-sadaqa), on the other hand, defines Miskawayh (1966:137):

" is a kind of love, but it denotes something more particular than love. It is affection (al-mawadda) in its very essence, and it does not take place among a large group, as in the case with love (al-mahabba). Passionate love (al-ishq) is the excess of love, and is more specific than affection because it takes place between two persons only".

This conception is apparently an improvement made by Miskawayh over those ideas of his predecessors, particularly Aristotle (1980:200) and Galen (1973:49). For there is no such precise distinction in either Aristotle or Galen. In the former, "love" appears to be a kind of feeling, and "friendship" to be a state of character; while in the latter, "love" is said to be a state of both the rational and the irascible souls, which exists between man and someone to whom he cannot do good such as God, the pious., and those who have gone before him.

However, as in Aristotle, Miskawayh also holds that the objects of love and their corresponding kinds of friendship are basically three in number: (a) pleasure; (b) utility; and (c) the good. Love and friendship which are motivated by pleasure, such as occur among the young, are established and dissolved quickly as with the case of their cause, pleasure. Those, which are motivated by the useful or for benefit such as exist among the old people are established slowly but dissolve quickly. Those which are caused by the good or by virtue, such as happen among the virtuous people, are lasting and hence laudable. Yet Miskawayh introduces another kind of love and friendship which is caused by the composite of this objectives, namely, pleasure, the useful and the good, such as that which takes place between a man and a woman, a husband and wife, a singer and a listener and others similar to them. The duration of this composite kind of love and friendship depends, for the most part, on the degree to which the good is involved. If the good is its dominant cause, it will certainly endure, and if otherwise, it will cease.

Another interesting example of Miskawayh's idea in this context is that he classifies love into three categories: the highest in the scale is the love of God, the second is the love of parents, and the third is the love of philosophers. The first kind of love which is experienced through the divine part in man, the soul, is attained only by a select few, namely, by those virtuous who are well-grounded in the divine knowledge, i.e., philosophers (al-hukama'), religious scholars (al-'ulama'), the men of good deeds (al-muhsinin), the righteous (al-muslihin) and others, for love is based on knowledge and, hence, no one will find the way to love God save the one who knows Him well. This divine love is bound strongly by obedience and veneration and it is not, therefore, subject to evils, corruption and deficiency. The love of parents falls near to the love of God in respect to the obedience and honour and care that one gives one's parents.

Miskawayh (1966), adds that there is no other kind of love than that which rises to the rank of those two, except the love of philosophers. But as parents are the causes of our being (i.e., physical), while philosophers and virtuous teachers are of our intellectual being and the educators of our spiritual souls, then, as the soul is superior to the body, the love of philosophers should similarly be deemed superior to that of parents since it is by the philosophers' that we attain perfect happiness. But the love of God is the highest of all love, for God is the cause of the existence of both body and soul as well as of all other goodness and blessings. Although these various ranks of love are not to be found in the ethical thought of Miskawayh's predecessors, especially Plato, Aristotle and Galen (Walzer 1962), they are widely acceptable to his successors and followers, such as al-Ghazali (1978), and al-Tusi (1964).

As to the practical question of how to choose a friend and then of how to keep him as a friend, matters wherein Plato, Aristotle and Galen again appear lacking, Miskawayh does not leave these useful subjects untouched. Thus, he who seeks a friend, Miskawayh (1966; and 1968) advises, should not covet the friendship of those who have treated their parents, relatives, brothers and their previous associates badly; those who are inclined avidly towards relaxation, pleasures, wealth and various forms of entertainment; and those who have excessive desires for domination, authority, and praise, for such people will never be fair towards their companions. If such a one does not find these defects in his potential friend he should promptly long for his friendship and be satisfied with anyone like that, because perfection is rare and hard to find, and also because he who has many friends cannot fulfil all his duties towards them. Nevertheless, Miskawayh (1968:143) warns his readers not to be excessively particular in doing so:

"You must not be led by what I have been urging upon you - i.e., to look for virtue in your prospective friend - to pay close attention to his small defects, thus ending with no one left to you and remaining without a friend. You must rather overlook

slight defects from the like of which no human being can be free, and consider the defect that you find in yourself and tolerate its equivalent in others".

In order to become happy, man must, then, acquire a perfect friend, for perfection is realised exclusively through love and friendship. But as man cannot be friends with himself but with others, he should likewise endeavour to know and then to remedy his own defects so as to make himself acceptable to others as well. To this end, Miskawayh (1966) once refers to the view of Galen (1963), according to which man may discover his own faults by asking his virtuous and perfect friend to search, and consequently tell him of any of his manifest and hidden defects. But this method, claims Miskawayh, has its weaknesses and is non-existent nowadays. Hence, he considers Galen's other view, namely, that an enemy could be more useful than a friend in disclosing one's defects. He finds this method more truthful and perhaps more adequate than the first method, though one should never be contented with either. However, al-Kindi's (d. 873) opinions on the subject, such as that man should socialise with people and ascribe to himself the defects that he sees in others so as to train his own soul to abhor misdeeds, are, according to Miskawayh, more meaningful than those of al-Kindi's predecessors. Galen could probably be his main target of criticism in this instance.

As to how to keep a friend, Miskawayh suggests in some detail several methods which might help a man in this respect. To cite an example, man, he writes, should pay his utmost and constant attention in looking after his friend: in time of ease, he should greet him and those who are intimate with him with great joy and cheerfulness, while in time of misfortune, he should find the way to support him morally and materially if possible, and try to comfort his suffering so that it might be easier for him to bear; he should avoid bickering with his friend for bickering eradicates affection, causing discord and enmity. He should not allow those who are associated with him to say anything, about his friend, let alone to criticise him, except only in praise, for he himself is, indeed, his friend's eye, heart, and representative among people. He should tell with compassion any defects that he has found in him and show him that he is there to help him rectify them; and other lively and useful methods which all appear to be Miskawayh's own ideas.

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Aviation Entrepreneur Model (AEM) in Malaysia: A Review

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Abstract

Studies in the literature have discussed on many of the success factors of small and medium enterprises. However, Aviation Entrepreneur has been given less attention by previous researchers. In present, Aviation Entrepreneur plays an important role in determining the success and Aviation Entrepreneur inculcating "wholesome" Aviation Entrepreneurs. The concept of this review is based on the Aviation Entrepreneur Model factors that contribute to the successful aviation entrepreneur such as traits, behavior, skills and self-efficacy. This study will provide a guideline to some parties involved either the government or private agencies like Small Medium Enterprises (SME), Majlis Amanah Rakyat (MARA), SMIDEC, FMM and PUNB for the purpose of developing small businesses so that Aviation Entrepreneurs can be globally competitive.

Keywords: Aviation, Aviation Entrepreneur, SMEs, Malaysia.

1. Introduction

Small and Medium Enterprises (SMEs) in Malaysia reside in various industries. They represent a large fraction of the total number of businesses in various sectors and have offered great contribution in terms of the GDP (Salleh & Ndubisi 2006; BNM 2006; SME Corp 2010). It can be considered as a back bone of national economy (Muhammad Khaliq 2011; Radam et al., 2008). There are several activities included in the classification of economic activities that involve the SMEs namely basic agriculture, manufacturing (agro-based), manufacturing-related services, services in general, mining and quarrying also construction (Malaysian National Bank, 2005). SMEs play a vital role in the Malaysian's economic development and made Malaysia as one of the most open economies in the world (Muhammad, Char, Yasoa' & Hassan, 2010; Omar, Arokiasamy & Ismail, 2009). Furthermore, SMEs do not just serve as a backbone to the national economic development but also act as a platform to tap on the talent of entrepreneurship where one can develop himself or herself (Ab Aziz & Zakaria, 2004). In line with the Malaysian governments agenda to improve the economy of Malaysia, this sector is not only a key mechanism for ensuring socio-economic balance between the races, but this sector also indirectly improves the image of Malaysia on par with developed countries in the world. Undeniable, to help flourish the SMEs, the government has provided a few incentives through Budget 2013. A total of RM 1 billion was set aside for SME development schemes under the custodian of SME Bank. While the SME master plan (2012-2020), the government has allocated an amount of RM 30 million for 2013 and RM 200 million for working capital financing of SMEs that undertake production of halal products (Ministry of Finance Malaysia, 2013).

Aviation entrepreneur can be referred as the person who seize or create an idea and do their business activity in aviation context. While aviation industry can be defined as an industrial activities that related to the aerospace design, avionics

parts, development and manufacturing, aircraft construction and maintenance and disposal of aircraft. In Malaysia, there are about 200 related companies that involve in aviation business activities and the owner of these companies can be called as 'aviation entrepreneur'. For instance, SME Aviation, Honeywell, Aviatron, Aero Precision Resources, Dectra, DamaiJitu, STRANDS, CTRM, Megamars, MUhibbah Airlines Support, Zetro and many more. However, there are still many challenges and competition in economics and trade activities encountered by entrepreneurs. According to Fariza (2012) among the main challenge that encounter by entrepreneurs including lack of market knowledge, technological, skills capabilities and products quality. Besides, the work and ethics values are seen critical in order to develop overall performance of the SMEs (Ahmad, Amran & Halim, 2012). In addition to entrepreneurial values and ethics, entrepreneurs also need to focus on honing their skills on business management (Abdul Aziz Mahmud, 1977; Mohd Amir Saiffuddin, 1983; Humam Mohammed, 1988; Wan Liz Ozman, 2000; Al Habshi, 1995; Buerah, 2007). Hence, the government has approved a set of strategic training programs to train 5,000 entrepreneur candidates (Ministry of Finance, 2013) to setting up business. Entrepreneurship training is important because it provides not only exposure to entrepreneurs, but also helps them learn the ropes. Entrepreneurship training programs should use experiential and action-oriented methods to meet the specific needs and requirements of entrepreneurs; hence, making them more progressive and not side-lined in the field (Zaidatol & Habibah, 2004). Even though the government had provided facilities involving substantial financial provision to help small business, but their achievements in this sector is still weak. In general, problems encountered by SMEs in Malaysia are caused by internal and external environment such as lack of poor management, competition, networking, product quality and leadership (Hung et al., 2010).

Although many studies have looked into entrepreneur success, however, little effort has been made to Aviation Entrepreneur Model towards entrepreneur success. Thus, the purpose of this study is to develop an Aviation Entrepreneur Model which personifies the association between the Aviation values and entrepreneur success. This study will add on to the aviation entrepreneur literature, specifically on aviation industry. In particular, this study has five main objectives; to identify the factors that contribute to the successful aviation entrepreneur, to understand the relationship of four major successful traits of small and medium entrepreneurs in aviation industry, to identify the major roles and impact of small medium entrepreneurs for the growth of the aerospace or aviation industry, to identify areas of improvement of the aerospace or aviation industry from small medium entrepreneurs perspectives and to develop a model on successful aviation entrepreneur.

2. Literature Review

Most of the success factors of entrepreneurs studied more focused on the external factors and internal factors. External factors such as government support, training and skills, business size, location and number of employees. While, internal factors such as characteristics of the entrepreneur namely creativity, innovativeness, competitiveness, quick to act and responsible (Rosman, 2009; Nor Hasni, 2005; Ku Azilah, 2004). It is undeniable that the internal and external factors are very important to entrepreneurs in influencing their success. Noraishah (2002) said that a successful entrepreneur is someone who is innovative because he often introduces new ideas or new methods of production. He always trying to improve items or existing services or create new items and services to attract customers. Apart from these characteristics, Sexton and Bowman (1990) noted that successful entrepreneurs are the ones that have high energy and endurance. They also capable of dominating the subordinates as a powerful weapon in controlling climate change and bring new ideas. An entrepreneur should also be able to survive long in solving business problems (Bacas & Croft, 1986). The results of a study performed by Vaught and Hoy (1981) found that these values are well appreciated by entrepreneurs compared to non-entrepreneurs. The personal values are the main catalyst for entrepreneurial success. Positive values available to entrepreneurs like freedom, positive thinking, work in small, highly motivated, ambitious, confident, tolerant with difficulty and are willing to sacrifice are the factors leading to dynamic entrepreneurs (Vaught and Hoy, 1981). However, entrepreneurs need to continually strengthen their internal factors such as traits, behavior, skills and self-efficacy before embarking on their entrepreneurial venture. Evidently, these internal factors will eventually affect entrepreneurs' external factors (Rosman, 2009; Zaidatol, 2007; Norasmah and Halimah, 2007).

2.1 Traits

The term traits used in this study refers to positive traits such as hard work, self-confident, innovativeness and creativity, visionary and determined to solve the problem (Zaidatol and Habibah, 1997; Abd Aziz, 1991). McClelland (1961) was the first to study the traits of an entrepreneur. He pointed out that many of the successful entrepreneurs who have the will towards excellent achievement, take moderate risks and have high internal locus of control. While, Abdul Aziz (1991) felt that creativity is the competitive advantage that should have by entrepreneurs. This view was supported by Costa (1994), Kao J. in Dollinger, M.R (1995) and Noraishah (2002). While, Drucker (1994) and Barjoyai (2000) stated that creativity and innovativeness are important for entrepreneurs to produce a product that is useful to society. A study done by Yep (1985) argued that creative human is often able to achieve progress more quickly than others because they enable the production of a product.

2.2 Behavior

The term behavior used in this study refers to the knowledge possessed by entrepreneurs in matters related to business (Norasmah and Halimah, 2007). McGrat et al. (1992), in his study found that people who succeed in business have unique characteristics and nearly equal to each other. The same view was given by McClelland (1961) when he said that successful entrepreneurs have qualities similar to those of their achievement motivation is high. According to Noraishah (2002), a successful entrepreneur is a good risk manager. This opinion was supported by Halloran (1994) which stated that an entrepreneur that is willing to take the risk is said to have behavior as a successful entrepreneur. Findings from Wilken (1994) showed that psychological factors such as being able to bear the risk and highly motivated are associated with behaviors of successful entrepreneurs.

2.3 Skills

The term skills used in this study refers to the ability of self-entrepreneurs in their business activities effectively. Despite the characteristics and behavior of entrepreneurs, skills also one of the important roles to make an entrepreneur to be positive thinking in the business conducted and thus contribute to the success of business (Mohamed, 1996). Some of the skills needed by entrepreneurs are skills in management, finance and marketing. According to Costa (1994), marketing strategies are the key to success. This view was supported by McMohan (2001a) in his study found that the practice of providing formal financial report have a significant relationship with business performance. While Dyke, Fischer and Reuben (1992) in their study found that management experience is an important factor in achieving success or successful performance in a small business environment. Findings from Zaidatol & Habibah (2004) also showed that the important aspects of doing business are financial management, budgeting and cash flow statement preparation. In fact, most businesses fail due to lack of management, finance and knowledge of the preparation of the business plan (Humam, 1992; Zaidatol, 2007; Norasmah & Halimah, 2007). Zaidatol and Habibah (1997) also showed the same factors that have also caused many companies to go bankrupt because their owners do not have enough knowledge to address changing conditions of the market.

2.4 Self-efficacy

The term self-efficacy used in this study refers to the risk handling skills, financial control skills, management skills and marketing skills. In addition, self-efficacy is one of the factors affecting the success of an entrepreneur in the business. Entrepreneurs who have high self-efficacy work harder and able to work in the long term compared to individuals with low self-efficacy (Wood & Bandura, 2007). Previous studies have shown that self-efficacy is related to the success of leaders and individuals (Bandura, 1997, and Hoy & Woolfolk, 1993). It is clear that self-efficacy is important to the individual in the performance of their duties and faces many similar problems in education, employment or life (Wan Haslina, 2003). It can be concluded that the characteristics of entrepreneurship not only include the characteristics of entrepreneurs but also involve behavior, skills and self-efficacy.

2.5 Success

According to Sull (2004) and Baron (2004), the differences of successful and unsuccessful entrepreneur can be defined from the level of knowledge the entrepreneur has with the specific context and the level of ambiguity in the business context. In the case of Brahim-LSG and KLAS as the inflight kitchen provider, their skills sets are of different requirements needed in the mass market. It is acknowledged that in previous entrepreneurship studies, there are very little studies that focus on entrepreneurship in aviation context. This study focuses in aviation context to close the gaps and in fact it will give a big contributions to Malaysia country since aviation industry in Malaysia is recognized as one of the industry that boost Malaysian economy. The total revenues from the aerospace industry has growing up from RM0.9 billion in 1998 to RM11.8 billion in 2014 and has provided more than 19,500 job opportunity. The investment value in the aerospace industry for the five year duration from 2010 to 2014 has reached RM 4.2 billion compared to only RM 1.6 billion for twenty years duration, and it is expected to grow year by year (Malaysian Aerospace Industry 2030). At present, more than 200 active companies were established in the country that can be considered as aviation entrepreneurs. Hence, above discussion provide the rationale of undertaking this research.

The success of a business is due to many factors. In business, the concept of success generally refers to a firm's financial performance and it has been interpreted in many different ways (Foley and Green, 1989). Some authors defined success from tangible (objective) points of view such as revenue or a firm's growth, personal wealth creation, profitability, turnover (Perren, 2000; Amit et al., 2000). Other studies (Watson et al., 1998; Taormina and Lao, 2007) associated entrepreneurial success with continued business operations, operating for at least three years. Watson et al. (1998) and Dafna (2008) associate entrepreneurial success by relating the success with continued trading, and entrepreneurial failure is linked to unrewarding or ceased trading. Some other studies have interpreted the success from intangible points of view where intangible assets (e.g., goodwill of firm) are linked to key factors of success. In this study, aviation entrepreneur success is defined based on the understanding of definition given by several researchers (e.g. Perren, 2000; Amit et al., 2000), who support the notion that a successful business is refer to revenue or a firm's growth, personal wealth creation, profitability and turnover. Therefore, this study will further enhance the criteria and indicators of successful aviation entrepreneur. In general, many different terminologies are related to business failure, such as firm closure, entrepreneurial exit, dissolution, discontinuance, insolvency, organizational mortality, and bankruptcy (Cardozo & Borchert, 2004). Typically, entrepreneurial failure is defined as the cease of an operation for financial reasons, but one type of entrepreneurial failure is the discontinuance of venturing efforts by entrepreneurs (Liao et al., 2008). In particular, definitions of business "disappearance", "closure", "exit", and "failure" are confusing and often overlapping (Cardozo & Borchert, 2004; Stokes & Blackburn, 2002). Nonetheless, a failed business is the one which have to sell or liquidate in order to avoid losses or pay off the creditors, or the one which is unable to make a profitable go of the business (Gaskill et al., 1993). Pretorius (2009) reviewed the business failure definitions, and suggested a universal definition for the failure phenomenon: "a venture fails when it involuntarily becomes unable to attract new debt or equity funding to reverse decline; consequently, it cannot continue to operate under the current ownership and management" (Pretorius, 2009). In this study, unsuccessful is defined based on the understanding of definition given by several researchers (Cardozo & Borchert, 2004; Pretorius, 2009).

The term success used in this study refers to revenues, profits obtained, growth and innovation, the value of assets, increase the number of employees and business network and customer satisfaction (for example, Hitt et al., 2001; Lechler, 2001). These criteria are expected to relate closely to wealth generation. In line with previous literature reviews (i.e. Adams & Sykes, 2003; Julien, 1998; Paige & Littrell, 2002), the growth and profitability are the two criteria most often used as performance measures in the entrepreneurship and small business literature. Figure 1 show the proposed of AEM through literature reviews process.



Figure 1: Proposed of Aviation Entrepreneur Model (AEM)

3.1 Theory of Economic Development

In economic theory, the entrepreneur is seen as an important factor of production, as well as capital, labor and land. Reward for entrepreneurs in the production process is profitability. Among the theories related to the importance of the role of entrepreneurs in economic development is the Schumpeters Theory of Economic Development (1934). This theory has long been produced and it is still significant to explain the role of entrepreneurs in economic development to date. Generally, the concept of economic development based on Schumpeter is referring to the importance of the role of entrepreneurs based on five conditions that occurs. Firstly, the introduction of new products in the market, for example goods, that is not available in the market or goods with better quality. Secondly, the introduction of new production technology and has not been used. Thirdly, opening new markets product that have been released. Fourth, the discovery of new sources of raw materials or first created. Finally, the birth of new forms of organization in the industrial sectors could create or destroying the monopoly or restructuring of existing industries (Schumpeter, 1934).

The theory put forward by Schumpeter puts innovation as the essence of the activities carried out by individual known as the entrepreneur. They are the key to economic development (Baretto, 1989). Entrepreneur constantly doing innovation, risk-taking, planning the use of production factors, manage and choose the combination of production factors. Through the changes made by the entrepreneur have changed the so-called power of creative destruction, that is the equilibrium shifts lead to changes in economic development. According to Brouwer (2002), entrepreneurs with special leadership qualities and the ability to act in the right way thus can make the right decision. Overall, the Theory of Economic Development presented by Schumpeter was directly linked the personality traits possessed by entrepreneurs as always worked hard, able to predict future needs and leadership (Witt, 2002). Those features will determine the business strategies that can influence business performance and contribute to economic growth in a country. The importance of the characteristics of entrepreneurs as asserted in the Theory of Economic Development is consistent with what have been analyzed by Littunen & Storhammar (2000), Gadenne (1999) and Keats & Bracker (1988), which asserted that factor of entrepreneurial characteristics of owner/manager is the most important factor that can affect the performance of small businesses.

3.2 Theory of Social Behavior

Max Weber, a German sociologist who has submitted an entrepreneurial model in 1958 to include religious elements as basic to success in economic activity (Rosli et al., 2007). Entrepreneur of the sociological perspective is based on the model presented by Max Weber, who founded the study of two groups of Protestant and Catholic religion. In his view, he stated that the success of the Protestant is holding strong to their religious ethics (Jamaluddin, 1992). Protestant ethic described by Weber as a dedicated activity in the context of its relationship with the mundane (Mohd Amir, 1984). Max Weber included religious elements as the basis for success in economic activity. Model put forward by Weber was based on a review of the Protestants and their success in the economic sphere. He said that the success of the Protestants in economic activity caused by the teachings found in the Protestant religion. He tried to show that the success was due to a strong grip on religion became the main impetus to the Protestants to achieve success in the economic sphere. Weber has written at length about the entrepreneurial model in the book entitled *The Protestant Ethics and the Spirit of Capitalism*. To Weber, the economy is in the context of capitalism. This German sociologist attempted to show that the success of the Protestants

was due to a strong grip on the Protestant ethic (Kent, 1982). Protestant ethic described by Weber as activities devoted in the context of a relationship with God and be active (not only focus on purely ritual activities) in relation to the mundane. Entrepreneurial model presented by Weber can be considered as an attempt to show the relationship of religion or belief in entrepreneurship (Noraishah, 2002).

3.3 Self-Efficacy Theory

Self-efficacy theory pioneered by Albert Bandura who use the term of "self-efficacy" to describe the constructs of expected success of an individual. At the beginning, Bandura has brought new changes with the introduction of "Self-efficacy: Toward a Unifying Theory of Behavioral Change". Next, Bandura published a theory related to the socio-cognitive factors of self-regulation and achievement of "Self-efficacy: The Exercise of Control" (Pajeras in Andi 2007). Self-efficacy is defined as consideration (judgments) one of the ability to organize and implement actions necessary to achieve the specified performance. Self-efficacy has no bearing on person's skills, but it may be one consideration of any matter which may be done with expertise. It also means faith or confidence one has in the performance of behavior to achieve a purpose to be successful (in Andi Bandura, 2007). Self-Efficacy is also defined as an individual perception of their ability to perform a specific task (Bandura, 1977, 1986). It is a self-assessment of ability to master a task. Self-efficacy can be defined as a belief that is very useful for understanding and predicting, the beliefs of an individual on his ability to implement new and difficult task or able to face difficulties in various domains of life (Schwarzer, 1992), a person's belief in the ability to move the cognitive resources, motivation and a considered appropriate way and necessary to the task requirements (Bandura, 2000), beliefs associated with the ability to self-direct behavior to get the desired results (Bandura, 1989a; 1989b; 1994, 1997), an expectation of someone that he behaves as needed to produce or achieve an outcome. Self-efficacy is also the individual assessment of his own abilities to organize and execute tasks to get the desired results or expectations. It can evaluate an individual in solving the problem and the extent of their confidence to solve the problem. In addition, self-efficacy is also associated with goal setting to achieve something dreamed up by the task carried out, environment or social interaction. This is important because it becomes the individual reference in performing each task (Pintrich and Schunk, 1966). It is defined as confidence in the ability to organize and implement the cognitive, behavioral and social skills needed for success on a task (Bandura, 1986; Schunk, 1999). The self-efficacy also refers to an individual self-confidence to trust to mobilize the motivation, cognitive resources and action planning that is needed to carry out a task. Bandura (1986) stated that self-efficacy influences performance by increasing effort and perseverance. Individuals with high self-efficacy, work hard and able to work in the long term compared with individuals with low self-efficacy (Wood & Bandura in Andi 2007).

Previous studies have shown that self-efficacy was related to the success of leaders and individuals (Bandura, 1977 and Hoy & Woolfolk, 1993). Since the beginning, the founder of this theory has linked the perception of self-efficacy with the achievement. Carson and Enz (1999) stated that self-efficacy is the basic of trust in an individual where they believe that they are able to perform the task until it is succeed. This construct refers to an individual perception of their ability to perform a specific task (Bandura, 1977; 1986). In other words, self-efficacy is a measurement that used as a measure of control over the environment. The assessment of self-efficacy is more to tasks and certain situations (Pajeras, 1997).

Most individuals that do not have the self-efficacy are a bit confused with the assessment of behavior that they will produce. Self-efficacy can help in determining the outcome of one confidence and expectation in social skills and job skills. The confidence possessed can expect high performance and can expect good quality in their careers in the future. A lacks of confidence or doubt in their reliability often get low achievement and job performance and not accepted by society. Sometimes, one's self-efficacy and expected value is not consistent. High self-efficacy cannot expect behavior that is consistent with the belief if the individual believes that the results of such behavior give undesirable effect (Pajeras in Andi 2007). Therefore, it can be explained that self-efficacy is important to his or her individual in completing the task and he or she may have to face many problems either learning process, job or life (Wan Haslina, 2003).

3.4 Kohlberg's Theory

This theoretical approach is based on a study made by Lawrence Kohlberg's theory whereby he argued that individual morality evolves over several levels based on their behavior (Kohlberg in Margeret et al., 2006). There are three levels and six stages below this theoretical approach. The levels and stages of moral development are as follows. The first level is the level of pre-conventional consists of two levels of punishment orientation and obedience. At this stage, a person is self-

centered, they adhere to a more powerful authority for fear of punishment or fine. The second stage is instrumental relativist orientation where at this stage, one has to take care of others, but still have self-interest. The main motive of a person is to satisfy the needs of yourself and do not care about the needs of others. The second level is the level of Conventional consists of agreement orientation between individual. At this level, a person cares about other people and follows their norms. Their motive is to be a good person as expected by others. Love and caring attitude play the important role. While, the stages of law orientation and regulations indicate that someone is concerned about peace in the society. A person has a responsibility to preserve regulations in society. The main focus is to keep the community and avoid split in the system. The third level is the level of Post-conventional that contains the contract-legalistic orientation of social. At this stage, one has an obligation to the law because of its social contract to comply with the law in order to protect the welfare of the people and protect their rights. Laws are made for the benefit of all. However, values such as liberty and life should be defended in any society without regarding to the opinion of the majority. The final stage is the universal ethical principle orientation. At this stage, a rational person believes the validity of universal moral principles, and they have a personal commitment to it. Universal principles are as justice, equality and respect for the dignity of people as individuals. A law or social agreement is normally valid particularly because it is based on those principles. When a law is violated, a person will act in accordance with these principles (Margaret et al., 2006).

4. Discussion and Conclusion

The present study hope that the Aviation Entrepreneur model (AEM) will help the policy maker and industry player to enter and sustain in the market constructively-with the identification of essential instruments and elements needed especially for the small and medium industry player. This study will definitely assist the policy maker and the industry player in identifying the strength and weaknesses of being entrepreneurs in the industry. By identifying and acknowledging the two sides of the establishment, all parties involved will benefit. The outcome of this study will help them to address the limitations therefore increasing their capabilities and sustainability. Being sustainable will help the country to grow the job market and boost the country not only to become the excellence center of aviation but also in the success of developing the sustainable entrepreneurs.

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Physical Evidence

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Abstract

One of the first actions that the investigation group after arriving in the crime scene or after receiving that call for a crime that has happening is ensuring that evidence and material prove found or can be found at that mentioned location. Documentation of the prove and evidence are important for the entire investigative process during all phases of criminal proceedings in general. Search, finding, photography, picking, packing, examination and presentation in court are the main steps regarding evidence, whether physical or real, whether they witnessed or en the form of statements. Given that evidence is calculated everything in crime scene, until argued the opposite, then for their management and required a cautious professional approach. This care for proper performance of the road that makes the testimony or evidence material ensures and guarantees the preservation of the chain of testimony. So this whole chain filed past the alignment of finding up to presentation trial.

Keywords: scene, evidence and material evidence, chain of custody, criminal procedure

The evidence, material evidence...

Evidence is something that legally filed with the court as a tool to prove the guilt or innocence of any particular issue. With the test means the actual data contained in the law according to the resources provided on the tests or their holders (people, animals, plants, objects, track) according to which, in a procedure regulated by positive laws, the competent authority determines the presence or not the offense, the form of guilt of a particular person and other circumstances relevant to the decision making merit. In the broad sense of the word, evidence can be defined as the established fact that serves to define the other facts (**Prof. dr. sc. Dushko Modly**, TEORITË BASHKËKOHORE KRIMINALISTIKE, Original title: “**Suvremene Kriminalističke Teorije**“ translating from croatian: prof. **Mustafë Reçica**, Sarajevë / **Prishtinë, 15. 01. 2007**, FSK/S - 14/06, page 120.)

The evidence, as evidence must be objective about the subject matter of argument. Cannot figure as proof not only the fact that present information, which enable the completion of the criminal offense and the offender (same).

The evidence must be relevant objective. These tests are born with planning, preparation, execution, and concealment and use "fruits" of the offense in a manner that came in correlation with the human consciousness (witness, blaming or objects). Evidence does not create procedural body with its actions, but it causes only the commission of the offense in the process of reciprocal action, coherence with the holder of evidence, the source of evidence, the information signal. The proof is always in the secondary relationship to the offense and the offender as perpetrators and primary element. Word is here to distinguish between the facts in dispute (thema probandi) and probation(same). Exhibits are items that have served as tools for the realization of the offense or on which there are traces or have been subjected to actions of the defendant, the product of the offense and any other property that allowed confiscated under article 36 of the Criminal Code of Republic of Albania and any other item that might help to clarify the circumstances of the case (Gentian Trenova, Interpretime gjyqësore të Kodit të Procedurës Penale (ripunim), fq. 220, neni 187, “DITA 200”, Tiranë 2009)

Collection of the evidence

Tracks and material evidence to be sought in some countries and individuals as follows:

- a. crime scene** - mostly where we encounter traces and evidence. Since the event has already occurred, then the scene has traces and material evidence related to the case or event. You take a professional approach of the team that conducts the examination, in research, fixing and making these trails and exhibits
- b. victim** - even to victims have traces and material evidence, related to the case. Regardless of what the case involved

evidence, traces or material evidence of the victim, the encounter almost always. In cases of murder, the trail that the victim may encounter is: the wounds caused by the weapon, bodily visible (if clashes or beating, etc)

c. The suspect and his circle - the suspect is also a potential source of evidence, trails and exhibits. Even here, as the case may encounter evidence of more diverse. With district suspects understand the place where the suspect has left (hidden) items or place used after the commission of the offense, whether to hide the means by which the offender, whether to hide evidence and testimony received by the crime scene (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, “Dëshmitë Fizike”, Vushtri, Kosovo 2002)

During the inspection must be done carefully, tracks and physical evidence found there, gather, and prioritize trail will be collected first. The tracks are more sensitive to such: fingerprints, blood and other fluids, should take precedence over the meeting, but always taking care and maintaining the track and other material evidence. These traces and material evidence has advantages, precisely because it can break down more easily. Weather conditions: rain, snow, high temperatures are the main factor that affects the decay or contamination of this paradigm.

After fixation, photographing, measuring, these traces and material evidence collected need of care. To achieve a great amount of confidence in these tests, the investigator must be able to care for their collection. So, the investigator must know how to collect, mark, label, hold this evidence in order laboratory tests or examinations will follow and their presentation in court, to be valid and have high reliability (Criminal Investigations, Charles R.SWANSON, Neil C. CHAMELIN, Leonard TERRITO, 7th, ed .2000, page 52)

Some types of evidence

probative evidence

is it evidence which has the form of a declaration or given oath. This evidence is usually subject to questions and additional clarification.

Real physical evidence is any evidence that stability objective might be what dimension, size or form, hair (the rape) juice burning (cases of arson), vehicle (accidents)

Chain of custody

Chain of custody shows all past evidence ranging from: finding, collection, packing, transportation, examination, preservation, presentation in court.

Reasons for Conservation of Physical Test

Personality (individuality)

It's what makes a thing different from all the others that are similar to it.

Categories Features

Evidence which is identified with its setting in the special category. Example: hair, blood group, tracks shoes.

Rare Cases

Perfecting the skill of perceiving things under inadequate time, place and circumstances accompanied me material evidence found near the scene.

Probability

Probability of connection that may have with a given situation can be very high when there are a certain number of factors that correspond.

Transfer Theory

The two objects in contact with each other; in this case becomes transfer (exchange) of a quantity of particulate material or from one object to another.

Comparisons

Specific point of comparison between the two objects is clearly overlapping physical.

The crime scene technician should also compare the suspect to the crime scene or the suspect with the victim.

The purpose of Physical Test

1. For to prove that an offense was committed or to form key elements of the offense.
2. To connect the suspect to the victim or the scene.
3. To form the identity of the persons dealing with the offense.
4. To the innocent is justified
5. The testimony of the victim confirmed
6. To make the suspect to confess, even to plead guilty
7. False evidence can help in finding the truth.
8. Physical evidence may be of greater importance than the testimony of an eyewitness

The purpose of evidence, trails and exhibits

1. To establish that an offense has been committed or to form key elements of the offense (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtrri, Kosovo 2002)

- used trail and exhibits, visible or invisible, proving that certain criminal offense was committed at the scene. The presence of traces and material evidence confirms or establish key elements of the offense. The presence of the victim in cases of homicide, traces of blood, shells, etc., proves that there has been an event, which consequently have a victim shot and all the tracks or exhibits that we have encountered, we confirm that it is committing an offense.

2. To display the suspect with the victim or the scene (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtrri, Kosovo 2002)

The presence of traces of the blood of the suspect in the victim's body or clothes more clearly establishes their relationship. In cases of sexual assault, the presence of trace evidences (hairs, body fluids etc.) Shows the relationship or contact that had the suspect and the victim, at the time when it was committed or attempted to commit a criminal. Linking suspects to the scene is almost inevitable, since every scene is impossible that there is no trace or material evidence left by the suspect or the tools he used while conducting crime.

3. To form the identity of the persons dealing with the offense (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtrri, Kosovo 2002) - the presence of fingerprints, which were found at the scene, their examination along with other investigative actions, form the identity of the persons dealing with the offense committed. Finding and fingerprint examination also serves to eliminate the so-called (Eliminimi bëhet për të sqaruar prezencën e gjurmëve të gishtërinjve, që janë gjetur në një vend të caktuar, të cilat i përkasin pronarit të shtëpisë së vjedhur, në rastet e vjedhjeve), carried out during the initial phase of the investigation.

4. exculpating the innocent (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtrri, Kosovo 2002) - We must not forget the fact that traces and material evidence blame someone for an offense he committed, but the same steps of exhibits, exonerate the innocent. If the person against whom it is filed suspicion of having committed a particular offense, provides evidence that argue his statement that he was not participating in that work, and that at the time when the offense was committed, he was abroad and that the documents with stamps in his passport, then we can say that, based on evidence that has provided, he justified himself.

5. To verify the testimony of the victim (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtrri, Kosovo 2002) - During the examination of the different countries where

criminal offenses have been committed, ever shall determine the victim's testimony, because it can be fabricated by the victim or can be changed and enlarged. In cases of theft, it should be seen well from where it got the thing for which his statements. If necessary, they should consult experts of economic crime, to analyze data and collected all the necessary evidence to prove the victim's testimony. It may happen that, for the benefit of his / her victims to exaggerate claims, or declare if there was a case in point that would later bring various benefits (eg insurance companies, health, or other agencies etc.)

6. Make the suspect to confess, even to plead guilty (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtri, Kosovo 2002) - When the suspect confronted with facts that are presented by investigators, he can fall into a situation where states, even admits that he has committed or participated in the commission of that offense. All this is just confronted the suspect with evidence, material evidence which clearly show the presence or assistance given by him to commit a criminal, even if he himself has committed the offense in question.

7. false evidence can help in finding the truth (Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtri, Kosovo 2002) - If the statement given by a particular person, which means that someone has set fire to his bar and that's not true, but is invented by him for personal gain, then collected evidence and physical evidence that the investigation team finds during the examination of the scene, and the statements of eyewitnesses. If they indicate that this person has set fire to himself, and then we can say that, trying to present false evidence, he has already helped in finding the truth.

8. The physical evidence may be of greater importance than the testimony of an eyewitness Basic Course of Forensics, Physical Evidence, Kursi Bazik i Teknikës Kriminalistike, "Dëshmitë Fizike", Vushtri, Kosovo 2002)

Testimony and evidence provided by the investigation team, which was collected during the investigation (either during the examination of the scene, or during the subsequent investigations) are of particular importance and are almost more important than the testimony of witness's eye. This is because, witnesses could not remember precisely how it happened, might be afraid to tell the truth, as I could also be threatened, and the evidence and material facts always speak for themselves, without fear from anyone.

The collection of these tests be done in the best possible way, crime scene investigator must be careful to:

- a. Evolution of traces and evidence and
- b. their description

Evaluation of tracks and material evidence

The question that often arises from the scene investigators is: if the object is suspected as trace or evidence, is really a trace or evidence. Also required and detected traces of material evidence in the places where there are facilities justified the presence of the perpetrator of the crime, but in the case of the offense. The investigator determines that given the circumstances and conditions of the scene, making the right and professional evaluation. If you come to the conclusion that certain object is trace or material evidence, then it must be noted in the notes of evidence and what evidence should be taken properly. By no means should not rash to assess whether it is or not trace or material evidence, the assessment is done only after certain control and conclude that trace or evidence material to the circumstances, conditions and opportunities that allowed us to the scene (Protection and searching the crime scene. Vushtri Kosovo 2002) .

Description (Determination)

That tracks and material evidence collected, to know exactly from where they were taken and collected, crime scene investigator should these traces and material evidence to identify later. To achieve this in the right way, should the investigator to mark and label the evidence so that, when necessary, he may be able to identify them. These notes and labels should be placed in evidence, etc. in their packaging, and all these must be recorded in the notes. In some type of packing material evidence, packaging paper, required some information as where evidence was found, by whom, when,

etc. Further, the placement of traces card or unknown latent prints, required information where it is found the way, when, by whom; even required, by the drawing, the present location where it was found.

Marking the tracks and material evidence

Note the traces and material evidence becomes so investigator, later, to be able to know where the received trace or evidence and present it in the time that is required. Notes test placed in that position where non-perishable invisible features and tracks found in. These notes or signs are placed, if possible, in locations invisible (object, tool etc.) Or in the box or envelope, or paper, plastic bags, etc. and marked with signs that the investigator will identify in his record. Preferably metal pencil sharp, as with other colors can be deleted or lose later.

These tests should also have their labels. These must be recorded the date, time, place where the evidence is taken, the name of the investigator who obtained the description of distinguishing marks or their names. Each test must have own distinctive mark by other evidence, the same by appearance, in order not to join the other as a single test. This note can also be based on the numbers that were originally set during the processing of the scene. Note the clarity and full of traces and material evidence is also important to avoid any damage to their intentional or negligent.



Fig. 8 bar closing and packaging of evidence (photo by:
https://www.lynnpeavey.com/product_info.php?cPath=30&products_id=650)

EVIDENCE

Case No.	Inventory #
Type of offense	
Description of evidence	
Suspect	
Victim	
Date and time of recovery	
Location of recovery	
Recovered by	
CHAIN OF POSSESSION	
Received from	
By	
Date	Time AM PM
Received from	
By	
Date	Time AM PM
Received from	
By	
Date	Time AM PM

 LYNN PEAVEY COMPANY 800-255-6499

Fig. 9 Information on the packaging of evidence
https://www.lynnpeavey.com/product_info.php?cPath=30&products_id=581

Disputes and their Resolution in the Electronic Communications Market

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Abstract

This short treatment introduces the concept of potential disputes in the electronic communications market, their typology and the background in which exist premises to arise disputes in this market. Broadly represents the forecast of domestic regulatory and legal framework for the treatment of disputes existing in this market, approximation of legislation with EU directives, ways to resolve disputes arising in the potential levels of the market in which those disputes arise. As a summary is treated the concept of internal market/markets structure as domestic part of the electronic communications market, identifying the importance of "treatment" of state and regulatory policies, and their impact on the design, planning and management strategies of the market players. The case of Albania is broadly treated regarding to the aspects referred in topic, closely linked with disputes and their treatment, paying a special importance administrative settlement in procedural terms. Identification of regulatory effect, as potential to be measured and compared with analog markets, and services offered in these markets with other countries, regional, of EU, or wider and mainly in the aspect from they derive, which highly propable are connected to services offered - their tariff - quality products / services. Briefly on the importance of effective competition and its impact on the number of disputes arising in such a market, considering liberalization as factor of market as fundamental aspect in the development of the market, increasing the number of providers of products / services and legal remedies forecast with specific criteria that maximize protection of users of products / services offered.

Keywords: Market, electronic communications, disputes, service providers, users, products/services, regulator, administrative solutions.

Introduction

Despite dimensions that may have a country economy, from the structural point of view it must function and be managed without any difference that occurs as a result of its dimensions.

The concept of economic freedom, of effective competition and the performance in its entirety constitute the core of the development of the economy and therefore also to our daily life.

The trunk of the national economy is healthy if its constituent parts will function in a healthy way or in other words if markets component of the national economy function based on an efficient legislation, drafted and clearly oriented by the rules of good practice, in consultation with market stakeholders and interested parties, and oriented toward increasing competition, creating in this way a field of interaction between state institutions and regulatory as well as market players and consumers products and services derived from it.

Proper harmonization, interoperability and efficiency of the above mentioned links or not, constitute the potential premise for the existence or not of possible disputes, not claimed for any occasion for their nonexistence, but with the final goal to minimize them, because tendency to perfection and harmonization of appropriate instruments and interactive links in specific markets, integral parts of the national economy, which are operated with special material laws, they can lead as their product, reduce disputes, which can be eliminated early in their genesis.

In the final it would result as a strong impetus for the efficient development of such markets, which will be favored by the elimination of additional costs that will be created by the possible solutions of disputes arising, with indirect effect even in the trunk of the national economy.

1. Market/Markets structuring and their long-term strategies

The concept of development of market strategies, of innovative models of technology and the market itself, which in their entirety substantially affect the product itself or services provided to the customer, affect itself market development process,

which is related to the phase in which is the legislation "treatment" of the relevant field, and it is also connected directly with regulatory effects that are produced in the respective field.

Appropriate approach to minimize additional external costs for market/markets that have significant weight in the trunk development of the national economy, should first invest and stimulate through state regulatory policies, as the growth and perfection of these policies, convey the direct impact even in the design of strategic decisions affecting their durability, and determine the proper focus in the relevant area favoring proper identification of the competitive advantages of actors in the field and the overall impact on improving the environment of doing business.

Governmental and regulatory policies must be seen how much they impact in terms of "catalyst or not", as they convey their direct impact and how they reflect on the weight of "strategies in action" of the market / markets" because it is sure that state and regulatory policies impose a "mix" between intended strategies and planned strategies, with "emergency" ones, or otherwise dictated by state and regulatory policies.

It is inevitable that the quality of "curing" of state policies and regulatory, not to convey reflections up management strategies by transforming in necessity changes into strategies in action.

The complexity of such a combination presents to the market/markets taking into account and also an extra attention to "potential risk" from the implementation of new strategies, dictated and reflected in pressure conditions that dictate governmental and regulatory policies.

According to the language of the market, this entails the need to see in detail the activities involved in strategy, human resources involved in implementing the "strategy in action" and kind of methodology they use for implementation.

The complexity of the market in identifying strategic skills, for conservation and good use of cost efficiency, the efforts of market players to achieve and sustain competitive advantages, the need for proper diagnosis of strategic skills and perfection of their management, are closely linked to sectoral and intersectoral policies.

E steadfastly summarized, despite the preceding stipulations, all this will be reflected in the additional costs.

Communication Language of the market/markets is related to the impact on "efficiency", is organically linked with careful state and regulatory policies which have for objective the development of effective competition in order diminution of complexity in the normal development of the market, eliminating situations of uncertainty, and to avoid such interventions which would impose the touch of operational decisions to the maximum extent possible, because it is clear that will be produced significant changes in this way.

2. Typology of potential disputes in the electronic communications market

Disputes can be defined as a contradiction between the parties to a given situation, for a violated right or claimed as such, for an unfulfilled obligation etc.

Potential disputes in the electronic communications market, have the premise for their existence in non-compliance of contractual obligations derived from relationships built between the parties.

As a party to the dispute are considered users of market products/services and providers of these products/services, and thus typology of possible disputes in electronic communications market can be considered as:

- *Disputes between providers of products / services within the same market and in the same jurisdiction;*

Relationships built on electronic communications market creates the need for interoperability between communications networks that enable the delivery of products/services, and thus they have built their contractual relationship based on a set of rules that weigh equal in the best possible way interaction of individual networks of providers of products/services.

Electronic communications market in Albania similarly as other countries works with special organic law¹, with presence of the regulator authority of the field², which oversees and monitors the sequential development of this market.

Material Law No. 9918, dated 19. 05. 2008 " On Electronic Communications in the Republic of Albania" amended, is drafted in accordance with a set of EU Directives³, and has transposed almost completely the provisions of the regulatory framework that refers to contemporary electronic communications market, adapted to national circumstances.

Disputes arising between parties in the electronic communications market, have their basis for the resolution provided definitions of reference interconnection offers (RIO)⁴, which are approved by the national regulator authority of the field and serve as a basis for concluding bilateral contractual relations, and through specific regulatory acts⁵ which have explicitly defined procedures for settling disputes between parties' service providers against service providers.

• *Disputes between providers and users of products / services;*

Primary and secondary legislation of the field has predicted that between providers of products/services and their users, the relevant relationship built on the basis of the contract agreement, which creates another potential background for birth "or not" of the disputes between the parties, depending on the discrepancy between the parties to a particular circumstance, violated right or claimed as such, or unfulfilled obligation etc, and through specific regulatory acts⁶ which have defined procedures for settling disputes between service providers against service users.

• *Disputes between service providers in geographical territories with different jurisdiction (international);*

Another aspect which may serve as a potential space for the establishment of dispute, it is also necessary interaction between providers of products/services with their presence in different geographical territories regarding the jurisdiction of which they are subject. Despite the obligations deriving from the EU Directive (it is about unifying space in which these directives extend their effects) given the fact that the interaction in the field of electronic communications is also beyond these spaces, then it should be estimated that mainly their relationships built on a commercial basis according to the interests of interactive parties. Disputes arising in the cited background above it, practice solution up to the level of arbitration if other stages have not brought possible solutions or liked ones.

• *Disputes between providers of products/services and state institutions/regulatory.*

The requirements deriving from the market are constantly in search of their fulfillment of state and regulatory institutions, in their focus they aim perfection and materializing in primary and secondary legislation in order to eliminate legal and regulatory barriers that impede the proper development of effective competition. Noncompliance of this goal creates the right background for the emergence of disputes between the parties.

¹ Law no. 9918, dated 19. 05. 2008 "On Electronic Communications in the Republic of Albania" amended;

² Authority of Electronic and Postal Communications (AEPC);

³ European Commission Directives:

2009/140/EC - Amending Directives 2002/19/EC, 2002/20/EC and 2002/21/EC

2009/136/EC - Amending Directive 2002/22/EC and 2002/58/EC

2009/396/EC - On the regulatory treatment of fixed and mobile termination rates in the EU (In conjunction with SPEECH/09/218, Neelie Croes - Cutting the price of phone calls new termination rules, Brussels, 7 May 2009)

2002/19/EC (Access Directive),

2002/20/EC (Authorization Directive).

2002/21/EC (Framework Directive).

2002/22/EC (Universal Service Directive).

⁴ Regulation of AEPC no. 19 dated 14.06.2010 on access and interconnection.

⁵ Regulation of AEPC No. 18 date 11.06.2010 on Dispute Resolution Procedures.

⁶ Regulation of AEPC No. 29 date 29.05.2013 "On the resolution of disputes between subscribers and electronic communications entrepreneurs "

3. Settlement of disputes in the electronic communications market

Despite the backdrop in which a dispute arises it aims to have its resolution and the possible links from which can result a possible solution can be classified as:

- a) solution produced by direct negotiations between the parties;

Disputes arising between the parties have the need for diligence on the causes and circumstances that have created dispute, internal analysis of the effects that produces the failure to resolve the dispute created, and identification of possible tools available for internal solutions without creating additional costs and bringing inter alia the economy of the time. Such a thing is realized mainly by the development of that, direct negotiation between the parties

- b) solution produced by the mediated negotiations;

Identification of non-compliance in achieving the settlement through direct negotiations, to increase reliability in potential solutions, can serve as the "mediation" instrument, which is essentially one of the alternative methods for the solution, considering the assistance of intermediaries in the position of "neutral" in order to overcome the differences identified in the background of the dispute. Despite as it is described above it should be understood that in the present case it is characteristic that the solution is again under the control of the parties to the dispute and is accepted as such only with their free will, but the product "solution" reached in this case, has probability to be efficient in the way of implementation by economise on time, not to produce cost for the parties.

- c) solution produced by the judiciary.

Unsuccessfully closure of two stages mentioned above to resolve the dispute created, imposes on the parties as possible solutions that solution that generates the judiciary, considering the parties in dispute as factors that will translate in additional costs for settlement between the parties to the dispute.

4. Administrative solutions to disputes and regulatory effect

Background to the dispute in the field of electronic communications, naturally that is connected with the entirety of the services and/or products offered at different levels of users, as the service provider- service provider level, otherwise known as interconnection services, as well as the level service user - service provider.

Regulatory supervision and its mission to maximize the benefits for users of electronic communications services, necessarily considers the possibility for the existence of the disputes, for which administratively are provided possible administrative solutions, anticipating specific administrative procedures for settling disputes regulated by normative acts and regulations, through public relevant permanent structures or temporarily "*ad hoc*" structures set up specifically.

In the field of electronic communications, material legislation guides administrative dispute solution arising in the market to the relevant body, depending on their typology.

For disputes arising in the level of "service providers - service providers", the regulatory effect is primary because the essence of the dispute between service providers, can be focused with highly probable in the granting/ or refuse of access required for services between parties, in charging of services, or in the quality of them. For each case submitted the regulatory effect is first hand, not only from the legal authority that supervises and regulates the field of electronic communications directly, but also by the fact that the possible solution has a high premium to be highly professional and of a high level of expertise.

Quality of the settlement offered, with high probability increased the possibility of agreement between parties, but even when agreement is not obtained, regulatory effect is first hand, because it imposes solutions application by the parties, without depriving them of the right of judicial review. Regulatory imposition on application of resolution of disputes provided for level "service provider - service provider" aims not to miss the service for users as the last link in the supply chain with services and it is in compliance with regulatory mission and purpose of the substantive law of the field which provides such a mission.

Functioning of the relationship at this level "service provider - service provider" has the hand of the regulator and its effect on the drafting of reference offer for the respective services, and regulation of bilateral relations through interconnection

agreements which are based on the definitions of the reference offer, which plays the role of "constitution" in the field of electronic communications for the functioning of commercial relations between the parties. Therefore, it is precisely this interaction space between the parties which also entails potential disputes at the level "of service provider - the service provider" but that administrative solutions offered constitute the main basis in this regard by increasing the role of the regulator in the field.

Regulatory effect is not only measurable and possible to monitor, but also comparable with analog markets and services offered in these markets in other countries, regional, EU or beyond, since each of the potential elements for space dispute as access – charges and respective quality of service is comparable. Monitoring for each of the elements cited above as opportunities for access dispute - tariffs¹ - quality², done through regulatory acts which are prepared by the regulator through a public consultation process with interested parties who mostly are service providers, but not excluding other parties such as the Competition Authority or other government departments that have direct connection with the field of electronic communications, with the final goal to guarantee services to end-users and increasing the maximum safety for consumer protection.

Conclusions:

Treatment and resolution of disputes occupy an important place in the electronic communications market, and considered as such by the relevant legislation of the field, because it is considered that the potential background for disputes in this market, exists in its two levels:

- At the level of wholesale markets, relations service provider - service provider;
- At the level of retail markets, relations service providers and users of products / services.

Regulatory approach in disputes resolution considers :

Normalization of contractual relations two or more lateral, and the use of regulatory instruments that enable effective administrative solutions on time, closely related to the degree of development of effective competition in markets where they offer products / services which are contracting subject between the parties.

- Regulatory supervision mission is closely linked with particular attention to maximizing the benefits of users for products / services available in the market of electronic communications, supporting the market through domestic regulatory framework and the approach to analogous practices in other countries of the region and the EU development of competition in the market.

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Importance of Flexibility of Employment in a Professional Education of Persons Endangered by a Social Exclusion

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Abstract

The paper includes description of selected results of the Author's research carried out in the last 10 years (2005 - 2015) focused on flexibility of employment. The most important notions related to flexible forms of employment have been indicated. At the end of the paper the author presents results of the research on a group of $n = 489$ persons endangered by a social exclusion, professional career of which were monitored after conclusion of programmes co-financed by the resources of the European Social Fund. Education of persons from groups endangered by a social exclusion is decisive for effective social-and-professional functioning, adequately to changing labour market and changes in economics.

Keywords: flexible forms of employment, professional problems of persons endangered by social exclusion.

Introduction. On flexibility of employment

Due to already permanent changes on the labour market, the effect of which is superseding traditional forms of employment in favour of the flexible ones, the most common form of employment of persons who were included in the group of the socially excluded or endangered by a social exclusion are flexible forms of employment. (Dobrowolska, 2014). Education of persons from groups endangered by a social exclusion is decisive for effective social-and-professional functioning, adequately to changing labour market and changes in economics.

The term of *flexible (non-traditional, atypical, non-standard, alternative, temporary, external, peripheral) forms of employment* is used to determine employment in a form other than traditional one. (compare to: Dobrowolska, 2011, 2012, 2013, 2014).

Traditional forms of employment, according to the Labour Code, covers full-time employment, for an indefinite period of time, with a fixed one shift eight hour long working day, lasting from Monday to Friday, performed on the premises of an employer. All the other ones, being exception to the above mentioned forms, are flexible forms of employment.

At this point I would like to make an analysis of terms used to specify relationship with an employer other than the traditional one more ordered, since in the majority of cases these are mostly synonyms. The most common term is a *flexible form of employment* - introduced as a consequence of making human resources more flexible, their operating mode within an organisation related to working time, amount and characteristics of works performed and a relationship with an entity that allows for making one's living. The very concept of an employer, commonly known and understood clearly in traditional jobs no longer sticks to reality in the face of new forms of employment, in the case of which there are several employers - like for example temporarily employed (a company of a user and at the same time a temporary job agency) - or it is difficult to define them as such - like for example the self-employed, private entrepreneurs, social co-operatives providing services to contractors and clients.

Atypical or non-standard forms of employment, which is another popular expression, used due to specific features and conditions of employment that are quite different from a traditional form of employment and different from one another even within the framework of atypical employment that do not match at all - like for example seasonal work and employment in a social economy sector. *Peripheral or external forms of employment* became widely used as the result of externalisation of a staff divided into a permanent and supporting one, depending on the needs of an organisation. The latter is employed on cyclical basis, the need occurring, or constitutes a relatively fixed percentage of a staff that does not enjoy professional privileges or enjoys them only partly, which is the case for substitute employees or the already mentioned employees

employed by a temporary job agencies. *Temporary forms of employment* refer to characteristic features of non-traditional employment contracts, which in principle are temporary and belong to short-term employment relationships. And finally the term, which in my opinion defines psychological nature of non-traditional forms of employment in the most adequate way - *alternative* to traditional forms of employment, employment that is alternative to a permanent and standard employment (cf. Dobrowolska, 2011, 2012, 2013, 2014).

In general in my research and academic considerations I treat non-traditional forms of employment as an alternative to a traditional employment and a good solution for certain social groups in a certain moment of their lives. For yearning and desire for a permanent job confronted with specific features of non-traditional employment can not satisfy these human needs. Alternative forms of earning have been analysed many times with respect to their qualities for persons "forced" by a number of reasons to combine professional life with other duties - care for dependent persons, study and other obligations. They are also an ideal solution in the face of lack of offers of traditional jobs allowing for legal earning. In some cases they may become a manifestation of a life-time career - like in the case of social entrepreneurs. Flexible forms of work require, due to their nature, certain psychological dispositions, which foster smooth functioning of employees, which is related to a simultaneous experience of satisfaction, meaning and quality of life (Bańka, 2006).

In recent years in Poland and many European countries flexible forms of employment developed, not only when it comes to the number of new forms included in the Labour Code, such as teleworking, but also when it comes to qualitative systematised legal entries that regulate characteristics of employment, like for example in case of social co-operatives, for which changes in the appropriate act triggered key changes in characteristics of members of co-operatives, who now can be institutions, keeping financial books according to simplified formulas, etc. There is no time and space to analyse them in details right now. Due to the immensity of various forms of employment and a limited number of signs allowed in this paper I am going to enumerate below only exemplary forms of employment and provide examples of non-traditional job agreements: *substitute work agreement, temporary employment, self-employment, telework, shift work non-permanent agreement, part-time job agreement, commission agreement, contract work agreement, agreement for a period of completion of a specific task (seasonal work), work in a social economy, tolling agreement, employment of employees via another entity, hybrid employment, task period of work, employment in the form of interrupted period of work, individual schedule of work, group organisation of work, job sharing, alternative employment, etc.*

To sum up, there are many forms of employment on the labour market, which is quite a challenge for a person endangered by a social exclusion looking for employment. Amount of information necessary to make a decision concerning a particular form of employment that regulates many issues, such as working hours, benefits, professional privileges and general characteristics of employment, duties and maintenance of employment is extremely vital. Lack of the information may contribute to tragic effects, which is reflected in research concerning reasons of cancelling social cooperatives carried out lately (cf. Dobrowolska, 2010). *Taking into consideration in education (at every stage and level) topics related to flexibility of employment among persons from groups endangered by a social exclusion is decisive for effective social-and-professional functioning, adequately to changing labour market and changes in economics.*

Flexible forms of employment - selected conclusions from the author's own research

On the basis of my research carried out in the last 10 years I would like to highlight ten most important, in my opinion, conclusions. It is my intention not to describe a full methodology of the research, but to signal only the key issues (cf. Dobrowolska 2007, 2008, 2010, 2011, 2012, 2013, 2014).¹

1. *Alternative forms of employment constitute an alternative for traditional employment.*

It is an excellent solution for certain social groups at a certain stage of their lives. I mentioned this fact in the introduction, but I would like to stress it once again. Unfortunately in the majority of longitudinal research one gets results which show unequivocally that flexible forms of employment do not meet a criterion of "certainty of employment", being a solution for the young, students and those who start a professional career, as an easy beginning of existence on the labour market. The same applies to mothers, for whom flexible forms of employment allow to combine maternal duties and keeping a household with a professional career, or retired persons who are able to get additional income. The said agreements are

¹ All the reports from the research of the Author is available at: malgorzata.dobrowolska@us.edu.pl

not, however, related to declarations of the employed concerning their will to stay with a given job for the rest of their lives (the so called target agreements).

2. Flexible forms of employment constitute an optimal form of social and professional activation of groups endangered by a social exclusion.

It is an excellent tool to fight unemployment and a way to solve social problems. It responds to many needs of persons endangered by a social exclusion and groups of a particularly difficult situation of the labour market. Here one can refer to many research papers and theoretical assumptions. The most basic ones are hidden functions of work - structuralisation of a day. During an isolation on the labour market the long-term unemployed do not have a daily rhythm typical for working persons: waking up in the morning, breakfast, leaving to work, work, return, shopping, cooking, meal, house works, spending time with a family, sleeping. Adjusting to a standard working rhythm of a full-time employee often contributes to overwork related to a number of duties and their rhythm, which leads to quitting a job "inexplicable" for colleagues. This fact shocks everybody and exposed an overworked person to a pejorative opinions, especially when a job is related to good conditions, optimal salary, etc. Flexible forms of employment allow for "slow" entering the labour market - a few hours or days per week. Flexibility of time allow to smooth adjustment to professional activities and make people keep their employment in a long-term perspective, which is related to an effective reintegration with the labour market.

3. Change of a pejorative perception of flexible forms of employment is observed within the last 10 years.

Changes in professional careers manifesting themselves in transcendental markets, borderless careers, etc. (cf. Bańka, 2006) contribute to the fact, that more and more employees is employed on highly specialised positions and appointed to well paid jobs. Former assessment of flexible jobs as the so called "junk jobs" is gradually being forgotten. This is irrefutably positive change of the current commercial labour market which regards all three sectors: public, private and social one. Visible improvement of flexicurity, working conditions and growing popularity on the labour market contribute to the fact that assessment of the public, which in my qualitative research carried out ten years ago included very negative opinions, such as: *"forty-year-old with a temporary work contract is a loser"*, is now quite different: *"forty-year-old employed in a temporary work agency uses possibilities offered by the labour market"*. Assessments concerning flexible forms of employment are either neutral or clearly non-negative.

4. Relatively highly developed psycho-social and preventive competencies among employees of flexible forms of employment are diagnosed.

Employees of flexible forms of employment function in a more efficient way than employees of the so called core of the staff and employees with permanent job contracts within traditional staff solutions. Such result I have been obtaining every year for 10 years within the framework of comparative analyses in the same organisations belonging to the three sectors: private, public and social one.

5. Consequences of flexible employment are identical with characteristics of traditional forms of employment.

Flexible forms of employment exhibit all the professional problems of traditional models of employment. This is an important conclusion in the perspective of many stereotypes that accompany flexible forms of employment and conditions offered by them to the employed. It is a common belief that temporality or momentariness of employment suffices to prevent some pathological phenomena such as mobbing, which according to some theories requires minimum half a year of work, or a professional burn-out that requires a longer temporal perspective, or workaholism. Far from it. I obtained many empirical data proving occurrence of not only the three above mentioned negative phenomena in a working place, but also all the other ones typical for traditional employment.

6. Characteristics of functioning of employees depends on a form of employment.

Each form of flexible employment is characterised by a characteristic profile of variables. It is a very important conclusion especially for a choice of a research sample which can not be a breakdown of all forms of employment "bit by bit" due to totally different conditions of employment and work that influence characteristics of functioning of flexible employees. For work experience of a teleworker doing his/her job at home is totally different from experience of a social member of a cooperative. Therefore "putting everyone to a single sack" (according to a Polish saying) is not correct. One should not carry out research and drawing conclusions on the basis of one group of flexible employees mixed with the other one, in spite of the fact that these are all flexible employees. This is a very frequent mistake of the measurements carried out so far.

7. *In flexible forms of employment positive aspects of work are diagnosed in a limited degree.*

Employees employed in flexible form of employment obtain average results in the following scales: job satisfaction, attribution of organisational affiliation, involvement and loyalty. Unfortunately it is true that in the times of formal relations prevailing over psychological ones, or relatively high frequency of a change of a place of employment phenomena related to identification with a company and its consequences are more negative than among traditional employees. In all the researched variables concerning positive aspects of work, spread on calculated scales reached its maximum results in average ranges - it is symptomatic that increased results have not been obtained even once.

8. *A need to create new human resources management tools with consideration of a peripheral staff.*

Flexible staff solutions cause characteristic effects for an organisation. Use of traditional solutions becomes impossible. Unfortunately most of these differences is caused by law - labour code or civil code. For example use of staff assessment system devised for permanent staff becomes impossible for employees hired by a temporary work agency. Due to a formula of employment these are not employees of a specific company of a user for which they work, but of an agency, in spite of the fact that they perform professional duties in favour and under supervision of the user. From the legal point of view they can not undergo obligatory staff procedures of an employer that is not their own, and therefore they lose some or all privileges, such as holiday parcels, awards, etc. It causes a lot of confusion. As a matter of fact all the HR functions - from personnel planning taking into consideration flexible employees, to recruitment require different characteristics in traditional and non-traditional work model.

9. *Flexible forms of employment require diverse professional predispositions.*

There is a need of diagnosing professional predispositions for specific forms of employment as a new trend in career counselling. Analyses of psychological dispositions or dispositions for a specific type of organisation - big, medium and small one - become insufficient. Analysis of how a given person is able to cope with characteristics of a relatively big changeability, dynamics and flexibility is decisive for efficient psychosocial functioning in flexible forms and prevention of negative consequences of professional work for an entity. Tests diagnosing adjustment of a person to flexible forms of employment appeared on the market. Within the carried out research variable personal flexibility proved to be especially important due to a relatively high amplitude of changes of work place. The variable is responsible for ability to adjust efficiently to sudden changes.

10. *There are small cross-cultural differences of psychological functioning between samples of specific employment forms.*

Statistically unimportant transnational differences were obtained in selected EU countries (Germany, Holland, Denmark, Great Britain, Italy, Spain). It turns out that apart from differences of individual parameters, in case of many psychological variables (*autonomy of choice of a flexible form of employment, personal flexibility, hope of success, styles of coping with stress, engagement in a professional work, attachment to an organisation, loyalty, work satisfaction, work efficiency, workaholism, professional burnout, mobbing and culture of work safety*) considerable similarities were obtained with respect to descriptions of experienced professional problems and characteristics of functioning in a work place as well as characteristics of consequences of flexible employment for an entity.

Results of the research presented above give an insight into some crucial mechanisms to be found at the foundations of professional activity of employees who decide to get involved in a form of employment alternative to a traditional one. One can hope that tests carried out will allow for a better understanding of mechanisms of functioning of flexible employees, their professional problems and, what follows, more accurate forecast of consequences of flexible forms of employment.

**"Importance of flexibility of employment in a professional education of persons endangered by a social exclusion"
- summary**

It is hard to insist that flexible forms of employment are a perfect solution in activation of persons endangered by a social exclusion due to their various disadvantages such as "temporariness" of employment, by some described as "uncertainty" of employment, "short period" of employment, etc. Also, it is difficult, due to smaller than in traditional forms of employment employees' provisions, to assess them only in positive terms even in the context of continuously developing idea of flexicurity. In the context of results obtained on the sample of n=489 persons endangered by a social exclusion, whose

professional career was monitored after conclusion of programmes co-financed by the European Social Fund from June 2013 to March 2015 the following should be clearly stated:

- Within a general employment rate, that was 33% of the general number of qualified participators, in line with statutory criteria, to a group of persons socially endangered, to ESF projects (n=489) only one person started working within a framework of a traditional form of employment, 13 persons were incorporated to existing social co-operatives or launched their own co-operatives, 0 persons started their own business, and the rest started working in flexible forms of employment (including temporary job agencies, specific task agreement, seasonal works, substitute job agreement, part-time job and agreements for a specific period of time)
- all the above mentioned persons kept the employment for minimum 3 months, and 73% of them kept employment for the period of career monitoring of graduates of ESF programmes for 12 months.
- scores of described psychological variables in the described sample n=489 concerning environmental and subject conditions of behaviour at work (inter alia *autonomy of choice of a flexible form of employment, personal flexibility, hope of success, styles of coping with stress, engagement in a professional work, attachment to an organisation, loyalty, work satisfaction, work efficiency, culture of work safety*) were average
- individual scores of perception of conditions of flexible employment were average - 6 sten scores.

The above results suggest, that flexible forms of employment constitute a reasonable direction of actions in education taken up at all the levels and stages for an adequate professional activation of persons endangered by a social exclusion and are one of the key instruments of efficient fight with unemployment promoting inclusion of persons with exceptionally difficult situation on the market.

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History and typology of the instrumental case (Based on the comparative study of the literary documents in Turkic languages)

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Abstract

This article touches upon the research, which employing comparative historical approach has been carried on about the instrument-togetherness (instrumental) case – the seventh case of noun, which is used in most of the Turkic languages, but has been removed from grammar books after becoming archaic in the Azerbaijani literary language. This case, having kept its place in the history of development of the Azerbaijani language is still evident in stabilised state within some lexical units through the suffixes –in, in, which are the morphological indicators of the instrumental case. As postpositions birlə, bilə, ilə, -la, -lə denote togetherness, this has caused the expulsion of the instrumental case from among the case paradigm. This article uses the samples selected from the XV century literary works, analyzes the morphological indicators of this ancient case, and compares them to the sources in other Turkic languages.

Keywords: Azerbaijani-Turkic language, noun, instrument-togetherness (instrumental) case

Introduction

The case category of noun has been stabilised after going through a certain path of historical development. As such, as the grammatical structure of the language became stabilised, the case system has also evolved and the process of attachment of the case indicators to individual cases has gained momentum. This process is characteristic not only for the Azerbaijani language, but for all the other languages as well.

It has been established that the case category, having specific morphologic indicators serves to establish grammatical connections between words within a sentence. Taking into account the important role of the case suffixes in the formation of a sentence, M. Huseynzade notes that "... case is an issue within grammar pertaining both morphology and syntax... Therefore, when speaking about the case category of noun, in addition to the morphological features it is essential to also touch upon some of their syntactic characteristics as well" (1983, p. 50). In Turkic languages, including the Azerbaijani language, the grammatical case has always been in the structural model of *root of word + case suffix*.

According to Y. Seyidov, "The current case system of the Azerbaijani language was already formed in the XIV century Azerbaijani-Turkic language. Even though at later periods there has happened certain refinements and stabilisations in the grammatical meanings of the cases, the system itself has remained basically unaltered" (2000, p. 233). However, varying explanations can be found in Azerbaijani linguistics in regards to the names, number and ordering of the cases. M. Huseynzade provides us with information that until 1934, the cases were defined according to the suffixes added to the noun, and consequently, eight cases of noun were proposed (in addition to the current six cases, two more cases were intended – those that would be formed with the postpositions -*üçün*, -*çin*, -*çün* and *ilə*, -*la*, -*lə*). That same year, the names of cases were established in Azerbaijani for the first time, their number became seven, including the instrumental case that was later removed from the grammar books. In 1939, instrumental and genitive cases were dropped out, but in 1944 the number of cases was finally fixed at six, after restoring the genitive case (Asker, 2003, p. 192).

We can observe a similar scene in Turkic literature in regards to the number of cases. A. von Gabain writes that there are nine cases of noun (1998, p. 39). Studying the the language of the ancient Turkic monuments A. Shukurlu also talks about the existence of 9 cases of noun. (1993, p. 91). While Majdut Mansuroglu writes that there exists 9 cases of noun in the Garakhanli Turkic dialect (1998, pp. 151-155), A. Dilaçar stresses that in many such numberings the nominative case has not been taken into account, and consequently, there would be 10 cases including the nominative case (1995, pp. 60-65). In the works of A. Rajabli, M. Novruzov, Y. Mammadov it is noted that there exists 8 cases of noun (Rajabli, 2002, p. 91; Novruzov, 1987, p. 27; Mammadov, 1979, p. 36). A. M. Sherbak on the other hand, talks about 7 cases of noun in the X-XIII century texts from East Turkestan (Шәһәр, 1961, pp. 76-92). R. Asker, extensively touching upon these classifications

that were proposed before himself, stresses that the names of cases are partially concurring in the works of these authors, and thus he sees it fit to bring the number of cases to 7 by adding the instrumental case (2003, pp. 194-197).

Such diversity of opinions and confusion has led some Turkologist researchers to wrongly propose the argument that current contents of the case paradigm in the Turkic languages, including the Azerbaijan language has been initially formulated based upon the cases in the Russian and European languages. A. Alizade, expressing an opinion on this position, also argues that "in all the grammar books written in the nineteenth century, such as I. Giganov's "Грамматика татарского языка" (1801), M. Ivanov's "Татарская грамматика" (Казань, 1842), M. Kazim-bek's "Общая грамматика турецко-татарского языка" (Казань, 1846), A. Тройанский's "Краткая татарская грамматика" (Москва, 1860) the case paradigm can be seen to be in the case system of the Russian and European languages. It is true that those same grammar books mention the already archaic instrumental-togetherness case of the noun under various terms. However, this has not achieved a stable position within the case system" (Alizade, 2006, p. 3).

After taking into consideration the arguments already furthered on the issue of the case category, some of which I have sought to reflect as much as possible, we can come to a conclusion that in addition to the existing 6 (nominative, genitive, dative, accusative, locative, ablative) cases it would be appropriate to talk about the seventh case of noun with the addition of the archaic instrumental-togetherness case found, albeit not extensively, when exploring the language of the XV century literary documents.

Being referred to under various terminology in the Turkologist literature, the instrumental case possesses complex characteristics, and may denote togetherness, instrumental, and meditative meanings. The ancient morphological indicator of this case, which creates a grammatical link in sentence between the noun and verb had been the suffix *-in, -in*. A. M. Sherbak proposes that the instrumental case denoted with *-in, -in* affixes in the texts from East Turkestan has evolved into a group under adverb in the XI-XIII, and was replaced by *bilə, birlə* postpositions. In later periods, instrumental case that was formed with *-la, -lə* affixes had become widespread (Щербак, 1961, pp. 88-89). Y. Mammadov, confirming this fact notes that the instrumental case is used more frequently in Orkhon-Yenisey texts than Uighur texts and "Qutadgu Bilig" (1979, p. 74).

Studying the literary documents of the XV century, we find that the use of the instrumental case formed with *-in, -in* suffixes is still very rare. This in turn, leads us to observe that in the preceding centuries *-in, -in* suffixes had already lost their usage in the language by becoming archaic, and the only remaining vestiges were those that became crystallised and left in the structure of some words. In samples where it is found, the instrumental case mainly denotes one of the following: tools or means that perform an action, the process that would occur in certain time units or seasons, the manner and style of execution of an action. For example:

Oxun sözi əgərçi ötər başü canuma (Pashali, 2011, p. 375);

Qürabi-şəb çü düzdü pərrü balın,

Qəfayə saldı hər məşriq cibalin,

Qanat bükdivü qıldı göz qarasin,

Həvadən gözlədi məğrib yuvasin (Nagisoylu, 2011, p. 161);

İnayət qılıcın çünkim quşana (Kishvari, 1984, p. 163);

Qışın saqlamasa sirrini gər yer,

Yazın olmaz idi xoş səbzəyi-tər (Musayeva, 2003, p. 166);

Yarın yer edünürsən duzəxi sən (Kishvari, 1984, p. 180);

Əvvəlin bir danə dikdi, axərin ol danədən,

Həm dirəxtü şaxü bix, həm gülü xar eylədi (Nagisoylu, 2011, p. 196);

Gül üsnə sağın sünbüli-xoşbu düşünübdür (Pashali, 2011, p. 304);

Otur övrət kibi sağ evdə sağın (Nagisoylu, 2011, p. 183);

Yüz sürüb andan döğübən *dizin* (Musayeva, 2003, p. 247);
 Musəyi sən sanma, *saqın* tizü tünd (Kishvari, 1984, p. 244);
Sənsizin boldi mana kuyi-ədəm aramgah,
 Necə çəksün bir kişi peyvəstə biaramlıq (ibid, p. 34);
Sənsizin, ey gül, keçər mundaq qışü yazım mənüm (ibid, p. 54);
 İrib atasına *ansızın* oğlan (Musayeva, 2003, p. 211), and etc.

Most of the examples given above have become to fulfill the function of adverb in the contemporary literary language. A. Shukurov expresses his opinion on the “adverbized” words in the instrumental case as following: “It is known that the instrumental case was preserved in the ancient Turkic language until the X century. Presumably, this suffix became gradually archaic after the X century. Additionally, *ilə* postposition has played an important role in the process of the instrumental case becoming archaic. Therefore, many words that can be found in the literary documents in the form of instrumental case should be treated as “adverbised” words” (Shukurov, 1981, p. 19).

In the ancient Turkic sources instrumental case, although not widespread, does indeed exist. In M. Kashgarli’s “Divanul Lûgat-it-Turk” one can find examples such as, “kuş *kanatin*, ər *atin*” (Kashgarli, 1985, pp. 34-35); in Yusif Khas Hajib’s “Qutadğu Bilig”:

okın urdu ödlək,
kinqəşin itər ol kişi öz işi
künün yemədi, kör, *tünün* yatmadı (Askar, 2003, p. 213)

We can see further examples in Dada Gorgut: Xan *tezin* Qazan üzərinə gəldi (Kitabi-Dede Gorgut, 1988, p. 18); *dizin* çəkdi, aydır (Kitabi-Dede Gorgut, 1988, p. 58); and in “Qisseyi-Yusif”: fəsih *tilin*, səhih *sözün* söylər imdi (Mammadov, 1979, p. 74).

Even though the instrumental case has lost currency in modern literary language, morphological indicator of this case can often be seen in the structure of some the expressions in a crystallised form. For example; it has preserved its existence in expressions such as, *için-için ağlamaq*, *dizin-bizin sürünmək*, *oğrun-oğrun baxmaq*, *xisin-xisin gülmək*, as well as in words like *arxayın*, *ilkin*.

Eventually, *birlə*, *bilə* postpositions came to be used in place of the instrumental case after replacing, and then completely supplanting the *-in/-in*, *-la/-lə* suffixes. These postpositions themselves have also undergone modifications and have assumed various shapes as a result of further historical developments of the language. Even their parallel usage can be observed in some literary documents: *birlə<bilə<bilən<ilən<ilə<la<lə<nan<nən*. For example;

Xaki-payın *birlə* istərmən urum göz rövzənin (Kishvari, 1984, p. 18).
 Göğçək ləbindən gər qılır yüzün *bilə* dəvi günəş (ibid, p. 24).

Birlən, *birlə*, *bilə* postpositions are formed from two components; that is from the combination of the word *bir*, which denotes number, and *-lə* suffix which forms verb, with the addition of the ancient verbal linkage unit *n*. “*Birlən* once meant together, in union. However, at the later stages it developed and transformed from independent word to auxiliary, acquired the characteristics of postposition, and started carrying a second meaning in addition to the previous one. In other words, *birlən*, *birlə*, *bilə* postpositions denotes taking two items together, or execution or accompaniment of some work, action with some item. In the second situation, it would fall in the case of noun named “instrumental case” (Mirzazade, 1990, p. 208).

Instrumental case formed with *-lan*, *-lən* suffixes can be seen more often in the literary documents:

Ol gün ki, *səninlən* içəmən badeyi-gülgün,
 Məhşər kimi sərməd bolisi dövlətim ol gün (Kishvari 2010, p. 46),
Mənimlən ta yaman oldun, məni öldürdü qayğular (Kishvari, 1984, p. 25),
Oxilən neçə gün, ey dil, arada gər iraxlıqdır (Pashali, 2011, p. 294),
 Bir *öpüşlən*, ey gözüm, ağzımıni şirin et, digəc (ibid, p. 285),
 Zülf *yüzünlən* müqabil olsa, döndər kim, deyər,
 Gece *gündüzlən* müqabil oluncax novruz olur (ibid, p. 288), etc.

Sometimes, suffixes *-dan/-dən*, *-dın/-din* which in the XV century literary language was the suffix of ablative case, can denote instrumental case depending on the usage. For example:

Göz qanından yazmışam mənşuri-hüsnün hər yana (Kishvari, 2010, p. 39),
 Adəm ol *topraqdın* sərmayeyi-can bağladı (ibid, p. 43),
Həstətdin həmçinin kim, var idim, varəm hənuz (ibid, p. 26),
 Mən *söğüşündən* sənin ögməğini fərq etməzəm,
 Tanrı sözünü ədəbsizlikdir etmək intixab (Pashali, 2011, p. 281),
 Nə *yüzdən* hüsnünü vəsf edə vasif,
 Pəri nisbət çü Vasifdən nihansən (Musayeva, 2012, p. 617), etc.

Nouns used as *göz qanından*, *topraqdın*, *həstətdin*, *söğüşündən*, *yüzdən* in the samples do not show the point of departure, but signifies instrumental, meditative meaning.

The evidence of the usage of *-dan*, *-dən* suffixes found in the ancient literary documents by Academic M. Shiraliyev reaffirms that the instrumental case had been historically a conventional category of Azerbaijani language (Alizade, 2006, p. 6).

-dan, *-dən* as a suffix of instrumental case has attracted the attention of Mirza Kazim-bek too, and he cites the following as the examples of the instrumental case in Turkic languages:

Bu hünər *bəndən* düzəlməz,
Dənizdən ya *qurudan* gəldiniz? (Казым-Бек, 1846, p. 53)

We can also show the same situation in the contemporary Turkmen language, in regards to the *-dan*, *-dən* suffix: *sebet üzümden* dolu (Туркменско-русский словарь, 1968, p. 278).

Unlike the Azerbaijani language, in some modern Turkic languages the instrumental case, taking its areal of usage into consideration, has been included in the case paradigm. For example, according to K. Musayev in Karaim language instrumental case, formed by *-ba*, *-bə* suffixes, is counted as the 7th case of noun. It is relatively younger as a case and has been derived from *bila* postposition, which is rarely used. According to the author, this new case has also new features: *-ba*, *-bə* case suffix is added to personal and indicative pronouns after the genitive case. Within a sentence, it is more associated with *böl-*, *kıl-* verbs, and semantically it is close to the semantics of the Russian-language *tvoritelnny* (ablative) case (Мусаев, 1961, p. 158).

In the case of Shor language, 7 cases of noun are counted, taking into account both the ancient and modern usage of the instrumental case, and the 7th case is named *tvoritelnny-instrumentalny-orudny* and is formed with *bila*, *bile*, *mila*, *mile*

postpositions and *-ba*, *-be*, *-pe*, *-ma*, *-me* suffixes (Дыренкова, 1941, p. 45). In Khakas language the 8th case of noun – instrumental-togetherness case is used widely with *bulan*, *menen*, *blan* postpositions and their *-nan*, *-nenĭ* form, which has evolved into suffix (Донидзе, 1955, p. 145). This case has been added to the case paradigm also in Tofalilar language (Рассадин, 1978, p. 43).

As we can see, in most of the Turkic languages the ancient instrumental case of noun is among the grammatical cases and has preserved its existence in various phonetic versions. Touching upon the grammatical function of this ancient case in the Azerbaijani language, which is of enabling the formation of connection between the words, A. Alizade, considers the restoration of the instrumental case as a necessary category fulfilling the requirement of the grammatical norms of the language as an important issue (2006, p. 10).

Thus, our research on the XV century literary documents in the Azerbaijani-Turkic language makes it clear that even though the ancient instrumental case of noun could preserve its existence in the Azerbaijani literary language during the medieval period, *-m*, *-in* suffix had become already archaic during that period, possibly even earlier, and consequently could only be preserved in the structure of some lexical units in crystallised form. Such that, in the language of the literary documents from that period we can see stabilised words in the form of single units: *dünün*, *yarın*, *sənsizin*, *ansızın*, *kışın*, *yazın*, *əvəlin*, *axırın*, *küzün*, *saqın*, etc. Instrumental case expressed with *birlə*, *bilə*, *ilə* postpositions has already lost its case function and became stabilised in modern Azerbaijani language in the form of *-la*, *-lə* participation postpositions.

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Pre-Service Teachers' Attitudes Towards Studying Chemistry

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Abstract

This research aims at investigating the pre-service teachers' attitudes towards chemistry. A researcher used "Chemistry Attitudes and Experiences Questionnaire" (CAEQ) to measure students' experiences and attitude towards chemistry, it has good indices for validity and reliability. This questionnaire has three subcategories, (1) attitudes towards lecturer classes in chemistry, (2) attitudes towards tutorial classes in chemistry and (3) attitudes towards laboratory classes in chemistry. The participants are 70 students (85.7% female and 14.3% male) from the first year students in faculty of science and mathematics (FSM) - UPSI. The findings showed that, the students have moderate attitudes towards lecture class in chemistry, tutorials classes in chemistry and laboratory classes in chemistry. Although there is no significant differences found related to the students' gender or race (except for attitudes and tutoring) but there is an interaction between gender and race concerning the pre-service teachers' attitude toward chemistry.

Keywords: Pre-service teachers, science education, Chemistry, university, attitudes, laboratory, tutorial.

Introduction

Students' attitudes is an important factor that affect their performance in school. Students' attitudes may, for examine, influence their motivation to pursue study in a specific subject or persist in their effects to attain subject matter mastery (Soediono, 1989). Investigating students' attitudes towards studying science has been a substantive feature of the science education research in last four decades (Osborne, Simon, & Collins, 2003; Can & BOZ, 2012). Promoting of students attitudes is vital in education and promoting positive attitudes has been an important goal for educators (Sundre, Barry, Gynnild, & Ostgard, 2012). Therefore, science education should pay a lot of attention for improving students' interest in and attitudes toward science (van Aalderen-Smeets, Walma van der Molen Juliette, & Asma Lieke, 2012).

Attitudes, one of the constructs of the affective domain. The term "attitude" is sometimes mentioned in course design descriptions along with learning objectives associated with "knowledge" and "skills." (Sundre et al., 2012). Although, many studies provide uncertain definitions of attitude because attitude is a multi-faceted construct, or do not distinguish between attitudes toward science and other related concepts (e.g., opinions or motivation) (van Aalderen-Smeets et al., 2012). In other words, the term "attitude" is often confused with other terms such as value, belief, interest and opinion (Sundre et al., 2012). Different researchers define attitude differently (Anwer, Iqbal, & Harrison, 2012). Attitude could be a way of looking at things (Khan & Ali, 2012; Mokoro, Wambiya, & Aloka, 2014), it is also an individual mental processes which determine both the actual and potential responses of each person in the social world (Akbulut & Karakus, 2011). Attitude characterized by: (Cheung, 2011) (van Aalderen-Smeets et al., 2012)

- It is a hypothetical construct used by social psychologists to understand and predict the behaviors of humans,
- It indicates an individual like and dislike towards an item.
- It may positive, negative or neutral.
- Attitudes are quite stable (once formed they are hard to change).
- They are highly dependent upon context.
- It is a construct consisting of multiple dimensions and subcomponents.

As Pajares (1992) describes, "When clusters of beliefs are organized around an object or situation and predisposed to action, this holistic organization becomes an attitude". Like attitude, the definition of attitude towards science has also been an issue among the researchers. According to some of them, attitude consists of different sub-constructs that ultimately give rise to a person's attitude towards science. Researchers made a distinction between attitude towards science and scientific attitude. According to them, attitude towards science is linked with the views and images that the individual develops about science as a result of interaction with different situations, while the term scientific attitude is linked to the

ways of thinking or scientific method, which covers the skills and is related to the undertaking of practical work (Anwer et al., 2012).

Research clearly shows that feelings of enjoyment and interest in science combined with success in junior science courses are likely to lead to a positive commitment toward science that is enduring (Osborne et al., 2003). Many studies pointed out the importance of attitudes towards performance. Some of them found that students attitude towards chemistry have significant direct effect on students' achievement in the subject (Adesoji, 2008); others mentioned that attitude is one of the factors that determines achievement and enrolment of students in science subjects (Afolabi, 2009). Adesoji (2008) indicated that:

- Students' attitude and interests could play substantial role among pupils studying science.
- Students' positive attitudes to science correlate highly with their science achievement.
- Using integrated science environmental activities improved high school students' attitudes towards and awareness about the environment.

However, students' affect toward science becomes increasingly less positive, as science attitudes scores have been observed to decline as students advance through the grade levels (Soediono, 1989). The reviewed studies showed the absence of consensus between the psychologists about the casual relationship between achievement and attitude. Some of them clarify that there is a strong relationship between attitude and achievement; and that it is possible to predict achievement from attitude scores (Adesoji, 2008).

Walma, Molen, & Aalderen-smeets (2013) mentioned that (pre-service) primary teachers' attitudes towards science are mostly negative, and that "primary teachers share a number of characteristics that impede the stimulation of science learning and of positive attitudes towards science among their pupils". For example, a meta-analysis of research concluded that the correlation between attitude toward science and achievement is 0.50 for boys and 0.55 for girls, indicating that attitude can account for 25–30% of the variance in achievement. However, not all previous studies documented that girls had a more positive attitude toward the study of chemistry than boys (Cheung, 2009). Others mentioned that there is some disagreement about the nature of the causal link and whether it is attitude or achievement that is the dependent variable. The essential premise permeating much of the research is that attitude precedes behaviour (Osborne et al., 2003).

Many factors could contribute to student's attitude towards studying science, such factors include teaching methods, teacher attitude, influence of parents, gender, age, cognitive style of pupils, career interest, and social implication of chemistry and achievement (Adesoji, 2008). The attitude literature includes various studies that investigated gender differences in students' attitudes toward chemistry courses. Some of the studies reported that female students' attitudes toward chemistry lessons are higher than male students. Some of the studies, on the other hand, found the opposite situation in their cases; that is, boys have more positive attitudes to chemistry lessons than girls (Ilgaz & Aricak, 2008). In her study, (Cheung, 2009) found that male students in secondary 4 and 5 liked chemistry theory lessons more than their female counterparts. However, male students' liking for chemistry laboratory work declined when they progressed from Secondary 4 to Secondary 7; no such a significant decline in attitude toward chemistry laboratory work was found in females. Overall, both males and females were just marginally positive about chemistry lessons during the years of secondary schooling.

Research suggests that the main factor determining attitudes towards school science is the quality of the educational experience provided by the teacher. Part of the explanation for student attitudes toward school science may be a shortage of well-qualified science teachers capable of providing a positive experience (Osborne et al., 2003). Teachers as basic tool in curriculum implementation remain a very crucial factor that influence students' experience and achievement, and continuing educational development. On the other hand, teachers' personality and attitude towards their teaching subjects as factors contributing to poor performance in science subjects Afolabi (2009).

According to van Aalderen-Smeets et al. (2012) many studies have shown generally negative attitudes toward science among preservice and in-service primary school teachers. The negative attitudes come from the teachers' negative experiences that they had during their own primary and secondary education, and these attitudes persist during their training. Primary schools teachers play a crucial role in enhancing the positive attitudes of students towards science (Walma et al., 2013). Moreover, there is a clear evidence from the previous studies that the primary science teachers with less positive attitudes share a number of characteristics, such that: (van Aalderen-Smeets et al., 2012)

- They have lower confidence and self-efficacy beliefs about teaching science.

- They spend less time discussing and teaching these topics in their classrooms.
- They rely more on standardized methods and top-down instruction.
- They are less able to stimulate the attitudes of their students.

Obviously, the development of students' positive attitudes regarding chemistry as a school subject is one of the major responsibilities of every chemistry teacher (Cheung, 2011), however a major problem remains that school teachers are not adequately trained to teach science (van Aalderen-Smeets et al., 2012). Professional development should therefore pay explicit attention for improving the attitude of pre-service science teachers towards science (Walma et al., 2013). The content courses and pedagogical content courses have a significant role to develop positive attitudes towards teaching profession. If pre-service teachers develop a positive attitude towards their profession, they will develop creative thinking, motivate their students more easily, and adapt their verbal and non-verbal messages to their students (Akbulut & Karakus, 2011).

Therefore, improving science teachers' attitudes towards science is one of the major challenges in today's science education (Walma et al., 2013) and teacher education have a major role to form the pre-service teachers' thinking towards teaching profession. This research investigates the attitudes of pre-services teachers towards chemistry that are; pre-services teachers' attitudes towards lecturer class in chemistry, pre-services teachers' attitudes towards tutorial classes in chemistry and pre-services teachers' attitudes towards laboratory classes in chemistry. These findings to evaluate learning experiences of chemistry, along with their attitude-towards-chemistry in first year in lecturer classes, tutorial classes and laboratory classes.

RESEARCH QUESTIONS

This study addressed the following questions:

1. What are the pre-services teachers' attitudes towards studying Chemistry?
 - What are the pre-services teachers' attitudes towards lecturer classes in Chemistry?
 - What are the pre-services teachers' attitudes towards tutorial classes in Chemistry?
 - What are the pre-services teachers' attitudes towards laboratory classes in Chemistry?
2. Are there any differences in pre-services teachers' attitudes in Chemistry according to their gender and race?

AIMS

This study aims to study the (1) pre-services teachers' attitudes towards lecturer classes in chemistry, (2) pre-services teachers' attitudes towards tutorial classes in chemistry (3) pre-services teacher teachers' towards laboratory classes in chemistry and (4) to test the differences in pre-services teachers' attitudes in Chemistry according to their gender and race.

RESEARCH METHODOLOGY

Research Sample

The sample in this study was randomly selected from first year chemistry students in FSM-UPSI, those students studying to be science teachers in the future. Table 1 below shows the sample for this research. The participants' sample consisted of 70 pre-service teachers. There are 10 male and 60 females. On the other hand, there are 34 Malay, 23 Chinese and 13 Indian. In other words, the majority of the sample are female 85.7% (51.7% of them are Malay, 33% Chinese and 15% are Indian) while Male students formed 14.3% with equal percent within race variable.

The Instrument

The survey is aimed to collect data about: (1) pre-services teacher attitudes towards lectures classes in chemistry, (2) pre-services teacher attitudes towards tutorial classes in chemistry and (3) pre-services teacher attitudes towards laboratory classes in chemistry. The survey instrument used in this study was developed based on literature review. It is not a test instrument but it is a descriptive one.

To measure what influence students learning experiences might have upon their attitude towards chemistry, Dalgety, Coll, & Jones (2003) developed the Chemistry Attitudes and Experiences Questionnaire (CAEQ). The final version of the CAEQ consists of three categories scales; experiences during first year chemistry class about class lecture, class tutorial and class laboratory. The attitude-toward-chemistry scale contains a total of 35 questions, across three subscales: 10 questions of experiences in lecturer classes, 10 questions in tutorial classes and 15 questions about experiences in laboratory classes. This scale have 5 point Likert with response options: (1) strongly disagree, (2) disagree, (3) neutral, (4) agree, and (5) strongly agree.

The Validity

One concept of validity is how faithfully the set of items in an instrument correspond to that attribute in which the researchers are interested. To enhance clarity and conciseness, the English teachers made suggestions about the terminologies of some items and modified them into Malay language according to the sample characteristics. Then, a Malay Language teacher from each school retranslates the statements into English. Both the translated and original piece is examined. Both the translated and original instrument are the same.

The Reliability

The Cronbach's alpha, and split –half procedures were used to obtain the reliability estimate of the instrument, the results were summarized in Table 2. George and Mallery (2003) proposed that Cronbach's alpha of 0.7–0.8 is acceptable; 0.8–0.9 is good; and ≥ 0.9 is excellent. . The results in Table 4 indicate that an alpha coefficient and split–half reliability test values are more than 0.8 for all the instrument's subcategories, they are higher than the values suggested by George and Mallery (2003). Therefore, the reliability of the instrument were considered to be acceptable. It was clear that the instrument is reliable and could be used to measure the pre-services teachers attitudes in chemistry about the teachers' experiences in first year in chemistry.

RESULTS

What is the pre-services teachers' attitudes towards studying Chemistry?

Basic descriptive statistics about the data collected for this research are summarized in Table 3. From the descriptive data in the Table 3, the pre service teachers have positive attitudes toward chemistry ($M=153.9$, $SD=13.07$). The other results showed that the student teachers' have a positive attitudes of learning experience in lecture class in chemistry ($M=37.829$, $SD=4.745$), a positive attitudes of learning experience in tutorials classes in chemistry ($M=38.014$, $SD=4.67$) and of learning experience in laboratory classes in chemistry ($M=57.129$, $SD=5.71$). The percent of the means range from 73 to 76%.

What is the pre-services teachers' attitudes towards lecturer classes in Chemistry?

Results in table 4 showed that the first two items are respectively (The lecture material is relevant to the course objectives, and Lecturer explain the problem clearly to me), all of those get a percent of mean more than 80%. On the other hand the last three items are respectively (Notes is interesting lecture, Chemistry lecturer has made me feel that I have the ability to continue learning in science, and It is easy to find lecturers to discuss issues).

What is the pre-services teachers' attitudes towards tutorial classes in Chemistry?

Results in table 5 showed that the first three items are respectively (The material presented in the tutorial is useful, Problem tutorial covers all parts of the course, and the material in this tutorial was presented in an interesting way), all of those get a percent of mean more than 85%. On the other hand the last three items are respectively (My tutor interested to know in my progress, my tutor encouraged me to take up chemistry papers, and it is easy to find a tutor to discuss issues) that gain a percent around 70%.

What is the pre-services teachers' attitudes towards laboratory classes in Chemistry?

Results in table 6 showed that the best item is (the experiment is interesting) with 83.4%, and the last item is (When writing in a book of practical experiments) that gain a percent around 67%. The other items are between 83-67%.

Are there any differences in pre-services teachers' attitudes in Chemistry according to their gender and race?

Students' attitudes towards chemistry were subjected to a two-way analysis of variance having two levels of gender (male/female) and three levels of race (Malay/Chinese/Indian). Table 7 shows the main ANOVA summary results. The main effect of gender was not significant, $F(1, 64) = 0.514, p = .476$. While, the main effect of race was significant, $F(2, 64) = 4.204, p = .019$. However, the interaction effect was significant, $F(2, 64) = 14.111, p = 0.001$. The plot of the mean "attitudes towards chemistry" score for each combination of groups of "Gender" and "Race" is plotted in a line graph, as shown in figure 1, and the results of the Multiple Comparisons (Scheffe test) for Race presented in table 8.

Figure 1 shows that gender type effects the Chinese and Indian students' attitudes towards chemistry. The Chinese males have more positive attitudes than the females Chinese students. On the opposite, the Indian female students have more positive attitudes than the Indian male students have. The results of the Multiple Comparisons (Scheffe test) presented in table 8 showed that there is a significant differences between the Malay and Chinese students, the Malay students have more positive attitudes towards studying chemistry than the Chinese students have.

1. LECTURES CLASS IN CHEMISTRY

Table 9 shows the main ANOVA summary results. The main effect of gender was not significant, $F(1, 64) = 0.651, p = .423$ and the main effect of race was not significant also, $F(2, 64) = 2.078, p = .133$. However, the interaction effect was significant, $F(2, 64) = 9.734, p = 0.001$. The plot of the mean "attitudes towards lectures class in chemistry" score for each combination of groups of "Gender" and "Race" is plotted in a line graph, as shown in figure 2. From figure 2 it is clear that gender type effects Malay, Chinese and Indian students' attitudes towards lectures class in chemistry. The Malay and Indian females have more positive attitudes than the males. On the opposite, the Chinese male students have more positive attitudes than the Chinese female have.

2. TUTORIAL CLASS IN CHEMISTRY

Table 10 shows the main ANOVA summary results. The main effect of gender was not significant, $F(1, 64) = 1.337, p = .252$. While, the main effect of race was significant, $F(2, 64) = 4.304, p = .018$. However, the interaction effect was significant, $F(2, 64) = 8.603, p = 0.001$. The plot of the mean "attitudes towards tutorial class in chemistry" score for each combination of groups of "Gender" and "Race" is plotted in a line graph, as shown in figure 3, and the results of the Multiple Comparisons (Scheffe test) for Race presented in table 11. Figure 3 shows that gender type effects the Chinese and Indian students' attitudes towards tutorial class in chemistry. The Chinese males have more positive attitudes than the females have. On the opposite, the Indian female students have more positive attitudes than the Indian male students have.

The results of the Multiple Comparisons (Scheffe test) presented in table 11 showed that there is a significant differences between Malay students on one hand and students on the other hand, Malay have more positive attitudes towards tutorial class in chemistry than the Chinese and Indian students have.

3. LABORATORY CLASS IN CHEMISTRY

Table 12 shows the main ANOVA summary results of students' attitudes towards laboratory class in chemistry. The main effect of gender was not significant, $F(1, 64) = 1.584$, $p = .213$ and the main effect of race was not significant also, $F(2, 64) = 2.523$, $p = .088$. However, the interaction effect was significant, $F(2, 64) = 10.437$, $p = 0.001$. The plot of the mean "attitudes towards laboratory class in chemistry" score for each combination of groups of "Gender" and "Race" is plotted in a line graph, as shown in figure 4.

Figure 4 shows that gender type effects the Chinese and Indian students' attitudes towards laboratory class in chemistry. The Chinese males have more positive attitudes than the females Chinese students. On the opposite, the Indian female students have more positive attitudes than the Indian male students do have.

Summary

This research aims at investigating the pre-service teachers' attitudes towards chemistry. The results reveal that pre service teachers have positive attitudes toward chemistry in general. Results showed that the most important items are (The lecture material is relevant to the course objectives, Lecturer explain the problem clearly to me, The material presented in the tutorial is useful, Problem tutorial covers all parts of the course, the material in this tutorial was presented in an interesting way, and the experiment is interesting).

Considering the different in pre-services teachers' attitudes in Chemistry according to their gender and race, the researcher used 2-way analysis of variance to compare the attitude toward chemistry according to the students' race (Malay, Chinese, and Indian). The main effect of gender was not significant, this showed that there are no any differences in pre-service teachers' attitude toward chemistry according to gender, while, the main effect of race was significant in "attitude towards chemistry in general" and mean "attitudes towards lectures class in chemistry". The results of the Multiple Comparisons (Scheffe test) showed that the Malay students have more positive attitudes towards studying chemistry than the Chinese students do, and Malay have more positive attitudes towards tutorial class in chemistry than the Chinese and Indian students have.

On the other hand, the interaction effect was significant in all the comparisons, the results showed that gender and race type effects the Chinese and Indian students' attitudes towards chemistry. The Chinese males have more positive attitudes than the females Chinese students. On the opposite, the Indian female students have more positive attitudes than the Indian male students have. Similarly, attitudes towards lectures class in chemistry. The Malay and Indian females have more positive attitudes than the males. On the opposite, the Chinese male students have more positive attitudes than the Chinese female have. Regarding the attitudes towards tutorial class in chemistry, the Malay and Indian females have more positive attitudes than the males. On the opposite, the Chinese male students have more positive attitudes than the Chinese female have. Results also shows that the Chinese males have more positive attitudes than the females Chinese students. On the opposite, the Indian female students have more positive attitudes towards laboratory class in chemistry than the Indian male students do.

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Table 1: The sample

	Female		Male		Total	
	Count	% within	Count	% within	Count	% within
Malay	31	51.7%	3	30.0%	34	48.6%
Chinese	20	33.3%	3	30.0%	23	32.9%
Indian	9	15.0%	4	40.0%	13	18.6%
Total	60	85.7%	10	14.3%	70	100.0%

Table 2: Results of Reliability Tests

The coefficient	Cronbach's alpha	
		split –half
Total Lectures Class	.841	.835
Total Tutorial Class	.823	.821
Total Laboratory Class	.867	.866

Table 3: Descriptive Statistic for Pre-Services Teachers Attitudes towards Chemistry

	Mean	%	Std. Deviation
LECTURES	37.829	75.7%	4.74562
TUTORIAL	38.014	76.0%	4.67337
LABORATORY	57.129	76.2%	5.71020
CLASS IN CHEMISTRY	132.971	76.0%	13.07722

Table 4: Descriptive Statistic for Pre-Services Teacher Attitudes towards lecturer

	Mean		Std. Deviation
1. The lecture material is relevant to the course objectives	4.157	83.1%	.500
2. Lecturer I took out about my progress in chemistry	3.929	78.6%	.598
3. The concepts introduced in the lecture materials which have been explained clearly	3.629	72.6%	.641
4. Lecturer me encouraged me to take up chemistry courses	3.729	74.6%	.962
5. Notes is interesting lecture	3.443	68.9%	1.002
6. Chemistry lecturer has made me feel that I have the ability to continue learning in science	3.543	70.9%	.716
7. Notes lecture presented clearly	3.757	75.1%	.806
8. It is easy to find lecturers to discuss issues	3.643	72.9%	.799
9. Teaching was presented in an interesting way	3.814	76.3%	.597
10. Lecturer explain the problem clearly to me	4.186	83.7%	.952

Table 5: Descriptive Statistic for Pre-Services Teacher Attitudes towards tutorial

	Mean		Std. Deviation

11.	Problem tutorial covers all parts of the course	4.000	80.0%	.511
12.	My tutor interested to know in my progress in chemistry	3.529	70.6%	.737
13.	Problems in the tutorial sheet relevant to the course	3.686	73.7%	.894
14.	My Tutor encouraged me to take up chemistry papers	3.486	69.7%	.864
15.	Materials tutorial helped me understand college courses	3.986	79.7%	.732
16.	Tutor chemistry has made me think has the ability to continue learning in science	3.857	77.1%	.856
17.	The material presented in the tutorial is useful	4.100	82.0%	.617
18.	The material in this tutorial was presented in an interesting way	4.000	80.0%	.417
19.	It is easy to find a tutor to discuss issues	3.471	69.4%	.696
20.	Tutor explain the problem clearly to me	3.900	78.0%	.640

Table 6: Descriptive Statistic for Pre-Services Teacher Attitudes towards laboratory

	Mean		Std. Deviation
21. Manual instructions contained in the laboratory is easy to follow	3.914	78.3%	.608
22. When writing in a book of practical experiments, relationship between the data and the results are clear	3.371	67.4%	.663
23. Demonstrator interested in my progress in chemistry	3.686	73.7%	.956
24. Practical experiments related to college	3.971	79.4%	.481
25. What is required in practical writing is clear	3.514	70.3%	.989
26. Laboratory assistant encouraged me to take up chemistry papers	3.929	78.6%	.573
27. The theory behind the experiment clearly presented	3.657	73.1%	.883
28. The purpose of the calculations required to write a practical book is clear	3.771	75.4%	.745
29. Chemical Laboratory Assistant has made me feel that I have the ability to continue learning in science	3.886	77.7%	.498
30. Laboratory manual, experimental techniques and practical writing are interrelated	3.886	77.7%	.526
31. What is required in practical questions while writing the book is clear	3.971	79.4%	.416

32.	It is easy to find a lab assistant to discuss the issue with me	3.743	74.9%	.716
33.	The experiment is interesting	4.171	83.4%	.701
34.	The amount of work required when writing a practical book is appropriate for the number of votes	3.986	79.7%	.551
35.	Laboratory assistant explained the problem clearly to me	3.671	73.4%	.557

Table 7: Tests of Between-Subjects Effects

Source	Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	4455.896 ^a	5	891.179	7.766	.000
Intercept	582200.110	1	582200.110	5073.607	.000
GENDER	59.036	1	59.036	.514	.476
RACE	964.759	2	482.379	4.204	.019
GENDER * RACE	3238.470	2	1619.235	14.111	.000
Error	7344.047	64	114.751		
Total	1249498.000	70			
Corrected Total	11799.943	69			

a. R Squared = .378 (Adjusted R Squared = .329)

Table 8: Multiple Comparisons (Scheffe test)

(I) ethnic	(J) ethnic	Mean Difference (I-J)	Std. Error	Sig.	95% Confidence Interval	
					Lower Bound	Upper Bound
Malay	Chinese	8.7558*	2.89209	.014	1.5077	16.0038
	INDIAN	6.9932	3.49314	.143	-1.7612	15.7476
Chinese	Malay	-8.7558*	2.89209	.014	-16.0038	-1.5077
	INDIAN	-1.7625	3.71701	.894	-11.0780	7.5529
Indian	Malay	-6.9932	3.49314	.143	-15.7476	1.7612
	CHINESE	1.7625	3.71701	.894	-7.5529	11.0780

Table 9: Tests of Between-Subjects Effects

Source	Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	488.502 ^a	5	97.700	5.869	.000
Intercept	45189.921	1	45189.921	2714.514	.000
GENDER	10.846	1	10.846	.651	.423
RACE	69.200	2	34.600	2.078	.133
GENDER * RACE	324.110	2	162.055	9.734	.000
Error	1065.441	64	16.648		
Total	101724.000	70			
Corrected Total	1553.943	69			

a. R Squared = .314 (Adjusted R Squared = .261)

Table 10: Tests of Between-Subjects Effects

Source	Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	436.050 ^a	5	87.210	5.212	.000
Intercept	48078.059	1	48078.059	2873.185	.000
GENDER	22.378	1	22.378	1.337	.252
RACE	144.033	2	72.016	4.304	.018
GENDER * RACE	287.908	2	143.954	8.603	.000
Error	1070.936	64	16.733		
Total	102663.000	70			
Corrected Total	1506.986	69			

a. R Squared = .289 (Adjusted R Squared = .234)

Table 11: Multiple Comparisons (Scheffe test)

(I) ethnic	(J) ethnic	Mean Difference (I-J)	Std. Error	Sig.	95% Confidence Interval	
					Lower Bound	Upper Bound
Malay	Chinese	2.6292 [*]	1.10440	.020	4.229	4.8354

	INDIAN	2.8733*	1.33392	.035	.2085	5.5381
Chinese	Malay	-2.6292*	1.10440	.020	-4.8354	-.4229
	INDIAN	2441	1.41941	.864	-2.5914	3.0797
Indian	Malay	-2.8733*	1.33392	.035	-5.5381	-.2085
	CHINESE	-.2441	1.41941	.864	-3.0797	2.5914

Table 12: Tests of Between-Subjects Effects

Source	Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	673.068 ^a	5	134.614	5.464	.000
Intercept	109676.270	1	109676.270	4451.671	.000
GENDER	39.014	1	39.014	1.584	.213
RACE	124.321	2	62.160	2.523	.088
GENDER * RACE	514.260	2	257.130	10.437	.000
Error	1576.774	64	24.637		
Total	230707.000	70			
Corrected Total	2249.843	69			

a. R Squared = .299 (Adjusted R Squared = .244)

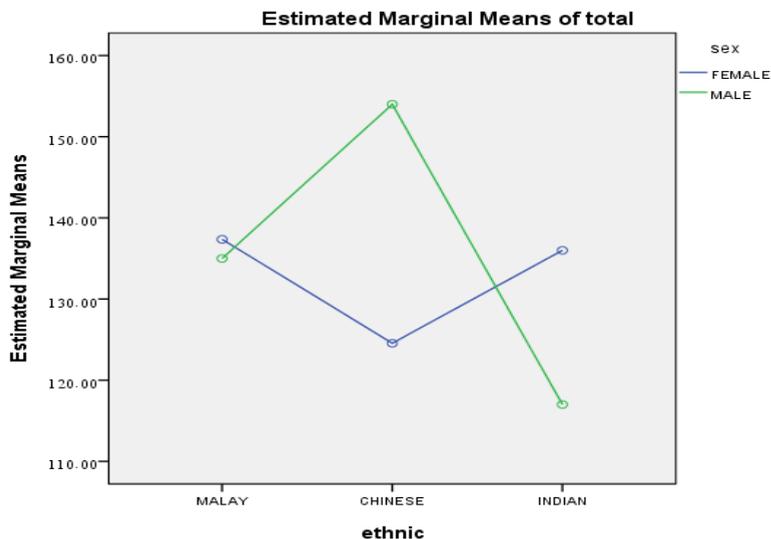


Figure 1. Effects of gender and race on attitudes towards chemistry

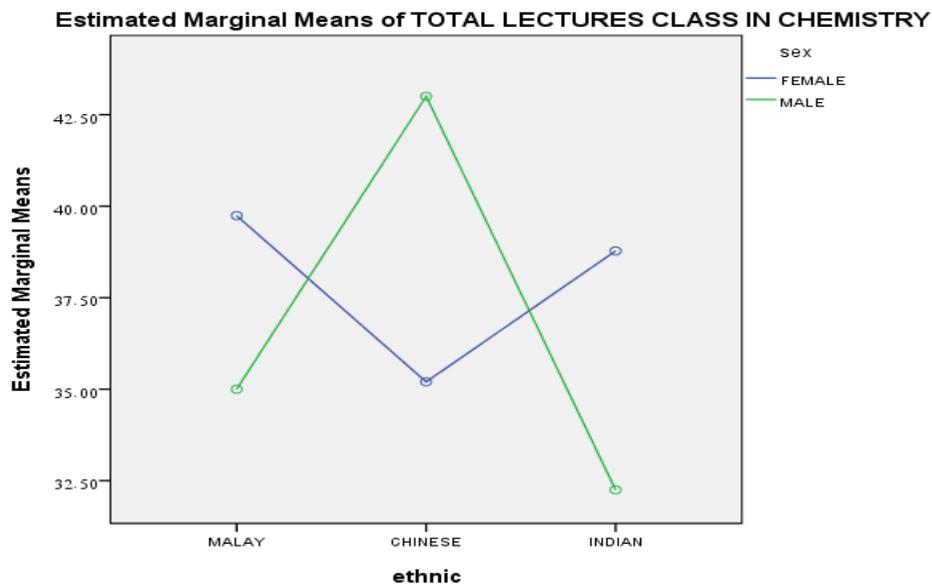


Figure 2. Effects of gender and race on attitudes towards

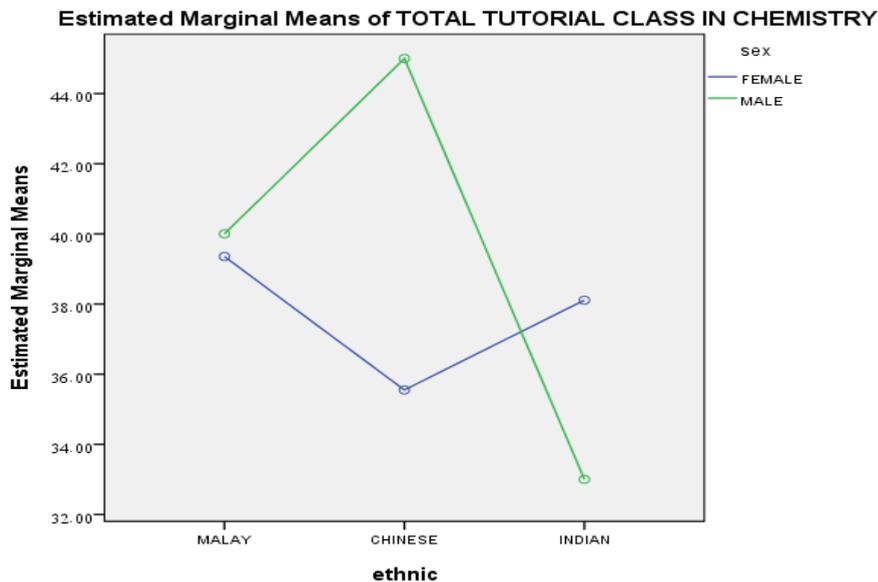


Figure3. Effects of gender and race on attitudes towards chemistry

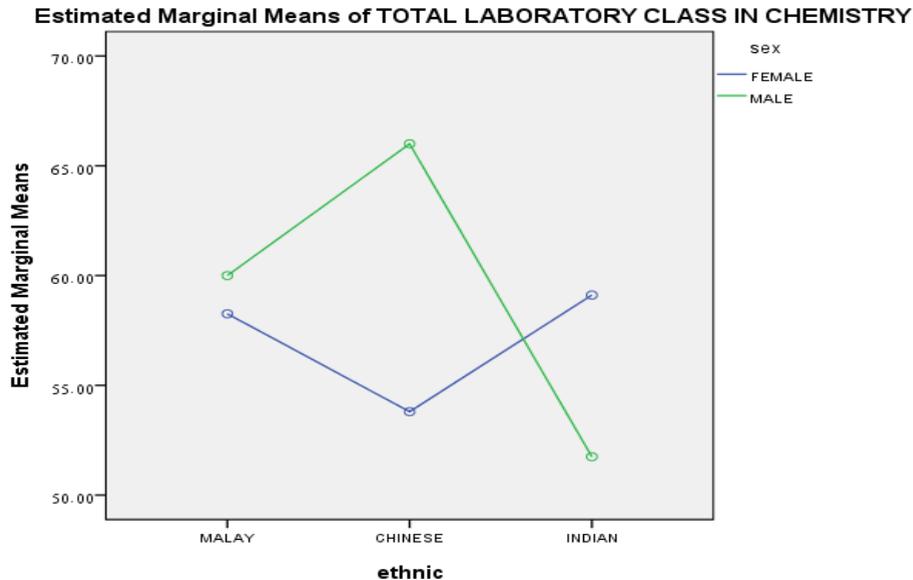


Figure 4. Effects of gender and race on attitudes towards chemistry

Arabic Language Influence on the Iraqi EFL Tertiary Learners' Use of Grammatical Cohesive Devices in their Argumentative Essays

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Abstract

This study intends to shed light on the significant role that language rhetoric and cultural differences play in affecting the EFL learners' written discourse. Thus, it investigates the effects of Arabic language as a mother tongue (L1) on the use of English grammatical cohesive devices in the argumentative essays of 20 Iraqi EFL tertiary students in their third year study in English Department, College of Arts, Al Iraqiya University. By identifying Arabic rhetoric and the cultural differences that are involved in the students' use of grammatical cohesion, it will be able to determine which types of grammatical cohesion are actually influenced and which are more affected. In addition, it intends to identify the effects of Arabic as L1 through exploring the Iraqi students' appropriate and inappropriate uses of English grammatical cohesive devices in their argumentative essays. To achieve this, it employed two writing tests: pre and post as well as a background educational questionnaire. First, a background educational questionnaire was administered on 90 students. It included some questions which asked the participants about the usefulness and role of Arabic writing in general and grammatical cohesion in specific in their English essays. Next, a diagnostic test, including two topics, was given to the participants and they were asked to choose one of them in order to write an argumentative essay. The purpose of this test was to elicit information about the students' ability to use appropriately the different types of grammatical cohesion in their argumentative essays. For post- pre-test, the participants received a training in cohesion and coherence similar to CATW approach in which they were trained, in a whole semester, on way to read a passage critically and make a paraphrase and then write an argumentative essay based on this paraphrasing. At the end of the semester, they sat for a final test in which two reading passages were given to the students and they were asked to write an argumentative based on them. The findings of the two writing tests, based on a qualitative content analysis, indicated that the participants, in the final test, used more appropriate uses of the four types of grammatical devices (reference, substitution, ellipsis and conjunctions). Based on a contrastive analysis, the results also revealed that the influence of Arabic in the pre test was very clear. In contrast, the influence of L1 in the final test was considerably less than that in the pre-test. Additionally, the results of the questionnaire showed that Arabic writing and its grammatical cohesive devices have a big influence on the use of English grammatical devices in the students' argumentative essays.

Keywords: grammatical cohesion, reference, substitution, ellipsis, conjunction, Arabic rhetoric

1. Introduction

Good writing is usually characterized by the use of certain grammatical and lexical features including the use of syntactic structure, various cohesive devices; grammatical and lexical, coherence, synonymy, etc., all of which could exhibit a great influence on the reader's understanding of a text. All these implements are significant for students to have a strong command of language and an understanding of text dynamics if they plan to become good and strong writers. In this respect, it could be argued that these can be challenging aims for any writer and accordingly, they cause serious problems for EFL/ESL writers. In particular, Iraqi EFL students have difficulty precisely judging their writing mistakes and resolving fuzzy writing problems. When they produce their essays, grammatical, lexical and organizational aspects are noticed by their instructors. These aspects are only addressed in general terms without identifying the real reasons the cause them.

It is argued that a readable text needs strong organization, the use of different cohesive devices for the purpose of relating the ideas of text together in a cohesive way. If sentences are not woven together, and if sentences are not well-controlled with effective variety of structure (CUNY Assessment Test in Writing [CATW], 2010), within an obvious organized text, the writer will not express his/her ideas clearly.

This paper concentrates on the influence of Arabic language rhetoric on the use of grammatical cohesive devices in Iraqi EFL tertiary students' argumentative writings. Thus, much will be paid about the effects of cultural differences as well as

the Arabic grammatical cohesive devices used in Arabic on the students' use of English devices in their writings. Using Hyland's (2000) model of contrastive rhetoric, the study intends to shed light on how grammatical cohesion used in Arabic language could interfere with the use of their English equivalents.

A number of researchers and scholars investigated the use of cohesive devices in EFL context and in Arab speaking students' writings and found out that interlingual differences between Arabic and English caused big problems for the students in their use of cohesion and coherence. According to Hinkel (2004), writing in a foreign language can cause a number of difficulties for EFL students to be aware and able to use the conventions and features of academic writing. In connection with Arabic EFL context Khalil's (1989) study was one of the important researches which clarified the overuse certain types of lexical cohesive devices that Arab learners use in their compositions. In contrast, they underuse the other types of lexical and grammatical links because of the influence of interlingual interference. Rabab'ah (2003) and Al-Khnesheh (2010) argue that essay writing is considered a difficult task for non-native students, especially for Arab learners because of interlingual differences between Arabic and English in addition to the effects of using translation in difficult words rather than teaching vocabulary in context.

What makes the present study differs from other studies is that its main concern is directed to explore how L1 rhetoric could affect the appropriate use of grammatical cohesive devices in the Iraqi students' argumentative writings.

a. Arabic Language Rhetoric

The study of language rhetoric is dated back to the late 1960s where Kaplan (1966) 600 expository texts written by different language groups. This work is generally considered as the beginning at a new stage of ESL writing research since it was the first major attempt to study different rhetorical patterns in the writing of L2 students from different L1 groups (Connor 1996). This type of research has become to be known as contrastive rhetoric. Contrastive rhetoric studies have investigated L1-L2 transfer by examining EFL/ESL essays only which are based on cultural rhetoric conventions. According to Kaplan and Grabe (1996), contrastive rhetoric later draw on discourse analysis and text linguistic research to find out how students' writing could be analyzed at the discourse level as a means of understanding the different patterns of organizational preferences in students' writing.

The present study, following Hyland's (2005) model of contrastive rhetoric and Halliday and Hasan's (1976) cohesive devices, tries to identify the influence of Arabic rhetoric on the appropriate use of grammatical cohesive devices in the Iraqi students' argumentative essays. Specifically, it makes a contrastive analysis of the similarities and differences between Arabic and English in the use of grammatical cohesion in writing.

More specifically, Iraqi Arabic written discourse is influenced by the Arabic culture where the Arabic language and Islam is the essence of Iraqi culture. Arabic language is the medium of instruction at all levels. What distinguishes Arabic from English is that, as Connor and Kaplan (1987) argues, Arabic is very close to highly poetic language. This is significant in Iraqi and Arab culture because the written language and written rhetorical strategies used are looked at as means for retaining the audience attention as well making the message agreeable to the audience (Zaharna 1995: 244). Therefore, the role of the listener in Arabic language is heightened. Besides, as Zaharna (1995) points out, the burden of meaning, in western rhetoric, falls on the person delivering the message. On the other hand, Arabic prefers to put more emphasis on the context of the message than the message itself.

Accordingly, it is important stating that, though the features used in an Arabic text are almost the same as those used in English, the way of using them is obviously different. For instance, the conjunction "and" "wa" in Arabic is used in written discourse to stand for more than one relation. It is normally used as an additive conjunction to connect two similar sentences or phrases. It is also used as a temporary conjunction to mean "then", and sometimes used a contrastive conjunction meaning "but" or "however" and so on. An explanation of the Arabic grammatical cohesive devices will be offered in the section of data analysis.

1.2 Purpose of the present Study

Because of the great influence that L1 rhetoric and cultural differences can cause in shaping the EFL learners' written discourse, particularly in the respect of using grammatical cohesive devices in argumentative essays, this study intends to achieve the following objectives:

1. To evaluate the influence of Arabic language rhetoric and cultural background on the use of grammatical cohesive devices in the Iraqi EFL tertiary students' argumentative essays.
2. To examine how the students' L1 differences could affect their appropriate use of grammatical cohesive devices in their argumentative essays.

2. Methodology

2.1 Participants

The participants of the study were Iraqi native speakers of Arabic language studying English language in their third year in the Department of English, College of Arts, Al-Iraqiya University. The number of the sample was 110 male and female students: 20 subjects for the qualitative method and 90 for the quantitative since according to (Creswell 2005), the number of the subject in a qualitative study is between 1, 2 until 30 or 40. The subjects were selected through purposive sampling. According to Maxwell, purposive sampling is a type of sampling in which, "particular setting, persons, or events are deliberately selected for important information they can provide that cannot be gotten as well from other choices" (87). The justification behind selecting third year students is that they are taking essay course in this year. Above, at this level it is expected that the subjects have been exposed more extensively to English language writing through the first two study years and hence, their use of cohesion could be examined easier.

2.2 Instruments

The instruments used for this study were: (a) writing task consisting of (1) diagnostic (pre-test) which consisted of two topic they were asked to choose one of these topics and write an argumentative essay, (2) regular assignments included four passages given to the participants and they had to read them critically, make a summary of the whole passage with writing notes of the most important ideas it contains, and then write an argumentative essay based on the summarized passage, (3) final (post-test) was given to the students at the end of the semester and immediately after the training had completed. In that test, two passages were given to the participants and they had to choose one to make summary and write an argumentative essay as was done in the training. In addition, the study used (b) a background educational questionnaire.

2.3 Procedure

First, the students were informed of the nature of the present study which includes a pre-test, training course and a post-test. They were given enough explanation about the nature of the training they will receive. In fact, they were told that this training is of great benefit for the students since it helps them improve their writing skill and give them the opportunity to analyze, judge and summarize reading passages in a critical thinking which is not so familiar to them. As a result, more than 30 thirty students were willing to participate in the semester training. In this respect, the instructor of the writing course, helped too much in explaining the nature of the training course in which they will be enrolled. After that, the researcher and the instructor decided to choose 20 students as participants from their two classes and then gathered in one class to receive the training.

Before conducting the main study, a pilot test was carried out on five students from the third stage of the English Department in the College of Arts, Al-Iraqiya University. First, it was made for the background educational questionnaire in which the students were given a survey of 18 questions, some of them focus on the way the students see the influence of their Arabic writing on English writing and their use of English grammatical cohesive devices in their argumentative essays. Later, in the following day the pre-test was piloted in which the subjects assured that the two subjects given to them were familiar because they were taken from their textbook. In a similar way, before administrating the final test, a pilot test was also

done. By doing the pilot test, the researcher had a good insight of the time assigned for each instrument and how each one is practically administered.

After each participant had been further contacted and agreed to participate, the questionnaire questions were given to 90 students and they were told to answer in their class by ticking and in some items by giving very short answers on the paper of questions itself. Before they started to answer the questions, an extensive explanation was supplied to them in order they can respond easily. Further, they were informed that these questions should be answered accurately by them since this questionnaire is very important in providing the research with valuable information about their status in the area of the present study.

Concerning the writing task, in order to make it easier for students to complete, certain issues were taken into consideration in choosing the topics of the pre and post writing. The researcher aimed at selecting those topics which could be available in their textbook that may be familiar to them. In addition, one of the important considerations in the process of selecting the topics was the extent to which the topic induces the participants to use the different type of grammatical cohesive devices in their essays.

On the first administration, a diagnostic test as a pre-test was given at the beginning of the semester. This test consisted of two topics in which the participants were asked to write an argumentative essay within 90 minutes. After having collected the diagnostic essays, an analysis of the written work was performed by two professional raters and me with the purpose of having a rating of the participants' writing, which provided the researcher with some information of the level of grammatical cohesion they had achieved in their argumentative essays.

The following week, a training in cohesion and coherence adapted from CATW training started in which the researcher with the help of the instructor explained the aim of this training to the participants. Since this training is not followed in the teaching of essay writing in Iraq, the researcher himself, instead of the instructor, gave it to the selected 20 participants with some help of the instructor. Those 20 subjects had been gathered in a separated class and given the training two hours a week. The task of the researcher was to give a reading passage to the participants and asked them to read critically and then write an essay after summarizing the passage. Before giving them the assignments, the researcher provided the subjects with samples of CATW essays and explained extensively the steps in which the passage could be read and summarized and then how to write an argumentative essay based on the critical reading of the passage. In this training, the participants were given four passages and wrote four argumentative essays. After collecting the essays from the subjects, the researcher takes the papers with him to write his comments on the paper and the next day he brings them to the class. Inside the class he gives every participant his paper and starts to explain orally the comment more clearly so that the participant could understand his/her mistakes clearly. After he finishes his comments, he gives every participant a copy of his/her essay and keeps the original paper (essay).

At the end of the semester and before the mid of May, 2015, the participants took the final test essay as a post-test. The same procedures followed in the diagnostic test were repeated. The participants were also given two passages and were asked to choose one of them to summarize and write an argumentative essay depending on CATW training. The post-test helped in showing the differences in the use of grammatical cohesive devices and how certain elements contributing to cohesion had developed over the semester training.

2.4 Data Analysis

3.4.1 Qualitative Coding

As the present study is a case one of a mixed mode methods, qualitative and quantitative, the analysis of its data has been done both qualitatively and quantitatively. For the purpose of analyzing the participants' written pieces, a qualitative descriptive analysis based on Halliday and Hasan's model was employed to count the actual numbers of the four types of grammatical cohesive devices used in the students' pre and post- tests. A qualitative content analysis was also used to analyze the devices appropriate and inappropriate uses. On the other hand, a quantitative analysis based on SPSS descriptive statistics was used for the purpose of analyzing the questionnaire data.

In the analysis of students' written pieces, the researcher accomplished it according to the following steps: (1) collected 40 pieces, 20 for diagnostic test and the other 20 for the final test; (2) counting the use of grammatical devices according to its classification in each table of grammatical cohesive devices; (3) categorizing the grammatical cohesive devices.

According to (Kohlbacher 2006: as cited in Hasanah 2013), 520, qualitative content analysis has two basic procedures: (1) summary, and (2) structuring. For the first procedure, he recommended to sum up the data in order to reduce number of information and highlight only its important parts. In a similar way, the study reduces the number of data by distinguishing important point from each student's writing. For the structuring step, the researcher made a division of the unit of analysis according to the grammatical cohesion theory. In doing so, the researcher structured the discussion to display the texture of the writings of the students to find out whether grammatical cohesive devices are appropriate or not. Therefore, the discussion about reference, substitution, ellipsis and conjunction is shaped according to the grammatical cohesion theory.

2.5 Findings and Discussion

This section is used to answer the objectives of the study which are 1) the effects of Arabic language rhetoric and cultural background on the use of grammatical cohesive devices by Iraqi EFL learners in their argumentative essays and 2) the influence of L1 differences on the students' appropriate use of grammatical devices. In order to answer the study's problem, the section is divided into two sub-divisions. The first section aims at showing the difference in the grammatical cohesive devices use by Iraqi students in their diagnostic test and final test. The second displays a comparison between the percentages the appropriate and inappropriate uses of each type of the grammatical devices in the diagnostic test and final test. Table 1 and table 2 show the difference in the use of grammatical cohesive devices between the participants' diagnostic and final essays.

Table 1 *Participants' Use of Grammatical Cohesive Devices in Diagnostic Essays*

Types of Grammatical Cohesive Devices	Students' Grammatical Cohesive Devices Use	
	N	%
Reference	400	63.90 %
Substitution	1	0.16 %
Ellipsis	1	0.16 %
Conjunction	224	35.78 %
Total	626	

Table 2 *Participants' Use of Grammatical Cohesive Devices in Final Essays*

Types of Grammatical Cohesive Devices	Students' Grammatical Cohesive Devices Use	
	N	%
Reference	501	61.93 %
Substitution	2	0.25 %
Ellipsis	5	0.62 %

Conjunction	301	37.21 %
Total	809	

The findings in table 1 and table 2 revealed that the participants of this study employed more reference and conjunction in both diagnostic and final essays. Their use of the four types of grammatical cohesive devices was better in the final test. Anyhow, their use of substitution and ellipsis are insufficient in the two tests.

According to Hyland's (2005) contrastive rhetoric, the participants employed more two categories of interactive markers: transitions such as, (and, also, but and therefore) and frame markers such as, (finally, to conclude and in conclusion). On the other hand, they also overused self-mentions as interactional markers. They used more personal pronouns like (I, we, my, our).

2.5.1 Arabic language Influence on the Participants' use of Grammatical Cohesion

From the results of pre and post tests, it was found that the participants overused personal pronouns, demonstratives, additive conjunctions and some adversative and causal conjunctions. Though, their use of grammatical devices improved both in number and in appropriateness in the final test, they, in both essays, focused on the use of personal pronouns: subject, object and possessive as well as the demonstrative references such as, "the", "this" and "these". In addition, they used more the additive conjunctions, "and", "and then" and "also". They also overused the adversative conjunction "but" and the causal conjunctions "because" and "so".

The participants' overuse of these grammatical cohesive devices could be due to the clear influence of their mother tongue (L1). In Arabic language, EFL learners and writers as well concentrate on the use of such personals like (hadha) "this" and (hadhihi) "these" even there is no noun being referred to. Arabic language also uses the definite article "the" almost before every noun, singular or plural. That's why, Iraqi students employed more these references in their diagnostic and final essays. In the respect of using conjunction, it could be argued that Arabic language prefers to use the additive conjunction (wa) "and" and (fa) "and then" and almost in every sentence (Al-Shurafa 1994). These conjunctions are used in the middle as well as at the beginning of the sentence. Another additive conjunction which is extensively used in Arabic is (kadhalik) "also". For this reason, most of the participants' uses of additive conjunctions were the use of "and" and "also". The participants employed a high number of the causal conjunctions "because" and "so" since their Arabic language overuses these conjunctions (wathalika lianahu) "because" and (lithalika) "so".

Table 3 *Grammatical Cohesive Devices Appropriate and Inappropriate Use in Diagnostic*

Essay

Type of Grammatical Cohesive Devices	Appropriate Use		Inappropriate Use	
	N	%	N	%
Reference	298	74.5 %	102	25.5 %
Substitution	1	100 %		
Ellipsis	1	100 %		

Conjunction	131	58.49 %	93	41.51 %
Total	431	68.85 %	195	31.15 %

Table 4 *Grammatical Cohesive Devices Appropriate and Inappropriate Use in Final Essay*

Type of Grammatical Cohesive Devices	Appropriate Use		Inappropriate Use	
	N	%	N	%
Reference	454	90.62 %	47	9.38 %
Substitution	2	100 %		
Ellipsis	4	80 %	1	20 %
Conjunction	268	89.04 %	33	10.97 %
Total	728	89.99 %	81	10.01 %

2.5.2 The Influence of Arabic Language on the Participants' Appropriate Use of Grammatical Cohesion

Table 3 and table 4 indicate that the participants' appropriate use of grammatical cohesive devices was better in their final essay. This improvement in the appropriate uses is justified by the effect of the training in cohesion and coherence which enabled the students to receive the writing training in an English environment that could reduced the effects of Arabic environment effects.

Accordingly, most of the inappropriate uses that the students committed in their use of grammatical cohesion are due to the influence of Arabic and its cultural differences. Thus, it could be explained that their use of some personal pronouns is a reflection of Arabic use. For example, they used subject or object pronouns together with its noun in the same sentence as in, *The woman she took care of her children in a respected way.* In a similar way, they employed the demonstrative "the" almost before every noun, in that they looked at it as a grammatical article with the effects of their Arabic use. For instance, a sentence like the following was most used, *The education is considered very important for ever persons in the life.* They used the definite article in such a way because they are unaware of the way these devices are used as cohesive devices and it is also due to the influence of their L1. In Arabic, these words are normally preceded by the definite article in exception of being common nouns or not.

Moreover, most the participants' diagnostic essays uses of the additive conjunctions "and", "also", the adversative "but", the causal conjunction "so" and a number of the uses of "because were committed under the influence of their Arabic use of

these devices. They used these additive conjunctions in different places in sentence. A high number of "and" was used inappropriately at the beginning of the sentence and some of these uses were repeated in the same clauses or sentences without using a comma since comma is not used as a conjunction in Arabic. The same explanation is said for other causal conjunctions.

What has been illustrated in the participants' written pieces in the respect of the influence of Arabic rhetoric on their appropriate uses of grammatical cohesive devices in their argumentative essays is confirmed by their responses in the questionnaire. Most of them reported that Arabic writing helps them in English grammar building, vocabulary meaning and translation. Some see that it is helpful in the aspect of essay writing. This means that they depend on Arabic vocabulary and translation when they write their English essays.

Similarly, the majority of the participants found that grammatical cohesive devices used in Arabic writing affect the use of these devices in English writing. The majority of the participants (60 participants) asserted that the grammatical cohesive devices they use in their first language could be used in their English writing.

CONCLUSIONS AND SUGGESTIONS

Conclusion

From the findings and discussion above, it can be concluded that the participants' use of grammatical cohesive devices as well as their appropriate use of these devices are considerably affected by their L1 (Arabic language) and the cultural differences which are involved in the students' use of grammatical cohesion in their argumentative essays. However, the influence of Arabic rhetoric was reduced in their final essays due to the effects of the training in cohesion and coherence they received over a semester.

Suggestion

As the data of this study have been collected and the results have been analyzed, the researcher proposes suggestions regarding the findings as follows: 1) to conduct the influence of Arabic rhetoric on the use of grammatical cohesion in Arab spoken discourse and 2) to conduct the use of grammatical cohesive devices in the writings of Arab EFL learners and in those of English speaking learners.

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Application Cases of Main Tourist Destination Competitiveness Models in Different Countries of the World, Especially in Balkan Region Destinations.

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Abstract

The aim of this paper is to bring into consideration and describe the application of some of the main tourist destination competitiveness models implemented in different countries of the world and especially in Balkan region destinations. Destinations like Croatia, Romania, Bulgaria, Italia, Slovenia and some other wellknown like Taiwan, Caribbean islands and Sinaloe-Mexico are included in this study. The above cases are part of a literature review process related to this topic. These cases highlight the technical profile of the models and do contribute to facilitate the selection and implementation process of the appropriate model in similar countries or destinations not yet implemented. Different researchers of the field may provide a good understanding of the current tourism competitiveness situation in the regions here included and also of the way tourism competitiveness models needs to adapt to the study objectives and specific circumtainsces of each case/ destination.

Keywords: Tourism competitiveness, tourist destinations, competitiveness models.

1. Introduction

There are different tourism destination evaluation models available and different circumstances that limit the applicability of them. In this reviewing article may be find different situations, where these models are applied and how they are applied. Here, the destinations are chosen by taking in consideration their geographical position similarities and particularities from island to continental geo-position, from europian to exotic destinations; and their political history, from western countries to former socialist countries.

1.1 Slovenia Case

To analyze the competitiveness of Slovenia as a tourist destination as well as its competitive advantages, Gomezelj and Mihalic (2008) applied two different models, respectively, De Keyser & Vanhove model and the integrated model of Dwyer & Kim. Referring to these two models, the study aimed to identify individual determinants and competitive indicators perceived as such by the Slovenian tourism experts.

According to De Keyser-Vanhove model, there are five factors that do affect the competitiveness of the destination, as follows: the tourism policy, macroeconomics, supply, transportation and demand factor. While according to the integrated model of Dwyer and Kim (2003), the determining factors are grouped into six categories, respectively, the inherited resources, created resources, the supporting factors, the destination management, the tourism demand and situational conditions.

The analysis was conducted through 291 questionnaires addressed to government officials, managers of travel agencies, managers of the hospitality sector, tourism high school academics, managers of tourist services, post-graduate tourism courses students, and local tourism organizations employers. Also, the analysis involved a total of 85 indicators (attributes) and the responses of each of the individuals surveyed were grouped in each of six categories of Dwyer & Kim Integrated model. The processing of data collected through the questionnaire instrument resulted in the following situations: Regarding of the Inherited resources group, the highest ranking position was given to the attributes like: the nature of undiscovered flora and fauna, climate, traditional arts, the destination cleanness, national parks, heritage, artistic and architectural features and historical sites. In the created resources group factor attributes like: resorts and health/spa, visitors accessibility to natural areas, culinary abilities, casinos, outdoor activities, accommodation, easy access to food services, rural tourism, sports, winter activities, the existence of special programs for visitors, guides and information to tourists, special events/festivals, recreation, aquatic activities, efficiency and quality of local transport, efficiency and quality of the

airport, nightlife, community support to special events and amusement parks, have been identified as the most competitive factors of Slovenia.

In the Supporting Factors group, individuals ranked as most competitive factors as follows: residents hospitality, communication and confidence between tourists and residents, telecommunications system, the quality of tourist services and financial institutions facilities, and exchange rates offices availability. While as the less competitive attributes, they ranked variables like as: the customs office efficiency, visa legal requirements, health services to tourists and animation activities. In the Destination Management group, tourists prioritized factors in the order as follows: residents support to the tourism development, the evaluation importance of service quality, private sector awareness of the sustainable tourism development importance, good entrepreneurial skills of tourism local businesses, destination's vision reflecting the tourists' values, tourism services quality, the destination's vision reflecting community values, employees education in tourism sector, the destination's vision reflecting the tourism experts values, development and promotion of new tourist products, existence of appropriate tourism education programs, the cooperation between firms, private and public sector engagement in tourism industry, public awareness to the sustainable tourism development importance, governmental cooperation in tourism development policy and the level of foreign investment in the tourism industry. In the Situational Conditions group, individuals prioritized factors in the order as follows: the security and visitors protection, political stability, worth of money to the tourist experiences in destination, worth of money to the accommodation, the characteristics of shopping, the use of IT by firms, the managers skills, the use of e-commerce, investment environment and cooperation between public and private sectors, are regarded as factors that make Slovenia as very competitive destination. In terms of Tourism Demand group, the general image of the destination, the compatibility between the destination's products and tourists' preferences, international awareness of destination and its products, are the main attributes identified and ranked according to their importance in the destination competitiveness profile.

1.2 Slovenia and Croatia frontier area Case

Vodeb (2012) assessed the tourism competitiveness of seven tourist destinations located in the cross-border area between Croatia and Slovenia. This study aimed to identify the variables that affected the cross-border cooperation. The study used Calgary model of destination competitiveness developed by Crouch and Ritchie (1993). Providers of tourism products had to evaluate from 1 point to 5 points competitiveness factors according to Calgary model and labeled as: destination attraction, destination management, the organization, and information and destination efficiency. This study used factor analysis and its relevant tests to examine the sufficiency or adequacy of samples and data. Using factor analysis, it was reduced a large number of variables to a smaller number, called factors. The factors identified in this case were as follows: cooperation and integrated tourism supply, residents, destination competitiveness evaluation and functions of the tourist destinations organizations.

By the implementation of Calgary model of evaluating the destinations competitiveness for both countries, Croatia and Slovenia, resulted that the highest average value was for attributes like destination attraction and less evaluated for efficiency, management, information and organization.

1.3 Romania Case

Bobirca (2006) in her study was focused on identifying the factors that determine significantly the competitive and comparative advantages of the tourist destination of Romania. For this purpose, the author used Porter's Diamond model to identify the competitive advantages of national tourism of Romania in each of the four determinant factors proposed by Porter (1990) strategy, structure and rivalry of firms; demand conditions; related and supporting industries; governmental role and factor conditions. The empirical results by application of the Porter's model showed that in the factor conditions, Romania has a competitive advantage and on the following elements: geographical position, large variety of tourist products, low labor cost, positive attitude toward tourism. For the second factor that of demand conditions, have been identified as important these elements: large population, the low purchasing power of domestic demand, falling demand for resorts on the coast, and the increasing sophistication of domestic demand. About the third factor, that of related and supporting industries, the authors identified the following elements: Poor distribution and promotion networks, but still developing, low degree of coordination and clustering. Finally, about strategy, structure and competition, the authors

evaluated as important elements of the recent privatization, the low level of competition outside the main cities, the support of the weak, but improving, government, weak managerial skills and marketing.

The author concluded that as part of the strategy to promote Romania as a tourist destination, a special importance should be given to improving the quality of tourism infrastructure, research and development, sustainable development, human resources and skills development managerial and marketing, as well as international cooperation.

1.4 Romania and Bulgaria Case

Croitoru (2011) analyzed the destination competitiveness index (TCI) of two tourist destinations, respectively Romania and Bulgaria. TCI aims to assess the elements that ensure the development of the tourism sector in different countries through three categories of variables that affect the global tourism competitiveness, known as: (1) the policy rules and regulations; (2) business environment and infrastructure; (3) cultural, human and natural resources, each of which includes a number of factors that determine the fundamental elements in tourism competitiveness analysis. The set of data used to assess these factors, included data obtained from annual surveys conducted by the World Economic Forum and quantitative data obtained from available public sources, international institutions and organizations, and tourism experts.

In this study it is analyzed only one of the indicators of the TCI, regulatory framework and there are evaluated only two of its five elements: the rules and regulations politics and environmental sustainability.

About the first element, Romania had a better ranking position than Bulgaria, especially in property rights, legislation impact on FDI, bilateral agreements on air services, the start time to open a new business and deals of GATS type. While related to transparency of government decisions and costs level to start a business, Romania was ranked not in a good position compared to Bulgaria.

About the second element that of environmental sustainability, Romania proved to be more competitive in applying the environmental protecting rules, in the tourism sector development, the emission level of dioxide carbon, in the environmental protection regulation, while it was less competitive than Bulgaria regarding the ratification of environmental protection agreements.

1.5 Former Socialist Countries

Papp and Raffay (2011) aiming to study the factors that had effected the tourism competitiveness of the former socialist countries used the Pyramid model developed by Lengyel (2004). The Pyramid model was adapted to the former socialist countries (Hungary, Poland, Bulgaria and Romania) by combining elements of Crouch and Ritchie (2003) and Dwyer et al. (2004) destination competitiveness models and Lengyel model of regions competitiveness.

In the bottom part of the pyramid (first level) which constitutes the base of the pyramid, and does represent competitive potentiality, there are included mainly sustainable elements which turned the post-socialist countries in attractive destinations for visitors. Natural heritage, location and accessibility, innovation, cultural heritage, mentality, openness and hospitality, and climate are important factors, which constitute the competitive potentiality of these destinations.

At the second level of the pyramid are included the development factors, which are ex ante factors such as human resources, infrastructure, tourist services, the management of destinations and attractions development. These factors needs to be developed further so they can ensure their direct impact on the competitive position (basic categories), which constitutes the third level of the pyramid. In this last level there are included ex post factors like as income level, labor productivity and employment level.

1.6 Taiwan Case

Wang et al. (2008) applied the destination competitiveness model developed by Crouch and Ritchie (Crouch and Ritchie, 1999; Ritchie and Crouch, 1993, 2000, 2003), to analyze the competitiveness of four tourist destinations in Taiwan.

Crouch and Ritchie (1999) defined a conceptual model of tourist destinations competitiveness, based on the model of Porter (1990) of national competitive advantages. Their model identifies two specific interrelated environments called micro and macro. Micro and macro environment affects the competitiveness of a destination through four main components: basic resources; and supporting factors and resources; destination management and qualifying determinants.

The study was conducted in 2006, through questionnaires, in which tourists should rank attributes for each category of tourist destinations competitiveness. From a total of 400 questionnaires were completed only 386.

The authors in this study estimated the average value and the adjusted value for each category. Results of the attributes analysis showed that none of the four tourist cities in Taiwan demonstrated to be a dominant destination compared with three other competing destinations, in any of the four components proposed by Crouch and Ritchie model.

1.7 Caribbean Islands Case

Chambers (2010) analyzed and tried to identify the characteristics, experiences and strategies that hotels and all-inclusive resorts use to differentiate from the characteristics/ attributes of the other part of their particular island and the Caribbean region in general, viewed from the managers and experts' perspective of all-inclusive hotels included in the survey.

The study used several primary and secondary data. Primary data were collected using a quantitative method, in the form of a survey addressed to managers of all-inclusive hotels, registered also as members of hotel and tourism association. Secondary data were obtained from sources such as statistical bulletins, materials provided by travel agencies, books, tourist magazines, and websites.

In this study there were distributed 220 questionnaires, but only 12 of them filled, and identified 7 tourist destinations as the most distinguished from a total of 15 destinations (the islands of the Caribbean region).

The results of survey showed that the reputation of the island where the resort is located, food, employees, hotel ranting, leisure activities and accommodation are some of the distinctive features that helps to differentiate all-inclusive hotels in various destinations within the Caribbean region. Also, features like employees, service and goodwill are factors that influence the decision of a tourist to choose an all-inclusive hotel in the Caribbean islands.

Visitors hospitality and natural attractions of the destination are considered as the most important characteristics that differentiate destinations of Caribbean islands, while facilities to enter the country, distance and travel time to the destination, quality accommodation, security and safety and climate destination, have been identified as factors that do have a less impact to differentiate destinations from each other.

The natural beauty of the destination, a favorable climate, the good reputation of domestic food, security and safety, easy entering procedures to the country, the residents hospitality, are distinguishing characteristics that influence the decision of a tourist to choose a destination within the Caribbean region. On the other hand, cultural attractions, shopping, nightlife, special events / festivals and travel distance and time travel to destination are attributes that have a lesser impact on the choices of tourists.

1.8 Italy Case

Cracolici and Nijkamp (2008) studied the attractiveness and competitiveness of the six regions of southern Italy as potential tourist destinations. The study aimed to identify the attributes in which these destinations have competitive advantages. The analysis in this study, was conducted through micro data provided by AC Nielsen SITA survey (2001), and based on a sample of 1,707 individuals who had visited at least once a region of southern Italy.

To study empirically the competitiveness of these tourist destinations, the researchers used two statistical methods: 1) a parametric non-linear statistical method, which does consist of a function of regional tourist attraction (RTA - an index, which is calculated as a function of the tourist welfare level regarding to attributes); and 2) Principal components analysis (PCA - a technique of reducing the variables number to a smaller one, uncorrelated variables called principal components). The importance of PCA is that it helps identify important factors that influence the process of tourist evaluation.

In conclusion, the study showed that the tourists' evaluation is strongly related to additional attributes of tourism supply, mentioned as follows: information and tourist services, cultural events, quality and variety of products in stores, other hotels and accommodation, the price level and cost of living and tourists' security. While the attributes with less impact to the tourist evaluation are features like hospitality and sympathy of local residents, the cities of art and culture, the landscape, the environment and nature, which are components of the six key components proposed by Crouch and Ritchie (1999) model.

1.9 Sinaloa, Mexico Case

Carillo et al. (2013) in their study aimed to develop an empirical analysis of the destination competitiveness for the three main cities (Mazatlan, Culiacan and Ahome) in Sinaloa, Mexico, using Crouch and Ritchie model. The aim was that through the use of attributes could be made a comparison between the above three tourism destinations in order to identify then the most competitive destination in Sinaloa. The study used a method of alternatives ranking, known as Electra III (Roy 1990), which established a preferential model based on the information provided by the competitiveness model of Crouch and Ritchie, by ranking preferences in a descending order.

The data of this study were provided by the National Statistics Institute in Mexico (INEGI) in 2012. Crouch and Ritchie Model identified a total of 45 a number of attributes, grouped in 5 main determinant factors of destination competitiveness. In this case the model Crouch and Ritchie (2011) was adapted and some of the attributes were modified.

Besides Electra III model, in this study the authors used a deductive algorithm method (Leyva and Aguilera, 2005) to provide an alternative to a final ranking of the alternatives (destinations). To each position of the rank is given a specific weight, and to determine the destination ranking in each case it is calculated as the sum of the production of weight to frequency of the attribute rank position. Based on this methodology, the study concluded that the most competitive destination is Mazatlan, followed by Culiacan and Ahome.

2. Conclusions

The evidence from these countries shows that there are different models and technics to evaluate the competitiveness of a tourism destination, but it is part of the researchers and experts' responsibility to provide the unique mixture of objectives, destination features, data availability and validity to be used in a competitiveness evaluation process.

From this reviewing article, it comes clear that there does not exist any universal model to provide the right evaluation of the destination competitiveness.

It is indispensable that before deciding about the evaluation model or its adaptation, needs to have a good understanding of destination competitiveness related issues like as the determinants categories, measurements and statistical tools, frameworks, and models.

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Modernism, God, and Church in the Thinking of J. Macbride Sterrett

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Abstract

Modernism was a movement that impacted the church. In spite of the fact that many modernists wrote against the church, there were some, such as J. Macbride Sterrett, who not only defended the church, but also integrated modernist principles into their perspectives on what the church should be. Sterrett was also a clergyman in the Protestant Episcopal Church, which offered a deeper meaning to his modernist thought. This paper presents the main ideas in relation to history, church and society. His perspectives defend the identity of the church and its use in modern society. Sterrett's ideas are useful also because they present a purpose for the church, that is quite easy to understand for the secular environment.

Keywords: Modernism, God, and Church in the Thinking of J. Macbride Sterrett

Introduction

In the first quarter of the XXth century religious modernism was going through a development that consisted in adapting to the idea of the transcendent and the church. Modernism entered the sphere of the religious and of the clergy. Such is the case of J. Macbride Sterrett (1847-1923), a philosopher and a clergyman within the Protestant Episcopal Church. He argued in favor of modernism, but of a highly religious kind. He argued in favor of God, Christ and the church, but he criticized all that he considered outdated or outworn, because he believed that the church should speak the language of the people and of the age. Old structures of dogma should be laid aside, while those that answer the specific needs of society should be put in place. Modernism was explained by Sterrett not as an enemy of the church, but as an aid to make the church easy to understand for those who want to be part of it, or are already members. The point of his argument is that modernity can serve a noble purpose in the developing plan of God and for the improvement of society.

Modernism: the harmony of old and new

In J. Macbride Sterrett defines the modernist as 'a man of modern culture, embracing, as it does, a knowledge and an appreciation of the cultures of other ages and religions' (Macbride Sterrett, 1922, p. 1). Modernism, as a movement, is a religious one, but 'on its intellectual side it is an attempt at a synthesis between the new learning and the old religion' (Macbride Sterrett, 1922, p. 1). From these two definitions, one can understand that in spite of it being a new movement within society, modernism, or part of it, is a return to the values of the past and an adaptation of their contents to the new age, but not with the intent purpose of destroying the heritage, but to add value to it. A modernist will look with grateful eyes to the past, and he will use it in order to shape the present and the pass an even greater heritage on to the following generation.

After these two short definitions, Sterrett presents the modernist as 'one who recognizes that he is heir of all ages, but feels and knows that he ought to be slave of none' (Macbride Sterrett, 1922, p. 20). This is an important aspect and it requires a further analysis. Sterrett argues in favor of a universal man, one who is educated and well versed in the art of interpreting history. He is neither a historian, nor does he have any other humanist preparation. However, he could be a historian, as well as a man of letters. Of crucial importance is that a modernist knows one's history and is informed to such an extent that one develops a remarkable capacity to detach from any emotional selection, in favor of a rational adherence to all good principles, of any epoch. The genuine modernist should not escape one's fate. It is not an inescapable fate, written somewhere in the stars, but it is a fate of knowledge. Once one understands and adheres to what Sterrett defines as modernism, the recognition of the heritage of all ages becomes a *status quo*. The genuine modernist will not even try to escape such a natural conclusion. Thus, one's dedication will be wholly given to the pursuit of the modernist agenda: a

thorough knowledge of the past and a developed capacity of selecting value. The modernist will not stay locked in the past, rather one will take the heritage of the past and project it to construct a future that begins with the present. History and all that makes up the past is a tool that is used to create quality, value, and good. Being the heir of all ages, but slave to none, places the modernist outside any chronological delimitation. A modernist is not one who lived within a certain time period, but one who transcends such limitations, by the fact that one who lives whenever could consider all the ages before as a heritage.

Sterrett uses a harsh word: 'slave', and this implies a limitation of freedom(s), of rights, of movements, and a denial of opinion and value. Time can create, apparently, slaves, but it is not time's fault, but rather man's fault. One might grow to attached to a certain period of history, and militate for its absolute superiority in comparison to any other historical period. Such 'slaves' cannot develop a functional critical method, which would allow for an effective selection of value over form/shape. The slave of a historical period will mask the evils of that time, and even develop lies simply to promote a positive image of an enamored period. The modernist and the slave are radically opposed. While the modernist will develop one's critical apparatus, the period slave will sink into mediocrity or worse. The capacity to select principles that are worth pursuing and developing is crucial for the healthy social development of any culture. In fact, being able to discern between what advances society and what hinders it, makes the difference between freedom and oppression.

These views were not known to Godrycz, who, in his treatise against late XIXth century modernism, argued that the philosophical perspective it is built upon is positivism, which had little tolerance for theology. Christianity was considered a rather social event, with no scientific criteria that would validate it in the field of proper science. Thus, Christianity was little more than human sentiment. However, Godrycz argues in favor of a scientifically provable God. He starts from the fact that modernist positivism acknowledges that 'human reason is capable of detecting the laws governing material phenomena and of establishing scientific principle' (Godrycz, 1908, pp. 7–8). He also argues that what science calls *phenomena* make up nature. The discovered phenomena and the laws of nature must have come from somewhere. He concludes that due to the 'harmony, the order, the finality, the design in all these phenomena, we are compelled to look upon them as the work of a supreme intelligence' (Godrycz, 1908, pp. 9–10). Therefore, argues Godrycz, whenever one refers to a scientific law, one presents the case of *concursum divinum*, or the regulating agency of God (Godrycz, 1908, p.10). Sterrett had been working on the ideas that he published as a book in 1922, for well over a decade. The dialogue between Sterrett and Godrycz would have been quite interesting, especially because Sterrett argued in favor of a religious and God-believing modernist.

Criticism: the benefits for the church

In the Preface of his book, Sterrett argues in favor of criticism, but not a destructive one. Criticism is fundamental for development and progress. It evaluates and points out the positives and the negatives. In Sterrett's perspective modernists are critics that try to adapt the old to the new, also in the field of religion. After acknowledging that the old grows slower, and radicalism is the reaction to the old, Sterrett makes the remark that the later without the former would only lead to useless destruction. In Sterrett's moral perspective a matricide, for example, is just as condemnable as it ever was. Any kind of moral injustice should have its proper definition, as well as its correct punishment. He does not argue in favor of reevaluating morals and the moral standards. However, if a modernist – or anyone – criticizes the church in an honest manner, it is not wrong, but necessary. Sterrett admits he was a conservative apologist and a critic of all new developments of theology – higher criticism, for example – but came to understand what modernism preached, and gradually became one himself. However, he did not shed the religious skin, rather he adapted the old to the new. He was a clergyman within the Protestant Episcopal Church, and from this position argued in favor of honest search for God and for the correct definition of the church, in light of old ecclesiastical and theological perspectives. Honest seeker of the truth within the church are bound to clash with other members of the congregation. Sterrett does not argue in favor of peace for peace's sake, but for a steadfast dialogue, even with the cost of creating discomfort for some. The truth of God and the maternity of the church are well worth the effort, in his opinion (Macbride Sterrett, 1922, pp. x, xi).

Paul Sabatier writes in his book *Modernism, The Jowett Lectures, 1908*, that modernism developed historical criticism. This aspect creates a problem for Christian theology, because it argues that history and science do not deal with anything that is not human. Faith, therefore, because it transfigured the historical person of Christ, must be removed because it turned him above the historical condition of man. Also, faith created an image in which the deed and words of Christ, were above his character, condition and education. The point of modernist criticism is that Jesus Christ must be seen as a human, and

nothing more. This thesis is unacceptable to Sabatier (Sabatier, 1908, pp. 244–245). Sterrett, on the other hand, does argue in favor of a historically accurate depiction of Christ, but without annulling the existence of God and the supernatural.

The application of Sterrett's principle is done by comparing the heritage received by a child from his father and grandfather, while growing up, to the time the child becomes an adult and has to decide what to do with the heritage he received. One of the options is to lock the heritage away and never bother with it. This would create the necessity to innovate in order to function. However, one cannot innovate from nothing all the time. The second option is to take the heritage, acknowledge it and use it in creative ways in order to adapt it to modern necessities. This option requires innovation, not out of nothing, but out of a pre-existing material. It places less strain on the effort to adapt, and it offers more freedom to organize free-time around important parts of one's life, perhaps family and/or hobbies. The main aspect that Sterrett underlines is that such a contextualized heritage will be passed on in a developed and improved way to the next generations (Macbride Sterrett, 1922, p. 20).

Another comparison offered by Sterrett is that of a modernist who finds oneself in an old church building. He has a number of options, but Sterrett argues that a genuine modernist will choose to reform, rather than destroy the heritage filled church. A church building does not belong to a single generation, but it is a universal symbol of peace, unity and good-will. If the piety of generations long gone and the historical events associated with the building and the people who worshiped in it, together with the whole religious nature that had permeated into society, can be seen and understood as integral parts of one's own identity, then the entire construct, the whole historical context receives a new purpose. Due to ignorance, the purpose and heritage of anything can be forever lost. However, an informed man – whom Sterrett calls 'wise' - will strive for the better and for the promotion of one's neighbor (Macbride Sterrett, 1922, p. 22).

The modernist and the historical heritage

The heritage of Christianity and the adaptation to the new age, has created tension in the dialogue between the church and science. It is most unfair to argue the image of the church as an anti-science institution. Just as modernism criticized religion and the church, the church found the voice to criticize modernism. In his extended letter, Cardinal Mercier, addresses the issue of the science and the church. He condemns modernism, but not science. One of his arguments is that modernism is not the modern expression of science. This is due to the fact that science, in itself, is not condemnable, nor are its methods. He acknowledges the Catholic scientists who strive for the improvement in this field. However, his criticism is aimed at the thesis of modernism which holds that the 'religious soul must draw from itself, from nothing but itself, the object and motive of its faith' (Mercier, 1910, p. 23). The criticism goes further by arguing that modernism dismisses all revelation, thus negating the authority of the church, as it was established by Jesus Christ. The problem is that modernism cancels all the church's authority, based on the fact that the spiritual cannot be proven and God does not exist. A two thousand year old institution had no claim of existing, in modernist key. Mercier turns to Christ as the pronouncer and imposer of the teachings that assure eternal life. In other words, Christ is not to be criticized or negated. By negating Christ one negates the entire chain of clerical authority, all the way to the Pope himself (Mercier, 1910, p. 24).

Reconstruction cannot apply to any area of society's life. Sterrett argues that any modern age has a set of good characteristics, as well as a set of bad ones. If reconstruction is done out of a misplaced understanding of the modern good, it follows that all history is useless. Heritage is put aside and ignored, because it is deemed unworthy of all that the modern age represents, it is tore down and rebuilt. Ignoring history means ignoring value and worth. These are two of the elements that make up the life of any society. If the working principle is to destroy the old and build the new, the obvious consequence is that each new generation will destroy the old, in favor of the new modern age. Every generation will tear down the world of the previous generation, and it will build in the likeness of age. Sterrett points out that such a method will prove a disaster, simply because if heritage is ignored, building anew will incorporate all the evils of the age. Heritage has a precise purpose and that is to safeguard the critical method. This means that heritage helps one to separate good from evil, and thus promote and give further the best possible teachings for the next generation (Macbride Sterrett, 1922, p. 22).

The issue of past and present, religious denominations and their schisms from one another, are integral parts of the modernist program. Gates argues that the modernist will go beyond these breaks, and he will look at Christianity as a whole, not simply favoring one side or the other. The modernist is the true Catholic, for Christianity is universal and a whole, at best painted in different colors. In this context, the modernist argues in favor of God as one, universal, One who is everywhere and in all things. As Sterrett, Garett argues that the true modernist will look at the heritage of the entire

Christendom. The modernist will not take the side of any denomination (Gates, 1911, p. 50), but here he differs from Sterrett, who was a clergyman in the Episcopalian church.

Moral values and the use of history

Good and evil are elements of morality, but Sterrett's idea can be applied to anything from morals, to architecture. This is the precise point that Sterrett makes, when talking about progress and the old as a hindrance for development (Macbride Sterrett, 1922, p. 22). Heritage will set some against others, simply because all have agenda's. Old buildings that stay in the path of development and progress, are extensions of people's ideas in relation to those who think differently. It depends which party has more power. When people do not consider others as valuable, regardless of their perspectives, the evils of the past will hinder any progress. The value of human life could be reevaluated, but the heritage of the past is the one that adds a foundation for any ideological development. Does this mean that all that is old should be kept? What of the old constitutes the heritage? Sterrett points to the idea of an old castle that is in the middle of the new city. He does not argue in favor of demolishing it, but in favor of renovating and accommodating the visitors into modern housing conditions. Obviously that all the other houses surrounding the castle have been destroyed by development, but that does not mean that it is a negative aspect. Sterrett argues in favor of identifying the relics that are imbued with historical meaning and that are reference points for the past. This means that many of the little things will be kept as visual examples – an old wooden house – but others will be destroyed in order to make way for a correct progress. The point that Sterrett makes here is that a true modernist will look at the past and select meaningfulness, values, morals, he will reform them, if necessary, and he will pass it on to the future generations (Macbride Sterrett, 1922, p. 23).

Sterrett's perspective on modernism seems to show a unified body of ideological identity. However, J. R. Slattery presents modernism as a colorful body of thinkers, diverse and independent of one another. They were workers in various branches. They also worked in different countries. He presents the modernists as having a single purpose, in spite of their diversity, namely the reconciliation of science and the church. A further explanation makes Slattery's remark a significant one. He points that the reconciliation between the two is the result of the genuine love of the modernists towards the churches, whose sons they claim to be (Slattery, 1909, p. 556). There is no hatred towards the church, as there is no desire to downgrade or change the essence of the church. It is rather a modification or a reconfiguration of the purpose of the church by a return the fundamentals of the Gospel message.

Sterrett writes as religious modernist. He even defines himself as such. This means that he pays close attention to the Christian heritage within the church, but he filters the old teachings that are valid for his time, as well as the old things that have become irrelevant for the modern church. It also means that the church itself should keep a close eye on the heritage, for the sake of the modern people who enter it and are trying to find meaning. At this point Sterrett acknowledges that the castle image is not usable, but reverts to nature and uses the image of the nautilus. This animal is building new chambers in the shell, only in organic connections to the old ones. It is an image of the harmony between old and new. The old already exists, but there is place and a fundamental need for the new. They are not mutually exclusive, but reciprocally inclusive. Again, this argument is valid only for the spiritual aspect of life, not for the organization of the church. The image argues in favor of collaboration between old and new, in the same way that the rings of the shell are bound together until the animal dies. The shells are not broken off, but are kept for the life giving environment in which the animal lives (Macbride Sterrett, 1922, p. 23).

Sterrett applies the image of the nautilus to the psychological acknowledgement of the relation between body and soul. The value of these two elements is evaluated at every age. According to Sterrett, there is no need to separate the two and distribute value to the one in the detriment or to the destruction of the other. The body has a certain value, while the soul has another value. These are not mutually exclusive, but in an unseen collaboration. The true modernist will value both, without any action to destroy one of the two. Just as there is a collaboration and constant revision of values, Sterrett argues that religion must go forward, by paying close attention to the heritage it brings along. There no need to abandon heritage altogether, just as the soul does not shed the body, or the body does not shed the soul. As people make up the church, it exists through them, but it is not limited to them. There is also a supernatural element to it, which is fundamental. However, this aspect is considered by Sterrett to be fundamental. He points to all churches, from the Anglican to the Presbyterian, through the Episcopalian and the Greek Orthodox, as churches which are encysted. Sterrett is not content with the fact that the churches accuse and remove any modernist who contradicts their perspectives. Sterrett makes the point that such an

attitude might push out those within the church, and keep out those who consider joining the church (Macbride Sterrett, 1922, p. 25).

Schism and the morality

The single most troublesome element in the path of healthy human relationships and overall progress is man, more precisely: man's 'sinful selfishness and capricious willfulness' (Macbride Sterrett, 1922, p. 26). Man can create an ideal, but he will never reach it, because, as Sterrett points out, man lusts for autocratic power – as a symbol of self-aggrandizement; but he also shows no appreciation for 'a nurturing institution' – the church (Macbride Sterrett, 1922, p. 26). Man's actions are full of evil-doings, that Sterrett names 'so much of the devil in it all' (Macbride Sterrett, 1922, p. 26), that any idea is impossible to achieve. It is no wonder for Sterrett that society cannot better itself, since evil lurks in all, but not in equal measures.

Christianity is made up of various ages, which are characterized by various traits. Sterrett believes that a genuine modernist will acknowledge Christianity in all its forms and ages, from the Apostolic to the Reformation. In spite of all the heritage of the Christianity, Sterrett is well aware that the modern man may know more, due to the broader education. However, in spite of this kind of education, one may not be better when it comes to knowledge in the higher sense (Macbride Sterrett, 1922, p. 26). Morals and aptitudes may be more widely known, but their implementation and practice may not be done properly, in spite of the heritage. Intellectually, the modern man may be better equipped, and yet lack a moral and spiritual character. At this point, Sterrett argues that it is normal for children to surpass their parents, but this does not imply a complete break with the parents. Respect and love are given, at least as before, even if the children have surpassed the parents by far. Using this image argues that in the social and religious sphere, the modernist must surpass the ages past, but not with contempt, by with due respect and the obligation to improve on all past ways and methods. Perhaps the most respectful way in which one can bring progress into society is by showing the proper respect for the past. Such an attitude will create cultural strings that can bind generations, not by overlapping interest, but respect and self-awareness (Macbride Sterrett, 1922, p. 26).

Heritage for Sterrett means historical fact. It means the same for J. Bampton. However, Bampton argues against the modernist movement. One of the reasons is that the modernists do not consider historical facts as the traditional Christians do. Bampton points out that due to their Kantian background, historical fact is resumed exclusively to experience. The second point in Bampton's line of thought is that truth means one thing for the conservatives, while for the modernists it means something different. He acknowledges that they accept the narratives of the Gospels, but with a definition of true 'truth as sign or symbol of truth, or true as symbolizing what is true, true, not as possessing a fact-value, but as possessing a moral or spiritual value' (Bampton, 1913, pp. 63–64). This almost cancel the historical fact. However, only the symbolized spiritual truth is the only one that matters. History as it unraveled is almost irrelevant. On the other hand, conservative theology aims precisely for the historical fact (Bampton, 1913, p. 64).

In order to understand the value of the past, education is a basic requirement. Sterrett does not try to argue in detail in favor of education, because he considers it part of any civilized society. He considers that education is an integral part of institutions that range from the family to the state, from church to science, from art to economics. Sterrett argues that such institutions are meant to promote higher ways of living. They address the basic need of the individual and the society to interact, to connect, to relate and to create structures of socialization (Macbride Sterrett, 1922, pp. 28–29).

The church, regardless of which Christian denomination, has been a constant presence in the last two millennia, with all the positive and negative aspects. It was either persecuted or the persecutor, either on its own or in tight relations with the state, either dedicated to the Biblical understanding of loving one's neighbor or in a rampant quest for self-aggrandizement. Regardless of how the church(es) behaved throughout history, Sterrett argues that one of the main roles it had was to spread the teachings of Jesus Christ worldwide. In the message there was a teaching about God's Kingdom. The issues surfaced also at the trial of Jesus, when he spoke of himself as a king, but not of this world, but of a spiritual one. Later, the apostles and their followers took the message and spread in, eventually, worldwide. The church bore a message that had a constant impact in the world: the love of the neighbor. It must be thoroughly underlined that this love is not reserved for the members of the church, or for the members of the churches, but for any human being. Sterrett argues that the church cannot claim to be the Kingdom of God, and labels it as an 'arrogant and groundless assumption' (Macbride Sterrett, 1922, p. 34). The role and purpose of the church does not start with the assumption that it is the Kingdom. In other words, the

church cannot claim spiritual authority that it never had. The church did usurp this position, at various points in time, and tried to impose it on society, as well as on its own members.

Writing more than ten years before Sterrett, David Torrey argues that it would be impossible to believe that Christianity had no founder. Thus he places a firm grounding on the existence of Jesus for the church. Christianity would not have been so successful without a prominent leader. He also points out that Christianity had a radically different message from any other religion, and that its founder's message was the key element that gave Christianity its specific mission and practice (Torrey, 1910, pp. 74–76).

The true purpose of the church

According to Sterrett the church has a much better role than to claim any kind of secular authority, and it also has a higher calling than that of controlling the world, or impose rules and regulations. The first role of the church is to promote the religious life of men. It clearly refers to the spiritual life of the believers. The church has to minister the relations between God and man, but through the ministry and life of Jesus Christ. Sterrett makes a sharp distinction between the spiritual and the religious. The first has a wider meaning than the second and it is more important. The spiritual supersedes the religious. The church connects to the believers not only in the realm of church life, but especially in the 'secular spheres of this kingdom' (Macbride Sterrett, 1922, p. 34). The church should not separate or alienate its members, and it should not take them out of society, into secluded spaces, where the evils of the world cannot reach. Instead, the church must be actively involved in all spheres of the secular, in order to promote and uphold spiritual values that permeate into the every-day lives of its believers.

After making sure that he explains what the church is and what its purpose is, Sterrett argues in favor of what the church has done throughout the ages. He points out that it is the result of a message, the Gospels, and this means its purpose lies within it. As long as the church embodies the message of the Gospels, it has a legitimate existence. After all, the church is *jure divino* as long as it makes the message of the Gospel manifest in the world. In its two thousand year history, there have been great accomplishment, but Sterrett places a correct emphasis on the criticism that it must also justly receive. For modern man it is important to question whatever surrounds him, and it is just as important to strive for what is true. As the church has had both positive and negative actions, it is imperative for its members to keep a correct perspective on her. Sterrett points out that the impact of the church in the world was so great that life on earth would have been far less worth living than without her. This has been achieved only because it was the ministrant of the Gospel message (Macbride Sterrett, 1922, p. 36).

In order to explain how the church has grown and how it should survive in the future, but also what the relations are between its present life and the past, Sterrett presents the image of tree. The roots are the life of the tree. It gets its nourishment from the soil through the roots. The leaves fall each autumn and form the soil that the tree feeds from. By growing each year, the tree becomes stronger and bigger. The new bark proves the health and the growth of the tree. Sterrett points out that in this process the new bark engulf the old, but by 'embracing' all the other layers of years past. As long as a tree lives, this process is repeated each year. Sterrett is strong supporter of passing on the heritage of past ages, but he is adamant in having a critical methodology in order to prevent any stagnation. The church must grow and develop, by looking back on its history. The process presupposes an active assessment of all its known actions. If there were negative events and wrong decisions they must be acknowledged, just as the positive events and good decisions. They form the layers that the new generation will look at and develop their present and the future of coming generations. The church should not ignore or hide past events. Instead, argues Sterrett, as part of the social and cultural structure, the church should do what it has always done: spread the message of the Gospel. The reason is that the essence of the message conveys a set of ideas which can be transformed into personal belief, which will be manifested towards one's neighbor. It is paramount that the church continue in the light of that message, not by engulfing the new for the sake of the new (Macbride Sterrett, 1922, p. 35).

The authority of the church: the four elements

As Sterrett points out, the church has four major elements that give it strength, if considered properly: polity, creed, cult and sacred literature. They convey identity and purpose. Here he returns to the example of another tree. This time it was the example of a tree purged in fire. It was an old tree, rotten inside, but still alive. When it caught on fire, apparently it cleaned the rotten parts, but stopped at the healthy ones. When everyone was expecting the tree to fall, it continued to grow and

stay alive. This was the tree outside of Sterrett's residence. The example is wonderful because it shows human expectations, in comparison with God's activity. Sterrett does not deny the existence of God, but refrains from considering him only as the church depicts him. He argues in favor of his existence and he makes no apology for doing so. However, Sterrett criticizes the way the church brings the message of the Gospel to the people. He refers to a book written by former army members who claim that the church communicates its message in a language that is unknown even to those trained in it. Sterrett argues in favor of simple and clear messages that can resonate with society's needs. Any outgrown and worn-out language will do no favor to any man in need. These seasoned soldiers cry out for a better vernacular, in order for all to understand. It is an old cry that was part of the Reformation's core: the Bible and the liturgy in the language of the people. Three hundred years later the battles of the front ask for help from the church, and the case makes it that the very church that could have offered help for the soul, was unable to satisfy the need (Macbride Sterrett, 1922, p. 36).

The modernist should always look at the church as objectively as possible and evaluate her state. Sterrett, as a modernist, points to the critical fact that the church has 'never been quite dead', nor has it been 'lukewarm' (Macbride Sterrett, 1922, p. 36). This is a harsh evaluation of the institution that claims to work with the Creator of the world. However, in the mind of a modernist, such an affirmation makes sense, because truth should be presented as is, not to please statistics or the members of the church. If something is wrong with the church, it should be mentioned, because failing to do so, would impair the purpose and the mission of the church. The second part of the evaluation has to do with what the church has to say about Christ. Sterrett accuses the church of creating too many theories about Jesus and his work. There should have been less theories and more interaction with the world. Theories can help the church up to a point, beyond that it can become impregnable and too hard to understand. In spite of this obvious problem, Sterrett does praise the church for constantly emphasizing the supremacy of Christ in the church (Macbride Sterrett, 1922, p. 36). If Christ is taken out of the church the very purpose and meaning of it disappears. If this were to happen, the church would invalidate its calling and mission. Thus it could be replaced by any other institution.

For Sterrett the church is an integral part of human history, in spite of its errors. In the end of his essay, Sterrett defines the church as 'an organization for the propagation of the spirit of the Master – of the disposition of the heart and mind that will further the coming of His Kingdom on earth, sanctifying all done in other spheres of man's secular life, has four aspects – a Way of Life, Polity, Doctrine and Cult' (Macbride Sterrett, 1922, p. 37).

Sterrett believes that God and church should remain an integral part of human history. However, there can be a backlash for too much familiarity with God. The familiarity with God is what Oliver Quick underlines, it can make God so much part of the believer's life and overall experience, that one might lose sight of Him, together with the dissolution of all spiritual values (Quick, 1922, pp. 50–51). In such a context, even faith can be dissolved into the experience of everyday spiritual familiarity with Him. God, Christ, church and spirituality can be downgraded by a fruitless effort to explain God to man, with the utmost perfect logic. Failure is part of the life of everyday believers. However, the effort to understand God and to present Him in a certain way, must be made in effort to help man to come closer to the spirituality of the godhead. The church, as part of human society, should carry the message of Christ. The results of a coherent presentation of God to man can lead society as a whole towards a better understanding of one's neighbor.

Conclusions

J. Macbride Sterrett is a convinced religious modernist. He sets himself apart from the critics of early modernism by not denying the spiritual, the transcendent and the church. He also acknowledges the place of Jesus Christ in this scheme. He also understands the progress of ideology and of religious (Christian) dogma, but also that of science. They should not be in conflict. In such a context, the church plays a crucial role in stabilizing morals and values, in order to aid society in its quest for peace and social harmony. In spite of all shortcomings, Sterrett believes that the church can aid the social development.

In this essay the main points of Sterrett's argument regarding his vision of modernism were explained and compared to the perspectives of other modernists or anti-modernists of his time. His book was published almost ten years after the arguments described in the other thinkers were laid out. In spite of this it took him more than a decade to put together his entire book. His perspectives present another face of modernism, which is not known in Protestant circles. *Modernist and religious modernist*, at least for Sterrett, are two different things. Although some of the thinkers describes the modernist movement as having a genuine desire to make peace between science and religion, the Romanian Baptist environment,

generally, think of modernism as a complete faith-killer. Sterrett presents another face of modernism. It is one that managed to integrate the transcendent in such a way that is quite familiar to other conservative theologies.

The ideas of Sterrett are useful for the better understanding of how different patterns of thought develop within one philosophical/theological ideology or pattern of thought. Sterrett presents a user-friendly face of modernism that argues in favor of a genuine respect for the past and its usefulness for modern man. Perhaps the most important aspect of this part of Sterrett's argument is that a modernist should keep history and the heritage of ages past in a most respectful light. Therefore, being new/modern does not imply breaking with the past – as certain zealots might argue – but its genuine development for the generations to come.

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The Management Process at the Pretrial Stage under Malaysian Rules of Court 2012

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Abstract

The pre-trial stage requires judicial attention as well as attention from solicitors representing the parties to the action to ensure that cases are managed and disposed within strict deadlines. This study recommends the use of management process activities that are commonly used by business organizations to manage civil cases in the Malaysian civil courts at the pre-trial stage. Therefore, the objectives of this study are; first, to examine whether the provisions under the Rules of Court 2012 are capable of delivering quality service in its role as the fortress of justice and how the understanding of management process can assist in the management and disposal of cases efficiently. The findings indicate that the activities of process management (namely planning, organizing, directing and controlling exercises) can be used as a practical guide for the court managers as well as solicitors acting for the parties to the action to understand the importance of abiding by the provisions of the Rules of Court 2012 so that the management and disposal of cases can be done in an efficient manner. Although this study does not analyze the various process management theories, it is expected that the preliminary findings might enrich present literature relating to the conduct of civil litigation and also provide an insight on possible adoption of a framework to be used as a guide in managing cases under the Rules of Court 2012.

Keywords: Management process, pretrial stage, Rules of Court 2012, Malaysia

1. Introduction

Generally, the term 'management process' refers to a combination of activities which involve planning and monitoring the performance of a company from the aspects of business processes. Notably, companies that have obtained the ISO 9001:2000 Quality Management Standards certification process has given plenty of emphasis on their processes and endeavour to increase quality as well as efficiency. In brief, ISO 9000 highlights the importance of managing an organization with the right process, especially in terms of ensuring an effective quality management system apart from improving and meeting customer satisfaction (clause 0.2 of ISO 9001:2000).

Apparently, modern judicial systems generally place great importance of effective management of cases to ensure that cases are processed justly, swiftly and efficiently to meet the public's expectation. For instance, a number of judicial systems depend on the use of the electronic court system (instead of the manual system). The Malaysian civil courts have benefited from the use of technology which comprises of the following systems: Case Management System (CMS); Queue Management System (QMS); and Court Recording Transcription (CRT) (Saman & Haider, 2012; Hassan & Mokhtar, 2011). In the administration of justice, however, the court is neither a business entity nor a profitable organization and rarely refers to business principles in managing the loads of cases that are registered daily. Nevertheless, it is expected to improve its service from time to time especially in the era of advancement of technology. It is observed that the effective use of certain provisions under the Rules of Court 2012 has not been tested as capable of assisting the parties to the action, their

respective solicitors or the court to manage cases effectively. In the light of this circumstance, this study examined whether the management process used in businesses, namely planning, organizing, directing and controlling are principles that are equally applicable in managing cases at the pre-trial stage under the Rules of Court 2012. Therefore, this study is significant in determining the potentials of applying management process principles to manage the pre-trial stage.

Based on the foregoing, the main objective of this study is to examine the relevance of using the principles of process management in managing the pre-trial stage under the Rules of Court 2012. The general objectives of this study are; first, to analyze the related provisions of the Rules of Court 2012 that correspond to the principles of process management; and to understand the importance of management process in the management and disposal of civil cases efficiently.

2. The Pretrial Stage and its relevance to Process Management

The day-to-day management process of a company involves the activities of planning, organizing, directing and controlling. However, "management process" is an unfamiliar term in court management and also in the management of cases by legal firms. Although the term is subject to various definitions by scholars, it can be described as an interconnected process that involves "concerted efforts to map, improve and adhere to organizational processes" (Benner & Tushman, 2007). The term has also been used to describe the various activities that are organized in the making of a product (Wesk, M 2012). According to Griffin and Ebert (2006), business managers usually rely on such activities in their respective organizations. In addition, planning involves 3 key components, namely determining the firm's goals; next the development of a comprehensive strategy for realizing those goals and followed by crafting tactical and operational plans for realizing the strategy. According to the authors, the act of organizing means deciding on the best way to use a business's resources and activities into a coherent structure whilst the act of directing involves the use of power by a manager to direct and motivate employees to meet the firm's objectives; and the act of controlling means the process of monitoring the firm's performance got ensure that the firm is meeting its goals.

In civil litigation, the way a case is managed throughout the litigation track is important in determining whether it is managed efficiently or otherwise. For a case which requires disposal via a trial or is complex in nature, the pre-trial stage is an important stage. In Malaysia, a strict deadline for civil courts has been set by the Malaysian Judiciary. For an ordinary civil case, the disposal time is nine (9) months for the High Court and Sessions' Court, and within six (6) months for the Magistrates' Court. In this connection, the placing of such strict key performance on the court indicated that the management process involved in managing civil litigation under the Rules of Court 2012 must not be taken lightly by all parties concerned - the courts, the solicitors acting for the parties to the action and other stakeholders. To achieve targeted goals (a win or win-win situations), strategies employed in civil litigation must be planned and organized accordingly. And managing the pre-trial stage requires one to achieve a combination of skills and strategies and not purely dependable with the use of the electronic court system alone. Thus, it is essential to draw a link between management process and the pre-trial stage.

For the court, cases that enter the court registry must be managed and disposed within certain timelines. On the other hand, to the solicitors, taking up a case means that they must plan during the pre-trial stage and prepare accordingly for trial. This essentially includes the need to be well-prepared during the pre-trial case management, which conduct is governed under Order 34 of the Rules of Court 2012. In this sense, it is quite similar to the conduct of any business that requires careful planning to ensure that the resources are used efficiently and effectively, to achieve specific goals. The close of pleadings is a stage whereby the parties to the action or their respective solicitors are required to observe a set of pre-trial procedures. Under the Rules of Court 2012, these procedures (in chronological order) are case management, mediation, discovery of documents, discovery by interrogatories, inspection and setting down for trial (Abu Baker, 2012).¹ Failing to act or manage their cases, according to these procedures would end up with possible dismissal of action as evidenced by several court judgments. In *Birkett v James*² [1977] 2 All ER 801, Lord Diplock held that the plaintiff in that case has failed to act cautiously and had caused inordinate and inexcusable delay and as such has caused serious prejudice to the defendant. Similarly, in *Syed Mahdzir bin Syed Abdullah v. Ketua Polis Negara &Anor.*³ [1986] 1 MLJ

¹Hamid Sultan Bin Abu Baker, *Janab's Key to Civil Procedure - COMBINED RULES (The Rules of Court 2012 Annexed)*, Janab (M) Sdn. Bhd., Malaysia, 5thEdn, 2nd Reprint, 2012, p 194.

² *Birkett v James* [1977] 2 All ER 801 [1977] 2 All ER 801

³*Syed Mahdzir bin Syed Abdullah v. Ketua Polis Negara &Anor* [1986] 1 MLJ 196.

196.Mohamed Dzaiddin J. (As he then was) held that the plaintiff's action, intentional and contemptuous default and the existence of inordinate and inexcusable delay plaintiff or his solicitor had had caused his action to be struck out for want of prosecution). Based on the above discussion, there is a link between process management and the management of cases in terms of deciding on the activities that are important in ensuring the success of management. This study hopes to fill the existing gaps in the civil procedure literature that discuss a little about the relevance of adopting management activities in the management of cases.

3. Methodology

Studies in procedural law involve examination of the provisions in statutes, case laws, court procedural rules and court practice directions/circulars. The major sources of data include the provisions of the Rules of Court 2012 and case laws. The methods employed in this study were descriptive and aimed at fact finding. To accomplish this task, the relevant provisions in the Rules of Court 2012 were analyzed to find out what are the activities under the Rules of Court 2012 that resemble the basic idea of activities that take place in the process management of an organization.

4. Findings and Discussion

The finding shows that the Rules of Court 2012 contain provisions that promote a robust approach in managing civil cases at the pre-trial stage and in many aspects are quite similar to the approaches used by many business organizations. Although the activities involved in managing cases and business affairs are not necessarily identical, they are interrelated in the sense that both processes provide guidance to organizations to manage their affairs efficiently and orderly.

The study identified relevant provisions of the Rules of Court 2012 that correspond to the principles of process management (namely planning, organizing, directing and controlling exercises) that are commonly referred in managing business organizations. The activities of process management (namely planning, organizing, directing and controlling) may assist the court and the solicitors acting for the parties to the action to understand the importance of abiding by the provisions as set forth under the Rules of Court 2012 to achieve the end of justice in an efficient manner.

a. Planning process

Quite similar to the process of planning undertaken by business managers, legal firm managers and even lead counsel also spend a great deal of time planning for the success or smooth management of a case. To achieve efficiency in the disposal of cases, the Rules of Court 2012 contain provisions that stipulate the importance of planning for the processes involved once a case is filed and thereupon registered by the court. These processes include the use of modern technology, worker skills and materials (cause papers). Performance quality herein refers to the features of ensuring high-quality monitoring by the court.

The three key components of planning (namely, determining the firm's goals; the development of a comprehensive strategy for realizing those goals and followed by designing tactics and plans for implementing the strategy) are equally relevant to the practice of a legal firm manager. Likewise, a lead counsel on a case is professionally required to ensure that their clients' interests are safeguarded throughout the litigation stages. The main goal of accepting a brief (case) from a client is to ensure the success of his case apart from serving the end of justice. Thus, counsels acting for the plaintiff would start collecting and verifying all facts that were revealed to them by their respective clients. This can be done by perusing every document that may seem to be relevant and any person who may have the relevant information. Specific steps would be reasonably taken which include the following: Sending letter, requesting form information; collecting and reviewing witness statements and any such statement made by potential defendants. With such preparation, commencement of action can be done without much doubt and would allow the exchange of pleadings without encountering much problem.

i.Planning process for the plaintiff's solicitors

The Rules of Court 2012 contain provisions that must be abided by both solicitors acting for the parties to the action in their capacity as officers of the court.

4.1.1.1 The planning process for the plaintiff's solicitors would include the following:

1. The Plaintiff's solicitors must plan the process of his client's case carefully in line with the direction under the Rules of Court 2012. They would, firstly, ensure that the writ of summons must be served promptly and within the validity period, namely, 6 months beginning from the date of its issue and a concurrent writ is valid in the first instance for the period of validity of the original writ which is unexpired at the date of issue of the concurrent writ (Rules of Court 2012, Order 6, rule 7). Equally important, is that the statement of claim must also be served within 14 days after the defendant has entered an appearance (Rules of Court 2012, Order 18, rule 1). In an action where the defendant is not represented, the Plaintiff's solicitors would need to ensure that the defendant's solicitors are served according to two methods, namely via personal service of by prepaid A.R. Registered post upon the extraction of the sealed copy of the court (Rules of Court 2012, Order 10, rule 1). If substituted service is required, then they are required by the Rules of Court 2012 to make an application for substituted service, followed by obtaining the court order before attempting to effect service on the defendant and lastly to file an affidavit confirming the service of the writ of summons via substituted service in Court.
2. Similarly, if substituted service is required, the Plaintiff's solicitors must get leave from the court via filing a notice of application and effect service upon getting order-in-terms of the said application. In furtherance of this, if the defendant fails to enter an Appearance, and no extension of time has been applied for, then Plaintiff's counsel should consider applying for default judgment.
3. In terms of planning a strategy, the Plaintiff's solicitors may also consider applying for summary judgment. This is a summary way recommended under the Rules of Court 2012 (Rules of Court 2012, Order 14). Tactical plans to realize this strategy would involve examining the Defence and determine whether the Defendant has no defense to his case.
4. Similarly, the Plaintiff's solicitors can resort to filing an application for striking out if it is found that the defence is not sound in law. Alternatively, other strategies that can be adopted by the Plaintiff's solicitor are such as filing in relevant applications in situations where the defendant has made any admissions or where it is appropriate to amend the pleadings or to add, substitute or remove any party to the action or to file a Reply if the Defence raises new fact.

4.1.1.2 The planning process for the defendant's solicitors would include the following:

1. In safeguarding the Defendant's interest, enter an appearance within specified timeline by filing the Memorandum of appearance (Rules of Court 2012, Order 12, rules 1 and 2) and on the same date on which the Defendant has entered his appearance, send a copy of the same to the plaintiff by post (if he sues in person) or his solicitors (if the plaintiff sues by way of legal representation) (Rules of Court 2012, Order 12, rule 3(2)).
2. In strategizing a possible defense plan, sent a letter to Plaintiff's solicitors informing that they are in the midst of preparing the Defence. Obtain agreement that Judgment in Default of Defence (JID) will not be entered without reasonable notice.
3. Service of defence on the plaintiff before the expiration of 14 days after the time limited for appearance or after the statement of claim is served on him, whichever is the later (Rules of Court 2012, Order 18, rule 2 (1) and (2)).
4. In realizing the strategy, examine the statement of claim and consider whether it discloses a cause of action. If not, apply for striking out.
5. Apply for summary judgment on counterclaim (Rules of Court 2012, Order 14, rule 5)
6. Determine whether sufficient information disclosed in the statement of claim. If not, request for further and better particulars.
7. Whether there are scandalous, vexatious, or embarrassing allegations. If exist, apply for striking all or a portion of the statement of claim.
8. Determine whether any admission is made by the plaintiff
9. Determine what evidence is needed to support the plaintiff's allegations
10. Identify any presumption of law that works for or against the defendant.
11. Prepare and file defence within specified timeline.
12. Prepare brief authorities

4.1.1.3 The planning process which is applicable for both solicitors acting for plaintiffs and solicitors acting for defendants:

- Consider the need to file application for further and better particulars to avoid the element of surprise.
- Generally, case management is aimed at preparing the parties to the action for trial apart from disposing cases early. Thus, solicitors acting for both parties to the action should consider the need to adopt suitable alternative dispute resolution procedures (ADR procedures) for managing potentially difficult or protracted litigation. Against this backdrop, it is imperative to consider the importance of certain ADR mechanisms to ensure that cases are disposed within the aforementioned strict deadlines.
- Apart from mediation and arbitration, consider the use of early neutral evaluation, which has the potential of extending it to case planning, especially if mediation is not an appropriate dispute resolution mechanism to be used in a particular case and fails to convince the parties to reach settlement.

a. Quality organization

There are also provisions in the Rules of Court 2012 that promote the need to organize efficiently to ensure services rendered by the court and the tasks and responsibility of both the solicitors acting for the parties to the action are organized accordingly. This essentially requires the joint effort of all staff on the court as well as solicitors and the parties to the action. The evidences are as follows:

The organization of the courts' business is regulated by the Registry (Rules of Court 2012, Order 60, rule 1). It is divided into several departments and the business of the Registry shall be distributed among the departments according to the direction of the Chief Judge or the Sessions court judge (for the lower courts). The Registry keeps the records or books as prescribed under the Rules of Court 2012 and this includes a Cause Book, an Interlocutory Application Book and a Judgment Book. The Rules of Court 2012 also stipulates that a judge of the high court shall be made available as a vacation judge to ensure the smooth running of the court's business (Rules of Court 2012, Order 61, rule 1).

The filing of a writ of summons (and notice of application) must be done accordingly, namely via electronic-filing or by using the service of a service bureau are done correctly (Rules of Court 2012, Order 63A, rule 7). For electronic filing, the plaintiff's solicitors need to submit legal documents via Electronic Filing System (payment via internet banking). For the registry, the registration clerk would verify the documents and process the documents by stamping, placing a mention date *et cetera* on the PDF documents. Then, such documents would send to the Senior Assistant Registrar (or the Deputy Registrar) in duty who would sign and digitally place a seal on the PDF documents (Rules of Court 2012, Order 63A, rule 8). The court would then notify the status of filing and case number (Rules of Court 2012, Order 63A, rule 9). Processed, then forward to solicitors with digital seal. The Plaintiff's solicitors will print the court document and serve to the defendant (or his solicitors, if he is legally represented) and later validate service of such document via electronic filing. Thereafter the defendant's solicitors will submit the defence (submit payment via internet banking). The court will then notify them about the status of filing and processed the said document with a digital seal.

Similarly, the filing of affidavits using the electronic filing service can be done electronically or manually (by the deponent himself by signing the original paper affidavit) (Rules of Court 2012, Order 63A, rule 13).

The flow of events in the conduct of civil litigation must be organized according to the Rules of Court 2012 and observed by both solicitors acting for the parties to the action. Examples are plenty:

Example 1: Obtaining judgement-in-default of appearance.

After the defendant has failed to file in his appearance, judgment-in-default of appearance will be entered and recorded by the court. However, if the defendant has entered an appearance within the specified timeline by filing the Memorandum of appearance, the court is required under the Rules of Court 2012 to affix an official stamp acknowledging the date on which such documents have been received. (Rules of Court 2012, Order 12, rule 3). Similarly, if defense is not served within specified timelines, judgment in default of defence will be entered and recorded by the court.

Example 2: The determination of when the pleading is deemed closed (Rules of Court 2012, Order 18, rule 20).

At the expiration of 14 days after service of the reply of, if no reply, but only a defence to a counterclaim, after service of the defence to the counterclaim; or if neither a reply nor a defence to a counterclaim is served, at the expiration of 14 days after service of the defence (Rules of Court 2012, Order 18, rule 20 (1)(a) and (b)).

Example 3: Pre-trial preparation and pre-trial case management

After the close of pleadings, pre-trial case management will be fixed by the court (Rules of Court 2012, Order 34, rule 2). At this stage, solicitors acting for the parties to the action make any interlocutory application (Rules of Court 2012, Order 34, rule 9). For example, any party to the action can file in an application for summary judgment (Rules of Court 2012, Order 14). For example, the plaintiff who has served the statement of claim on the defendant and that the defendant has entered an appearance, the plaintiff may on the ground that the defendant has no defence to a claim, or a particular part of a claim stated in the writ, except as to the amount of damages claimed, apply for summary judgment. At the case management stage, pre-trial preparation will include the carrying out of the following tasks:

- i. Check for new case laws (on court procedures and substantive laws relating to the area)
- ii. Consider any possible change in the position of the parties (e.g. Based on the pleadings and discovered documents)
- iii. Consider what evidence is needed at trial and how evidence will be led
- iv. Confirm availability of witnesses
- v. Consider notice to admit facts
- vi. Disposal of cause on a point of law (Rules of Court 2012, Order 14A)
- vii. Production, inspection and preservation of property
- viii. Interlocutory injunction (prohibitory, mandatory or Mareva) (Rules of Court 2012, Order 29)
- ix. Withdrawal of discontinuance (Rules of Court 2012, Order 21)
- x. Consent order
 - 4 Research the law
 - 5 Organization of documents based on originality
 - 6 Discovery and inspection of documents (Rules of Court 2012, Order 24)
 - 7 Experts of parties (Rules of Court 2012, Order 40A)
 - 8 Admissions (Rules of Court 2012, Order 27)
 - 9 Witnesses – list of prospective witnesses

4.2 Quality direction

There is need to understand the benefits of abiding by the Rules of Court 2012. To achieve this, training and involvement of all parties concerned must not be discounted for. In this respect, the Judicial and Legal Service Training Institute (ILKAP) is a government agency that has received validation of MS ISO 9001:2008 on 19 Mac 2010 by Llyod's Register Quality Assurance (LRQA) with the mission to improve knowledge, competency and professionalism especially among judicial and legal officers and law enforcers. ILKAP is established to achieve important functions such as the organization of training programmes, seminars and courses. It also conducts research relating to the need of training and impact analysis on the organization and officers from the public services, statutory bodies and local authorities who are in the judicial and legal services and the enforcement of laws. ILKAP may train their judicial officers, especially with regards to the importance of encouraging the parties to the action to reach amicable resolution of disputes via the use of dispute resolution mechanisms, wherever possible and the function of certain court procedures such as court connected Mediation (under the Rules of Court 2012, Order 34, rule 2) and the Notice of Attendance of pre-trial case management (under Rules of Court 2012, Order 34, rule 4).

b. Quality control

The Rules of Court 2012 assist the court to monitor the litigation track by enabling the court and even any one of the parties to the action to detect errors in law and facts and make the necessary action as stipulated under the Rules of Court 2012. Evidences are as follows:

- i. The filing of actions throughout the litigation process requires the observance of specific rules under the Rules of Court 2012 and the use of specific standardized forms as specified for commencing certain actions. For instance, writ of summons (Form 2A Rules of Court 2012, Order 6, rule 1), application for substituted service application Form 134 under Order 62, r 5) and memorandum of appearance (Form 11 Rules of Court 2012, Order 12, rule 2). However, the Court

- shall have regard to the interests of justice and not on technical non-compliance with the Rules of Court 2012 (Rules of Court 2012, Order 1A). Thus, any non-compliance should be treated as an irregularity. Furthermore, the court shall not entertain any preliminary objection to non-compliance of rules (Rules of Court 2012, Order 2, rule 3).
- ii. The court controls the way pleadings are drafted. For instance, the rule of thumb is that there is a need to plead specifically in certain matters (Rules of Court 2012, Order 18, rule 8). However, there may be a situation when points of law in pleading must be pleaded (Rules of Court 2012, Order 18, rule 11), the need to plead facts and not evidence (Rules of Court 2012, Order 18, rule 7), (restriction of raising any new ground or claim inconsistent with a previous pleading of his own (Rules of Court 2012, Order 18, rule 10), and the necessary particulars which must be stated in a pleading (Rules of Court 2012, Order 18, rule 12).
 - iii. However, the Rules of Court 2012 warns that any amendment to pleadings must not be treated lightly. It states that any amendment to a writ after its service on the defendant must be done via ex parte application and must be served on the defendant (Rules of Court 2012, Order 20, rule 1 (2)) amendment of memorandum of appearance must be with leave of the court (Rules of Court 2012, Order 20, rule 2). The court requires that amendment must be done within 14 days upon amendment order, failing which such order shall cease to have effect (Rules of Court 2012, Order 20, rule 9)
 - iv. Applications must be done with good faith and fair play. For instance, the Rules of Court 2012 prescribe that the court will see that the Plaintiff's application for substituted service is done properly. In this sense, the Plaintiff must show effort to effect service on the defendant within 1 month from the date of the issue of the writ of summons and followed by subsequent efforts thereto to effect service of the same (Rules of Court 2012, Order 6, rule 7 (2A)).
 - v. The Rules of Court 2012 also controls the withdrawal and discontinuance of action. The plaintiff may withdraw action within 14 days after service of defence on him by serving a notice in Form 32 Rules of Court 2012, Order 6, rule 7(2A))
 - vi. The court will ensure that a judgment shall not be entered against a defendant unless the plaintiff produces a certificate of non-appearance in the prescribed court form (Form 12) and an affidavit is filed by or on behalf of the plaintiff proving due service of the writ on the defendant or in the alternative, the plaintiff produces the writ of summons which has been endorsed by the defendant's solicitor with a statement that confirms the acceptance of the writ on behalf of his client (the defendant) (Rules of Court 2012, Order 13, rule 7 (1)).
 - vii. The court is vested with the discretion to set aside or vary any judgment made by it, if it thinks just to do so (Rules of Court 2012, Order 13, rule 8).
 - viii. Based on the above explanation, any step taken must be evaluated and reviewed so that the proper or right recourse is sought. The parties to the action or their respective solicitors must comply with any such court order, especially pertaining to case management order, or else face the court's wrath. The Court is vested with the discretion to dismiss the action or strike out the defence or counterclaim or enter judgment or make such other order as deemed fit if any party fails to attend to it accordingly (Rules of Court 2012, Order 34, rule 6).

5. Implications of the Study

It is observed that abiding by the Rules of Court 2012 will benefit the solicitors to develop rational advice in order to cater to the needs of their respective clients as to the next logical course of action in the litigation process, namely either to look forward to a settlement plan or proceed to trial.

6. Conclusion

The study indicates that the provisions of the Rules of Court 2012 support the use of the management process. A number of provisions of the Rules of Court 2012 support the robust approach needed by solicitors acting for the parties to the action as well as the Malaysian civil court in achieving its initiatives in managing cases efficiently to meet the end of justice. It is axiomatic to note the use of the management process activities are relevant in considering the efficient and systematic management of:

- (a) Disposition time for cases
- (b) Amicable resolution of disputes, wherever possible (with or without the assistance of a third-party neutral); and
- (c) Protection of the rights and interests of each party to the action

7. Limitations of the Study

This study has encountered the usual limitations of time and funds commonly faced by a non-funded study. Thus, this study can only be considered as a preliminary study.

8. Recommendations

Active case management is an important aspect in civil litigation in Malaysia and even in most countries in other parts of the world. In this regard, it is recommended that the courts and the Malaysian Bar must initiate consciousness among court managers/administrators and solicitors about the effectiveness of using basic activities in the management process in the management of cases. Equally important is that the subject of Civil Procedure for law students should include the topic of management process and relate it to pre-trial case management under the Rules of Court 2012 so that students may visualize and determine what a solicitor would want to achieve in managing a case.

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Management Debit - Regional Directorate of Road Transport Services Shkodra

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S_shpuza79@yahoo.com**Abstract**

Regional Directorate of Road Transport Service Shkoder is an institution that is established that the 21.07.1999. The nature of this institution has to do with providing services to citizens in connection with the registration of vehicles, issuance of patents etc... Activity controls higher incomes the tax is. The cars that recorded for the first time and then throughout their lifespan until the derecognition are required to be filed with the liquidation carried out every year for an annual fee of used vehicles. for about one year on the orders of the Central Directorate citizens are being penalized for their debit tools ... it means for tools that have over a year that are not presented to repay their obligations. Penalty come to the refusal of some services. Only Shkodra had in 2014 about 10,000 debtor for taxes. Shkodra district has about 27,000 vehicles.

Keywords: Management Debit - Regional Directorate of Road Transport Services Shkodra

Literature review

Matrix balanced scorecard (BSC), which was created by the author Kaplan and Norton. this matrix is a management system that enables organizations to clarify the vision and their strategy and translate them into concrete actions. (Kaplan & Norton, 1992). Also, this model provides feedback on internal business processes and external at the same time about their results. (Kaplan & Norton, 1993). BSC-It suggests that organizations should be judged from four perspectives, develop quality measuring instruments to collect data and analyze them according to each of the prospects. These prospects are consumers, finance, process and innovation & learning.

Methodology

In this paper was used quantitative Methods for realization of this research, and specifically techniques for gathering questionnaires output. There is a vast literature on the management of debts, most of the studies using qualitative research methods. From the other side to respond to our questionnaire we asked questions testing connections between variables (time factor, economic opportunity and amnesty) testing of these connections enabled by using quantitative methods There are distributed 100 questionnaires.

By questionnaire distributed was noticed that most clients have done transactions with trader's act car or elderly people to avoid regular procedure derecognition, which accompanied the payment of taxes.

Another part to the economic impossibility of having sold for parts by avoiding to appear in Director to conduct regular procedure

A small proportion say they did not have sufficient information on the procedures of the Department

Conclusion

Required to be applied as often as a marketing campaign to inform customers about regarding all procedures that Department of Transport offers

Notices must be made from time to time in the media and brochures to be prepared every citizen informed that it has a tool

It requires a strong collaboration with the Department of Taxation to solving this problem, also with the Police Department to block the means to move without taxes in the city.

Official notification by mail must be urgent

Creating an information office for the debtors within the institution of Donegal Transportation Department.

Granting the possibility of debtors to pay in installments arrears.

The employment of a notary at the Directorate which will be part of the chain of work to registration of vehicles in order to avoid changes of ownership only notarized. Finalization of the change of ownership is when the driving license holder takes the name of the vehicle.

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Questionnaire

1. Where you are informed about the services offered by the Department?

A) the media b) Friends c) no Informed

2. a have been informed about the amnesties made?

a) Yes b) No

3. What did you do when you was refused service to other means of debt?

4. how do you repay the debt created

5. What was you doing with your vehicle which you debtor in the director?

Which Foreign Language Should Be Taught in the Albanian Education System?

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Abstract

Until the 60s in the XX century, in Europe, foreign languages were a privilege aimed just for the rich, the educated and some other people who had specific crafts. Today in Europe and Albania, the foreign languages are part of the daily activities of lots of people. These languages enable getting and using a variety of information and nowadays this process is becoming easier and easier thanks to the increasing number of people who know one or even more foreign languages. Everybody knows and expresses the fact that foreign languages are a "must". The question which arises immediately after that is which of these languages we should learn. While attempting to answer the first one, there arises the second question, the third one and so on. What is communication like today? What will it be like in the future? Starting from the moment we think and dream about a future, there are still concrete opportunities to be analyzed so as to how we can get there. Along this article, we will reflect on communication today and we will describe the challenges that teaching foreign languages in Albanian schools should face. According to the statistics of the Eurobarometer in Europe (Special Eurobarometer 243. 2006) the biggest part of Europeans (65%) first get in touch with the foreign languages at school. It is school which enables the longest contact with the foreign languages. This fact makes school the most important and the most critical element to be studied compared to the supportive policies of multilingualism in communication.

Keywords: languages, education, multilingualism, communication

1. Foreign languages in XXI century

Let's see how communication is represented nowadays.

By analyzing the last decades we notice a rapid growth of contacts with foreign information, of communication and interactivity which surpasses the national boundaries, of linguistics and cultures. Thanks to the media, the information and general technology means development, everybody, by making use of three mouse clicks, can get data from every civilization and every language in the world. We can have a low cost global communication by means of either the telephone, electronic mail or virtual communication. Travelling beyond national boundaries has become quicker, more economical and more ordinary. Spending a weekend in a city which is a thousand kilometers far away seems as normal as a business trip for a couple of days in another continent. More and more private businesses are becoming active internationally. They make business deals with foreign countries, buy and sell, exchange services with lots of countries which speak different languages. Employers have to communicate with foreign customers, to briefly travel to foreign countries with other cultural development and where other languages have been developed. In the meantime, if we analyzed the scientific development, the scientific editions are globally widespread. Nowadays scientists and researchers put up virtual working groups or they work abroad, in international working groups. Eventually the students are the ones who are getting ready for this world, let's call it modern, and we have recently noticed that many of them have increased their requests and aims to attend courses, part or full time studies abroad, even without going to these places, but directly through computers.

This is what we often call 'globalism'. This world process is intensively developing in Europe because of the economic and political unification processes.

4.1 Let's get back to school

The subject of teaching foreign languages belongs to the educational system of every country and this system is responsible for the quality and maintenance of the whole lesson process (Atlan, J. 2000). Regarding this matter, the Albanian system should raise its questions about updating and the results of the actual methods, but their analyses isn't

the aim of this speech. We aim to directly treat the contradiction which the Albanian teaching system faces nowadays, in accordance with the public or social request to follow the thesis 'only English' and the approved policy by the Albanian state which supports 'multilingualism'. To achieve this we should analyze the linguistic environment in our country, the European environment as well as the global one. This requires giving a critical glance to the environment where we live today, where we want to live tomorrow and the chances we have to achieve our aims. The facts reflect that it is this environment which conditions the practicalities of teaching foreign languages. Today we are facing a dilemma: which foreign languages should we teach our pupils, students or children in Albania. Should we follow a neighbor policy or country economic relationship, thus encouraging the teaching of Italian, Greek, Turkish, or should we act in accordance with the orientations imposed by a European or global linguistic policy and which are the contradictions it brings along?

4.2 LET'S STOP ON WHAT WE CALL 'THE LANGUAGES' DYNAMICS'

It has been scientifically proved that when a group of people who have different native languages meet for an X reason, and they are asked to communicate with one another, there is always a language which tends to collect more communicators and naturally there comes an immediate tendency to preserve that language as a means of communication within the group. If this language preserves the same status in different and numerous groups, then we will have even more people who do not practice this language, becoming more aware to use it. Thus we will have a language with a privileged status getting even more reinforced (Brodin, E. 2007).

Based on this notification which greatly supports the pragmatic and theoretical viewpoints, we conclude that this is what has happened to the English language nowadays. This is the reason why we fully support the theory of English for international communication. With all the official declarations of the European Community in favor of multilingualism, the English language continues to stand on top of the languages pyramid, thus being more easily comprehended. Regarding the other languages' dynamics, all countries, including here even Albania, try to orientate this movement by following some criteria which have been set without making any specific study, that's why I would call it sensing rather than criteria. A really clear indicator of this dynamics is the fact that just a few years ago, in Albanian cities, the schools were separated into 50 % English and 50 % French, whereas today this percentage has varied and the parents choose their children's schools in accordance to the foreign language they teach. A deep avoidance of the French language is noticed and there is a great tendency to substitute it with the English and German languages. We can mention here an example from a secondary school in Elbasan "Sul Harri" where the pupils of the fifth class in 2012 – 2013 studied French as a second language and then in the sixth class in 2013 – 2014 they stopped learning French in order to learn German. Should we accept the fatality of this 'languages dynamics' making it evident that the English language in itself isn't the real matter, but it is the general linguistic hegemony without considering on which languages benefit it is used. If we analyze this question, we should consider all the elements which make up this matter because we can't limit ourselves just on the communication matter and the symbolic aspects it includes, though they are an important part of reality. I think that first of all we should measure the considerable economic size which the linguistic hegemony brings to the countries or places which have a native language set in a hegemonic position. By concretely analyzing the hegemony of the English Language, we can mention some of its consequences.

- Firstly we have the creation of huge monopolies in the translation, interpretation, English texts publishing, English teaching and the production of pedagogical materials to make that possible.
- Secondly, the English gain a great saving of time and money in international communication whereas the others have to attempt, to spend time and money to learn this language, to communicate through it and to profit by the messages it's transmitted.
- The English save time and money even for the fact that they don't have to learn other foreign languages.
- The English have the opportunity to invest what they didn't spend on learning foreign languages in other areas.
- The English have a dominant position in every situation of negotiation, they stand higher than the competitors and profit from the English language to choose the conflicts in their favor (Demaizière, F. & J.-P. Nancy-Combes. 2005).
- The existence of these consequences is often surpassed and up to now we have no detailed studies though the number of Albanian children registered in English courses increases and the methods of teaching English advance, are updated and sold at an incredible speed.

I am convinced that if something like this happened in all other areas of public policies, it would soon be considered as

unacceptable. If one day, I hope soon, Albania becomes part of the European community, it will stand in the position of the loser as most of the other countries which already have this status.

4.3 WHICH ARE THE PROBABLE LINGUISTIC POLICIES?

Are there any economical linguistic policies? If such policies do exist, what are the measures to be undertaken in order to apply them? Let's analyze two possible scenarios.

The first scenario is the one of the multilingualism. We can define multilingualism as the linguistic regime organized in such a way that it enables inter – European communication in many languages (Narcy-Combes, J.-P. 2006). Obviously this scenario ends the hegemony of the English language.

The second scenario, theoretically, could be the one of finding or developing an artificial language belonging to no one, just like Esperanto, which could be adjusted as an international communication language for everyone.

From an economic viewpoint, this second scenario would obviously be the best choice for Albania, as well as for every non – English country. This imaginary language would avoid the consequences we mentioned above, thus making everyone attempt to translate and interpret from native language to the so called international one. This process would be far more economic as it would be spent for the learning of a unique language which would be easier than English or any other languages to acquire.

If we give a brief glance to the scenario of multilingualism, it won't result more economic as we suppose that the learning of every language costs more or less as the learning of English, but if we have to see the glass as half full rather than half empty, we can say that multilingualism gives to every language an equal weight to the demographic weight of the community who speaks it.

So though briefly, we saw that there are other alternatives apart from the thesis 'everything English'.

When we talk about linguistics it is the same as when we talk about ecology because the decisions made in these areas are effective only when they are taken and undertaken in all countries (Toma, A. 2007). If a country legalized and applied multilingualism while the others it cooperates with would all practice the same international language, we would face the fact that this country would see a great deal of attempts and money thrown away because of what we called 'languages' dynamics". Fortunately, the European Union and the states which are its members have acquired the position which is the promotion of the language variety which should then be followed in the policy of language education. Apart from mobility, respective communication and economic development, Europe tends to preserve the European cultural heritage where language variety is an essential component. This is a matter which does not only treat the development and preservation of languages, but it enables the European citizens to develop their language skills. Learning a language should be seen as the development of the specific language skill of each individual and this skill should be developed not just for practical or professional reasons, but even as an education to respect the others' languages and the variety of languages. These arguments fully support the policy for the language education which encourages the increase of abilities to learn some foreign languages for all the citizens throughout their lives. This is the only way for Europeans to become multilingual and intercultural citizens, capable of communicating with other Europeans about all aspects of their lives.

Learning some languages in Europe, obviously does not decrease the economic costs, but adopting a similar policy avoids unequal privileges among countries with great languages. To be concrete, this policy of teaching foreign languages at schools would consist in the obligatory learning of two or three foreign languages among which English could not stand systematically. In this case every country should give priority to the learning of languages which belong to its main partners, which could be reinforced with bilateral agreements.

- By means of gifts in books and didactic materials, financing different activities mainly through the French Alliance, the French government tries to preserve the decreasing reputation of the French language and also to protect the status which French actually has at schools.
- If we read the journey of the German language described in the article of May, 5-th, 2014 read by the head of the German Department at the University of Tirana Prof. Dr. Brikena Kadzadej, we notice that German is present in many schools.

- In December 2012 Albania and Italy signed a cooperation agreement in the framework of the second phase of the 'Iliria' program. The agreement aimed teaching Italian as a first foreign language at elementary schools and high schools in all the Albanian territory.

There have been similar agreements in Albania and I hope there will be even in the future, but when we see the attempts that many countries make to spread their languages in Albania (I should have mentioned here even the attempts which are made to teach Turkish and Greek in schools) there arises the question: does the Albanian state have a clearly specified policy in this regard? I would say no as this is verified by the fact I am going to read now.

In the first instruction, nr 60, and date December 26-Th 2013, for the development of the maturity exams, MAS (Ministry of Education and Science) established that: The test of foreign languages will be made in accordance with the language which is each candidate's favorite. The selection of the student for this exam will be reflected in the respective form. In item 1.3 of this guide it was stated that: "The test of the foreign language, as an obligatory exam, would be developed by the AKP (the National Agency of Exams) and the result would be implemented by the AKP (the National Agency of Exams) itself.

In the second instruction, which dates February 7-Th 2014, the Ministry of Education has reconsidered it and has changed some items of the instruction, by removing the right they had given to the graduates in the first instruction. But in this second instruction it was specified that the graduate would take an obligatory exam, the first language he/she has done at school. And apart from that, it won't be AKP (the National Agency of Exams) to make the implementation as it was defined in December, but it will be done by the respective Education Directory. Also, changes have been made even about the item which defined how the foreign language selection that the graduate prefers to take as a facultative exam would be done. In the first instruction it was stated that: The graduate has the right to select only one foreign language, which is treated as the first foreign language in the school lesson plans, no matter if it has been done at school or not.

These letters show nothing but the fact that there is uncertainty in the way of organizing multilingualism, though the European Union has brought in Albania the translated manual which explains the principles and recommendations of the European Union so as where the educational policies which urge language variety should be based. This article entitled "A guide to the development of language education in Europe", in its executive version in 2007, (Beacco, J- C. & Byram, M. 2007) is the promotion of a critical reflection over the widely protected attitudes regarding the language learning and the established actual attempts which deal with the policy of language education.

4.4 CONCLUSION

I express my final thought that it is necessary in all this matter to reformulate clear objectives regarding the distribution of foreign languages in schools in Albania, either private or public. The objectives should consider the geopolitical situation of the country: which languages are present in the respective territory, which languages are present in its boundaries, what social and economical ambitions the country has for its future. The vision for the future should be expanded even to China, but this vision should be clear so as every eye can see the coastlines in the horizon.

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Marine Algae from Black Sea - Important Resources in the Pharmaceutical and Medical Research

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Abstract

During the past years, it became obvious that the ecosystem presents a marine algae surpluses, which should be turned valuable in one way or another. The importance of the macrobenthic flora – algae and phanero-gammes – for the general productivity of the marine environment, especially in shallow waters, is becoming more and more obvious from the biological as well as from the economical point of view. The macrophytes also represent a particular life form. The benthic macroflora includes 33 species 4: 16 Chlorophyta, 10 Rhodophyta, 5 Phaeophyta, and 2 Phanerogama. The quantity of green algae (Chlorophyta) was higher in the Constanta – Eforie area, as red algae are predominant in the southern part of the littoral. Brown algae (Phaeophyta) were encountered in the Constanta city area (Punctaria) and in Vama-Veche (Cystoseira barbata). Yet, this fact indicates a slight amelioration of the marine ecosystem, after many years of eutrophication. The superior capitalisation of the marine biomass represents a highly important resource for the pharmaceutical industry, supplying raw material for the extraction of bioactive substances and various other substances, the purity of which is strongly connected to the state of the marine ecosystem.

Keywords: marine algae, Chlorophyta, Rhodophita, Phaeophyta, Phaeophyta

Introduction

The importance of the macrobenthic flora – algae and phanerogames – for the general productivity of the marine environment, especially in shallow waters, is becoming more and more obvious from the biological, as well as from the economical point of view[1÷3]. The macrophytes also represent a particular life form. The interspecific relationships between the benthic macro- and microphytes, as well as the relationship between these and the associated fauna ensure the existence of a wide interspecific type of relationships. Yet, this fact indicates a slight amelioration of the marine ecosystem, after many years of eutrophication. The superior capitalisation of the marine biomass represents a highly

important resource for the pharmaceutical industry, supplying raw material for the extraction of bioactive substances (vitamins, sterols, and collagen) and various other substances, such as agar-agar, the purity of which is strongly connected to the state of the marine ecosystem.

Research Methods

In 2012 it was conducted the qualitative and quantitative analysis of phytobenthic samples on a range of 75 samples collected during the summer season. The samples were taken from profiles and stations considered representative in terms of algal flora and follow the coastline: Năvodari, Constanta Casino, Eforie Nord, Eforie Sud, Tuzla, Costinești, Mangalia, 2 Mai and Vama Veche[1]. Following the qualitative analysis, in summer 2014 were identified 20 taxa assigned to filums as follows: 9 species belonging to the phylum Chlorophyta, 1 species – phylum Phaeophyta (*Cystoseira barbata*), 8 species belonging to the Rhodophyta phylum (7 species and a variation, respectively *Ceramium rubrum* var. *barbatum*) [3]. In 2014 in view of the monitoring of the Black Sea water quality there were investigated the physico-chemical indicators. They were obtained from the analysis of surface water samples and of the water column (0-20 m) collected during two oceanographic expeditions (in May and November), from two stations situated on 5 and 20 m isobath[2]. There were analysed the main physical – chemical and status indicators that characterize and control the eutrophication level, namely: salinity, pH, dissolved oxygen, inorganic nutrients. The salinity was measured in-situ. The dissolved oxygen was determined by the Winkler method. The pH was measured by the potentiometric method. The nutrients in seawater were quantified by analytical spectrophotometric methods, internally validated in the laboratory with reference to the textbook "Methods of Seawater Analysis" [4] The benthic macroflora included 33 species [5]: 16 Chlorophyta, 10 Rhodophyta, 5 Phaeophyta, 2 Phanerogama. The quantity of green algae (Chlorophyta) was higher in the Constanta – Eforie area, as red algae are predominant in the Southern part of the littoral. Brown algae (Phaeophyta) were encountered in the Constanta city area (Punctaria) and in Vama-Veche (*Cystoseira*). During the past years, it became obvious that the ecosystem presents a marine algae excess, which should be turned valuable in one way or another. The following species stand out: *Cladophora vagabunda* (L.), *Enteromorpha intestinalis* (L.), and *Ulva Lactuca* Species (*Ulvae rigida*). From the read and brwoun algae we have *Ceramium rubrum* and *Cystoseira barbata*. From the green algae of the Black Sea, the systemic clasification of the Class Chlorophyceae was presented [5,6,7]. The methods are from botanical phytochemical and physico-chemical area.

Results and Discussions

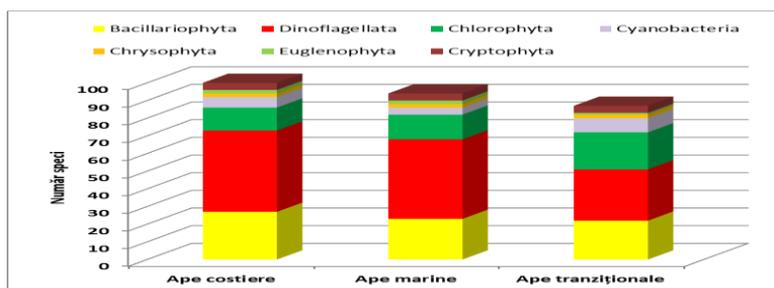
It resulted that algal biomass grew abundantly in summer 2012 as a result of favourable environmental conditions (respectively, high temperature water, amount of nutrients, photosynthesis transparency favorable to photosynthesis). Among green algae, *Cladophora vagabunda* (1.800 g/m² fresh biomass) and *Cladophora sericea* (1.700 g / m² bp) and from the red algae - *Ceramium rubrum* var. *barbatum* (approx. 1,000 g / m²b.p.) developed high biomass. These species were identified during the whole summer season, both in samples and in storage on shore, particularly in the northern part of the coast, because in the southern part prevailed specimens of *Ulva* (*Ulva lactuca* - 1200 g/m² b.p., *Ulva intestinalis* - 770 g/m² b.p.) as associated species for *Cystoseira barbata* fields existing in these areas. [1,3]. Fresh medium biomasses for quantitative dominant groups between 2005-2012 (summer seasons),[1].

In 2014 it can be noted the dominance of opportunistic green algae in the northern sector of the Romanian seaside and the presence of brown algae *Cystoseira barbata* in Mangalia, 2 Mai and Vama Veche, where it is known that marine waters have a higher quality, which allowed the rehabilitation and the existence of this key marine species for the marine ecosystem (Fig.1). In Mangalia during the summer there were observed *Cystoseira barbata* well-developed shrubs, epiphytic *vagabunda* of *Cladophora*, *Ceramium diaphanum* var. *elegans* and *Callithamnion corymbosum*. The fresh biomass recorded by it was raised (4300g / m²b.p.), similar to that reported in the previous year (4700g / m²b.p.), which shows that this species maintain a stable direction of development in this area. In 2 Mai, on a rough rugged substrate, it is found a field of *Cystoseira* (between 1-3m deep) well developed, with tall *Cystoseira barbata* specimens, epiphytic generally by small specimens of *Ceramium virgatum*, at the base of the tals being encountered *Ulva lactuca*, the dominant species associated to the field. On the elastic surface of the tals were present mussels, which draws attention on the great importance of this perennial brown algae for the ecosystem, as a species that provides life for other organisms. Vama Veche is known from

the previous studies as being the area where *Cystoseira barbata* forms a vast field (between 1-3m) with mature specimens and rich associated fauna.

Fig. 1: The taxonomic composition of the Romanian sector

Black Sea phytoplankton in 2014 [2]



Likewise, in Vama Veche was observed the presence of red algae *Corallina officinalis*. In the south of the coast, the biomass of the opportunistic species were reduced more compared to other analyzed areas, areas where the perennial species *Cystoseira barbata* stood out [3]

The salinity recorded homogeneous values between 15.94 to 18.53 PSU, specific values for the brackish waters of the Black Sea. The higher values were recorded offshore, in the water column (Vama Veche station 20m), during spring, due to shaping the thermocline and stratification of water bodies. In autumn, the stratification is not visible, the salinity being homogeneous in the water column. The pH values were in the range of 8.20 to 8.55, normal values, falling within the limits accepted by the Order No.161 / 2006 (The normative concerning the classification of surface waters in order to determine the ecological status of water bodies) namely 6,5 – 9,0. In general, a good water oxygenation was observed in the studied area. In spring, in the surface layer was revealed the photosynthetic production of oxygen, the saturation values being within the range from 103.1 to 124.2%. In autumn, the values were homogeneous throughout the water column, slightly lower at the water-sediment contact area (80%). There were no hypoxia phenomena recorded, all values being within the accepted limit of Order no. 161/2006. **The nutrients** usually registered normal values, specific to the variability domain specific to the area. During spring, were recorded high values of the phosphates (1.87 μM) and ammonium concentration (17.43 μM) at surface. The concentrations of phosphate (PO_4^{3-}), showed concentrations ranging from 0.06 μM , and 1.87 μM . Except the surface value, measured in dots during spring, the other values are low, compared to the 1960's results, reference period for good water quality status of the Romanian coast. The nitrates concentrations (NO_3) – varied between 0.04 and 0.93 μM , very low values that do not exceed the maximum concentration permitted by Order no. 1061/2006, or 1.5 mg / dm³ (107.14 μM). Generally, it was observed a homogeneous distribution of nitrates throughout the water column with slightly higher values during fall when, with the decrease of the biological activity, the nutrients stock began to recover. Nitrites (NO_2), intermediate redox process forms involving inorganic nitrogen species reported low concentrations in the range 0.13 - 0.95 μM . All values fall within the maximum allowed by Order no. 161/2006 respectively 0.03 mg / dm³ (2.14 μM). The ammonium (NH_4^+), the polyatomic ion in which the nitrogen has the maximum oxidation number, +3, is the most easily assimilable form of inorganic nitrogen. Its concentrations showed values ranging from 0.51 to 17.43 μM . The maximum value was recorded in May at surface near the shore and it exceeds the accepted limit for both ecologic status and the impact area of the anthropogenic activity in Order no. 161/2006 - 0.1 mg / dm³ (7.14 μM). The silicates, (SiO_4^{4-}), had low concentrations situated within the range 4.8 - 10.2 μM . The highest values were determined in the water-sediment contact area during spring, as a result of the stratification of the water masses. Regarding the **contamination indicators** in the marine reservation area Vama Veche – 2 Mai, in 2014, the polychlorinated biphenyls and the majority of organochlorine pesticides had, in water, values below the detection limit.

The **macroscopical examination for marine algae** was realized, which represents the first stage in the investigation of the known or untested vegetal products. This was done through the examination of the entire plant (rizoid, celluloid and filoid), with the human eye, as well as with a magnifying glass, in order to observe its aspect, dimensions, colour, taste and smell [4, 5]. The **microscopic exam** of the collected algae was realized through the use of specific for the pharmacobotanical researches, [5, 6]. For the global chemical analysis, the extraction of the active principles is very important [6,7,8]. The qualitative chemical analysis involves the successive and selective analysis of the vegetal products, using solvents with opposing polarities, and the separation by the means of chemical methods, followed by specific reactions which help to identify different groups of active principles or certain chemical constituents [7].

Out of the vegetal sample sprinkled with a non-polar solvent (ethylic ether, petroleum ether, benzene, hexane, chloroform etc), then with a medium polarity solvent (ethanol, methanol) and only in the end with water, the following fractions were obtained, [6,7,8]:

- etheric extractive solution (A)
- alcoholic extractive solution (B)
- water based extractive solution (C)

Each extract is analysed for the identification of the active principles of pharmaceutical interest. For the identification of the chemical compounds of the three extracts, they are analysed separately, using the methods fit for the physical and chemical properties of each group of active principles. In the etheric extract we can identify lipophile chemical compounds, and in the other two extracts hydrophyle chemical compounds.

As a follow up of the identification reactions previously discussed, the following results were obtained, summarized in Table 1, 2, 3, 4.

Table 1 The selective reactions used in chemical analysis and identified active principles from seaweeds

Analyzed solution	Reactions used	Identified active principles
Etheric extracts	Lieberman-Burchard	Steroles and triterpenes
	Fluorescent UV. ($\lambda = 365$ nm)	Cumarines
Alcoholic extracts	Iron Chlorure reaction	Catehic Tanin
	Fehling	Reducing compounds
	Liebermann Bourchard	Triterpenic heterozides
	Borntrager	Antracenozide
	UV ($\lambda = 365$ nm)	Cumarines
Water based extracts	Fehling	Reducing compounds
	H ₂ SO ₄ conc. + tymol	Ozes and poliozes
	Foaming	Soapozides
	FeCl ₃	Catehic tanin

In etheric solution (A):

- a fraction of the etheric extract was evaporated up to dryness; the residuum obtained was dissolved in alcohol - the resulting solution does not have the specific smell of volatile oils for any of the algae species;
- the residuum obtained from the evaporation of the etheric extract was processed with HCl 2%; the solution undertook the Mayer and Bertrand reactions; the reactions were negative; the analyzed algae do not contain basic alcaloids;
- the residuum obtained from the evaporation of the etheric extract was processed with methilic alcohol; the alcoholic solution undertook the Shibata reactions; the reaction was negative for all algae species, which do not contain flavonoic aglicones
- the residuum obtained from the evaporation of the etheric extract was processed with amonium hydroxyde; the Borntrager reactive did not colour the solution orange; the analyzed algae do not contain endemoles;
- the Lieberman - Burchard reaction on the etheric extract was positive, indicating the presence of steroles and triterpenes in all analyzed algae;
- the Carr – Price reaction was positive, thus they contain carotenoids, for the species *Cladophora vagabunda*, *Ulva rigida*, and negative for the other species;
- the residuum obtained from the evaporation of the etheric extract was processed with amonium hydroxyde; the solution did not present an intense fluoescence on UV radiation, thus no species contains cumarines.

Table 2 The active principles traced as a follow up
of chemical analyses on the etheric extracts

The seaweed species	Analyzed solution	Steroles and triterpenes	Cumarines
<i>Cladophora vagabunda</i>	Etheric extracts	++	++
<i>Enteromorpha intestinalis</i>		++	++
<i>Ulva lactuca</i>		++	++
<i>Cystoseira barbata</i>		++	-
<i>Ceramium rubrum</i>		++	-

In non-hydrolyzed alcoholic solution (B):

- the reaction with the Styassny was negative;
- the reaction with iron chlorure is dark green, thus positive form catehic tanin for the *Cladophora vagabunda*, *Enteromorpha intestinalis*, *Ulva rigida*, *Cystoseira barbata* species, and negative for *Ceramium rubrum*;
- In hydrolyzed alcoholic solution:
- through the Fehling reaction, a brick-red precipitate was obtained for all species. Reducing compounds are present in all specie;
- the reaction with ninhydrine of the water based solution obtained from the residuum of alcoholic solution was positive for *Cladophora vagabunda*, *Enteromorpha intestinalis* și *Ulva rigida*, which cotain aminoacids, and negative for *Cystoseira barbata*, *Ceramium rubrum*;
- the residuum obtained through the evaporation of the non-hydrolyzed alcoholic solution is processed with a water based solution of HCl 2% , then turned alkaline with amonium hydroxyde and extracted with ether; after the evaporation of the etheric solution and the recuperation of the HCl 2% residuum, the Mayer and Bertrand reactions are done; the reactions were negative for all the species. The analyzed specie do not contain salt alcaloids.

- the residuum obtained after the evaporation of the alcoholic hydrolized solution is processed with 50% methilic alcohol; the Shibata reaction on alcoholic solution was negative for all the species; none of the algae analyzed contains flavonozides;
- the Liebermann – Bourchard reaction on the residuum of the alcoholic hydrolized solution caused a green-violet coloration, thus it signalled the presence of triterpenic heterozides in *Cladophora vagabunda*, *Enteromorpha intestinalis* și *Ulva rigida* ;
- the Borntrager reaction was negative for all species. Antracenoizides lack in all species.
- The acid solution is dark brown and does not indicate the presence of antocianoizides in any of the species;
- The solution becomes fluorescent under UV radiations, thus cumarines are present in *Cladophora vagabunda*, *Enteromorpha intestinalis* and *Ulva rigida* ;

Table 3 The active principles traced as a follow up of chemical analyses on the alcoholic extracts

The seaweed species	Analyzed solution	Catehic Tanin	Reducing compounds	Triterpenic heterozides	Antracenoizide	Cumarines
<i>Cladophora vagabunda</i>	Alcoholic extracts	++	++	++	++	++
<i>Enteromorpha intestinalis</i>		++	++	++	++	++
<i>Ulva lactuca</i>		++	++	++	++	++
<i>Cystoseira barbata</i>		++	++	-	-	-
<i>Ceramium rubrum</i>		++	++	-	-	-

In the water based extractive solution (C):

- The reaction for the identification of starch (with Lugol reactive) was positive for *Cladophora vagabunda*, *Enteromorpha intestinalis* și *Ulva rigida*;
- We have obtained a flaky precipitate – poliuronides present in *Cladophora vagabunda*, *Enteromorpha intestinalis* and *Ulva rigida*;
- The Fehling reaction was positive for all the species analyzed – reducing compounds are found in all analyzed species;
- The water based extractive solution evaporates into residuum, adding a few drops of concentrate sulphuric acid and tymol alcoholic solution – there results a red coloration, which demonstrates the presence of ozes and poliozes in all analyzed species;
- The foaming reaction of soapozides was negative; soapozides lack in all analyzed species
- The water based extractive solution reacts with diluted FeCl_2 and a dark green coloration emerges, which confirms the presence of catehic tanin in all species, except *Ceramium rubrum*;
- the Mayer și Bertrand reactions were negative – basic alcaloids lack in all analyzed species.

Table 4 The active principles traced as a follow up of chemical analyses on the water based extracts

The seaweed species	Analyzed solution	Reducing compounds	Ozes and poliozes	Soapozides	Catehic tanin
<i>Cladophora vagabunda</i>	Water based	+	+	++	+
<i>Enteromorpha intestinalis</i>		+	+	++	+

Ulva lactuca	extracts	+	+	++	+
Cystoseira barbata		+	+	-	+
Ceramium rubrum		+	+	-	+

CONCLUSION

The general conclusions of the studies are the following:

As a follow up of the pharmaceutical studies, we have identified and dosed compounds such as flavonoic aglicoles, cumarines, sterols and triterpenes, which are valuable active principles for the pharmaceutical industry.

In addition, we have identified ozes and poliozes, catehic tannin and reduction compounds.

The results obtained enhance the possibility of opening new directions in the process of valorification of the resources offered by the Black Sea, in the research of medicines produced from natural resources.

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European Patients' Rights to Be Protected Against Counterfeit Medicines

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Abstract

Because the falsification of medicines is a global problem, requires increased and effective international coordination and cooperation to ensure the effectiveness of the strategies to combat counterfeiting, especially in relation to the sale of such products on the Internet. In the context of people's health and life rank foremost among the values and interests protected by the TFEU, this article examines the evolution of the legislative process regulating the internal market for medicinal products in order to ensure a high level of protection of public health against falsified medicines and to present the legislative initiatives that have been taken at EU level taking account of new risk profiles, measures meant to ensure, at the same time, the functioning of the internal market of medicinal products. However, this article aims to address consumers' right to have access to safe, effective, quality and innovative medicinal products as a right of the European patient. Ensuring the free movement of medicinal products on the EU market must not violate or restrict this fundamental right of the patient. The threat that falsified medicines pose to public health is also recognized by the World Health Organization (WHO), which has established the International Medical Products Anti-Counterfeiting Taskforce ("IMPACT"). IMPACT has developed the Principles and Elements for National Legislation against Counterfeit Medical Products, which were endorsed by the IMPACT General Meeting in Lisbon on 12 December 2007.

Keywords: patient rights, European legislation, the European Union, counterfeit medicinal products, public health, legislative initiatives, internal market, legal supply chain

1. Introduction

To reduce the disparities in the field of medicinal products for human use, between certain national provisions, which directly affected the functioning of the internal market, was necessary to draw near the relevant laws, establishing rules for monitoring medicinal products and specifying the obligations of the competent authorities of the Member States to ensure compliance with the legal requirements.

Considering its importance for health services, the pharmaceutical sector is subject to strict regulations. Although the main objective of rules governing the production, distribution and use of medicinal products must be to safeguard public health, however, the means by which this goal is achieved, should not prevent the development of the pharmaceutical industry or of the trade in medicinal products in the European Union. In this context, the existing regulatory framework in this sector should not include unnecessary regulatory constraints that restrict and limit competition.

Overseeing the rules regulating and governing the freedom of competition on the pharmaceutical market and the direct and clear intervention if violations of the regulatory framework are found guarantees the existence of a competitive environment in the pharmaceutical sector in the European Union, the complex mechanisms of the pharmaceutical sector being subject to constant and careful analysis both at the level of the European Commission and of the Competition Council.

2. Theory

The pharmaceutical sector is vital to the health of European citizens, who must have access to innovative, safe and affordable medicinal products. In terms of regulation, the EU level concerns in terms of competition in the pharmaceutical market pay particular attention to the rules on authorization and marketing, on pricing and reimbursement of medicinal products and to those relating to patents.

When examining the compatibility with Community law of the conditions for the retail supply of medicinal products, the Court of Justice recognized the specific nature of medicinal products, whose therapeutic effects distinguish them substantially from other goods. The Court also stated that the health and life of humans rank foremost among the values and interests protected by the TFEU and that Member States are responsible for deciding on the level of public health protection they wish to provide and the measures to be implemented to achieve this level [1].

Directive 2001/83/EC [2], has been an important step in achieving the objective of free movement of medicines. On average, consumers do not have access to generic medicines earlier than seven months after the date on which innovative medicines have lost exclusivity. This is due, in part, to pharmaceutical companies that use various techniques to extend the commercial life cycle of their products. When the original products compete with generic medicines, prices go down and become accessible to a larger number of patients. In some cases, prices may decrease considerably.

Given the experience, especially by the Committee for Proprietary Medicinal Products, since the adoption of the Community code relating to medicinal products for human use additional measures have been necessary in order to cancel any remaining barriers to the free movement of patented drugs.

In 2005 came into force significant changes in the pharmaceutical regulatory framework, which had the objective of facilitating the market entry of generic medicines [3], for example, the introduction of so-called Bolar provisions [4].

Any action by public authorities in the pharmaceutical sector should aim at creating a competitive environment to ensure the access to medicinal products for European citizens to innovative, safe and affordable medicinal products, without unnecessary delay. In this respect, both competition law enforcement and regulatory measures can improve market performance for the benefit of consumers and should be considered in this regard.

To facilitate the movement of medicinal products and to prevent the duplication of controls from one Member State to another, the minimum requirements for the manufacture and imports from third countries were established, as well as the conditions for granting their authorization.

Because the new protection periods were applied for the innovative product for which authorization was applied for and approved after these rules became effective in 2005, some new rules - namely the new harmonized rules on data and market exclusivity, basically entered into force only in 2013.

Regarding medication, when necessary information to protect public health is already available to the competent authorities of the Member State of destination as a result of first placing on the market of a product in that Member State, a parallel imported product is subject to licenses granted on the basis of a proportionally „simplified“ procedure (as opposed to a procedure for granting marketing authorization), if the imported product has been granted a marketing authorization in the Member State of origin and whether the imported product is essentially similar to a product which has received marketing authorization in the Member State of destination.

3. Results And Discussions

The parallel trade in products is a legal form of trade on the internal market. It is „parallel“ as it involves products that are essentially similar to products marketed through the sales networks of original producers or suppliers, but which takes place outside and often parallel to those networks.

Parallel trade is a result of differences in prices between pharmaceutical products [5], for example, when Member States establish or otherwise control the price of products sold on their markets. In principle, parallel trade creates healthy competition and price decreases for consumers and is a direct consequence of the development of the internal market which guarantees the free movement of goods.

Although the safety and the first marketing of medicines are regulated by EU law, the principles of legality of parallel trade in these products have been established as a result of decisions of the Court under the provisions of the Treaty on the free movement of goods [6].

In an attempt to balance the rights of parallel traders and the need to maintain public interest objectives such as public health, the Commission has introduced guidelines on parallel imports in the *Commission Communication on parallel imports of proprietary medicinal products for which marketing authorizations have already been granted* (2003) [7].

In addition, we must distinguish between parallel trade and reimport. For example, in the case of pharmaceutical products, re-importation designates transactions through which are imported medicinal products from a Member State in which they are authorized, after having been previously obtained by a pharmacy in another Member State from a wholesaler in the Member State of import. In this regard, the Court held that a product manufactured in a Member State which is exported and then reimported into the concerned Member State is an imported product in the same way as a product manufactured in another Member State [8]. The Court noted, however, that these findings do not apply if it is found that such products were exported solely for the purpose of re-importation in order to avoid legislation such as that at issue [9].

The threat that falsified medicines pose to public health is a global problem and requires increased and effective international coordination and cooperation to ensure the effectiveness of strategies to combat counterfeiting, especially in relation to the sale of such products on the Internet. Taking account of new risk profiles, legislative initiatives which have been taken at EU level include measures to ensure, at the same time, the internal market of medicines.

An impact assessment conducted in 2008 by the European Commission [10] brought before the authorities alarming elements regarding falsified medicinal products entering the legal supply chain. The analysis has highlighted the increasing number of falsified medicines seized in customs (2.7 million in 2006 to 2.5 million in 2007, representing an increase of 384% compared to 2005 [11]), the counterfeiting with fatal effects of medicines for serious diseases (heart, cancer) and the introduction to the legal supply chain of fake drugs, including online purchase.

The European Commission estimated that annually are sold to Europe, through legal distribution circuit, 1.5 million boxes of counterfeit medicinal products. The fact that their volume increases on average by 10-20% per year is even more worrying. With a growth rate of 10%, the number of boxes of falsified medicines in the legal distribution circuit could reach 42 million by 2020. According to other, more pessimistic estimates, the growth rate is 30%, which would bring this number to 192 million.

Past experience shows that no falsified medicines reach patients only through illegal means, but also via the legal supply chain. This poses a particular threat to public health and can lead to the distrust of patients, including in the legal supply chain. To respond to this increasing threat, Directive 2001/83/EC had to be changed.

Considering all these alarming aspects, the European Parliament and the Council adopted Directive 2011/62 /EU on the prevention of the entry into the legal supply chain of falsified medicinal products [12].

As the stated aim of the Directive is to protect public health, it provides the legal basis for which the *counterfeiting of medicinal products is a criminal act* which deprives patients of safe and quality medical treatment.

The measures of the Directive to include the mandatory application on the packaging of medicinal products of safety features [13], the increased controls and inspections of factories producing active pharmaceutical substances [14], increasing the strictness of distributor records, the obligation of producers and distributors to report medicinal products presumed fake, and the centralized regulation of online pharmacies.

However, the distribution network of medicinal products is increasingly complex and involves many players which are not necessarily wholesale distributors as referred to in that Directive. This includes not only wholesale distributors, whether or not they physically handle drugs but also intermediaries who are involved in the sale or purchase of medicinal products without selling or purchasing those products themselves, and without owning and physically handling the medication.

The illegal sale of medicinal products to the public via the Internet constitutes a serious threat to public health because in this way counterfeit drugs may reach the public. It was therefore necessary to address this threat in Directive 2011/62/EU.

In this regard, account was taken of the fact that specific conditions for the supply of medicinal products to the public have not been harmonized at EU level and, therefore, Member States may impose conditions for supplying medicinal products to the public within the Treaty on European Union (TFEU).

The Court of Justice of the European Union, analyzing the compatibility with Community law of the conditions for the supply of retail drugs, held that the Member States are responsible for deciding on the level of public health protection they wish to provide and means to be implemented to achieve this level [15].

The Court also stated [16] that Member States should have discretion as regards the supply of medicinal products to the public on their territory. Given the particular risks to public health and the power given to Member States to determine the level of protection of public health, the Court has recognized that Member States may, in principle, restrict the retail sale of medicinal products to pharmacies only.

Without prejudice to national legislation prohibiting the remote offer for sale to the public of medicinal products subject to medical prescription via the Internet [17], the Member States must ensure that products are offered for sale remotely to the public by means of information society services as defined in Directive 98/34/EC [18].

So that the functioning of the internal market not be unduly restricted, but also for public health protection, for the retail supply of medicinal products sold online, the Directive 2011/62/EU proposes the creation of a common logo that can be recognized throughout the Union and allowing the identification of the Member State of establishment of the person offering the medicinal products for remote sale to the public. The logo shall be clearly displayed on the Internet site offering the medicinal products for remote sale to the public.

To prevent drugs that are suspected to present a danger to health from reaching the patient, Member States use a system that includes the receipt and handling of notifications of suspected falsified medicinal products, as well as suspected quality defects of medicinal products. If it is suspected that falsified medicinal products have reached patients, urgent public announcements are made within 24 hours to recover these products from the patients. Such notices shall contain sufficient information on the suspected quality defect or falsification and the risks involved.

Enlightening in this respect is the case of Pegasys, which we will present in the following. In November 2013, the Police and the National Agency for Medicines and Medical Devices (NAMMD) started an investigation after three pharmacies in the country were found counterfeit syringes with serum hepatitis B and C.

The Syringes with counterfeit hepatitis serum, on which the investigation was initiated, were found in two pharmacies in Pitesti and in one of Ialomita County. The investigation was initiated as a result of complaints received from patients.

The drug manufacturer, Roche Romania SRL, informed the National Agency for Medicines and Medical Devices (NAMMD) in September 2013 on the identification in Germany by the quality department of F. Hoffmann-La Roche, Basel Ltd. of a box of counterfeit Pegasys 180 mg / 0.5 ml. After this information, constant communication with NAMMD continued related

to occurrence of suspected counterfeit boxes in Romania. As well, Roche Romania SRL has shown that by November there were no reported cases of counterfeit suspicions of possible penetration in Romania.

After dozens of boxes of counterfeit Pegasys were released in November on prescription in pharmacies in several counties and irregularities were noticed by several people with hepatitis, the forgery came to the attention of the national authorities.

In the context of the investigation started, the Ministry of Health recommended that patients using the product Pegasys 180 µg/0.5 ml solution for injection in pre-filled syringe, when buying it in the last two weeks, to immediately contact the treating physician to determine the appropriate therapeutic management.

In this case, the counterfeiting of a drug for a serious chronic disease, we can speak of a criminal act because for patients with hepatitis B and C, interferon vials mean life expectancy. Counterfeit drugs could endanger patient response to treatment and even his/her life. The interest in counterfeiting this medicinal product is obviously economic because one vial has an average price of 750 RON, the entire sum being paid by the state through national health programs. Therefore, the investigation of the national health authority was doubled by that of the Organized Crime.

4. Conclusions

Fighting the penetration of falsified medicinal products in the legal supply chain without hampering the functioning of the internal market of medicinal products is a goal that can not be sufficiently achieved by the Member States and can therefore be better achieved by the Community.

When referring to the implications of a falsification of on public health, we must consider both the specific characteristics of the products in question, and the severity of the conditions intended to be treated with such medicinal products. Another aspect to be taken into consideration when introducing counterfeit medicines into the legal distribution chain is the price of counterfeit medicines. Counterfeiting of medicines for serious chronic diseases, for example, lead to reimbursement by the state of the full price of the medicinal product in question and, in addition, to tax evasion produced by the people introducing the forgeries to the legal distribution network, which endangers the lives of patients, by the lack of the necessary treatment.

Counterfeit drugs are illegal in terms of EU pharmaceutical legislation as they do not comply with EU rules on medicinal products. They pose a major threat to European patients and European industry and the public and stakeholders are deeply concerned about the steady increase of these products detected in the European Union in recent years.

Another concern is the fact that the risk profile has changed. The number of falsifications of innovative and life-saving medicines is increasing.

Even if you the exact number of existing or future cases is unknown, there is a noticeable trend clearly threatening the high level of public health protection in the European Union. *We believe that this trend can have disastrous consequences for consumer patient confidence in the pharmaceutical industry and the policy makers.*

The assessment of policy options, starting from a baseline of "non-action" on falsified medicinal products entering the legal distribution chain and estimates based on existing data, which are limited, were revealed the direct and indirect costs to society of non action, which could reach, depending on the scenario, between 9.5 billion and 116 billion by 2020.

The European Commission compared the costs of non-action costs for achieving the chosen policy options, namely the elimination, by all means, of the risk of falsified medicines entering the legal supply chain, and estimated the costs which will be incurred by 2020 by all actors involved in the distribution of medicines on the internal market.

Unfortunately, the costs the patients consumers of these counterfeit medicinal products have to bear can not be estimated, the danger that they have on human health and life can not be quantified.

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[1] See Case C-192/01 *Commission/ Denmark*, Rec. 2003, p. I-9693, point 46 and *Cauza C-24/00 Commission /France*, Rec. 2004, p. I-1277, point 53.

- [2] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use, published in the Official Journal of the European Union L 311, 28.11.2001, p. 67
- [3] See, for example, Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, published in the Official Journal of the European Union L 136 of 30.4.2004.
- [4] Article 10 paragraph (6) of Directive 2001/83/EC modified by Directive 2004/27/EC: this provision had to be transposed by Member States by 31 October 2005. Prior to the introduction of the Bolar provision in the EU regulatory framework, the development of the patent before its expiry was not regulated at EU level. Consequently, generic manufacturers have developed products for the development and testing conducted in countries where the basic patent had expired or where such protection does not exist, outside the EU, in European countries where there is a Bolar type provision or EU Member States where experimental work was allowed in certain cases (cf. section B.2.2.1 of the technical annex).
- [5] Case C-201/94 *Smith & Nephew*, Rec. 1996, p. I-5819..
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- [13] Directive 2011/62/UE, Article 1, Point 8 introducing Article 47a.
- [14] Commission Delegated Regulation (EU) No 1252/2014 of 28 May 2014 supplementing Directive 2001/83/EC of the European Parliament and of the Council with regard to principles and guidelines of good manufacturing practice for active substances for medicinal products for human use, publicat în Jurnalul Oficial al Uniunii Europene L 337, 25.11.2014
- [15] See Case C-270/02 *Commission /Italy*, Rec. 2004, p. 1559
- [16] Case C-322/01 *Deutscher Apothekerverband eV*, Rec. 2003 I-14887.
- [17] See Case C-319/05 *Commission /Germany*, Rep. 2007, p. I-9811
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Conflict – A Necessary Evil

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Abstract

Conflict in organizations represents an important topic for managers. People often assume that all conflict is necessary bad and should be eliminated. On the contrary, there are some circumstances in which a moderate amount of conflict can be helpful. Where conflict already exists, something must be done. The techniques should be viewed as continuum, ranging from strategies that focus on changing behaviors near the top of the scale to strategies that focus on changing attitudes near the bottom of the scale.

Keywords: conflict, strategies, management styles, public health, changing behaviors

PERSPECTIVES ON CONFLICT

In the specialized literature conflict is seen from many perspectives. These can be grouped into four major categories (traditional perspective, pluralist perspective, radical or Marxist perspective).

The way in which conflict is seen determines the way the involved parties react.

1. Traditional (unitary) perspective on conflict

Conflicts are a "malformation" that appears in a group, department or organization. Instability that leads to conflict is the result of a lack of confidence, opening and proper communication. Managers are considered responsible of unsatisfaction of the employees' needs and expectations. From this perspective, the manager's task is to identify the causes of the conflict,

to eliminate them and to restore order. Organizations have been present from this unitary perspective as cooperative, harmonious structures, where there is no conflict of interests. Conflicts are exceptional situations. They appear due to misunderstandings and confusion, personality factors, extra-organizational factors (where the organization has no control), and because of the employees expectations, which seem sometimes inflexible.

Organizations are seen as teams built in order to meet common objectives. <In any business there must be a real team that shall join efforts into a common effort. Each member shall bring their different part but all for the same common purpose. Their efforts must be directed in the same direction without frictions, without doubling the effort. > (Drucker, 1968).

2. The pluralist (behavior) perspective on conflict

Conflict is a natural phenomenon that can be found in each organization or group. Since it is inevitable and cannot be eliminated, it must be accepted. In some circumstances, it can increase the personal or the group's performance and acts as an agent of change.

Conflict is not necessarily good or bad, but it must be evaluated according to the personal and organizational functions and dysfunctions. Generally, conflict generates pressure within the group for its decrease, but <chronic> conflicts persist and are managed in certain circumstances, being created consciously and preserved by the political – administrative structures. Conflict (in certain limits) assists the development change rather than the revolutionary change.

Conflict is like a safety valve that makes the organization responsible of the internal and external changes, meanwhile the essential elements, such as hierarchy within the organization and the distribution power remain intact.

A flexible society benefits from the conflict, because this behavior generates and changes standards, assists development in the circumstances of change.

3. The interactionist perspective

This perspective promotes both the conflict and its solution. From this perspective, a group or a department which is peaceful, balanced and cooperative can become apathetic, and non-cooperative in circumstances of change.

This perspective encourages leaders to maintain a minimum level of conflict which is enough for the group to be viable, self-critical and creative. Managers should not eliminate conflict but to maintain an optimum level of it to obtain a maximum efficiency. The circumstances when managers have to enhance the conflict situation are the following:

- Changes within the organization: conflict is the tool that the organization uses to radically change; the power of structures, attitudes, they all can be changed through conflict;
- When it is necessary to increase the cohesion of the group;
- In order to increase the groups and organization's performance.

4. The radical (Marxist) perspective

This considers stability and lack of conflict as an issue. Conflict is seen as a way to initiate a revolutionary change. The Marxist perspective sees the organization as one of the "war theaters" where classes are fighting and the organizational conflict, as part of the inevitable fight between the ones that possess control and the ones that don't (working classes, parties, etc.).

The organizations are arenas for personal and group conflicts. The combatants fight for professional values, restricted resources, and development in career, privileges, and other rewards. The goals of the organization are sometimes ambiguous. They do not determine behaviors but are used rather to justify certain actions. The individual and organizational interests rarely are in unison.

The conflict can improve taking organizational decisions rather than prevent them. When the ones with opposite ideas try to find a common way, they develop a better understanding of the positions of each one of them; they confront the differences and reach a satisfactory decision for both parties.

Groups and persons have different perspectives on the organization and their place within. People have different points of view on conflict. Understanding the conflict is the first step to resolve it.

The Positive and Negative Face of the Conflict

People consider that conflict is a negative thing that has to be eliminated. Nevertheless, there are some circumstances when a certain level of conflict can be good. For example, conflict can lead to finding new ideas and new mechanisms, as solutions to organizational issues. Conflict can stimulate innovation and change. Also, it can facilitate the employees' motivation when employees feel the need to excel and to reach the desired performances.

Conflict can help the group members to develop as identities. Conflict appears as the result of some antagonistic tensions, having at the same time a balancer and integrative function for relationships. By allowing the revendications, the unsatisfaction sources are eliminated. Multiple conflicts serve to eliminate the causes of dissociations and to reestablish unity.

But there are some negative consequences of the conflict both for individuals and for the organization; when people use their energy to solve conflicts and not to obtain performance. The constant conflict affects the psychological health; it has a major purpose in generating stress and psycho-physical consequences of the stress. It can also affect the social climate of the group and inhibit the group's cohesion.

According to the nature, intensity or its duration, the conflict can be both functional and dysfunctional. Indeed, too much conflict or too little can lead to a multitude of negative consequences. In such circumstances, a moderate quantity of conflict can be the best way of action.

The management must take into account not eliminating the conflict but finding ways to solve it and to manage it.

Factors That Generate Conflict

Conflicts do not appear by themselves, they are generated by certain factors that we shall mention here:

- Tasks' interdependence
- Not knowing the status
- Jurisdictional ambiguities
- Communication issues
- Dependence on common resources
- Lack of a common performance standard
- Individual differences

WAYS TO SOLVE CONFLICT

There are five ways of solving conflict: competition, collaboration, compromise, avoidance, accommodation.

Competition. Possible situations.

- Emergencies. When is necessary to take quick decisions.
- In important issues. When unpopular measures are implemented, for example: cutting funds, new rules.
- In vital issues for the company's prosperity. When you know you are right.
- Against those who take advantage of the noncompetitive behavior.

Collaboration

1. When a compromising solution must be found because both parties have arguments that are too important to reach a compromise.
2. When the objective is to learn.
3. To have different perspectives on the issue.
4. To obtain the commitment by reaching a consensus.
5. To work beyond the feelings that interfered with a relationship.

Compromise

3 When goals are important but does not worth the effort of some assertive methods.

4 When the opponents have equal powers, being dedicated to some exclusive purposes.

5 To temporary balance conflict.

6 When time requires us to find expedite solutions.

7 As a backup for the time when collaboration or competition are not productive.

Avoidance

- When an issue is minor and other issues are more urgent.
- When there is no possibility of satisfying the requests.
- When a possible impairment is more relevant than the advantages of a decision.
- To allow people to calm down and reassess the perspectives
- When the collection of information eliminate the immediate decisions.
- When others can resolve conflict more efficiently.
- When the aspects of an issue are tangential with others.

Accommodation

1. When you discover that you are wrong – in order to allow another solution, to learn and show that you are reasonable.
2. When the issue is more important to others than to you – to satisfy others and maintain cooperation.
3. To obtain social credit for later on.
4. To reduce losses when you find yourself in this situation.
5. When harmony and balance are important
6. To allow subordinates to learn from mistakes.

STRATEGIES OF PREVENTING CONFLICT

There are two categories of actions that managers can use: actions of prevention and actions of solving conflicts.

Methods of prevention

- Focus on the organization's goals and efficiency. Focusing on the organization's goals and objectives prevents conflict. Employees see the general picture and work together to reach the desired performance.
- Ensuring some well structured, stable tasks. When activities are well defined, understood and accepted by the employees, conflicts should appear more rarely. Conflicts appear when the uncertainty on tasks is greater. Specifications and structured jobs reduce ambiguity.
- Facilitating communication in groups. The wrong perception on abilities, goals and motivations of others often leads to conflict, therefore, the efforts to facilitate dialogue between groups and distribution of information helps the elimination of conflicts. When people know more about each other, suspicions disappear and collaboration becomes possible between the groups.
- Avoiding the situations of <winner - loser>. When resources are a few, management should find solutions to distribute them in such a way to obtain maximum efficiency. Rewards must be offered for the contribution to the

achievement of the general objectives of the organization; in this way, there shall be created a climate for finding solutions accepted by everyone.

STRATEGIES OF REDUCING CONFLICT

When conflict already exists, managers have at least two approaches: they can try to change the attitude or behavior of the employees. If the behavior is changed, open conflicts are often reduced, but groups still do not get along well; conflict becomes less visible if groups are separated. Changing the attitude leads to fundamental changes in the way groups get along.

- Physical separation

The easiest and quicker solution of conflict is the physical separation. Separation is useful when conflict groups do not work on a common task or they do not need a high level of interaction. Although this approach does not encourage the group's members to change the attitude, it provides them time for a better accommodation.

- Using rules and procedures

Conflict can be reduced by clearly stating the rules and procedures. This approach, known as bureaucratic method, imposes solutions but does not change the basic attitudes.

- Restriction of the intergroup interaction

When a group's members agree upon a goal cooperation becomes easier and the need of interaction with other groups is no longer felt necessary.

- Using <connection people>

These maintain a good communication between groups or departments. They must be recognized by both parties. They must have a diplomatic approach, identify the common points and find new methods for a future cooperation.

- Confrontation and negotiation

This method places face to face the conflict parties to debate their misunderstandings. It is hoped that by open debates and negotiation they should reach an agreement. Negotiations between unions and organization are an example. If by negotiation, a solution can be found of <win - win> situation, then the chances for the solution to be accepted are increased.

- Advice from a third party (arbitration)

In some cases it is useful to search for advice from a third party which can understand the human behavior and can facilitate finding a solution. The adviser can talk even more directly, not being member of any group.

- Rotation of members

By rotation of members from one group to another, individuals understand the values and attitudes of the other members and communication increases. When they are accepted by the new group, the change in behavior and attitude becomes possible. This is a technique on long term since establishing interpersonal relationships requires time.

- Identifying some interdependence tasks and common goals

A managerial strategy is that of establishing goals that require groups' interaction; to work together to obtain the desired performance (for example, when it is threatened the organization's future). Bankruptcy threat makes the opponents to work together so that they maintain the company in action.

- Training

Experts outside the organization help the members to develop constant mechanisms for team work. Workshops are well structured and training programmes help to improve intergroup attitudes, reaching a constructive intergroup behavior.

Conflict has an important role in the organization. Nevertheless, there are possible conflict situations which managers want to resolve before they become a serious conflict. This is managed by negotiation. We shall approach this subject in a future publication of this magazine.

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Local Anesthetics – Substances with Multiple Application in Medicine

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Abstract

Local anesthetics are substances which, by local action groups on the runners, cause loss of reversible a painful sensation, delimited corresponding to the application. They allow small surgery, short in duration and the endoscopic maneuvers. May be useful in soothe teething pain of short duration and in the locking of the nervous disorders in medical care. Local anesthesia is a process useful for the carrying out of surgery and of endoscopic maneuvers, to soothe teething pain in certain conditions, for depriving the temporary structures peripheral nervous control. Reversible locking of the transmission nociceptive, the set of the vegetative and with a local anesthetic at the level of the innervations peripheral nerve, roots and runners, a trunk nervous, around the components of a ganglion or coolant is cefalorahidian practice anesthesia loco-regional. Local anesthetics summary and semi-summary have multiple applications in dentistry, consulting, surgery and obstetrics, constituting "weapons" very useful in the fight against the pain.

Keywords: Local anesthetics, dentistry, consulting, surgery and obstetrics.

INTRODUCTION

Local anesthesia is a useful method for performing surgical procedures and endoscopic maneuvers, in order to relieve pain in certain conditions, for the temporary deprivation of peripheral structures from nervous control. Reversible locking of the nociceptive, motor and vegetative transmission with a local anesthetic at the level of peripheral nerve endings, nerve roots, of a nerve trunk, around the components of a ganglion or in the cerebrospinal fluid constitutes the practice of loco-regional anesthesia. Local anesthetics are substances which, through local action on nerve formations, lead to the reversible loss

of the pain sensation, defined corresponding with the application area [1]. The first known local anesthetic was cocaine. It is found in the leaves of a shrub scientifically called *Erythroxylon coca*, and more commonly coca shrub. The shrub grows wildly in the Andes Mountains of South America, but also in Ceylon and Jamaica. The natives use it by chewing the leaves, to remove the sensation of hunger, thirst and fatigue. An American author noted that natives measure the distance between villages in coca leaves [2]. Later, in 1948, xiline or lidocaine was introduced with a faster and more intense action than procaine and, also with a notable efficacy in the treatment of cardiac arrhythmias [1, 2]. Xiline was followed, in 1952, by chlorprocaine, which has, however a higher level of neurotoxicity, in 1957 by mepivacaine, acting somewhat longer than xiline and bupivacaine, introduced in 1963 [1,2]. The latter local anesthetic determines a longer action period and it is indicated to be used to remove the pain of childbirth or postoperative pains. Administered through continuous infusion, it may cause effective analgesia for several days. Unfortunately, its administration must be carefully monitored because it has side effects on the heart. For the anesthesia of the skin and of the mucous membranes were later synthesized other local anesthetics. As it can be seen, cocaine, the first anesthetic discovered, led, ground to the newer anesthetics, which is also because this preparation snorted through the nose causes a feeling of drunkenness and an increase of physical and mental energy, phenomena sought after avidly by addicts. The chronic use of cocaine with this purpose determines however phenomena of somatic damage, the chronic consumer having an earthy yellow color, with a total lack of appetite, physically and mentally exhausted, phenomena that can lead to death. Clinically, cocaine is now used less often, only for the surface anesthesia of the mucous membrane of the eyes and of the nasopharynx. However, the other local anesthetics have multiple uses in dentistry, ENT surgery and obstetrics, very useful "weapons" in the fight against pain. However, most local anesthetics are injected near the action area and they must be able to penetrate the membrane of the nerve. In general, the membranes of the nerves are composed of lipids. The increase of solubility of lipids of a series of compounds has as a result the facilitation of membrane penetration. In *in vitro* experiments involving very simple systems with isolated nerves, the potency of the compounds is directly proportional to the distribution coefficient. The *in vivo* system is more complicated and often, in a homologous series, the increase of partition coefficients leads to the increase of potency to a maximum, afterwards the activity decreases, at the same time the toxicity increases [1, 3].

Local anesthetics of synthesis and semi-synthesis have multiple uses in dentistry, ENT, surgery and obstetrics, constituting very useful "weapons" against pain.

In this paper the local anesthetics are systematized depending on their structure. Assessments are made regarding the effects based on the correlations generated through the analysis of the structures from spectroscopy data [3, 4].

RESEARCH METHODS

In this study the information regarding the natural and synthetic anesthetics is systematized, with the presentation of the chemical structures, short characterizations and highlights of the beneficial and toxic effects.

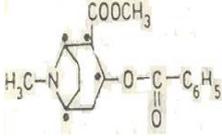
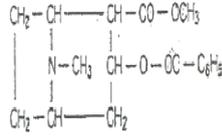
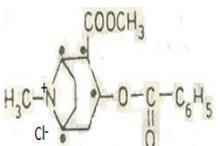
Through the spectrophotometric method in infrared were obtained spectra in infrared for the following local anesthetics: Cocaine, Prilocaine, Lidocaine, Bupivacaine, Benzocaine, Procaine. The FT IR 4200 Jasco spectrometer with Fourier transform, manufactured in Japan, Tokyo, was used. The characteristics of the device are: the wavelength 7800 to 350cm⁻¹; with the precision of ± 0.01 cm⁻¹ and the maximum resolution of 0,5 cm⁻¹[4]. Spectra in infrared were carried out for the following substances: Cocaine, Benzocaine, Procaine, Lidocaine, Bupivacaine, Prilocaine.

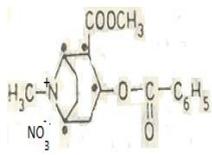
RESULTS AND DISCUSSIONS

A systematization of local anesthetics can be made after the chemical structure and the obtaining method/ In Table 1 and 2 are presented examples of local anesthetics [3]

Table 1. Natural local anesthetics [1,3, 5,6]

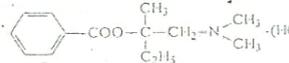
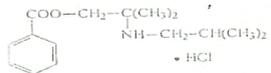
Local anesthetics and structure	Effect on the human body

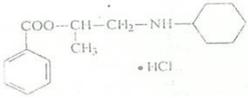
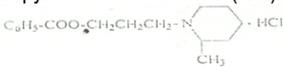
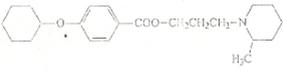
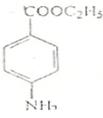
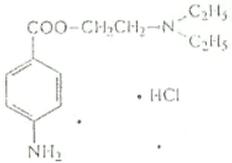
<p>Cocaine</p>  <p>The image shows the chemical structure of cocaine, which is a tropane alkaloid. It features a tropane ring system with a methyl group on the nitrogen atom, a methyl ester group (-COOCH₃) at the 2-position, and a benzoyloxy group (-O-C(=O)-C₆H₅) at the 3-position.</p>  <p>The image shows the chemical structure of cocaine hydrochloride. It is similar to cocaine but includes a chloride ion (Cl⁻) as a counterion. The tropane ring system has a methyl group on the nitrogen, a methyl ester group (-COOCH₃) at the 2-position, and a benzoyloxy group (-O-C(=O)-C₆H₅) at the 3-position.</p>	<p>Cocaine is an alkaloid isolated from <i>Erythroxylon coca</i> leaves, Family Erythroxylaceae, in 1855, by Gaedcke, who assumed that it is an alkaloid related to caffeine. In 1860 Niemann obtained it by extraction from the leaves, along with other compounds with a similar chemical structure: benzoylecgonine, cynnamil cocaine. The fruits have been used by locals since ancient times, for their effects (elation and removing the sensation of fatigue, hunger and thirst). Cocaine is obtained also synthetically. The cocaine can cause very serious acute poisoning (some with a fatal outcome), especially as therapeutic accidents (overdose, confusion, or consecutive to the hypersensitivity of the subject), rarely because of suicide and chronic poisoning - cocaineomania. Base cocaine is rarely used, as oil solutions 2%, used in ophthalmology. Its salts are frequently used: cocaine hydrochloride and nitrate. Cocaine does not penetrate intact skin, but it is quickly absorbed by the mucous membranes, as highlighted by the response given to addicts when cocaine is sniffed. The use of cocaine is limited, exclusively externally, as a surface analgesic, especially in the field of ENT. The maximum dose of local application must not exceed 30 mg for one use and 60 mg for 24 hours.</p> <p>Pharmacokinetics. It is easily absorbed at the level of mucous membranes. It is biotransformed intensely by hydrolysis in the blood, liver and gastrointestinal tract (when administered this way) forming benzoylecgonine (and methanol) and subsequently benzoic acid and ecgonine. It is eliminated through the kidneys.</p> <p>Toxicodynamics. Cocaine is toxic to the CNS, producing stimulating effects followed by depression, by depressing the vital centers of the bulb. Produces hyperthermia. At the level of the vegetative nervous system, it has a sympathomimetic action, the main effects are vasoconstriction and mydriasis. By repeated administration the tolerance increases, familiarity easily being set up, with a strong psychological dependence, the abstinence syndrome is insignificant in these events. The lethal dose (for unusual subjects) is smaller by mucous membrane or parenteral administration than orally. It is admitted that lethal doses for adults are 0.2 to 0.3 g s.c. and 1 g orally.</p> <p>Treatment. In acute poisoning by ingestion gastric lavage is done with a solution of KMnO₄ 1%, followed by the administration of a purgative. Symptomatic treatment refers to combating convulsions and respiratory and cardio-circulatory assistance.</p>
<p>Cocaine hydrochloride</p>  <p>The image shows the chemical structure of cocaine hydrochloride. It is similar to cocaine but includes a chloride ion (Cl⁻) as a counterion. The tropane ring system has a methyl group on the nitrogen, a methyl ester group (-COOCH₃) at the 2-position, and a benzoyloxy group (-O-C(=O)-C₆H₅) at the 3-position.</p>	<p>It is presented in the form of crystals or white crystalline powder, soluble in water (1: 0.5), alcohol (1: 3.5), chloroform (1:15), and glycerin. It has a sympathomimetic action by blocking presynaptic reuptake of noradrenaline by receptors. Local anesthetic action is strong but limited by its toxicity; it is also vasoconstrictive locally, small doses causing psychomotor stimulation. It acts on the central nervous system, as a stimulant in the first phase, and then causes depression. Produces cocaineomania. Inside the organism, cocaine breaks down quickly, it is eliminated partially through urine as ecgonine and benzoic acid. Its toxicity prevented its use with other purposes apart from local anesthesia and even this use is limited because of fear of producing systemic effects and addiction.</p>

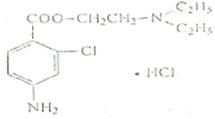
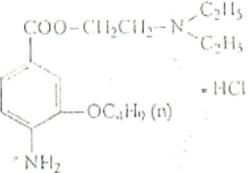
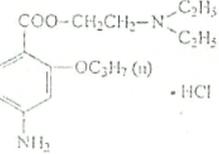
<p>Cocaine nitrate</p>  <p>The image shows the chemical structure of Cocaine nitrate. It consists of a tropane ring system (8-azabicyclo[3.2.1]octane) with a methyl group on the nitrogen atom and a nitrate group (-NO₃) attached to the ring. The tropane ring is linked via an ester bond to a benzoic acid derivative, specifically ethyl benzoate (-O-C(=O)-C₂H₅).</p>	<p>It is rarely used. It has the same uses as cocaine hydrochloride. Due to the fact that the use of cocaine therapeutically is limited, presenting a number of disadvantages including euphoria and pronounced toxicity (cacoinomania); synthesis was used to obtain compounds with similar structure and activity. Research has shown that most compounds in this class can fit into a general formula, which represents only part of the cocaine molecule responsible for local anesthesia.</p>
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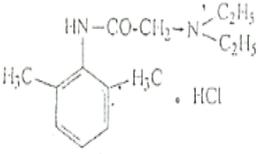
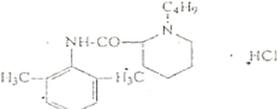
Each structural component (aryl and aminoalkyl) contributes to the stability of the molecule in lipids and it can be modified to form derivatives with an increased coefficient of distribution. The substitution of the aryl radical with alkyl, alkoxy and alkylamino leads to homologous series in which the partition coefficients increase with the number of methylene groups (-CH₂-). A review of these series showed that the local anesthetic activity reached the peak for the homologues C₄, C₅ or C₆ according to the specific nature of the series under consideration. Similarly, changes in the amino alkyl group of the molecule lead to an increase of the activity and toxicity, with the increase of the number of carbon atoms. The N-alkyl branching is often accompanied by an increase of the action. Tertiary amino group may be diethylamino, piperidino or pyrrolidino, resulting in compounds that have the same degree of effectiveness. Most local anesthetics have PKa values between 8 to 9.5. The result is that some of the compounds with higher pKa values are ionized at a rate of 100 / pH physiologically, and thus have difficulty in achieving biophase. Substances that have a lower pHa are not sufficiently ionized and are less effective, even if they reach biophase.

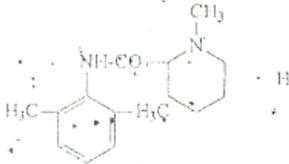
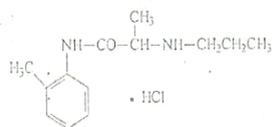
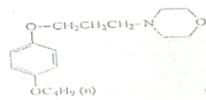
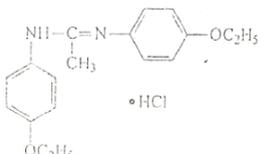
Table 2. Local anesthetics of synthesis and semi-synthesis [1,2,3,5,6]

Local anesthetics and structure	Effect on the human body
<p>AMINO ALCOHOLS ESTERS BENZOIC ACID DERIVATIVES (BENZOATE)</p>	
<p>Amylocaine (DCI), <i>Amileina</i>, <i>Stovaina</i>, <i>Benzoate 1-Ethyl-1-methyl-2- (dimethylamino)-ethyl; 1-Dimetilamoni-2-methyl-2-benzoyl oxibutan (hydrochloride)</i>.</p>  <p>The image shows the chemical structure of Amylocaine. It features a benzoyl group (-COO-) attached to a central carbon atom. This central carbon is also bonded to a methyl group (-CH₃), an ethyl group (-C₂H₅), and a dimethylamino group (-N(CH₃)₂).</p>	<p>It is a local anesthetic as active as cocaine, but less toxic. Is also has cardiac analeptics properties; also, it does not produce arterial hypertension.</p> <p>It is administered internally in doses of 0.01-0.1 g per day in potions and externally, in the form of solutions 5-20%, 4% eye drops, 1-2% ointments and 0.02-0.04 g suppositories. It can be administered parenterally (s.c.).</p>
<p>Isobutene (DCI), <i>Benzoate 2 (isobutylamine)-2-methyl-1-propanol (hydrochloride)</i>.</p>  <p>The image shows the chemical structure of Isobutene. It consists of a benzoyl group (-COO-) attached to a central carbon atom. This central carbon is also bonded to a methyl group (-CH₃) and an isobutylamino group (-NH-CH₂-CH(CH₃)₂).</p>	<p>White crystalline powder, easily soluble in water, alcohol and chloroform. From the structural point of view, Isobutene differs from Meprylcaine in that it has an N-isobutyl group in the place of the N-propyl group. As Meprylcaine, the action period is short. It is used in dentistry in the form of a solution of 2%.</p>
<p>Hexylcaine (DCI) <i>Cyclaina</i>, <i>benzoate 1- (cyclohexyl-amino) -2-propanol</i></p>	<p>It is used as a local anesthetic (1-5%), with the same intensity as Cocaine and Butacaine, and for the nerve blocking anesthesia a solution of 1-2% is used, its toxicity is comparable with that produced by Procaine and Tetracaine. It is also used in spinal anesthesia with a solution of 1-2.5%.</p>

<p>(hydrochloride).</p> 	
<p>Piperoaine (DCI), Metycaine, metilpiperidilpropil benzoate; 3 pipercolinopropyl benzoate; benzoate 3- (2'-methylpiperidino) propyl (HCl).</p> 	<p>It is a crystalline substance soluble in water (1: 1.5) and alcohol (1: 4.5). Aqueous solutions are slightly acidic and stable to sterilization through autoclaving. It is a very good local anesthetic recommended as solutions of 2-4% in ophthalmology, in ENT with solutions of 2-10%, for infiltrations are recommended solutions of 0.5-1%, and for spinal anesthesia solutions of 1,5% are used without exceeding 1.65 mg / kg.</p>
<p>Cyclometicaine (DCI) Surfacaine, benzoate 3- (2-methylpiperidino) propyl-p- (cichlohrxiloxi) (sulphate).</p> 	<p>Cyclometicaine sulphate is in the form of a white crystalline powder, slightly soluble in water, alcohol and chloroform.</p> <p>It is an effective local anesthetic on altered or diseased skin and on rectal mucosa. It is used topically on burns (sun) light skin injuries, on the rectal mucosa in the form of ointments, gels, creams or suppositories. Not recommended in ophthalmology.</p>
DERIVATIVES OF P-AMINOBENZOIC ACID (P-AMINO BENZOATE)	
<p>Benzocaine (DCI), Anesthesine, Etophorm, p-Aminobenzoate ethyl.</p> 	<p>It is a local non-toxic anesthetic, readily absorbed through the altered skin and through mucous membranes. It acts only as long as it is in contact with the diseased skin or the mucous membranes. It is used externally in the form of ointments and creams at concentrations of up to 20%, 2% oil solutions and suppositories. Internally it is administered as a potions in doses of 0.3-0.6 g for ulcer pain, gastralgia.</p>
<p>Procaine (DCI), Novocain, Alcocaine, Sy,caine, 4-amino benzoic 2-dimethylamino acetate (hydrochloride).</p> 	<p>Procaine is the salt of a strong acid with a weak base. The aromatic amino group causes the aqueous solution to be neutral, therefore it is well tolerated by tissues. The ester group may undergo hydrolytic cleavage in p-aminobenzoic acid and diethylaminoethanol. Procaine hydrochloride is not effective on intact skin or mucous membranes, but it acts promptly through infiltration. Its action may be extended by concomitant administration with a vasoconstrictor (adrenaline) that slows its release into the blood where it is rapidly inactivated by hydrolysis Procaine. It is used as a local anesthetic for a relatively short duration, used more in infiltration anesthesia, truncal, epidural and spinal anesthetic being weak. Administered by injection (i.v.), Procaine has an analgesic effect, causing vasodilatation and smooth muscle relaxation, depresses the heart and prevents certain ectopic arrhythmias, reduces the reflectivity of vegetation. Low doses over time, prevent aging, being a trophic sealant.</p>

<p>Chloroprocaine (DCI), Nesacaine, 2-Chloro-4-aminobenzoate of diethylaminoethyl (hydrochloride).</p> 	<p>Chloroprocaine differs structurally from procaine by the fact that it has an atom of chlorine in the position 2 of the aromatic nucleus which, attracting electrons, de-stabilizes the ester group. Consequently, chloroprocaine is hydrolyzed in plasma four times quicker than procaine; the local anesthetic action is more rapidly installed and is more intense than that of procaine, but the toxicity is higher.</p>
<p>Oxybuprocaine (DCI), Novesine, Butoxyprocaine, Benoxinal, 3-Butoxy-4-aminobenzoate of 2-(diethylamino)-ethyl (hydrochloride)</p> 	<p>White, crystalline powder with a salty taste, very soluble in water and chloroform, soluble in alcohol, stable in air, light and heat. It appears that the 3-butoxy radical stabilizes the molecule, so it is hydrolyzed more slowly than Procaine, the degree of hydrolysis depending on the pH of the solution (pH≈4). Oxybuprocaine is a rapidly acting surface anesthetic. By blocking reversible transmission of stimuli via sensory nerve, it is more effective than cocaine, does not cause mydriasis and accommodation disorders, being better tolerated than cocaine or tetracaine. It is indicated for surface anesthesia of the cornea, in the extraction of deep foreign bodies, in diagnostic examinations and eye surgery. It is administered as a 0.4% solution (5 drops in 5 minutes). The application of oxybuprocaine drops must be strictly limited to preparing ophthalmic surgery or diagnostic examinations. Used in small quantities, oxybuprocaine is well tolerated; sometimes causing a burning sensation, transient hyperemia, even corneal epithelial lesions. It does not cause local irritation, vasoconstriction, specific pupil dilation or sensitivity to light.</p>
<p>Propoxycaine (DCI), Blockain, 2-proxy-4-aminobenzoate of 2-(dimethylamino)-ethyl (chlorhydrate)</p> 	<p>White crystalline substance, readily soluble in water, soluble in alcohol. 2% aqueous solutions have pH 5.4. The propoxy- group apparently destabilizes the ester group in the same way as the chlorine in the 2-position of the chloroprocaine's structure. This is in contrast to the apparent stabilizing effect of the butoxy group located in the 3-position on the aromatic ring. (Oxybuprocaine). The inductive and steric effects of a 2-alkoxy substituent which favors hydrolysis, apparently exerts greater influence than the positive mezomer stabilizing effect (resonance). These effects are minimal when the -alkoxy substituent is in position 3. Propoxycaine causes a more rapid onset of the local anesthetic effect and a longer duration of action, being more active than Procaine. The lipophilic nature justifies these advantages.</p> <p>It is administered injectable for nerve block and infiltration anesthetic, in the form of a 0.5% solutions, without the addition of a vasoconstrictor.</p>
<p>P-ALCOXYBENZOIC ACID DERIVATIVES (P-ALCOXYBENZOATES)</p>	

<p>Paretoxycaine (DCI), Intracaine, Maxycaine, p-Ethoxybenzoate of 2-(diethylamino)-ethyl</p> 	<p>The presence of the -alkoxy group instead of the -amino group makes Paretoxycaine produce less significant side effects than the esters of the p-aminobenzoic acid. It is used as a local anesthetic in ENT.</p>
AMIDES	
<p>Lidocaine (DCI), Xiline, Xylocaine, a-(Diethylamino)-2, 6- dimethylacetanilide, a- (Diethylamino)-N-(2,6 dimethylphenyl)-acetamide (hydrochloride).</p> 	<p>Löfgren (1940) has researched and selected Lidocaine as the main representative of the series. Based on the iodine derivative (a-diethylaminomethylindol) with low anesthetic properties, he obtained a local anesthetic with the chemical structure similar to that of lidocaine. It has the form of a white or slightly yellow crystalline powder, insoluble in water, very soluble in alcohol and oils. Lidocaine hydrochloride is a white crystalline powder, odorless, very soluble in water and alcohol. Lidocaine (xiline) is resistant to hydrolysis because, in addition to the relative stability of the amide bond, the two methyl groups at position 2 and 6 cause the steric hindrance to the attack the carbonyl group; this explains the prolonged action. Lidocaine acts on all the nerve fibers, as it contains in its molecule a hydrophilic end represented by an amino group and a hydrophobic end represented by an aromatic radical, joined by a short chain, typically ester or amide. In tissues due to the slightly alkaline pH and buffer system, the liposoluble base is released, which is able to penetrate through the membrane of nerve fibers, where the amide undergoes a quaternizing effect. Lidocaine is used in all types of local anesthesia, it is three times more active than procaine and has longer action. As antiarrhythmic, it is used in ventricular arrhythmia in acute myocardial infarction, cardiac surgery or therapy with digitalis, being administered i.v., typically under EKG control, from the initial dose of 100 mg, to the reach of the effective plasma concentration, continuing with 1.5-3 mg / minute.</p>
<p>Bupivacaine (DCI), Sensorcaine, Marcaine, Carbostesia, (±)-N-(2,6- Dimethylphenyl)-1-butyl-2- piperidincarboxamide (hydrochloride).</p> 	<p>Bupivacaine is a local analgesic characterized by a long duration of action, and a relatively high installation latency. The pharmacodynamic properties are similar to lidocaine. The effect occurs slowly, in 15 minutes, and lasts 4-8 hours, due to its marked liposolubility and to its ability to bind to membrane proteins.</p> <p>Bupivacaine is used in local or regional anesthesia for surgery (truncal, plexicală, caudal, epidural anesthesia) and is administered parenterally; doses should not exceed 2.5 mg / kg body weight.</p>

<p>Mepivacaine (DCI), Carbocaine, Mepivastein, Opticain, Scandonest, (\pm) N-(2,6-Dimethylphenyl)-1-methyl-2-piperidine-carboxamide (hydrochloride); 1-Methyl-2,6'-pipelocoxylidide (hydrochloride).</p> 	<p>As with the other anilides and lidocaine, mepivacaine is highly resistant to hydrolysis, and its solutions are subjected to sterilization in autoclave, without decomposition. Mepivacaine is used as racemic because it was established that the two optical isomers have the same activity and toxicity; they are comparable to those of lidocaine. Its duration of action is considerably longer than that of lidocaine, even in the absence of a vasoconstrictor. It is recommended especially when epinephrine and its counterparts are contraindicated. Mepivacaine is a local anesthetic of synthesis whose action is due to the decrease in membrane permeability of sodium ions. It is administered parenterally 1 to 2 ml of a 3% solution.</p>
<p>Prilocaine (DCI), Citanest, N-(2-Methylphenyl)-2-(propilamina)-propanamide (chlorhydrate); 2-(Propilamino)-o-propionotoluidide (hydrochloride)</p> 	<p>White crystalline powder, odorless, bitter, slightly soluble in water and alcohol. Prilocaine has stability, effectiveness, toxicity and duration of action similar to that of other anilides. Its duration of action is between that of lidocaine and that of mepivacaine. Side effects are similar to those produced by other anilides, noting that prilocaine produces methemoglobinemia. This is due to the fact that as a result of its metabolism is obtained <i>o</i>-toluidine (2-methylaniline), which is broken down into toxic products (phenylhydroxylamine nitrobenzene) that cause methemoglobinemia. Prilocaine hydrochloride solutions are used without addition of vasoconstrictors.</p>
ETHERS	
<p>Pramoxin (DCI), Pramocaine, Tronothane, 4-[3-(p-Butoxyphenoxy)-propyl]-morpholine (hydrochloride)</p> 	<p>White crystalline powder with aromatic smell, slightly soluble in water and alcohol, the pH of THE 1% solution is 4.5.</p> <p>It is a topical local anesthetic, with a low index of sensitivity, with few side effects. It is used for relieving pain and itching caused by insect stings lesions, superficial injuries and hemorrhoids.</p>
OTHER STRUCTURES	
<p>Fencaine (DCI), Holocaine, N, N'-bis-(4-Ethoxyphenyl)-acetamidine monohydrate (hydrochloride)</p> 	<p>White crystalline powder, odorless, bitter-tasting, stable in air, easily soluble in water (1:50), easily soluble in alcohol. The aqueous solutions may be sterilized by boiling, but are unstable to the action of alkaline hydroxides. The local anesthetic properties of fencaine were highlighted in 1897, preceding the discovery of izogamine.</p> <p>Fencaine hydrochloride is a slightly irritating, causing a slight discomfort before the onset of anesthesia. It is more toxic than cocaine, and therefore cannot be used for parenteral administration; it is used as a 1% ophthalmic solution 1 to 2% ointment.</p>

The spectrums obtained for the analyzed substances (Cocaine, Benzocaine, Procaine, Lidocaine, Bupivacaine, Prilocaine) are presented in the following figures. IR spectrums of the analyzed compounds are presented by describing the transmittance depending on the wavelength.

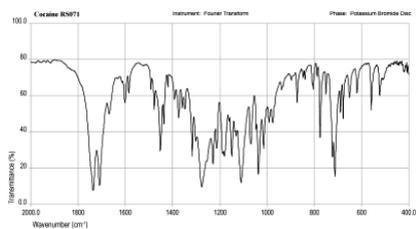


Fig. 1 IR spectrum of cocaine

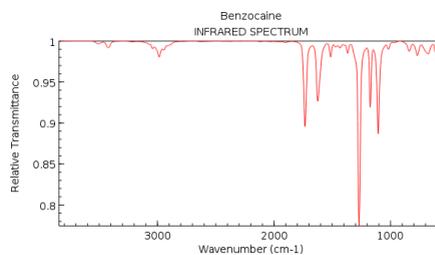


Fig. 2 IR spectrum of Benzocaine

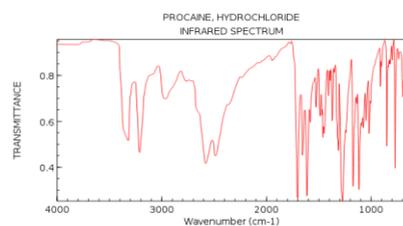


Fig. 3 IR spectrum of procaine

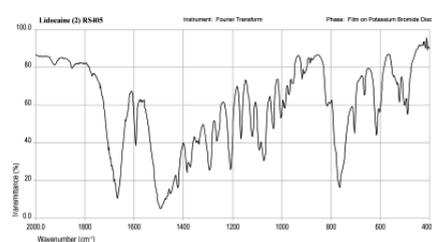


Fig. 4 IR spectrum of lidocainei

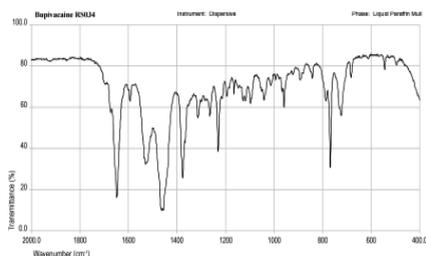


Fig. 5 IR spectrum of bupivacaine

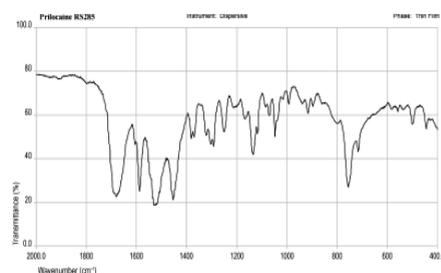


Fig. 6. IR spectrum of prilocaine

CONCLUSION

- Local anesthetics may have 3 types of systemic effects, namely: central-nervous, vegetative and cardiovascular. Being absorbed at the site of applications, they cause central excitement phenomena, followed by depression. These effects may lead to serious toxic symptoms. The slowing of absorption by associating vasoconstrictors allows to prolong local action and attenuates resorption effects:

- at the level of the central nervous system, excitation and depression events may take place, sometimes a state of confusions (similar to intoxication), after which may follow coma and finally the paralysis of respiratory centers.
- at the level of the vegetative nervous system they produce a vasodilator, hypotensive effect, also having a certain antispasmodic action at the level of the smooth muscles.
- at the level of the cardiovascular system they cause myocardial depression by inhibiting excitability. In overdose, myocardial depression may be severe. But this effect is therapeutically exploited in cardiac arrhythmia.

- Local synthesis and semi-synthesis local anesthetics have multiple uses in dentistry, ENT, surgery and obstetrics, representing very useful "weapons" in the fight against pain.

- The obtained specters may bring a contribution to the setup of an atlas of specters to be used in the control of medicines.

ACKNOWLEDGEMENT

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Methotrexate Therapy in Obstetrical Diseases

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Abstract

Our study is a review of Methotrexate therapy in obstetrical diseases such as: hydatidiform mole, and medical abortion. In the medical world, methotrexate is a cytostatic drug used in neoplastic diseases. The clinical pharmacology data regarding methotrexate is presented, alongside route of administration and therapeutic effects in malignant disease, hydatidiform mole, and medical abortion. The use of methotrexate in medical abortion and ectopic pregnancy is a great accomplishment, as it replaces a surgical intervention marred by characteristic side effects, with similar results.

Keywords: *Methotrexate, obstetrics, gynecology, tubal pregnancy, HCG human chorionic gonadotrophine hormon.*

1. INTRODUCTION

In the medical world, methotrexate is a cytostatic drug used in neoplastic diseases such as lymphoblastic leukaemia, leukaemic meningitis, Burkitt lymphoma, mycosis fungoides, osteosarcoma, as well as severe forms of psoriasis and rheumatoid arthritis.

Methotrexate was first used in obstetrics and gynaecology in the year 1956 for the treatment of trophoblastic gestational disease [1]. We present general data regarding methotrexate as a drug.

2. METHOTREXATE – GENERAL PHARMACOLOGY

Methotrexate is part of a cytostatic group of drugs called antimetabolites. In the same group, we have 5-fluorouracil, an antimetabolite of uracil, and capecitabine, a prodrug of 5'-deoxy 5 fluoridine [2]. The chemical formula was first described in 1946. Methotrexate is an 8 amino 10 methyl pteroylglutamic acid (Fig.1).

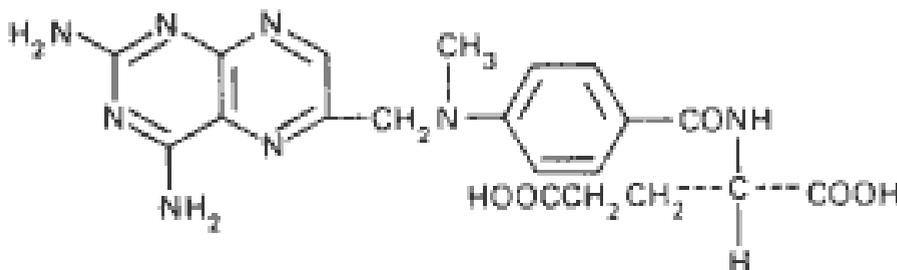


Fig. 1 The chemical formula of methotrexate (2)

The chemical name: (+)-*N*-[p-[[[2,4-Diamino-6-pteridiny]methyl] methylamino] benzoyl]-L-glutamic acid; *N*-[4-[[[2,4-diamino-6 pteridiny]methyl]methylamino]benzoyl]-L-glutamic acid.

Antimetabolites inhibit the synthesis of purine (guanine, purine) or pyrimidine (uracil) nucleotidic precursors or they compete with these in DNA or RNA synthesis. The maximum cytostatic effect is specific of the S phase of the cellular cycle. Folic acid is a structural metabolite of certain enzymes that take part in the synthesis of nucleic acids, followed by cellular division.

Pharmacodynamics

Cells with active proliferation (malignant cells of the bone marrow, oral, intestinal and bladder mucosa, and foetal cells) are generally more sensitive to the stopping of cellular division. When cell proliferation in malignant tissues is higher than in the majority of normal tissues, methotrexate can influence malignant growth, without irreversible effects on normal tissues [2].

Pharmacokinetics

Absorption. In adults, absorption following oral administration depends on the dose. The maximum serum concentration is obtained in 1-2 hours. At doses of 30 mg/m² or smaller, methotrexate is generally well absorbed, with an average bioavailability of 60%. Absorption of doses higher than 80 mg/m² is significantly lower, possibly due to saturation effect [2].

Halving time. Halving time for methotrexate is 3-10 hours in patients who are administered less than 30 mg/m² or lower doses (in psoriasis or rheumatoid arthritis). In patients who are administered higher doses, halving time is around 8-15 hours.

Excretion. Renal excretion is the primary elimination pathway and it depends on dosage and the route of administration. Methotrexate is excreted unmodified in a percentage of 80-90% in the first 24 hours. There also exists a biliary excretion amounting to 10% or less of the administered dose. Renal excretion is accomplished through glomerular filtration and active tubular secretion [2].

Toxicity. The toxicity of the drug towards healthy tissues depends on the length of exposure to methotrexate. When a patient has a slow elimination of the drug due to renal ailments, accumulation in the serous tissues or due to other causes,

the serum concentration can remain elevated for a long period of time. Toxicity due to high doses or slow excretion is reduced through the administration of calcium folinate (factor citrovorum) [2].

Overdose. To reduce the toxicity and counteract effects due to methotrexate overdose, treatment with calcium folinate is indicated. Administration must begin as early as possible. When the interval between the administration of methotrexate and that of calcium folinate is higher, the efficiency of folinate in alleviating methotrexate toxicity decreases.

Therapeutic guide regarding methotrexate and calcium folinate treatment

a. The administration of methotrexate must be delayed if the leukocyte count is lower than 3000/mm³; platelet count lower than 75.000, serum bilirubin higher than 1,2; TGP and TGO twice higher than normal, or if the patient presents with persistent pleurisy.

b. Evaluation of renal function: serum creatinine must be normal, clearance higher than 60ml/min; if during treatment, creatinine grows by 50% or more, compared to the initial value, it is necessary to determine the creatinine clearance, which must be higher than 60ml/min.

c. Patient hydration and urine alkalization: 1000ml/m² of intravenous fluid is administered 6 hours before the methotrexate i.v drip. Hydration with 125 mL/m²/hour(3l/m²/day) during the i.v. and 2 days after ending it. Urine is alkalized to obtain a pH higher than 7. Alkalization can be achieved through the administration of oral or intravenous sodium bicarbonate.

Metotrexat – brand names

Abitrexate, injection 25 mg/mL- 2 mL; sol.inj. 25 mg/mL- 20 ml (Abic, Israel) **Antifolan**, tablets 2,5 mg; injection powder./perf. 50 mg (Sindan, Romania)

Methotrexat "Lederle", tablets 2,5 mg; tablets 10 mg; injection 25 mg/mL- 1 mL; injection. 25 mg/mL- 2 mL; injection. 25 mg/mL- 20 mL; injection 25 mg/mL- 40 ml; injection 25 mg/mL- 200 mL (Wyeth Lederle, Austria)

Methotrexat Ebewe, solution for injection and infusion 5 mg/mL- 1 mL; solution for injection and infusion 10 mg/mL-1 mL; solution for injection and infusion 10 mg/mL- 5 mL; solution for injection and infusion 100 mg/mL - 5 mL solution for injection and infusion 100 mg/mL- 10 mL; solution for injection and infusion 100 mg/mL- 50 mL; (Ebewe, Austria).

Trophoblastic gestational disease

Trophoblastic gestational disease is a complex clinical and anatomic pathology entity which defines a benign and malignant proliferation of the chorionic villi of the trophoblast during pregnancy. In partial mole, the trophoblastic hyperplasia is focal, with stromal inclusions, with a triploid karyotype 69XXX, 69XXY, 69XYY. The additional haploid set is usually of paternal origin [3]. If the foetus is present, it shows the signs of the triploidy: multiple foetal malformations, growth retardation, syndactyly, and hydrocephalus [4]. Complete molar pregnancy is characterized through the absence of embryonic or foetal tissue, chorionic villi show a general ballooning, trophoblastic hyperplasia is diffuse, stromal inclusions are absent, and the karyotype is 46XX and 46XY of paternal origin [5].

RESULTS AND DISCUSSIONS

Treatment of persistent trophoblastic gestational disease

Mono-chemotherapy

The use of methotrexate and actinomycin D in the treatment of metastatic and non-metastatic persistent trophoblastic gestational disease with low risk has led to the improvement of disease prognosis and to the obtaining of remission phases [6].

a. The use of methotrexate

There are several methotrexate administration protocols, with similar results.

- the most frequently used protocol is intra-muscular or intravenous 0,4mg/kg body weight for 5 days.

- a second option: 1-1,5 mg/kg body weight in 4 doses in the 1-3-5-7 days, followed by administration of folic acid (citrovorum acid) in doses of 0,1-0,14mg/kg body weight in the 2-4-6-8 days.

Literature first reported the association of methotrexate and folic acid in the treatment of trophoblastic gestational disease was in the years 1964 [7].

Starting with the year 1977, the combination methotrexate-folic acid has represented the first-choice treatment in persistent trophoblastic gestational disease [8].

First line chemotherapy – combined EMA/CO chemotherapy

Combined EMA/CO chemotherapy is used in patients with metastatic trophoblastic gestational disease and in those with a prognosis score with high risk. In all protocols for combined chemotherapy for trophoblastic gestational disease, etoposide is used alongside methotrexate and actinomycin D.

EMA/CO regimen, treatment scheme:

First session:

Day 1:

- etoposide 100mg/ m² ;
- methotrexate 100mg/ m² intravenous as loading dose, followed by 200 mg/m² intravenously for 12 hours;

Day 2:

- folic acid (citrovorum acid) 15mg intravenous, administered 24 hours after methotrexate and repeated 4 times at a 12 hour interval.
- actinomycin D 0,5 mg intravenous.

6 days break.

Second session:

Day 8:

- cyclophosphamide 600 mg/m² intravenous;
- vincristine 1 mg/m²

The cycle is repeated every 2 weeks until 3 negative values of the human gonadotropin hormone (hCG).

Fertility after persistent trophoblastic gestational disease

In patients with persistent trophoblastic gestational disease successfully treated through chemotherapy, a normal future reproductive function is expected. Future products of concepts have a low risk of foetal abnormalities and malformations [9, 10].

Methotrexate in induced medical abortion. Classification

Medical abortion (induced) can be:

- *legal*, which is performed with the boundaries of the law by qualified medical personnel (specialized physicians);
- *illegal* – which is provoked through various methods. Known in literature as septic or unsafe abortion.

Legal abortion can be:

- therapeutic:

- in cases where the foetus endangers the life of the mother;
- the pregnancy is a result of rape or incest (ethical abortion);
- the foetus has severe abnormalities or severe intra-uterine growth retardation (eugenic abortion).

In Romania, therapeutic abortion can be performed up to 24 weeks [11]. By request, abortion can be performed legally up to 14 weeks of gestational age.

In Romania, abortion has become possible as of 26 December 1989, through the abolishment of the communist decree. Between 1990-1992, the rate of requested medical abortion was of 200 abortions per 1000 fertile females with ages between 15 and 44, which corresponds to approximately 3 abortions for one live newborn and a total rate of 3,4 abortions per one fertile female between 15 and 44 years old. This rate was the highest in the world at the time [11, 12].

Induced abortion through medical treatment with methotrexate and misoprostol (see Fig 2)

Medical abortion induction methods as an alternative to surgical procedures first appeared in Europe and China starting with the year 1990 [13].

Inclusion criteria:

- haemodynamic stable patients;
- intra-uterine pregnancy 56-63 days old or less since the date of the last menstrual cycle;
- pregnancy age confirmed through trans-vaginal ultrasound;
- available blood tests;
- Rh factor – administration of antiD immunoglobulin if patients are RH negative and have no previous isoimmunization;
- complete blood count: RBC, WBC, PLT;
- hepatic enzymes: TGO, TGP;
- renal function: creatinine, uric acid, urea;
- signed informed consent regarding the drugs used, potential side effects, success and failure rate of the treatment as well as the potential need for surgical intervention.

Exclusion criteria:

- known allergies to the 2 compounds (methotrexate and misoprostol) ;
- haematological ailments: leukopenia (<3000/mm³) or thrombocytopenia (<100000/mm³)
- hepatic ailments;
- renal ailments;
- asthma or other pulmonary ailments;
- HIV or AIDS infection.

Protocol administration [13]

If the inclusion criteria are met, the drugs are administered as follows:

Day 1

Methotrexate administered systemically

- single dose of 50 or 60 mg/m² body surface, intra-muscular. Raising the methotrexate dose does not increase success rate [14].
- single oral dose, 25-50 mg with the same efficiency as intramuscular doses [15].

The patient is discharged from hospital. The patient returns for the remainder of the treatment in the 5-7 days.

Day 5 and 7:

Intravaginal misoprostol 800 µg, one of the two options:

- 4 tablets of 200 µg inserted vaginally with a tampon that will be kept in for 12 hours;
- 4 ovules of 200 µg inserted in the Douglas cul-de-sac.

Day 12 – Day 14 – according to the results of clinical and ultrasound investigations, the treatment will continue as follows:

- If the ultrasound shows an incomplete abortions (ovular remnants in the uterine cavity), treatment consists of a surgical aspiration abortion.
- If the ultrasound shows the existence of an intra-uterine sac with or without cardiac activity, an additional dose of 800 µg intravaginal misoprostol or a surgical aspiration, as the patient wishes.
- If the ultrasound shows a complete evacuation of the product of conception, the treatment is considered successful.

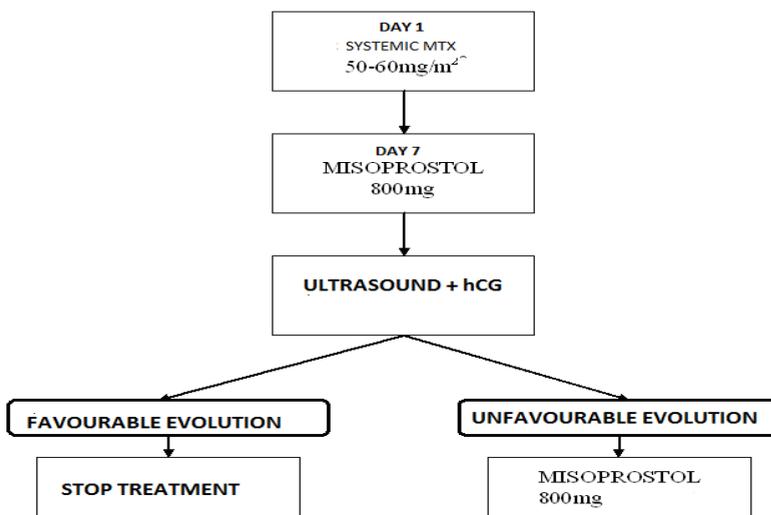


Fig.2

Treatment scheme for medical abortion with methotrexate-misoprostol

CONCLUSIONS

Treatment failure and success

Success is defined as the complete elimination of the product of conception within the first 7 days since the administration of the first misoprostol dose (days 7-14) or after the administration of the additional dose of misoprostol in days 12-14 (the interval 14-21).

Immediate success – complete abortion is obtained before the administration of misoprostol or during the first 24 hours since administration.

Late or delayed success – complete abortion is obtained after more than 24 hours since the administration of misoprostol.

Failure is defined as the incomplete elimination of the product of conception, even after the administration of the additional misoprostol dose, which leads to surgical resolution of the case. Literature studies show a success rate of 90% for pregnancies of 56 days or less [16].

In 12 to 35% of women, abortion is produced in the 20-30 days following administration of misoprostol.

Methotrexate was also used alone for abortion induction, but the success rate is smaller than in the case of combined therapy; abortion is produced 3 weeks following drug administration [17] Methotrexate, a drug used solely in neoplastic disease was also included in obstetrical therapy so as to prevent the transformation of hydatidiform mole in chorionic carcinoma with improvement in the vital prognosis of the patients. Its use in medical abortion and ectopic pregnancy is a great accomplishment, as it replaces a surgical intervention with all of its complications – including those related to anesthesia – with similar results.

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Job Satisfaction of Social Service Workers in Penitentiary Institutions in Albania**Enida Kume**

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enidak@hotmail.it**Abstract**

This study analyzes job satisfaction of Social Service Workers of Penitentiary Institutions in Albania. The overall job satisfaction of Social Service Workers of Penitentiary Institutions in Albania is associated with 12 variables. These variables are the most important among all the 24 variables that taken in consideration in this study. If these factors are considered carefully, then there will be a positive overall satisfaction of Social Service Workers of Penitentiary Institutions. This study gives a message to the employers of Penitentiary Institutions that if they want to improve job satisfaction of Social Service Workers then they have to consider the above 12 variables: recognition for good work, adequate remuneration for work, feel proud of job, satisfaction from non-financial rewards, motivated to work, job is meaningful, available opportunities for promotion, exchange of ideas between superior and subordinate, job evaluated reward, relationship –colleagues, training program regularly and satisfied with available opportunities. This study covers a wide range of independent variables that significantly influences job satisfaction of Social Service Workers of Penitentiary Institutions; however, referring to the limited number of data, this study fails to bring a complete and exhaustive evaluation picture on job satisfaction of social workers of Penitentiary Institutions in Albania.

Keywords: *Job satisfaction, social service workers, penitentiary institution*

Introduction

Job satisfaction has been defined as an emotional reaction to the work situation (Ilham, 2009, Locke, 1969, 1976). Perhaps the best-known definition of job satisfaction is Locke's contention that "job satisfaction is a pleasurable or positive emotional state resulting from an appraisal of one's job or job experiences" (Locke, 1976). Rahma, M.M et al. (2012) underline that "The degree of satisfaction is determined by the ratio outcomes against the desire of employees from their respective jobs. By law of nature as we have more, we want more, hence the level of satisfaction remain less. Job satisfaction is dynamic, as it can go as quickly as it comes. It is positive emotional state that occurs when a person's job seems to fulfill important values, provided these values are compatible with one's needs"

The penitentiary Institutions in Albania are considered by social service employees as a good opportunity to exercise their profession and as a job that is in line with their expectations (Kume, E. 2013). Given the target groups (prisoners) to whom this service is offered, it is naturally that "...social service workers must often deal with intense emotional issues and are frequently confronted with disturbing situations (Bernal, J.G., et al. 2005, Zaimi, et al. 2013).

The purpose of this study is the evaluation the job satisfaction level and identification of factors (variables) important for social service employee's job satisfaction in order to plan and carry out the necessary intervention in order to increase the effectiveness of this service in penitentiary Institutions in Albania.

The objectives of the study are: (i) to identify the most important factors of job satisfaction, (ii).to identify the level of satisfaction of social service specialist in penitentiary Institutions *and* (iii) to evaluate the correlation between job satisfaction and factors of job satisfaction

Methodology**Sample Design**

The targets of this study are 36 social service specialists who work in 23 penitentiary institutions. A structured questionnaire was developed using job satisfaction forces to which the respondents was asked to react using a seven step Bi-polar scale ranging from strongly disagree (1) to strongly agree (7).

At the end of the questions, a final question was added: "overall I am satisfied about my job". This question was intended to measure the respondent's reaction to the job satisfaction in a scale. Bipolar scale has been selected because of its widespread appropriateness of measuring attitude (Rahma, M.M et al. 2012)

The demographic compositions of the respondents are shown in Figure no.1

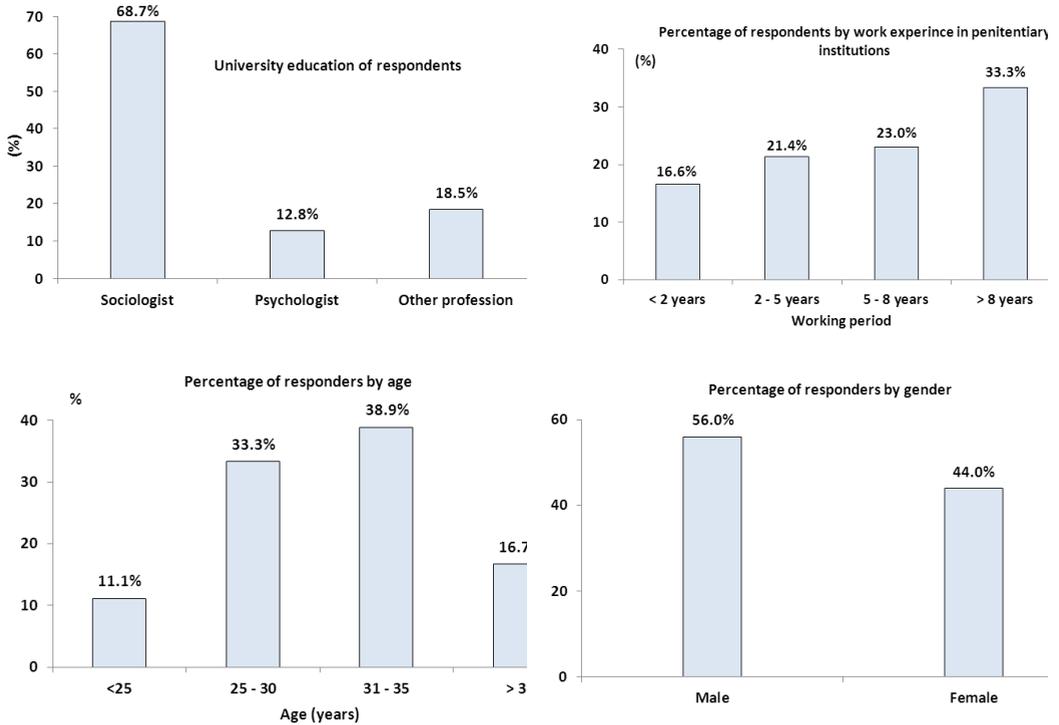


Figure no.1 Demographic characteristics of respondents

Methods

SPSS 17.0 and Excel have been used to process and analyze the data. Dependent and independent variables are analyzed by using correlation and linear regression. Different statistical tools like ANOVA, T-test have been used to assess and interpret data. ANOVA has been used to analyze the relationship of job satisfaction factors with overall satisfaction of employees. T-tests have been performed to test the statistical significance of the parameters at 5% level of significance.

Statistical parameters like mean, standard deviations will be estimated. In order to evaluate and estimate the significance level among dependent and independent variables, the variables are further analyzed with the help of regression model. Overall job satisfaction is the dependent variable and adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful, relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates and exchange of ideas between superior and subordinates are independent variables

The regression model is as follows:

$$OJS = \alpha + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \beta_6 X_6 + \beta_7 X_7 + \beta_8 X_8 + \beta_9 X_9 + \beta_{10} X_{10} + \beta_{11} X_{11} + \beta_{12} X_{12} + \beta_{13} X_{13} + \beta_{14} X_{14} + \beta_{15} X_{15} + \beta_{16} X_{16} + \beta_{17} X_{17} + \beta_{18} X_{18} + \beta_{19} X_{19} + \beta_{20} X_{20} + \beta_{21} X_{21} + \beta_{22} X_{22} + \beta_{23} X_{23} + \beta_{24} X_{24} + \epsilon_t$$

Where:

OJS-Overall Job Satisfaction	X ₁₄ - Motivated to work
X ₁ - Adequate remuneration for work	X ₁₅ - Flexibility working hours
X ₂ - Job is meaningful	X ₁₆ - Like job
X ₃ - Salary increases on performance	X ₁₇ - Job meaningful
X ₄ - Satisfaction from non-financial rewards	X ₁₈ - Relationship –colleagues
X ₅ - Job evaluated reward	X ₁₉ - Collective work
X ₆ - Available opportunities for promotion	X ₂₀ - Team work
X ₇ - Satisfied with available opportunities	X ₂₁ - Colleagues help
X ₈ - Feel proud of job	X ₂₂ - Supervisors care
X ₉ - Training program regularly	X ₂₃ - Trust between superior and subordinates
X ₁₀ - Use skill, experience and qualification	X ₂₄ - Exchange of ideas between superior and subordinates
X ₁₁ - Top management support	ϵ_1 - Error Term
X ₁₂ - Satisfied environment	
X ₁₃ - Recognition for good work	

and α is a constant and $\beta_1, \beta_2, \beta_3, \beta_4, \beta_5, \beta_6, \beta_7, \beta_8, \beta_9, \beta_{10}, \beta_{11}, \beta_{12}, \beta_{13}, \beta_{14}, \beta_{15}, \beta_{16}, \beta_{17}, \beta_{18}, \beta_{19}, \beta_{20}, \beta_{21}, \beta_{22}, \beta_{23}, \beta_{24}$ are coefficients to estimate.

Results and discussion

The mean value and standard deviation of variables are showed in Table no.1. The mean value of all factors, except Flexibility working hours, Team work and Colleagues help, is more than 5.0 which is between the neutral and agree in the scale showing the average employees perception about job satisfaction.

Table no. 1 Descriptive Statistics

Variable	Main	Standard deviation	Variable	Main	Standard deviation
Adequate remuneration for work	5.06	0.721	Recognition for good work	5.06	0.634
Job is meaningful	6.13	0.824	Motivated to work	5.32	0.891
Salary increases on performance	5.02	0.703	Flexibility working hours	4.61	0.637
Satisfaction from non-financial rewards	6.09	0.986	Like job	5.36	0.843
Job evaluated reward	5.72	0.712	Job meaningful	5.82	0.784
Available opportunities for promotion	5.42	0.783	Relationship –colleagues	5.21	0.782
Satisfied with available opportunities	5.31	0.923	Collective work	5.03	0.789
Feel proud of job	6.04	1.003	Team work	4.81	0.853

Training program regularly	5.21	0.754	Colleagues help	4.16	0.609
Use skill, experience and qualification	6.02	0.762	Supervisors care	5.10	0.712
Top management support	5.21	0.759	Trust between superior and subordinates	5.03	0.735
Satisfied environment	5.03	0.692	Exchange of ideas between superior and subordinate	5.13	0.789
Overall Job Satisfaction	5.23	0.897			

From Table no.2, it is seen that there is a significant correlation between dependent variable and independent variables. At 5% level of significance the correlation is 88.2%. Here, adjusted R square is 0.722 which tells us about 72.2% variation of dependent variable is explained by independent variables included in regression model.

Table. No. 2 Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.8823 ^a	.779	.722	0.394
a. Predictors: (Constant), adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful, relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates, exchange of ideas between superior and subordinates				

Table no. 3, shows that the regression equation is explaining a statistically significant portion of the variability in the dependent variable from variability in the independent variables. Therefore we can conclude that it accurately explains that the overall job satisfaction of the social service specialists who work in penitentiary institutions depends on the factors that have entered in the model.

Table no.3. ANOVA^a

Model		Sum Squares	df	Mean Square	F	Sig.
1	Regression	342.86	24	54.14	15.60	.00 ^b
	Residual	107.52	11	3.47		
	Total	450.38	35			
a. Dependent Variable: Overall Job Satisfaction						
b. Predictors: (Constant), adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful,						

relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates, exchange of ideas between superior and subordinates

Table no.4 shows the coefficients between dependent and independent variables. According to significant values of the coefficients for adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, training program regularly, recognition for good work, motivated to work, flexibility working hours, job meaningful are statistically significant ($p < 0.00$) and satisfied with available opportunities, feel proud of job, relationship-colleagues are statistically significant ($p < 0.05$). The coefficients for other independent variables are not statistically significant which implies that these factors have some impact on overall job satisfaction but these are not considerable.

Referring to the values of standardized coefficients that correspond to the variables that have statistical significant effect on dependent variable, overall job satisfaction, in Table no 5, are chronologically ranked the variables that should be taken in consideration by the decision making body in drafting policies that want to increase job satisfaction level for social service specialist in penitentiary Institutions.

Table no. 4 Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		β	Std. Error	β		
1	Constant	2.346	0.561		2.32	0.75
	Adequate remuneration for work	0.468	0.231	0.387	3.76	0.00
	Job is meaningful	0.521	0.268	0.294	3.98	0.00
	Salary increases on performance	0.219	0.318	0.128	3.07	0.00
	Satisfaction from non-financial rewards	0.326	0.056	0.307	4.02	0.00
	Job evaluated reward	0.189	0.082	0.256	4.12	0.00
	Available opportunities for promotion	0.321	0.125	0.287	3.08	0.00
	Satisfied with available opportunities	0.156	0.025	0.203	2.75	0.05
	Feel proud of job	0.507	0.089	0.321	2.98	0.05
	Training program regularly	0.329	0.120	0.237	3.67	0.00
	Use skill, experience and qualification	-0.221	0.107	-0.241	-1.11	0.62
	Top management support	0.142	0.112	0.067	1.67	0.09
	Satisfied environment	0.068	0.321	0.088	1.06	0.62
	Recognition for good work	0.367	0.054	0.406	3.69	0.00
	Motivated to work	0.293	0.217	0.302	3.05	0.00
	Flexibility working hours	-0.324	0.142	-0.289	-3.12	0.00
	Like job	0.387	0.121	0.098	-1.68	0.10

Job meaningful	0.309	0.120	0.152	3.17	0.00
Relationship –colleagues	0.341	0.122	0.241	2.06	0.05
Collective work	-0.027	0.203	-0.067	-1.04	0.62
Team work	-0.257	0.065	-0.185	-1.07	0.62
Colleagues help	0.067	0.103	0.024	2.19	0.05
Supervisors care	-0.127	0.111	-0.204	-1.87	0.09
Trust between superior and subordinates	-0.129	0.183	-0.183	-1.90	0.08
Exchange of ideas between superior and subordinate	0.357	0.098	0.276	3.15	0.00
a. Dependent Variable: Overall Job Satisfaction					

Table no. 5. Rank order of variables

Variables	Value	Rank order on the basis of significance
Recognition for good work	0.406	1
Adequate remuneration for work	0.387	2
Feel proud of job	0.321	3
Satisfaction from non-financial rewards	0.307	4
Motivated to work	0.302	5
Job is meaningful	0.294	6
Available opportunities for promotion	0.287	7
Exchange of ideas between superior and subordinate	0.276	8
Job evaluated reward	0.256	9
Relationship –colleagues	0.241	10
Training program regularly	0.237	11
Satisfied with available opportunities	0.203	12

Conclusions

This study analyzes job satisfaction of Social Service Workers of Penitentiary Institutions in Albania.

The overall job satisfaction of Social Service Workers of Penitentiary Institutions in Albania is associated with 12 variables. These variables are the most important among all the 24 variables that taken in consideration in this study. If these factors are considered carefully, then there will be a positive overall satisfaction of Social Service Workers of Penitentiary Institutions. This study gives a message to the employers of Penitentiary Institutions that if they want to improve job satisfaction of Social Service Workers then they have to consider the above 12 variables: recognition for good work, adequate remuneration for work, feel proud of job, satisfaction from non-financial rewards, motivated to work, job is meaningful, available opportunities for promotion, exchange of ideas between superior and subordinate, job evaluated reward, relationship –colleagues, training program regularly and satisfied with available opportunities

This study covers a wide range of independent variables that significantly influences job satisfaction of Social Service Workers of Penitentiary Institutions; however, referring to the limited number of data, this study fails to bring a complete and exhaustive evaluation picture on job satisfaction of social workers of Penitentiary Institutions in Albania.

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Assessment of Participation in Cultural Activities in Poland by Selected Multivariate Methods

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Abstract

This paper presents analyses of participation in cultural activities by Poles. The analyses are carried out on the base of metric and non-metric data retrieved from the Eurobarometer survey. The study includes two main aspects: the comparison of the involvement in Poland with the situation in other European Union countries and the detection of similarities among various form of the engagement. The socio-economic background of the respondents is also taken into account, namely age, gender, place of residence and level in the society. Chosen multivariate methods are applied to identify regularities in the participation. The results of the analyses are presented graphically to facilitate the interpretation. A two-step procedure is used for a better understanding of the participation schemes. The first step includes the partition of qualitative variables into relatively homogenous groups leading to the reduction of the multidimensionality. The second step is focused on evaluating the participation with respect to the variables forming the identified clusters.

Keywords: participation in cultural activities, clustering methods, categorical data.

1. Introduction

The access to culture plays an important role across Europe but still an essential part of the population is not widely involved in cultural activities despite many Council conclusions on its importance, namely in terms of combating poverty and social exclusion or developing creative and intercultural competences (European Union 2012, p. 5). A general conclusion of a rather low level of the participation in Poland can be drawn from the Eurobarometer Reports (European Commission 2007, 2013). A vast national survey concerning this area was carried out in 2009 (GUS 2012). Other comprehensive national studies under a common name *Social Diagnosis* deal with this issue mostly in terms of the cultural needs and financial obstacles to the involvement (Czapiński & Panek 2015).

The main objective of this study is to identify and analyze patterns of the participation in cultural activities by Poles according to the Eurobarometer most recent data (2013). Some specific objectives are also formulated:

- to compare the engagement in Poland with the situation in other UE countries,
- to detect the similarities in the participation in various forms and to compare them with chosen socio-economic characteristics,
- to apply multivariate methods adequate for the variables of various type (metric, non-metric) in order to group either units or variables,
- to support the interpretation of the results of the analyses by visualization techniques.

Selected clustering methods are applied to identify regularities in the participation in cultural activities. The results of the analysis are presented graphically by dendrograms, barcharts and heatmap plots. The analyses are carried out on the base of *Eurobarometer* survey outcomes allowing for making international comparisons due to the unified process of data collection.

2. Data description

This study is based on data from Special Eurobarometer survey¹ devoted to cultural participation of European Union citizens. The survey was requested by the European Commission and carried out in April and May 2013. The questionnaire included a question concerning the frequency of the participation in various cultural activities in the last year. The literal question was as follows: "How many times in the last twelve months have you...?" (TNS Opinion 2013). Nine options were given for the evaluation, i.e. "seen a ballet, a dance performance or an opera; been to the cinema; been to the theatre; been to a concert; visited a public library, visited a historical monument or site (palaces, castles, churches, gardens, etc.); visited a museum or gallery, watched or listened to a cultural programme on TV or on the radio, read a book" (TNS Opinion 2013). As the original descriptions of the activities are rather long, shorter versions of them are used in further considerations in order to make the visualizations and tables more clear: Opera, Cinema, Theatre, Concert, Library, Monument, Museum, RTV, Book, respectively. The respondents of the survey were asked to choose one from possible answers: "not in the last 12 months; 1-2 times; 3-5 times; more than 5 times". The analyses of the participation are based both on aggregated and individual data. The international comparison was carried out with respect to the percentages of respondents who declared that they had took part in a particular activity at least once in the last twelve months. The analysis of the behaviour of the Polish respondents was performed on individual, categorical data. The answers to the question about the involvement in various activities were binarized (0 - no participation at all, 1 - participation at least once in the last year). A set of socio-economic non-metric variables was also taken into consideration:

- gender: male, female;
- place of residence: rural area or village, small/medium-sized town, large town/city;
- age (categorized): 15-24, 25-39, 40-54, 55+;
- level in the society (self placement on ten-degree scale, categorized): low (1-4), middle (5-6), high (7-10).

As some missing values were detected, some observations had to be omitted and the final dataset comprised N = 960 cases.

3. Analytical methods

According to the objectives of this research, some selected multivariate techniques are applied to disclose relationships and patterns in datasets. Various clustering procedures as well as certain visualization methods supporting the interpretation of the results are used. The clustering algorithms were chosen as they constitute crucial methods of the scientific inquiry, especially in social sciences when no particular underlying theory of the phenomenon is available and the goal is to search for and to reveal the existing patterns (Bartholomew et al. 2008, p.18). The principal objective of cluster analysis is to assign individuals (observations, units) to clusters when the group membership is not known *a priori* (Afifi, May & Clark 2003). There are two main types of clustering algorithms: partitioning and hierarchical (Rencher 2003, p.452). Only the latter approach is used in the analyses, so its general idea is briefly presented. Hierarchical clustering is done in a few predefined steps, namely: (1) collecting a data matrix representing the objects and the attributes describing them, (2) standardizing the data matrix if necessary, (3) measuring the similarities among all pairs of objects, (4) applying a specific method to find the hierarchy of the similarities among objects and to present it in form of dendrogram (Romesburg 2004, p.3). Detailed descriptions of numerous clustering algorithms can be found in many publications, e.g. Anderberg (1973), Aggarwal & Reddy (2013), Everitt et al. (2011). Although the most common purpose of the cluster analysis is to group the units, the same procedures may be applied to group the variables according to their mutual behaviour and to reveal structures and "natural associations" among variables within complex datasets (Anderberg 1973). Moreover, some specific methods are proposed for variables clustering only. As indicated by Chavent et al. (2013) the most important methods for metric data are VARCLUS procedure implemented in SAS software, CLV method (Vigneau & Gannari 2003) and diametrical clustering (Dhillon, Marcotte & Roshan 2003). As survey data are often non-metric in nature, these techniques cannot be used in many social science studies based on such data. Another solution dealing with both quantitative and qualitative data is proposed by Chavent et al. (2013) and implemented in ClustOfVar R package. The clustering procedures are based on a principal components method appropriate for a mixture of qualitative and quantitative variables and maximize a homogeneity criterion - the degree of the association with the central quantitative synthetic

¹ European Commission, Brussels (2014): Eurobarometer 79.2 (2013). TNS Opinion, Brussels [producer]. GESIS Data Archive, Cologne. ZA5688 Data file Version 4.0.0, doi:10.4232/1.11873

variable measured either by correlation coefficient or correlation ratio (Chavent et al. 2013). The stability of the partitions may be assessed by Rand (Rand 1971) or adjusted Rand (Hubert & Arabie 1985) criteria.

The results of the hierarchical clustering are usually presented graphically by dendrograms but another extended approach is possible. A visualization technique called *cluster heatmap* is used to show or identify the relationships between the units and the variables with respect to the clustering outcomes. This visualization method is widely used in biological research, mostly to data collected from microarrays but there are not any obstacles to apply this technique to other data (Pryke, Mostaghim & Nazemi 2007). The cluster heatmap consists of a rectangle representing the data matrix with dendrograms attached to its margins and it facilitates the examination of row, column, and joint cluster configuration (Wilkinson & Friendly 2009). The rectangle is divided into cells whose colours reflect the values of the original dataset; the columns and the rows are permuted in order to properly show the clustering of the variables and the units, respectively (Chen, Härdle & Unwin 2007, p. 567). An interesting heatmap presentation with a variety of options is implemented in *pheatmap* R package (Kolde, 2015).

4. Participation in cultural activities in Poland on the European background

The comparison of Poles' participation in cultural activities with the patterns observed in all European Union member states (at the moment when the survey took place) was performed on the base of the variables representing the percentages of respondents who declared that they had taken part in a particular activity at least once in the last twelve months. Hence, the data matrix comprised 27 objects described by 9 variables (attributes). The input data in this case were metric so an agglomerative clustering algorithm was applied. The data were standardized. The Euclidean distance was chosen as the measure of dissimilarities among the pairs of objects and Ward's method was selected as the criterion for merging clusters in the hierarchical procedure. Finally, a heatmap presentation was used to visualize the outcomes of the analysis and to facilitate the interpretation of the patterns. The heatmap reflecting the standardized values of the analyzed data and the clustering results is given in Figure 1. The position of Poland is marked by an arrow.

The heatmap in Figure 1 shows the partition of the countries into four clusters. The first cluster (as seen from the top of the figure) consists of the worst performers in terms of the participation in cultural activities: Bulgaria, Hungary, Poland, Greece, Cyprus, Portugal and Romania. All participation indicators in these countries are below the average. A completely different pattern can be noticed in the countries who constitute the second cluster: Sweden, Denmark and the Netherlands where the engagement in cultural activities is the highest across the European Union. The third cluster comprising Czech Republic, Slovakia, Italy, Spain and Malta is characterized by the values lower than or close to the average. The fourth and the biggest cluster contains the other member states (not listed above) and can be described as moderate as the values are higher or close to the average.

Some similarities among the variables can be also indicated, particularly among visiting museums, galleries and monuments, reading books and going to the cinema. Other regularities may be noticed between being to a concert or being to a theatre as well as between seeing a ballet, a dance performance or an opera and watching or listening to cultural programme on TV or on the radio.

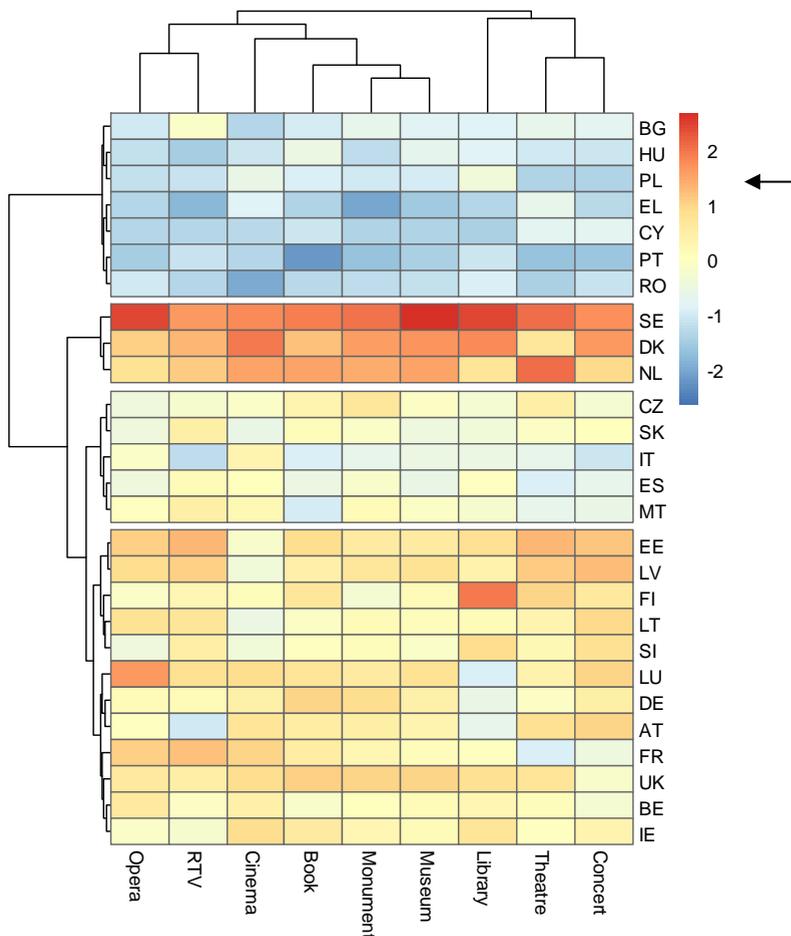


Figure 1. Results of the agglomerative hierarchical clustering (Ward's method) of the EU countries and the variables describing the participation in the cultural activities.

Note: The position of Poland is highlighted by the arrow. Abbreviations: AT - Austria, BE - Belgium, BG - Bulgaria, CY - Cyprus, CZ - Czech Republic, DE - Germany, DK - Denmark, FR - France, HU - Hungary, EE - Estonia, EL - Greece, ES - Spain, FI - Finland, IE - Ireland, IT - Italy, LT - Lithuania, LU - Luxembourg, LV - Latvia, MT - Malta, NL - Netherlands, PL - Poland, PT - Portugal, RO - Romania, SE - Sweden, SI - Slovenia, SK - Slovakia, UK - United Kingdom.

Source: own elaboration in pheatmap R package on the base of Special Eurobarometer 79.2 (399) data.

As it can be seen from the recognized clusters and patterns, the participation in cultural activities in Poland is among the lowest in the European Union. This unfavorable situation induces the need for a more detailed analysis based on individual data and with respect to the socio-economic background.

5. Participation in cultural activities in Poland - analysis of non-metric data

The involvement in cultural activities in Poland was evaluated on the base of nine categorical variables describing various aspects of the phenomenon. In the first step of the analysis it was verified whether there are patterns due to the type of the participation. For this purpose, a method available in the ClustOfVar R package (Chavent et al. 2013) was used that allows

detecting clusters among qualitative variables. The agglomeration process is illustrated by the means of a dendrogram in Figure 2. Figure 3 shows the evaluation of the stability of the dendrogram partitioning on the base of the mean adjusted Rand criterion calculated from 100 bootstrap samples. The highest index corresponds to the division into eight clusters of variables but this solution is unfortunately not informative. Therefore, the split into three clusters was taken into consideration, for which the Rand criterion was the second largest.

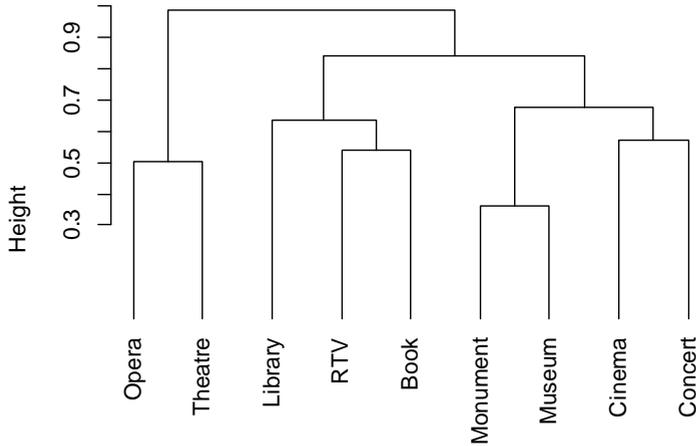


Figure 2. Dendrogram representing the clustering of the variables describing the participation in the cultural activities by Poles

Source: own elaboration in ClustOfVar R package on the base of Special Eurobarometer 79.2 (399) data.

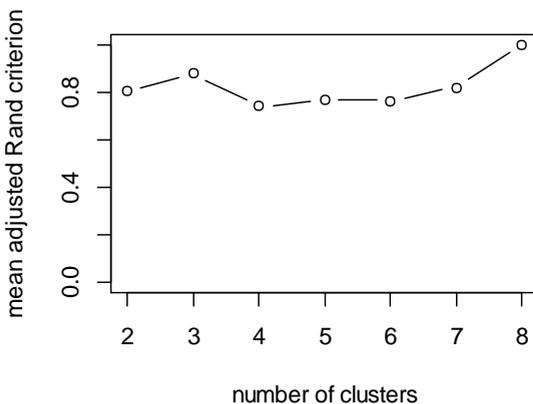


Figure 3. The evaluation of the stability of the dendrogram partitions according to the adjusted Rand criterion (calculated from 100 bootstrap samples).

Source: own elaboration in ClustOfVar R package on the base of Special Eurobarometer 79.2 (399) data.

Three identified clusters are as follows: (1) seeing a ballet, a dance performance or an opera and being to the theatre, (2) being to a concert, being to the cinema, visiting a historical monument or site, visiting a museum or gallery, (3) visiting a public library, watching or listened to a cultural programme on TV or on the radio, reading a book. It is worth underlying that the clusters are different in nature. The first one seems to be the most sophisticated and comprises some events available only in large towns or cities. The third one consists of easily accessible and low-cost activities as reading books, listening to the radio, watching TV, visiting a public library. The second cluster includes the activities carried out outside home and probably requiring more time and financial expenditures. The homogeneity of the clusters can be evaluated by the degree

of association between the variables constituting the cluster and the central synthetic variable; in the case of qualitative variables correlation ratio is applied for this purpose (Chavent et al. 2013). The results in Table 1 show that the partition into three clusters is reasonable as the correlation ratios are relatively high.

Table 1. Associations between the input variables and the clusters' synthetic variables

Cluster	Variable	Loading (cr)
1	Opera	0,75
	Theatre	0,75
2	Cinema	0,53
	Concert	0,52
	Monument	0,68
	Museum	0,66
3	Library	0,56
	RTV	0,57
	Book	0,69

Source: own elaboration in ClustOfVar R package on the base of Special Eurobarometer 79.2 (399) data.

The identification of three different clusters gives reason to perform the analyzes separately for each of them. It is an alternative, more detailed approach than the *Index of cultural practice* proposed in (European Commission 2013, p. 9), which has many advantages such as the simplicity of construction and interpretation, but treats all cultural activities equally. In the case of Poland the approach based on pre-clustering appears to be justified because of large differences in participation rates calculated separately for the three recognized groups. The particular terms are defined as follows: full participation (F) - participation in all activities within the cluster, partial participation (P) - participation in at least one activity within the cluster but not in all of them, no participation (N) - no participation in activities within the cluster. Some indicators calculated as F, P and N ratios are given in Table 2.

Table 2. Comparison of the participation with respect to the identified clusters

Cluster	Participation indicators		
	F/N	P/N	Total: F/N+P/N
1	0,08	0,14	0,22
2	0,19	0,84	1,03
3	0,77	1,85	2,62

Source: own elaboration on the base of Special Eurobarometer 79.2 (399) data.

Essential differences in the indicators calculated for the clusters should be emphasized. In the first cluster for one person who saw a ballet, a dance performance, opera or a play in a theatre there are about five persons who did not participate in such events at all. It is the only cluster, in which the partial participation is only a bit higher than the full involvement. In the others the partial engagement is much higher than the full one. There are more people using than not using the cultural offers included in the clusters 2 and 3. Moreover, the ratio is much more favorable in the third group (2,62 as compared to 1,03). The ratio of the partial participation and no participation is higher than one only in the case of the cluster 3 which includes easily accessible and low-cost activities. The calculated indicators show a very large diversity of Poles' participation in cultural activities depending on their type.

The next step of the analysis is the assessment of the full, partial and no participation indicators within the identified clusters with respect to a set of socio-economic variables (Figure 4).

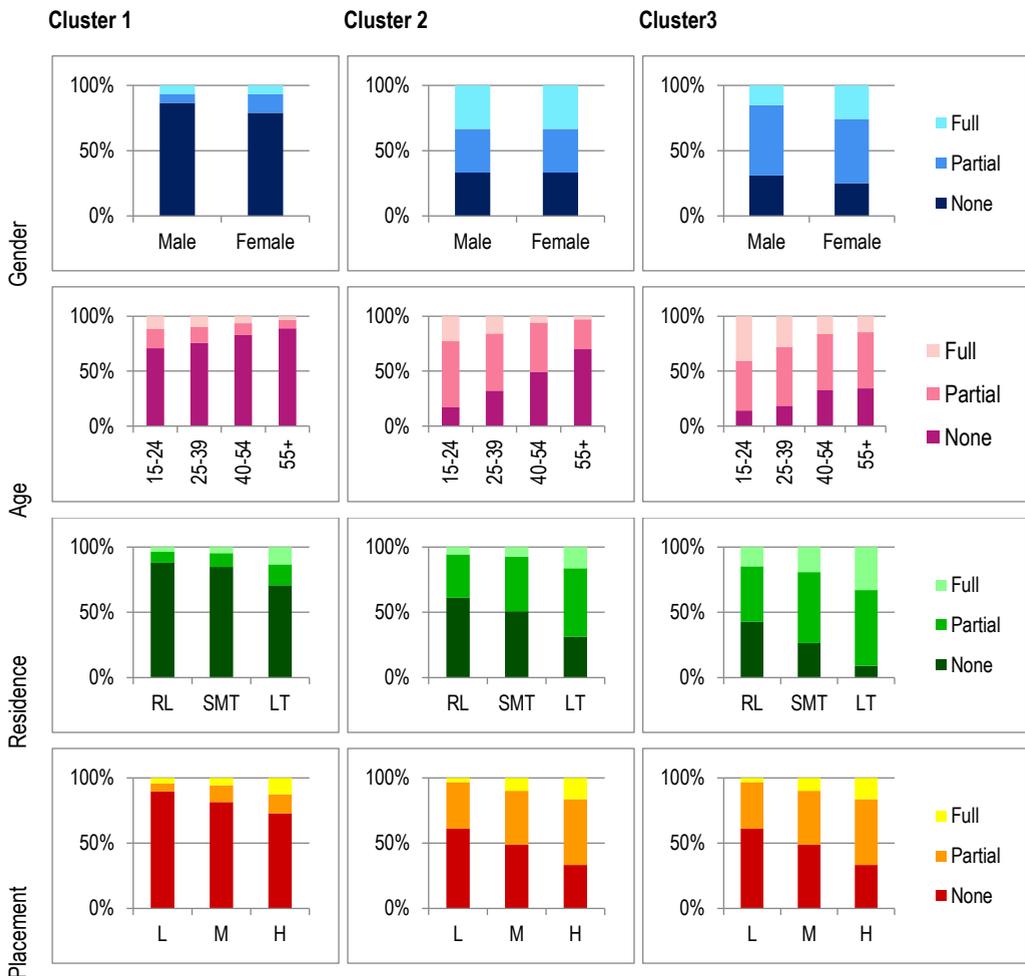


Figure 4. Participation in cultural activities with respect to the identified clusters and socio-economic characteristics.

Note: Residence: RL - Rural area or village, SMT - Small/Middle town, LT - Large town/city; Placement in the society: L - low, M - Middle, H - High.

Source: own elaboration on the base of Special Eurobarometer 79.2 (399) data.

A higher percentage of women than men declares participation in cultural activities included in the clusters 1 and 3. A vital difference can be found in the cluster 3 in the case of the full participation, which is declared by 25,6% of females and only by 15,2% of males. In contrast, the differences due to the gender are not found in the cluster 2. The age is also an important differentiating factor. Generally, the engagement in cultural activities decreases with the age of the respondents. Particularly worrying is the fact of no participation by people from the oldest age group (55+). A clear division occurs between 40+ and younger Poles when the activities included in the cluster 3 are considered. The younger generation tends to read more books and use more the cultural offers given on the radio and TV or in the library. The place of residence also plays an important role. In the case of cluster 1 and 2, the reason may seem to be evident as the access to certain cultural events

in rural areas, villages and smaller towns is limited. However, the same patterns occur in the case of the cluster 3 comprising easily accessible activities. Moreover, the gap between rural areas/villages and large towns/cities is the highest in this cluster: no participation is declared by 42,8% and 8,9% of respondents, respectively. It suggests the existence of not only objective obstacles arising from the external circumstances, but also intrinsic barriers, perhaps resulting from the lack of such needs or the lack of awareness. Some regularities combined with the perceived level in the society are also noticeable, but one must bear in mind that this assessment is a self-placement type, so it does not give objective criteria. Nevertheless, the lower placement in the society, the lower participation in cultural activities is observed. More than a half of those who place themselves at the lowest level of the society resigns from the engagement in cultural offers, irrespective of the cluster.

Conclusions

The analysis of the Eurobarometer data reveals that the participation in cultural activities in Poland is among the lowest in the European Union and varies across socio-economic factors. In particular, there are clear differences between people living in the countryside and in town/cities as well as between persons from different age groups. Very alarming, especially in the context of the aging population is no or a low involvement in cultural activities by persons 55+. It is necessary to take appropriate steps to attract older people to these forms of spending time contributing to the realization of the idea of the active aging.

The partition of variables into relatively homogenous groups in the first stage of the analysis reduces the multidimensionality of data while retaining the possibility of recognizing underlying patterns. This kind of approach is particularly helpful if groups of variables characterized by considerable similarities exist, which allows the researcher to extract meaningful clusters. Taking into account a set of the identified clusters of variables in further analysis is probably more informative than the interpretation of one composite indicator based on all variables altogether. On the other hand, the synthetic indicator has also a number of advantages - it has a simple construction, requires less complex calculations and is understood more easily by stakeholders without background in statistics. It can thus serve as an overall index for the general description of the situation, while the two-step approach giving a more detailed and more precise insight into the phenomenon can be applied in the in-depth analysis of the problem. The approach including the preliminary clustering of variables may be treated as a kind of balance between handling each factor separately, and construction of one global indicator.

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The Diversification of E- Services in Tourism Marketing – Case of Albania

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Abstract

The hospitality industry provides twenty-four hour service all year long for the interested people, just like the Internet which is always online. This immediate information that the Internet presents to the potential customers and the opportunity to have a better viewpoint of the service they are going to buy, prepare them for the experience they are going to live. Ideas on website quality may differ, but there is also a great deal of common ground so there is a need for further research by the marketing experts. Therefore, it is very important for tourism businesses and other organizations, either from private, or from public sector, to understand the customer needs that are amenable to fulfillment in an online environment and strive to meet them. Some questions that can be raised are: What makes a destination website an effective marketing tool? How can success be measured? What is a successful website? How can quality and effectiveness be evaluated? The purpose of this paper is to address these questions using a literature review methodology, as well as a content analysis of some of the Albanian touristic websites. Seeing the growing role of websites as a customer contact point and virtual company office, tourism businesses are realizing the strategic importance of a website as a marketing tool for addressing consumers in electronic business environment.

Keywords: Tourism, Marketing, Website, ICT.

1. Introduction.

Since the consumer access to the Internet was first available through Web browsers serving home PC-s, the speed of development has been remarkable. If it is still too soon to be certain to what extent the Internet will dominate tourism marketing, it is at least clear that its impact will be a major influence on nearly every aspect of services marketing.

A tourism web-site designed appropriately can facilitate a traveler helping to ensure they are making the right choice and have an enjoyable experience. This is the main goal of tourism costumers.

The internet network operates as a global marketplace accessible to the general public twenty-four hours a day, seven days a week. It is a marketplace based entirely on information provision and exchange transactions in which detailed information, for example on prices and availability, is changing every few seconds. The convergence and connectivity now available through ICT appears to signal one of the historic ‘discontinuities’ in the way business is conducted that provide massive growth opportunities for the proactive and overwhelm those too slow to adapt. Because of the fact that tourism is an information industry and customer decisions are highly price-sensitive, it has become one of the natural lead industries on the Internet (Middleton and Clarke, 2001).

This paper intends to present the importance of tourism websites as marketing instruments which can communicate that what kind of products/services tourism enterprises offer and which are the benefits of these products. However, the information communicated must be accurate.

As Web-based marketing strategies have become more widely adopted and pressure on tourism businesses to account for investments in their Web sites has increased, interest in the evaluation of Web sites has grown.

Also, in this paper will be given some information and figures about the development of e- marketing of tourism enterprises in Albania.

2. Literature Review

All market research reports show that there has been rapid growth in both the number of Internet users who visit travel and tourism websites and the levels of travel-related spending online. While these numbers are being monitored by various organizations, the precise needs and preferences of Internet users world-wide are rarely taken into account (UNWTO, 2005).

To become more understandable the need for integrating new web technologies in the tourism services, firstly we should understand the profile of the modern consumer-traveler. Some of them are as follows (Ortiz et.al, 2001) :

1. Wants quality services.
2. Prefers more specific offers
3. Requests more information on both the product itself and generally about the destination and other additional services
4. It has been more critical and more aware
5. Performs more but shorter trips (mainly due to working obligations)
6. Decides slowly and usually last minute, which reduces the time between bookings etc. use online booking and therefore requires a quick response by the business to his wishes.
7. Constantly is moving, thus increasing the level of importance of using mobile technology to meet the needs of any time in any place.

There are different factors that influence the quality of a website. Ideas on website quality may differ, but there is also a great deal of common ground. Usability and trustworthiness, for instance, are recurring concepts and it is helpful to see which aspects are considered to make a website user-friendly and to inspire the user's confidence.

2.1 The AIDA Concept

The appearance and information structure in an attractive tourism site should correspond with the so –called AIDA concept often used in marketing:

• Attention

On the homepage the user expects an overview (navigation structure, site maps), attractive A photo, special offers, logos, etc., which emphasize the uniqueness of the region (unique selling points), and ways of communicating with the organization (colophon, contact button).

• Interest

Attractive descriptions of the region or city and practical tips are expected (weather, travel information, etc.). The more extensive the impression the potential guest gets of this destination, the better. It whets the user's appetite and increases the interest to visit the destination. The site should contain descriptions of nature and historical and cultural attractions. Photos and, possibly, sounds should be featured, as well as information on accommodation and travel within the region, with maps and route planners.

• Desire

The desire to travel to the region is stimulated through an attractive description of the things to do and see. Information on accommodations is also included in this section.

• Action

Stands for interaction and booking possibilities. Ideally, the desire to travel results in a reservation. Communication and the contact possibilities should be optimal. Possibilities to search by availability, online reservation possibilities, secure payment, etc., should be provided (UNWTO, 2005).

2.2 The Internet Search Engines

Hundreds of millions is actually the number of websites, whereas thousands of new pages are being added daily. For a casual user, without using a suitable auxiliary, software tool, to search for information on the Internet about a topic that interests them, the prospects of success of the effort is quite minimal: the user for hours wandering aimlessly in the Internet, and many related sites remain unexplored. On the other hand, his search would be easier by using a software tool, that will be effected the search throughout the Internet and would find all the search results, requiring by the user only to enter the subject that interests him with the greatest possible accuracy. Such tools are the Search Engines. In the tourism industry, such as the accommodation one, studies have shown that if the site of the hotel business is not located within the results of the first three pages of a search engine, they will likely not be in all these results. Additionally, users tend to look only sites whose links appear in these first pages of search results (Callahan, 2002). This is extremely important for a hotel company, considering that the entire advertising campaign to promote the business on the internet can be based solely on impressions of the website in search engine results.

Moreover, it is useful to be improved the HTML code page, and to be mentioned for example, more keywords in the headers. Also, most search engines still have difficulties in indexing dynamic pages and multimedia elements. For this reason, should be avoided from a website of business information such as:

- Text in graphics
- Pages that require registration (registration), cookies or passwords
- XML
- Java applets
- Adobe Acrobat (PDF) files- Google has no problem with the indexing of these
- Dynamic content (URLs with "?" in them)- Google, AltaVista, FAST and Inktomi have no problem with these indexing
- Multimedia files (Flash, Shockwave, streaming video etc)

Apart from the improvement in form and structure of the sites described above and aimed at attracting more users-clients, improving the position of a business website in the results list returned by a search engine for a particular issue, can be done with a number of other ways and methods. One of them is trying to increase the number of links found on other pages, but showing the website of the company.

In this way can be achieved a better position in the page of search engine listings, as the engine sees it as "valid" source for a particular issue and a number of related (or not) with the theme pages showing it.

2.3 How a website can be successful?

Usually there are three main parameters that make a website attractive or not.

The quality and type of content (richness)

The ease of access to content (reach)

The interaction and user satisfaction (affiliation)

The company must display the name of the product and the site and organize the content that is attractive and meets the purposes of its existence. Particularly in terms of content, it is important to design a site that meets the requirements of internet users. A web-site that intend to create interest and pass an advertisement may have just a good introductory (possibly made in flash) presentation and basic interaction. But it cannot bring a continuous searching. Instead, if the site meets a need that characterizes users and stakeholders of the product, if for those people actually gives useful information and services, then the company shows that it really cares about the public and consumers, and that does not sacrifice their time simply to advertise some services or products.

2.4. The online booking systems of accommodation units.

It is a software that allows small or large hotels to make online booking through internet 24 hours/day, 7 days a week. In addition, enables to handle the reservations wherever the owners want such as: At home, office, reception or from all these points simultaneously.

2.4.1 How does the hotel booking functions?

The customer declares the days of arrival - departure, the number of people who will stay overnight and if they want half board or full board or bed and breakfast, in case of them. With those elements in relation to the arrangements made for the various costs through the server, is calculated the cost of accommodation both with the meals that are mentioned. If the customer agrees to the charge and wants to go further, he/she complete a booking form with the respective data and sends it to the server. The server notifies by e-mail that there is a demand for reservation in the site and the operator check the availability of the rooms. If the operator accepts the booking complements in advance, he supplement the amount of the prepayment by the client who is notified by mail that the book was accepted and advise on how the advance payment should be made and the deadlines that are required for those payments.

In addition to this there are some options that can be configures according to the owners requirements, such as:

1. Room prices per item and per period
2. The operation period (high, medium, low, etc)
3. How many rooms are available per room type.
4. The highest booking period
5. The maximum number of days per booking
6. Charge or not for infants and children and their age
7. Separated charge or embed breakfast on room rates

2.5. Tourism websites in Albania.

In Albania during the last five years the Internet use has spread dramatically, recording a higher increase in the number of home users, but particularly those for business purposes in the wider sector of the tourism services. Although the number of Internet users is growing continuously, and its cost, thanks to the high competition is decreasing, the quality of the websites of tourism enterprises is generally not at the right level in terms of options involved, especially the online bookings, online payments etc.

According to a survey conducted by GOPA Consultants, GIZ and ATA on the needs of IT utilization in the tourism sector in Albania", some of the results are:

1. From the 92 tourism enterprises which took part in the survey, 67% of them had Internet presence.
 - Presentation of company and offers' was the most common function in homepage. In general, companies have a good use of computer and Internet for main (simple) applications.
 - Internet presence and use of the web to perform a wide range of activities is not so high.
 - 31% of the companies declared they would like to build a new homepage or to have assistance to improve the functions of their existing ones;
 - Regarding travel agencies, flight reservation, travel package and hotel reservation are the most common functions performed by software solutions. 80% of the companies said they use an integrated solution to perform related functions (Traeger, 2010).

4. Conclusions

The e-marketing in the tourism sector, as a key marketing tool, could be considered as a main driving force for a successful business activity, but also for the image of the country in general. Sometimes tourism websites, make the tourist to decide if he/she will visit or not a destination.

The frequency and convenience of the Internet by any user led large tourism enterprises to promote a large percentage of the image via the Internet.

The tourism enterprises in Albania should invest more in promoting their online activity, because due to every day life dynamics, fatigue and the lack of free time, people are more directed to the exploration of information through the Internet.

Nowadays except for PC-s or notebooks there are a lot of other electronic devices such as, the mobile phones, Kindle books which could access the internet network. This fact makes us think that the Internet is getting everywhere.

The websites of tourism enterprises must be updated and enriched continuously and not to remain with the past information as it actually reduces the seriousness of the tourism enterprise.

In Albania should be established a secure platform between the tourism enterprises and the banks, in order to include payments online through the websites. This is an obstacle especially to a category of international tourists.

Tourism enterprises in Albania should make a benchmarking with the respective enterprises of the countries of the region, in order to improve their online marketing.

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Civil Society from Historical to Contemporary Perspectives

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Abstract

Many scholars think that because of its ambiguous nature the definition of the civil society concept sometimes is meaningless. Civil society belongs to a group of sociological and political theory concepts such as freedom, justice, equality and democracy that are not clearly demarcated. At least two specific dimensions of the civil society concept are distinguishable: the theoretical and the normative role. In the context of theoretical role the concept of civil society analyzes dimensions of social life and social values, with citizens and civil organizations as key actors. The normative role serves to motivate and mobilize citizens and other social actors for the establishment and development of various contents and forms of civil activities. The normative function is mostly manifested during periods of transition from less to more democratic societies. Both dimensions of the civil society concept have played significant roles, especially in countries where the position of civil society has traditionally played a marginal role. Discussing the concept of civil society is quite fashionable today. Civil society is a popular term with politicians, academics and international agencies. We frequently hear politicians talk about the needs of the state and the market for a civil society. As a result, a number of authors and social and political theorists have stressed its critical importance in the processes of democratic change. The concept of civil society has been defended in various ways by a variety of political and social theorists. Today's content of civil society does not result with a commonly accepted definition of the term, but focuses on whether the term should be a normative or non-normative tool of social science, and whether economic, religious and family relations should be considered as part of it. This paper will focus on the various meanings of civil society; a tentative definition on civil society will be introduced as well as various existing discourses of civil society.

Keywords: Civil Society, Theoretical, Normative, Democratic Functions, Democratic Citizenship

1. Introduction

There is no commonly agreed definition of civil society. 'A survey of available literature on this subject makes it clear that civil society as a concept contains elements that are diverse, complex, and above all, contentious' (Spurk, 2010). Some of the literature considers whether it is this very fuzziness that explains the present popularity of civil society in that "it can be all things to all people" (Glasius 2004, 3).

Civil society provides an intermediate layer of governance between the citizens and the state that is capable of resolving problems without public coercion. The idea of civil society within the context of modern history offers perspectives on state-society relations. Within these perspectives, the state should be differentiated from civil society as a binding or organizing principal of political order. In this analysis, individuals and different organizations are part of the political order to the extent that they seek to participate in those processes. The core idea of civil society embodies an ethical ideal of the social order, one that harmonizes the conflicting demands of individual interests and social good (Seligman, 1995).

In this paper I will try to clarify civil society's historical roots and introduce a tentative definition for civil society from both of its theoretical and normative dimensions before we see how the concept came to be understood in different contexts. The idea of civil society from its normative to functional definition will be discussed, as well as the relationship between civil society and democracy and some of the major democratic functions through which it contributes to strengthen democracy.

2. Origins and history of civil society

Although it now relates to societies of different civilizations, civil society roots lie mainly in the West. Romans spoke for the first time of "societas civilis", a term introduced by Cicero. Socrates supported the idea that conflicts within society should be resolved through public debates, and Plato saw the ideal state as a society in which people dedicate themselves to the common good, while Aristotle saw the 'polis' as an 'association', that enabled citizens to share in the virtuous task of ruling

and being ruled (O'Brien, 1999). Nevertheless, neither Greece nor Rome distinguished between state and society. After the Thirty Years' War ended, the Treaty of Westphalia endorsed states as political units having their territory and sovereignty. The monarchs were able to form national armies, which enabled them to control public life. Consequently, before the Enlightenment period absolutism was the hallmark of Europe and civil society was not discussed until the eighteenth-century by liberals attacking absolutism (Edwards, 2004).

The medieval idea of differentiating between state and society was lost in the work of Hobbes, who in religion found only potential for conflicts. He wrote that if a society is to be held together at all, it must be through the power of the sovereign. But Locke, in 'Two Treatises of Government' (1663) provided a distinctively modern form of differentiation by combining the concept with that of voluntary association. Thomas Hobbes and John Locke believed in a peaceful coexistence between human beings through social contracts and pacts (Warren, 1996). Locke and Hobbes did not hold that civil society was a separate realm from the state. It is society that created political institutions to protect it, and so can change them whenever it wishes to do so. In this context, Hobbes refused strict separation of state and society (Thomas Hobbes, 1960).

John Locke was the first one that distinguished between state and society. For him the state was a part of "civil society", but he distinguished the political order from "the community" placing the moral basis of the political order on the consent of the "community", that is, on society. Adam Ferguson developed the concept of civil society as a moral sphere in which human interactions can be protected from the state (O'Brien, 1999). On the other side, Tocqueville presented civil society as a network of non-political social organizations that strengthen democracy. Thus, he introduced the notion of subsidiary, which allows civil society to be involved in governance by limiting the power of the state whilst ensuring that the creative energy of society remains outside of the state and remains within civic activism of associations (Tocqueville 1969).. While Locke, Ferguson, and Tocqueville base their concepts of civil society on a distinction between state and society Adam Smith focused on the difference between society and markets.

In Hegel's analysis of society, the economy is a part of civil society, which is identified with market relations. He understood the distinction between market and state. Marx argued that civil society was strongly shaped by class antagonism and Rousseau thought that of the society where state should be absorbed into civil society. Civil society, as Rousseau describes it, serves two purposes: to provide peace for everyone and to ensure the right to property (Jean-Jacques Rousseau, 1950). On the other hand, Gramsci developed a concept of civil society that differentiated it both from the economy and the state, although he had a difficult time expressing the independent role of civil society without it being an instrument of state politics.

3. Definition and concept of civil society: Theoretical and normative dimensions

Walzer has defined civil society as the space of (politically) un-coerced human association and also the set of relational networks-formed for the sake of family, faith, interest and ideology. Civil society is also seen as a sphere of social interaction between economy and state (Cohen and Arato, 1992). If we refer to these definitions then the question is whether this includes economic interest not organized to pursue public ends.

The Centre for Civil Society at the London School of Economics and Political Sciences uses a working definition that includes four model sectors, adding family as an additional one: 'Civil society refers to the arena of un-coerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, and market, though in practice, the boundaries between state, civil society, and market are often complex, blurred and negotiated.

Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. Civil societies are often populated by organizations such as registered charities, development non-governmental organizations, community groups, women's organizations, faith-based organizations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups' (Centre for Civil Society, 2006). This definition describes civil society as part of the society, but not directly part of the state, consisting of different organizations, which operate in the interest of the common good.

In order to overcome social and economic problems other ideas were suggested, including a partnership involving the public, private and civil sectors working together. Edwards notes that civil society as an associational life should be central to the workings of this joint project, which will address the effects of too much state intervention and consequences of

human over-reliance on the market. This project, as a new way of achieving social progress, became identified as building 'societies that are civil' (Edwards, 2004).

Another significant functional goal of civil society is to act as a force maintaining liberal freedom. This key function is a set of diverse non-governmental institutions, which are strong enough to counterbalance the state. Civil society is: 'a society in which polity and economy are distinct, where polity is instrumental but can and does check extremes of individual interest, but where the state is in turn checked by institutions with an economic base; it relies on economic growth which, by requiring cognitive growth, makes ideological monopoly impossible' (Gellner, 1994).

a. The idea of civil society: From normative to functional definition of civil society

Civil society's existence as independent from the state is a very important aspect. As we saw from the historical perspectives, the concept of civil society was defined differently by a range of German, French and Scottish Enlightenment figures, but common to all attempts was the articulation of the civil society's main problem: the relation between the private and public, the individual and social, and between individual desire and public concerns.

In this context, civil society could be seen as autonomous sphere and independent from the state, but regulated by the state (Shills, 1991). This idea of civil society is not the focus of power balances between the state and civil society, but their inter-independence.

Civil society should be considered as the location of independent thought. As a result, a functional definition of civil society could replace the predominant normative definition: 'that civil society should not be defined negatively as opposition to the state, but positively, in the context of the ideas and practices through which cooperation and trust are established in social life' (Shills, 1991).

4. Civil society and democracy

Citizen participation in processes of public decision-making is an essential part of the democracy. Through its social and political activism, civil society gives voice to groups of citizens that don't feel represented in democracy. Amongst other potentials, civil society organizations have expert knowledge in many areas of concern, and so are able to serve governments as counselors.

Participating in the system can be a good experience for citizens, allowing for a positive identification with their political system. This is how civil society can help strengthen some of the weaknesses in democracy and lower citizen dissatisfaction.

But not always civil society organizations have identical interests. Civil society is not always homogeneous. In essence there are many organizations within civil society that are undemocratic in their platform. Some of them imply violent and in some cases illegal strategies and activities which in essence are non democratic. These aspects can directly threaten the maintenance of democratic regimes. It would therefore be misleading to conclude that all civil society organizations are interested in making democracy a reality.

Civil society in the context of communist regimes had a different meaning compared to the meaning of civil society in the context of contemporary democracies. Because of the limited freedom of expression in communist regimes, civil society existed in someone's living room, in churches or in cafes (Brinton, 1990). Under the communist regimes independent civil society usually took on the form of small groups of citizen activism. Both representatives of independent and of the broad civil society contributed with different means and forms to overthrow communist regimes and the following transition toward democracy (Skovajska, 2008).

a. Democratic functions of civil society

As outlined above, at its best civil society can make a positive contribution to democracy, but at its worst may undermine democratic regimes. Consequently, there are some major functions through which civil society contributes to strengthening democracy: 'The Lockean Function: Control of State Power, The Hegelian Function: Interest Mediation, The Pluralist

Function: Social Integration, The Non-Profit Function: Service Provision and The Tocquevillian Function: Political Socialization' (Forbrig, 2002).

Other authors see a variety of "democratic functions" of civil society. 'Its first and most basic function is limiting state power, primarily accomplished by two linked efforts. Civil society must monitor the abuse of state power – such as corruption or vote fraud – and also mobilize society to protest such abuses, thereby undermining the legitimacy of undemocratic governments; second, civil society supplements the role of political parties in stimulating political participation. Third, civil society can develop attributes such as tolerance and moderation crucial to democratic development. Fourth, it creates channels other than political parties for 'the articulation, aggregation and representations of interests', not least at the local level. Fifth, voluntary associations can create interests that transcend the fault lines of region, religion, class, or ethnicity and the like. Sixth, voluntary associations recruit and train potential political leaders. Seventh, such organizations may help to build democracy in a variety of other ways, such as monitoring election procedures. Eighth, civil society can widely disseminate information useful to individuals in playing their roles as democratic citizens. Ninth, civil societies can help to achieve the economic reforms without which democracy is unlikely to take root. And tenth, the well-functioning of civil society may strengthen the emerging democratic state by pressuring it into patterns of behavior that enhance its legitimacy' (Diamond, 1994).

It is necessary to examine some of the key functions of civil society in regard to democracy, as they are important for its consolidation and maintenance. One of civil society's key tasks is to build a democratic culture in families, schools and communities. In this context integration of individuals and groups is very important. For instance, in today's world demographic changes within countries are constant. Thousands migrate from rural to urban areas looking for better employment opportunities. Children of these families find themselves relatively alone when they first arrive in their new locations. Social connections, such as family and school are weak in the beginning. Sociologists find that some of these individuals can easily come in contact with groups of organized crimes, narcotic substance abuse, suicide, and membership in violent, religious and ideological extremist groups. Civil society can play a crucial role in preventing some of these pathologies. Membership of individuals in different organizations such as labor unions, student unions, religious organizations, and professional associations gives opportunities for discussion of all levels of public issues. In this context civil society becomes mediator between the individual and the state.

Democratic citizenship is another aspect in which civil society can contribute. If democratic citizenship would be, for instance, only for simple procedures like voting, then democracy rests on shaky foundations. Democratic citizenship is about participation and social cohesion. Civil society can train each new generation in the practices of citizenship. This is possible through participating in meetings, organizing activities and public speaking in order to cultivate the arts of civic membership.

The ability to choose and be a member of different types of organizations is freedom itself. The plural loyalties in a liberal democratic state can liberate the individual, another advantage and benefit to the individual from participating in civil society. Liberty spontaneously gives rise to organized interests. 'The variety of independently organized interests and points of view fostered by fully developed civil society makes it less likely that any one group or interest will dominate society, abusing its power to the detriment of other groups' rights or the public good.' (Madison, 1961). Finally the ability to disperse power is another essential function of civil society.

5. Conclusions

If we exclude the classical period, civil society meant every aspect of society that was not functionally and institutionally included within the State. The seventeenth and eighteenth century separation of state and society was a step of great significance. This later allowed theorists to conceive society as a social space in which the individual, alone or with others, could view the acts of society in order to oppose an oppressive state. While these were only a few of the formulations of civil society (some of them excluded familiar, religious, and economic realms) most of them shared the most common definition of the term: the 'separateness of civil society and the state.' As Shills stated 'civil society should not be defined negatively as opposition to the state, but positively, in the context of the ideas and practices through which cooperation and trust are established in social life'.

Consequently, we underlined that civil society can be viewed as a solution to many challenges in contemporary democracies. But not always the relationship between civil society and democracy is democratic itself. Consequently, not

always civil society organizations are homogeneous in their goals and democratic in their structure and platform. Through the employment of disruptive, violent, illegal or socially irresponsible strategies, civil society organizations accustom their members to behavioral patterns, which are diametrically opposed to those necessary for the smooth functioning of democratic regimes. Non-democratic goals and strategies of some civil society organizations may generate openly non-democratic views and forms of conduct at worst (Forbrig, 2002).

As discussed in this paper many authors give different meanings to the notion of civil society. Not everyone means the same thing when they discuss it. In general, civil society is seen more as a multifaceted concept, although it is noticeable that the differentiation between the state and civil society is mostly discussed. As we saw, although it is possible to identify some major functions through which civil society contributes to strengthening democracy, this doesn't necessarily mean that we do have a precise definition agreed from all authors for the concept of civil society.

Referring to the above discourses a tentative definition on civil society describes the concept of civil society as autonomous sphere and independent from the state, but regulated by a legal framework from the state. This is the concept of civil society that is not defined negatively as opposition to the state, but positively, in the context of the ideas and practices through which cooperation and trust is established between the state institutions and civil society thus contributing to the democratization processes.

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Human Beings Trafficking. the Albanian Legislation

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Abstract

Human trafficking has emerged as a negative phenomenon, with a large multiple social risks, primarily based on human rights violations practices, on the continuous victimization of people and the denial of human dignity. Economic recession, cultural and rural families, tin heterogeneity of the urban population are also other factors which facilitate domestic trafficking. Albania's geographical position at the external borders of the EU is a mitigating factor for Albanians and other populations in the region to move towards Europe illegally. The aim of this paper is to presents the legal aspects of trafficking in human beings in Albania after the communism regime.

Keywords: human trafficking, traficing victims, Albanian legislation.

1. Introduction

Organized crime and human trafficking today poses a serious threat to security in all democratic countries, especially has recently proved that no state is completely safe from organized crime and human trafficking activity regardless of the state's territorial size, power, religion, color, political regulation.

There are different ways of describing human beings trafficking, and different research of the field describes it as a modern form of slavery. It is internationally defined as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

2. Forms of international trafficking of human beings in Albania after the fall of Communism

Among the main forms of international trafficking of people during the post-communist in Albania were:

1. Through the sea crossing by vessels, without documents.
2. Through land border crossing avoiding Ollie –count border.
3. Through the crossing in the border checkpoints with false documents.

These forms are exploited for all categories of persons who are trafficked, as for Albanian citizens as well as for foreign citizens, as for women that are exploited for prostitution as well as for minors.

Sea crossing by vessels, without documents

For the realization of this trafficking first were used the Albanian vessels as fishing boats, merchant ships, speedboats and seeing that the profits were large, by getting in touch with Italian traffickers, bought fast vessels as speedboats and boat with motors with large force, making it possible in this time the fast sea crossing and raised the possibility of salvation of control mainly by Italian patrol ships. During the years 1993-1999 the fast speed vessels reached hundreds and used mainly for this trafficking bay of Vlorë, mouth of Vjosa River, mouth of Shkumbin River, bay of Kavaja and Durrës, and the bay of Shengjin.

Land border crossing avoiding border crossing points

This form of trafficking initially is expressed in the form of guidelines, taking small remunerations for this activity and then is organized in trafficker networks. Passage of Albanians to Greece via this form has had also painful events, but has been decreasing as a result of finding of other opportunities. Actually are using by traffickers networks to bring in Albania victims of foreign trafficking that exploits Albania as transit country to the west. Are used for this purpose the mountain thoroughfares and difficult terrains or through the crossing in lake, exploits the dark and the lack of control.

Crossing through the border crossing points using false documents

The crossing through the border checkpoints is the most organized form of traffickers because exists the cooperation between the traffickers with forgers and employees that abuse in task. This form is observed in almost all border crossing points, especially at Rinas Airport, the Port of Durres and Vlora, as for Albanian citizens as well as for foreigners. During the years 1993-1998 this form is widely used and the findings by the police have been scarce. After the year 1998 are identified hundred cases of return of Albanian citizens with irregular documents from these crossing points, as well as the returns of foreign citizens that did not fulfill the criteria to enter in Albania. This is the form used more often for the trafficking of foreign women with the purpose of exploitation for prostitution, because this way has been costly due to separation benefits between criminal groups. Currently, according to the data declared from the Italian police it is said about a significantly decrease of this traffic, while the Albanian border police statistics show only sporadic cases in some border crossing points.

3. Albanian legislation on human beings trafficking

Many countries have adopted the national laws to cope with the phenomenon of human beings trafficking in accordance with Palermo Protocol. Albania has signed the Convention of the Council of Europe "On Measures against Trafficking of Human Beings" and ratified it by the Assembly. It should be noted that for some legislative systems the meaning and the status of "the crimes victims" is specified in the Criminal Code and in this case the terms and conditions of the definition should be included in the juristic assessment. Whatever is the legal definition used, the target is to be considered the specific circumstances in each case and to be compared with legal references.

In Albanian legislation is given the definition for some criminal offenses which includes the trafficking of peoples as:

Trafficking of persons: Recruitment, transportation, transfer, hiding or recipient of persons through the threat or use of force or the other forms of coercion, kidnapping, fraud, the abuse of power or profiting by social, physical or psychic condition, or giving or receiving of payments or profits to achieve the consent of person who control another person with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation".

Trafficking of women: Recruitment, transportation, transfer, hiding or recipient of women through the threat or use of force or the other forms of coercion, kidnapping, fraud, the abuse of power or profiting by social, physical or psychic condition, or giving or receiving of payments or profits to achieve the consent of person who control another person with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation".

Trafficking of minors: recruitment, transportation, transfer, hiding or recipient of minors with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation".

Assistance for illegal border crossing: Housing, accompaniment, making available or the use of navigation and flight means or other means of transport or any other assistance with purpose of illegal crossing of the border of the Republic of Albania or for illegal entry of a person in another state without being its citizen, or that has not a resident permit in that state.

The Criminal Code of Republic of Albania not only has made a proper approach to definition, but in specific articles has provided specific aspects which are related with human beings trafficking such as: Article 114/b – trafficking of women, Article 128/b – trafficking of minors; Article 109 – the kidnapping and hostage-taking; Article 110 – unlawful deprivation of freedom; Article 114 – exploitation of prostitution ; Article 114/a – exploitation of prostitution in aggravating circumstances; Article 115 - maintaining of premises for prostitution; Article 116 – homosexuality; Article 117 – pornography; Article 129 – pushing of minors in crime.

Forms of illegal trafficking of human beings, provided by Criminal Code of Republic of Albania and encountered during investigations conducted in years are criminal offenses provided by articles 110/a - "Trafficking of persons", 114/b - "Trafficking of women", and 128/b - "Trafficking of minors" are: Recruitment, transportation, transfer, hiding or recipient of persons/women/minors through the threat or use of force or the other forms of coercion, kidnapping, fraud, the abuse of power or profiting by social, physical or psychic condition, or giving or receiving of payments or profits to achieve the consent of person who control another person. Referring to the current situation of trafficking in human beings, in terms of the Second Additional Protocol of the Palermo Convention, is concluded that for years Albania is no longer a transit country for victims of trafficking. Albania currently is considered country mainly of origin and with tendencies of a country of arrival mainly regarding to internal trafficking. On the whole, the victims of trafficking are Albanian new women recruited mainly in rural areas, which are trafficked mainly in the countries of EU and where the main form of exploitation is that of prostitution or for other sexual services. The countries of arrival for the use of the Albanian victims are mainly Italy, United Kingdom, France, Belgium, Norway, Germany, Holland, Kosovo, Macedonia and other countries of Western Europe.

In lesser extend is observed the trafficking of children, mainly from the Rom and Egyptian communities, who are trafficking mainly in Greece, Italia or Kosovo, with the purpose of their exploitation for begging or illegal adoptions. The main form of recruitments remains the fraud that the authors of these offenses make to their women victims for marriage or cohabitation abroad. In this way the organize fraud scheme deceiving with customary rites and ceremony not only the victim but also her family circle. Referring the ways followed to send the victims in the countries of arrival it should be noted that they are mostly through providing false documents and their journey by land and rarely by air and naval. By the analysis of statistic data in years, results that the tendency of this phenomenon is in significant reduction because of the comprehensive measures taken by the Albanian state in terms of increasing of awareness of social groups at risk, but also for reason of a war without compromise made by specialized structures of law enforcement. The creation of appropriate legal framework, particularly severe and applied penalties and the seizure of criminal assets of authors of these offenses have given their impact in aspect of general prevention. It should be noted that assistance for illegal crossing of the border is accompanied by housing, accompany, availability or use of means of sea, air or other means of transport, in order to help the illegal crossing of the border, while contraband of people is a phenomenon that is prompted by a series of socio-economic factors and a very severe politic on issuing visas. It appears mainly in the form of assistance that various people resident near to land borders, give to illegal immigrants against the payments that are made mainly when the person is in destination. Also are observed criminal organized small groups which collaborate with groups or peoples abroad in the lines that follow the contraband.

The most encountered forms are:

1. The organization of persons in small groups and their accompaniment until near the border crossing points. Then accompanied by certain people, the groups cross walking the border with Greece, out of border crossing points. In these cases the persons dispose forged identity documents.
2. The providing of citizen with visas by embassies based on wholly or partly forged documentation mandatory to be presented for a visa.

The persons cross the Albanian state border through crossing points with Border States which have not visa regime (Macedonia, Kosovo, Montenegro) and then led by the other persons, is made the crossing to the country of arrival.

In Albanian penal legislation are made some changes, which aim to further strengthening of legal framework. Changes consider punitive policies provided by the following Articles:

Article 110/a, Trafficking of persons: "Recruitment, transportation, transfer, hiding or recipient of persons through the threat or use of force or the other forms of coercion, kidnapping, fraud, the abuse of power or profiting by social, physical or psychic condition, or giving or receiving of payments or profits to achieve the consent of person who control another person with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation (5-15 years imprisonment and fine of 2-5 million leke)".

Article 114/b, Trafficking of women: "Recruitment, transportation, transfer, hiding or recipient of women through the threat or use of force or the other forms of coercion, kidnapping, fraud, the abuse of power or profiting by social, physical or psychic condition, or giving or receiving of payments or profits to achieve the consent of person who control another person with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery

or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation (7-15 years imprisonment and fine of 3-6 million leke)”. The organization, management and financing of trafficking of women (10-15 years imprisonment and fine of 5-7 million leke). When this offense is conducted in collaboration or more than once or is associated with maltreatment and coercion with physical or psychological violence against the victim to do various actions or bring severe consequence for the health (not less than 15 years imprisonment and fine of 6-8 million leke). When the offense has brought as consequence the death of the injured (not less than 20 years imprisonment or life imprisonment and fine of 7-10 million leke). When the criminal offense is conducted by the utilization of state function or public service (one fourth additional of imprisonment and fine).

Article 128/b, Trafficking of minors: “Recruitment, transportation, transfer, hiding or recipient of minors with purpose of prostitution exploitation of the others or the other form of sexual exploitation, force work or service, slavery or similar forms to slavery, putting in use or transplanting of organs and other forms of exploitation (7-15 years of imprisonment and fine of 4-6 million leke). The organization, management and financing of trafficking of minors (10-20 years imprisonment and fine of 6-8 million leke). When this offense is conducted in collaboration or more than once or is associated with maltreatment and coercion with physical or psychological violence against the victim to do various actions or bring severe consequence for the health (not less than 15 years imprisonment and fine of 6-8 million leke). When the offense has brought as consequence the death of the injured (not less than 20 years imprisonment or life imprisonment and fine of 8-10 million leke). When the criminal offense is conducted by utilization of state function or public service (one fourth additional of imprisonment and fine).

Article 114/a, Exploitation of prostitution in aggravating circumstances:

“Exploitation of prostitution conducted: 1.with the minors; 2. against some persons; 3. With persons with whom exist close relation of gender, intermarry, custody or profited from official reports; 4. with fraud, coercion, violence or profiting from the physical or mental inability of the person; 5.against a person being pushed or coerced to exercise prostitution outside the territory of the Republic of Albania; 6.is conducted in collaboration or more than once or by persons charged with state and public functions (7-15 years imprisonment)”

Article 297, Illegal crossing of the state border: “Illegal crossing of the state border constitutes penal contravention (fine or imprisonment till 2 years)”.

Article 298, Assistance for illegal border crossing: “Housing, accompaniment, making available or the use of navigation and flight means or other means of transport or any other assistance with purpose of illegal crossing of the border of the Republic of Albania or for illegal entry of a person in another state without being its citizen, or that has not a resident permit in that state constitutes penal contravention (1-4 years imprisonment and fine of 3-6 million leke)”. When the assistance is given for profit purposes (3-7 years imprisonment and fine of 4-8 million leke). When this offense is conducted in collaboration or more than once or has brought sever consequences (5-10 years imprisonment and fine 6-8 million leke). When the offense has brought as consequence the death of the injured (not less than 15 years imprisonment or life imprisonment and fine of 8-10 million leke). When the criminal offense is conducted by the utilization of state function or public service (one fourth additional of imprisonment and fine).

Article 113, Prostitution: “ The exercise of prostitution (fine or imprisonment till 3 years)”.

Article 114, The exploitation of prostitution: “ Pushing, intermediation or receiving the remuneration for the exercise of prostitution (fine or imprisonment till 5 years)”.

Article 115, the maintaining of premises for prostitution: “maintaining exploitation, financing, rental of premises for the purposes of prostitution (fine or imprisonment till ten years)”.

Also in Penal Code is added a new disposition against the exploitation of children for forced work, which will be accompanied by a new socio-educational set for assistance to these children and their families in the form of employment, education and other types of assistance. Punitive policies against the perpetrators of these criminal acts are an important factor in the prevention of trafficking, but if these policies are not supported by other national policies, and even international, such policies will fail to impact on prevention of human beings trafficking.

At the national level, in the war against trafficking of human beings and the prevention of this phenomenon are engaged a number of state and non-state institutions such as: The sector against illegal trafficking in Interior Ministry, General Prosecutor; The Directory against Organized Crime; State Information Service, Defense Ministry, National Center of

reception of Trafficking Victims, and other Shelter led by non-profit organizations, are the state and non-state institutions engaged not only in fighting but also in prevention of trafficking. Also in Durres is set up and operates Inter-institutional Maritime Operational Centre that has as mission the prevention of illegal trafficking through the sea. Any institution or organization has a specific policy for the prevention of trafficking.

Conclusions

Trafficking of human beings is today one of most active activities of organized crime. This criminal activity of international criminal groups and organizations, favored by social, economic, cultural, legal etc reasons of countries in transition, based on physical, sexual exploitation, besides financial enrichment of criminal groups, is associated with sever physical, psychic moral and social consequences for the victims of this trafficking.

Statistics between the large number of trafficked and small number of identified victims and treated as victims of trafficking show that the method of detection of victims of trafficking in human beings must be perfected and improved further.

Not identification and not treatment of victims of trafficking from state and non-state institutions engaged for this purpose, constitutes a potential risk for re-trafficking of them, and hinders the hitting of criminal activity of criminal groups and criminal organizations involved in this criminality.

Cooperation between different states structures with non state organizations specialized for this purpose increases the efficiency as in identification of victims of trafficking as well as in their further treatment.

The legal treatment of every case of trafficking of victims must be always associated with administrative treatment of trafficked victims, because always the victims need to repair the damages and consequences caused during the time of exploitation in trafficking, as well as their full re-integration in society is a complex process

Drafting of right legal punitive policies in accordance with legal acts and international recommendations, harmonization of these policies with the other psycho – social, national policies, are a necessity for the prevention of human beings trafficking. Punitive policies and psycho-social policies are in continuation of each other and in full function of each other.

The establishment of national and international mechanisms for identification, reference and treatment of victims of trafficking of human beings is a legal traverse to the activity of criminal organizations that today have a stretch not only regional, but also international.

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Effects of Socio-Cultural Developments of Gjakovar Society

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Abstract

Human being is nowadays experiencing the highest achievements in all domains of life. These developments entered in almost all human societies, even to the most isolated ones. This has also influenced that today's societies differ significantly from the thousand-years-old traditional societies. Such radical transformations, did not only change the world outside, but they continue to change radically the most intimate aspects of personal daily life. These achievements on one hand represent great promises for the future, creating possibilities to access and communicate with the most remote places on the planet, while on the other hand these present security concerns. Part of these developments and transformations is also the Gjakovar society, which until this new century was distinguished for traditional and cultural organization, not only in Kosovo, but all over Albanian territories. However, the new flows of time development imposed the reorganization of society in this area. Certainly it had and continues to have its challenges, especially from its internal part. Transformation and the new developing flows dictated in weakening the secular traditions and cultural habits and embrace new ones. Although on one side it appears to be positive, on the other hand are emerging new concern occurrences that are creating volatility and organization instability, and putting the society of this region in crisis through socio-cultural aspect, especially in the field of internal security.

Keywords: flows, culture, transformation, occurrences

Introduction

All communities that are politically and economically interrelated can be considered to comprise a society. Characteristically, a society includes a comprehensive social system, members of which society share amongst themselves a common language and cultural tradition.¹

In principle, all human beings share approximately common social traits and what differentiates them is their tradition and culture. Those are transmitted and influenced depending on the developments of the society. The recent social developments, affected by the most-recent technologies, have 'globalized' the world by providing the opportunity of access in all their countries. The individual will, by all means, be 'influenced' by such access and this will accordingly reflect in the society.

On the other hand, Kosovo and Gjakova society, during the last years of the last century and during the first decade of the current century, has experienced a developmental evolution. There were several factors that facilitated and imposed it. Firstly, forced expulsion from their homes, immigration to different world countries and their return; secondly, social organizing in a democratic system run by an international administration which consisted of people from countries of different cultures and civilizations; and thirdly, access to modern technologies. These were exactly the causes that the 'contemporary' has led to the new cultural 'incision' which has definitely had an impact on Gjakova society as well.

According to this concept, culture consists mainly of ideas transmitted from preceding generations and of ideas learned from the experience of living in group. Nevertheless, culture cannot begin and end on ideas of different natures; it must encompass other aspects of human life. The term most often used to include all these aspects is "socio-cultural system". It integrates different aspects of ways of living, which reciprocally affect each other.²

¹ Keesing, R., & Strathern, A. (2007). Cultural Anthropology – A Contemporary Perspective: 33

² Dhima, A. (2013). Anthropology of Communication – Access to Albanian Reality:139

Therefore, based on the aforementioned, it is perceived that the transmission of socio-cultures from generation to generation has been followed with novelties in this domain, regardless of the prevalence of the traditional aspect. However, 'new values with regards to the change and the past can differ greatly between different societies, and it can actually be an interesting factor that should be taken into consideration'¹.

3. The traditional in Gjakova society

Referring to the numerous scientific researches and the discovery of abundant new artefacts, the ancientness of Albanian people and society is now evident. This, among the rest, reflects also from the rich culture that followed it through the societal developments. It even results that the ancient Albanian culture was among the first cultures in Europe. That culture was the basis of today's culture and that through an age-long continuity.

During the centuries-old history, social developments suffered so many changes that many of them deviated from their tradition and culture all the way to complete assimilation. With regard to Albanian tradition and culture, the renowned Hungarian Albanologist, Tallock, has also stated: "There is no other people in the Balkans, or the one of the New Greece, that can trace back the history of its tribe, based on genealogical order, from the ancient times to the present date, like the Albanian people"².

A similar opinion is provided by Professor M. Pirraku, according to whom, "Social, historic and cultural development Albanian people, as it is known, has undergone through all the stages of development of human societies and, what is most important, according to renown Albanologists, this nation is autochthonous in the Balkans soil, at least since the history time; however, it cannot be a priori dismissed the opinion that they were even more ancient, from the Balkans Mediterranean Indo-European and Pelazgi antiquity."³

This transmission of traditions and autochthonous culture through the stages of history since the most ancient dusks and its survival was done because "education was entirely national" although "there were neither special-trained educators nor special educational institutions"⁴. Yet, this has not impeded the transmission from one generation to the other in a most fanatic manner. Culture was exactly the most powerful arm of Albanian society that challenged all the storms through history and managed to emerge as triumphant. The transmitted culture has even, in a way, substituted for the educational shortcomings as well as the state ones.

This is more supported by Professor Dhima, according to whom "The social way of learning of culture not only 'saves' the individual 'costs' of common learning but also the knowledge acquired from every generation may be transferred through life experience – therefore to be transmitted socially – to the succeeding generations. Through this process, the younger people in a society absorb the culture from the elder ones"⁵. Albanian society had experienced exactly this.

Therefore, the survival of Albanian people since the ancientness, according to Rago, appears in the following manner, "Described as if it were a survived and all-time present Arcadia, it was thought to be inhabited by primitive people, free and courageous, bearers of thousand-years-old invariable traditions codified by the Code of the Mountains, impacted by a hostile geographic environment and by archaic living conditions, forger of men's characters, their antique customs and inclinations"⁶.

Thus, the Albanian national customs and habits have had an important role in the process of integration of Albanian national culture, which were present since the ancient times to the present all through the development periods of Albanian society.

It can, therefore, be said that the Albanian culture, in a wide sense, "was in history a strong defence against assimilation, denationalization and complete extinction of Albanian nation from the face of the earth."⁷ Hence, it was the customs and habits that accompanied Albanian individual and society from birth, during the growing up stage all the way to the death,

¹ Raimi, S. (2009). *Sociology*:135

² Krasniqi, M. (2002). *Our Ethnic Roots*:133

³ Pirraku, M. (1989). *Albanian National Culture until Prizren League*:33

⁴ Beqja, H. (1987, year VIII (15), no. 1.). *Evolution of Family Education and Its Present Main Types*, At: *National Culture*:36

⁵ Dhima, A. (2013). *Anthropology of Communication – Access to Albanian Reality*:140

⁶ Rago, P. (2011). *Tradition, Nationalism and Communism in Modern Albania*:40-41

⁷ Pirraku, M. (1989). *Albanian National Culture until Prizren League*:115-116

through which it was achieved to confront all the conquerors' pressures and appetites and the influence of their cultures. These very factors influenced this society to remain more reclusive and isolated. So, "the introvert character was strongly displayed in the Albanian national culture for a set of reasons. The necessity of resistance against the century-old occupations, in such circumstances the Albanian national culture remained as the main bearer, perhaps the only one, of the ethnic tradition – the tradition that is known for great durability, which is why they live long and it happens to be preserved as archaic elements even after the conditions in which they emerged are changed."¹

Precisely owing to their societal isolation, the social traditions were preserved 'clean' since the ancient times. This isolation was not a phenomenon present only with the Albanian people, as "by facing external threats, some nations took the traditional conservatism and applied it as their shield for survival; it was a way of safeguarding their cultural and individual identity"².

So, it was these cultural traditions that organized life in Albanian society also in the social aspect, be that when such organizing from the state was lacking, even after the state was formed. All this was organized through the social norms of the time. Some of such norms continued existing even after adoption of laws. In certain circumstances social norms, in the social aspect, even after the responsibility for social welfare was acquired by the state through institutions continued their existence in moral form and they were present wherever it was needed, starting from the individual, family and even in parts of the society. This has always been proven through the traditional Albanian humanity and hospitality, not only to each other but also towards the foreigners. Actually, fear of being 'disgraced' and 'punishment by the community' were more 'powerful' than punishment by law.

The way or organizing and functioning of this region were special. Quite often it was a role model of organizing of social life not only for the Albanian society. Patriarchal family was the form that prevailed in Gjakova, too, as it did the vast majority of Albanian society and it was organized based on customary laws. The occasional passers-by were amazed with the order, culture and traditions of this area, which were really typical, traditional and of the time. The population of this area preserved and cultivated 'fanatically' the handicrafts inherited from generations, at the same time following the developments of the time. Gjakova families are well known for preserving the handicrafts their predecessors which are nowadays expressed in their family names. Thus, there are now Gjakova families with their last names Sahatçija, Çarkaçijja, Tabaku, Furra, Kazazi, Baruti, Nallbani, Kamishi, etc.

A similar assessment is provided also by the author Rago, according to whom: "by having its roots in the values that are closely linked to the preservation of tribe and family, Albanianism appeared as a modern product of traditional notions entrenched throughout centuries and different from the idea of nation, which is characteristic for those years"³.

These 'flows' and 'changes' accompanied the society throughout generations. However, despite the social evolutions, every society preserved fanatically its own tradition and culture. Paragraph of these 'preservations' was also Gjakova society.

The very facts of its existence in its area and preservation of culture and language are evidence on the century-old antiquity of this population. Albanian and Gjakova culture are developed as autochthonous cultures and alongside the process of Indo-Europeanism. However, Gjakova area is known for its "untouched" preservation of its clean tradition and culture since its ethno genesis.

2. Socio-cultural transformations and the effects

History occurs through the continual and constant interlacement, unification of the present and the past. This constant and reciprocal interlacement, this ever repeatable transformation of the past into the present and of the present into the past, does not allow us to talk about "unchanged" and "preserved" tradition of Albanian culture since the old ages.⁴

The so-called globalization did not spare the cultural aspects either. Recent developments have enabled the individual to become acquainted with the world and different cultures, which in turn has enabled not only transmission through generations but also embracing of part of foreign cultures. According to Professor A. Dhima, owing to this process, through

¹ Çapajev, G. (1987, year VIII (16), no. 2.). National Culture in the Mentality of Renaissance Writers, At: National Culture:22-23

² Keesing, R., & Strathern, A. (2007). Cultural Anthropology – A Contemporary Perspective:389

³ Rago, P. (2011). Tradition, Nationalism and Communism in Modern Albania:19

⁴ Bobi, G. (1986). Cultural Paradox:18

which particular cultural elements or all the elements of a socio-cultural system are geographically spread out from one region or nation to the other, members of different societies are placed into direct or indirect contact to each other. But, at the same time some customs and beliefs are distributed from one society to another, which in turn carries the important consequence that the way of living of both interlaced societies in this process become more similar. We often hear that, in present time, the whole world is becoming modernized. In fact, nations more resemble each other at the present than one century ago.¹

This is not something new, because since the formation of human society things have developed and changed, naturally depending on the circumstances of the time. Such a process was also declared by Heraclitus, out of which he has elicited his philosophical motto "panta rhei" – everything flows, everything changes and "we cannot go twice into the same river".² Also, the opinion of evolution and progress is supported by a huge number of scholars starting from Durkheim all the way to Marx, Ferguson and Comte.

Although the documents are scarce, at least until now, this does not present any obstacle for cultures because oftentimes they are not in written form but they are transmitted and transferred verbally from generation to generation within the group of the society, as is the typical case of this area. It is understandable that culture differs from one society to the other, but it also differs within the same society and that from one time period to another. Until lately although the past of the nations relied on 'transmission' and 'preservation' of cultural traditions through a variety of forms until 'isolation', it still had such 'intersection'. This is proven also by the anthropological cultural side, where almost all cultures of Balkans ethnicities even at the present inherit interceptions between them, by creating a special zone of this part of Europe which, unfortunately, is well known for its temperament and conflictual mentality.

Present societal developments, especially in the field of technology, have influenced that only a short time ago the enormous and 'unreachable' world has become today a 'very small' place and easily reachable. Among the rest, this has also had an impact not only on 'socio-cultural intersections' but it has also brought fundamental transformations in this direction.

Today, a continually growing number of people do not have clear racial or ethnic identities. These are people in the 'border' between different cultural groups. While they may feel split between different cultural traditions, they may also develop a multi-cultural identity – an identity that overcomes one specific culture – and they are comfortable in different cultures.³

Such a reality is also being lately experienced by the Albanian and Gjakova society, in particular upon the democratization of this society. "With the establishment of Albanian state the sense of self-sufficiency of Albanian culture is gradually falling down thus creating an onerous situation, a stress and internal tension which cannot be lowered within the national culture: orientations are being outside of it, overcoming of traditional values, however, is not being achieved due to ambivalent stance towards them; there are also backward movement, different forms of Albanians' socio-centrism are becoming apparent, ways are being opened to the social violence and ideological totalitarianism."⁴

With regards to the changes in the organization of Albanian social life, during this 'transitional' period, our Kosovo society is facing several problems. One of the problems appears to be the socio-cultural aspect which is connected to a complicated process of "re-assessment of values", without which it is impossible for a society to function, no matter how modern that society is.⁵

It is quite understandable that things change in time, especially the socio-cultural ones and regardless of how much they have reflected with time, yet again a more advanced society cannot be built only upon them, even less when we have to deal with modern organization of society, as is the case with Kosovo and Gjakova society.

"In this context, our society is experiencing another 'identity crisis' which has to do with the re-dimensioning of moral values and traditional social institutions. These changes have had an impact on moral concepts, values and institutions of traditional 'moral security' of the society, such as: society, religion, family, marriage, individual, community, etc."⁶

¹ Dhima, A. (2013). *Anthropology of Communication – Access to Albanian Reality*:140-141

² Raimi, S. (2009). *Sociology*:252

³ Martin, N. J., & Nakayama, K. T. (2010). *Entry into Inter-Cultural Communication*:134

⁴ Bobi, G. (1986). *Cultural Paradox*:166-167

⁵ Tushi, G. (2006). *Social Problems and Dilemmas*:13

⁶ Tushi, G. (2006). *Social Problems and Dilemmas*:13

From the main causes of social unrests is also the truth that by opposing traditional structure, the very tradition is opposed, various cultural elements are being judged, customs and habits which are contained within the tradition. However, just as the negation, refusal and blaming of tradition in its entirety is wrong, it is also wrong the full acceptance of the same as it is; because tradition cannot form itself through its own specific laws since in its formation an important role play different historical and social factors. It can be said that regardless of the type of tradition, every tradition carries in itself traces of the past, of the location where such tradition was spread out.¹

Whilst Gjakova society, just like other post-communist countries, is undergoing a multiple transitional process, such as: political transition from one party to multi-party system, economical transition from one planned economy to a trade economy, transition in the field of security of the country into the international security, this does not spare the socio-cultural transition.

Referring to the real circumstances in which the democratic organizing of Kosovo society begins, especially Gjakova society bearing in mind the difficult conditions, the presence of difficulties during this process was inevitable. Therefore, this society 'entered the path of transition at a time where there was no independent judiciary, free media and independent civil groups and associations'. And "during the initial phase of transition it remained unprotected of dangerous and unstable currents that came from abroad."²

Thus, Gjakova society during its journey to the 'contemporary' that is in the transition from the closed-type model into the 'open' type was accompanied by different challenges, especially in the socio-cultural field. These difficulties are emphasized also by G. Tushi, who says: In this process of transition, the sphere of social transformation of concepts, taboos, judgments and prejudice of the past have been and continues to remain more difficult, because, as it is known, because of their specific inertness and the stable conservator core, social changes are more difficult to change with the required rhythm. Our experience has even proven that in often cases when they do occur, they create a "social vacuum"³.

Our society is suffering a fast change and accordingly it is losing the cycle of giving and returning, which is ensured by the cycle of life and is oftentimes found in the moral system of some people; parents that look after their children when they are small and have no assistance can be looked after by their children when they grow old and will be needing help.⁴ Nowadays the 'cycle of return' has almost completely vanished, despite the fact that it had been contributed to in the past. In Albanian and Gjakova society the cycle of giving and returning was in the highest social level. Regardless of life conditions of the individual, from the social aspect point of view, his being was not endangered because even if he had no children and no family, other relatives would look after him to the last moments of his life as well as for the burial ceremony. Whereas nowadays the 'contemporary' has brought in new circumstances in the Albanian and in Gjakova society, as well. The 'return' cycle in the social aspect does not function here either, except in some rare cases due to moral and humanitarian reasons. This is proven by numerous social cases present in this society. There are such cases that although the family enjoys good living conditions, even the immediate family, and the elderly are left alone and in the mercy of fate. Sometimes the return 'cycle' is used to accommodate them in asylums, but there are also cases that after some time they have been found dead while they were completely alone.

Professor Dhima is right to ascertain that "In case quick or unforeseen changes occur in the way of living between generations, then a 'cultural vacuum' can be created, in the sense that new generation does not accept or consciously rejects some elements of their parents' culture. In certain conditions and circumstances, this occurrence may spread widely within the members of the same society which belong to different generations. At present time, in most of the western developed societies, the young quite often believe that they have very few common things with their parents; but the latter also blame the young generation for "low standards", e.g. in the sphere of sexual morality. However, the cultural "fissures" between generations of a certain society – even when noticeable – are unimportant compared to those that are observed between the socio-cultural systems of different nations."⁵

¹ Bullaç, A. (2003). *History, Society and Tradition*:283-284

² Biberaj, E. (2011). *Albanian in Transition – The Hard Path to Democracy 1990-2010*:30

³ Tushi, G. (2006). *Social Problems and Dilemmas*:12

⁴ Keesing, R., & Strathern, A. (2007). *Cultural Anthropology – A Contemporary Perspective*:294

⁵ Dhima, A. (2013). *Anthropology of Communication – Access to Albanian Reality*:140-141

Such a cultural 'vacuum' is at the present time being experienced by Gjakova society when actually the young have 'embraced' many of the global cultures and their behaviour *visa-vi* the family, environment and the society are outside the traditional 'parameters'. Moreover, such 'flow' has created a disharmony not only in the society but also in the family.

This finding is proven by the statistics of the offences reported with the security authorities where it really results that alongside the new 'flow' in the aspect of 'modernizing' and 'contemporary' we also have the occurrence of new offences which have not been present in the past in the society of this region. Some of the new occurrences were even not sanctioned by laws, but they have been sanctioned afterwards and continue being sanctioned depending on the new trend of appearance of the occurrences which infringe the social order. Even those that existed in the past were few in number; whereas, today they present a serious concern for the whole society.

Table 1. Statistics table on some of criminal offences reported from 1999 to 2012, as per regional division in Gjakova and its surrounding

Offence	Gjakova	Hasi Region	Dushkaja Region	Reka e Keqe Region	Total
Suicide	30	8	12	5	55
Attempted Suicide					181
Drugs & psychotropic substances	84	4	5	7	100
Domestic Violence	142	13	22	15	192
Trafficking in Human Beings	16	1	1	6	24
Missing Persons	125	15	15	17	172
Usurpation of Property	13		2	1	16
Illegal Entry into Computer System	4			1	5

With reference to these statistics, the assessment of G. Tushi results as a right one, according to whom: "The extended space of freedom of individual and ever higher independence from the rules and collective social and moral obligations, acceptable and consensual, is being accompanied by the appearance of new phenomena, unknown in the past. Freedom has its social cost; it has its consequences and deformations that result from the incidents of modern life. Indeed, some horrible socio-political wounds have disappeared in our time, such as dictatorship, the monistic and determinist political and moral concept, the concept of personal privacy has been extended, but at the same time new occurrences, phenomena and social wounds appeared, which were unfamiliar in the past."¹

They prove that our society is facing many problems in the socio-cultural domain, which inevitably are interlinked with 'reforms' of social organizing. On one hand, barriers and 'disagreements' appear between 'old' generations and 'new' generations and, on the other hand, there is the presence of social conditions and benefits from 'dirty businesses' of various profiteers. Some of the 'new occurrences' that have reflected in new generations are: marriages for love and without "matchmaker – mediator", which compared with the past has increased the number of divorces and social problems with both of the families; the extravagant way of dressing by the young ages of female sex, in many cases there are reported cases of domestic violence because some parents disagree with that or, in the worst scenario, there are cases of attempted suicide and suicide on both generations; excessive use of psychotropic substances by persons of young ages, trafficking

¹ Tushi, G. (2006). Social Problems and Dilemmas:17-18

in human beings and their employment in 'night' bars; use of most recent technologies in committing various criminal offences, etc.

With regard to these cultural 'achievements' which are being misused by a certain part of citizens, we also have the assessments obtained during a research in the field, who give the opinion on the new cultural 'flow' and criminal occurrences in this area, and they are as following:

This region, being well known for its pure Albanian tradition and culture, the recent trends of criminality fall within the cultural traditions of this area: 1= entirely, 2= some and 3= none

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	52	9.5	9.8	9.8
	2	219	39.8	41.3	51.1
	3	259	47.1	48.9	100.0
	Total	530	96.4	100.0	
Missing	System	20	3.6		
Total		550	100.0		

In addition to numerous changes while transiting into the democratic system of our society, is there any evolvement in the appearance of new criminal occurrences which have not been met before in the tradition and culture of this region? 1= a lot, 2= little and 3= partially

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	201	36.5	37.9	37.9
	2	184	33.5	34.7	72.6
	3	145	26.4	27.4	100.0
	Total	530	96.4	100.0	
Missing	System	20	3.6		
Total		550	100.0		

Referring to the answers on both questions excerpted from a questionnaire applied during a field research, it results that the recent trends of criminal occurrences in Gjakova region do not belong to the culture and tradition of this area and that we have an evolvement of these occurrences which were not present in the past.

Therefore, this trend of development and modernizing of culture in this region, besides positive progress things and advancement of society, has also brought the confrontation with some permanent 'risks' that are accompanying step after step and without sparing anything, the consequences of which fall on the very individual, family, the environment and the whole society. These consequences are also costly, regardless on whose 'back' they will fall.

Referring to the statistics and assessments mentioned above, it is obvious that the society of this area, apart from the 'contemporary' is also being challenged by 'oscillations' as negative effects. Hence, it is observed that cultural 'flow' have an impact on the social state and which is very concerning, because from day to day it is going towards 'embrace' of cultures that are not in the same pace with the reality of our society. This inevitably adds to insecurity.

Based on the circumstances that citizens of Gjakova and its surrounding have faced in the field of criminal activity during the period of time 1999-2012, you asses that we had a situation: 1= Worrisome and 2= Calm

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	423	76.9	79.8	79.8
	2	107	19.5	20.2	100.0
	Total	530	96.4	100.0	
Missing	System	20	3.6		
Total		550	100.0		

So, after a decade and a half of darting transformation, our society has become almost "qualitatively different society" which has no longer a enough security, where the weak person shall be protected.

Problems and social needs are increasing on daily basis, which the local and central state institutions are not able to respond to at the required extent. Therefore, it has come to the point when this society continues on with the 'genius achievements' by not sparing the individual, family or the social environment.

Conclusions

Human society was accompanied by the developments of the time. Evolutions were also present which brought in fundamental changes within the same society. Albanian society in Gjakova region was no exception.

However, new transformations, especially the socio-cultural, brought completely different circumstances creating problems in this area and making it impossible for the man to evaluate what should be inherited and what should be thrown as useless.

In these processes of social transformation from traditional into 'contemporary', regardless of the fact if they are necessary, its effects were not lacking.

'Contemporary' societies are accompanied by variou cultures and subcultures and the more modern they become, the more is the possibility for them to be exposed to 'risks'. These risks come due to disagreement between generations and new occurrences which are oftentimes direct or indirect causes of deviant behaviour of individuals in the society and ending in criminality. Therefore, 'contemporary' brought here also progress and goods for the individual and society but on the other hand it also brought in occurrences which were not evident in the past.

So in the society, the new socio-cultural order put on stage the independent man, stating that he could reach all and on the other hand appears to be lonely and possibly with the loss of identity.

This has caused the fading and vanishing of the family and social 'common' be that in moral aspect, humane and social and to make the individual emerge on the surface. There is no more that fear of 'punishment' by the community, the

individual acts based on his own interests, regardless that they may be harmful to the society by opening way also to criminal activity. The processes this society is going through are as yet powerful to challenge such circumstances and confrontation with the new socio-cultural reality is not on the same pace with the reality of life in this area. These have precisely produced negative and harmful effects for the society, starting from the socio-economic and cultural aspect all the way to the appearance of criminal occurrences that are evident and increase the concerns of citizens. Whilst we have a fading of the role of the family, unstable marriages, new criminal occurrences and on the other hand while the readiness of institutions is not at the required level to respond to such requests and needs, the social 'crisis' shall not be absent.

Finally, 'new developments' has had an effect in the opening of societies, which through the global 'technology' have 'destroyed' the authentic cultures and traditions which were transmitted through generations in centuries, by changing them into 'mixed' traditions and cultures.

Although this area was known for the preservation of its traditions and culture, modern democratic organizing brought in new cultural 'flow' and it affected that these 'achievements' are also 'embraced' in this area. They have 'vibrated' the society, by bringing in many novelties in the socio-cultural life and 'crisis' in social stability.

Recommendations

The needs for social developments have been and are necessary also for the society of Gjakova citizens and its surrounding. However, they must be followed according to the circumstances of the reality and 'flows' that bring benefits to the society should be 'embraced'.

Strengthen the 'common' of the family and society because only that will fill in for the institutional shortcomings and will reduce the socio-economic and cultural problems.

Prevent the interest of the individual when it causes harm to family and society and have the collective interest emerge. This would in turn prevent the appearance of new criminal occurrences, such as drugs, prostitution, trafficking in human beings, etc.

Local and central state institutions should as soon as possible take their role and implement projects that are in the interest of the society, even through various organizations. This would aid in rehabilitation of individuals 'infected' with criminal occurrences.

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Modern Forms of Bank Service in Albania

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Abstract

Albanian banks are currently implementing e-banking. Banks that offer service via this channel claim that it reduces costs and makes them more competitive. However, many corporate consumers are not highly enthusiastic about Internet banking. An understanding of why corporate customers do not accept Internet banking can assist banks to implement this self-service technology more efficiently. In-depth qualitative interviews with Albanian firms suggest that security of the internet is a major factor inhibiting wider adoption. Those already using Internet banking seem to have more confidence that the system is reliable, whereas non-users are much more service conscious, and do not trust financial transactions made via Internet channels. Non-internet banking users tend to have more negative management attitudes toward adoption and are more likely to claim lack of resources. Legal support is also a major barrier to Internet banking adoption for corporate customers.

Keywords: Bank, Albania, Modern, Service

Introduction

In recent years, the banking sector has been an interesting case for service innovation as it moves toward using the Web for commercial purposes through Internet banking. Internet banking allows customers to have direct access to their financial information and to undertake financial transactions with no need to go to the bank. From the banks' viewpoint, use of Internet banking is expected to lead to cost reductions and improved competitiveness. This service delivery channel is seen as powerful because it can retain current Web-based customers who continue using banking services from any location. Moreover, Internet banking provides opportunities for the bank to develop its market by attracting a new customer base from existing Internet users. Things have not moved as quickly as some anticipated in turning this into reality in the banking sector. Some research shows that most consumer banking customers rank Internet banking as less important than other technology-based delivery channels, such as ATMs and telebanking. Among corporate customers, the situation seems to be similar, though somewhat less researched. Corporate customer interactions are considered to have become more intensive and complex because they involve relationships between firms and banks. These important big volume customers have not adopted Internet banking to any great extent. The potential value to be gained by customer adoption of Web-based service delivery seems to depend on overcoming some important barriers to usage.

Relatively little research has addressed the issue of barriers to Internet banking adoption. Prior studies frequently focus on positive aspects of Internet banking. In addition, Internet banking research has tended to focus on the perspective of personal account customers. There is little published work on perceptions of corporate customers about barriers to Internet banking, particularly in the context of developing countries. This research, therefore, aims to identify how corporate customers perceive barriers to usage of the Internet banking provided by Albanian banks.

Internet banking and cultural context in Albania

Albania had 3 local and 14 foreign banks offering commercial banking services at the time of this study, although exact categorization is somewhat obscured because some local banks have foreign equity and management participation. The sector is still not completely deregulated, and foreign banks are not yet allowed to open too many branches. Attempting to

become more efficient and competitive, especially after the economic crisis, most Albanian banks have invested heavily in information technology to provide better services to their customers. They hope to reduce operating costs and generate higher long-term profits, similar to expectations by banks in many other countries. Currently, five local banks are the leaders in providing Internet banking. These banks provide fairly similar, standard services via the Internet, such as checking account balances, requesting bank statements and reports, money transfers, loan and bill payments, currency exchange, and opening letters of credit. According to bank managers interviewed in preparation for this research, banks believe this system offers improvement over traditional bill processing, helping customers cut costs and improve payment efficiency.

Literature review

The frequently cited benefits from Internet banking do not seem to materialize in every case, as the value of Web technology cannot be realized if barriers are too high. Barriers to electronic commerce in general have been classified various ways. Many elements in these discussions are related to the organization's ability to use Internet technology fully, which is one issue we examine here. A second issue is about trust in the Internet banking system and the banks that implement it. The few studies of Internet banking that examine barriers mention drawbacks such as security, privacy, and trust of Web system.

A third factor is that legal support cannot be implemented efficiently to assist customer trust in Internet banking

Organizational barriers

Organizational ability to utilize Web technology capabilities is one barrier to electronic commerce and may include management attitudes, resource constraints, and knowledge issues. A few studies have cited negative attitudes among some managers as a major hindrance. Negative attitudes cause resistance to change and lack of management commitment, reducing the company's resource allocation and motivation to use the technology. Implementing Web technology as a business channel requires some additional investment and resources, such as hardware and software.

Trust of the system

Opportunities from implementing Web technology could be restricted if there is a lack of customer trust in the Web system. Trust has been defined as:

... a willingness to rely on an exchange partner in whom one has confidence...

They viewed trust as an expectation of ability to perform, reliability, and intentionality of a partner, and proposed that trust has to be viewed as a behavioral intention or behavior that reflects dependence on the other partner. In addition, Morgan and Hunt (1994, p. 23) defined trust as:

... the perception of confidence in the exchange partner's reliability and integrity.

Both definitions underline the importance of confidence and reliability in the conception of trust. Customers frequently do not trust Internet technology for three reasons: security of the system, distrust of service providers, and worries about the reliability of Internet services. Strong concern about security is one common factor related to unwillingness to use Internet channels for commerce. Most customers are not satisfied with the infrastructure of Web security systems. In Internet banking, security is one of the most important future challenges, because customers fear higher risk in using the Web for financial transactions. Reputation is important, as distrust of the service provider is a related factor. Reputation can be defined as the extent to which customers believe a supplier or service provider is honest and concerned about its customers. Companies must have experience in business functions, policy, and support personnel to build reputations as competent technology-based service providers to their customers. For banks, reputation is one of the major factors that affect customer adoption of new technology-based service delivery. Reputation depends on policy promises to customers, including privacy policy, as most customers do not like their personal information revealed in an inappropriate manner or misused by others over the Internet. Customers who adopt electronic financial services are more likely to perceive problems related to loss of privacy, as the Internet seemingly allows other people to access their information easily. Customers do not always believe privacy policies will keep customer information confident.

Perceived risk can also cause customers to reject new technology-based service delivery. Perceived risk is related to reliability and system failure. Customers are also worried that technology-based service delivery systems will not work as

expected, and lack confidence that problems can be solved quickly . Frequently, slow response time after the Internet interaction leads to a delay of service delivery and causes customers to be unsure that the transaction was completed .

Research methodology

Although research on barriers to electronic commerce adoption is not very extensive compared to discussion of the benefits, most of the concepts in this study have been occasionally examined before, but mostly in Western context. Using a qualitative approach provides richer detail for exploring viewpoints in early stages of research, allowing the researcher to gain a better initial understanding of the problem and to identify phenomena, attitudes and influences .

The respondents were managers in the customer firms who have responsibility for financial functions of their companies. They include financial/accounting officers and managers/directors. Two groups of respondents were targeted, the first of which consists of five corporate customers who currently operate many of their financial transactions via Internet banking. The second group consists of ten non-Internet banking customers. They were all selected by judgment sampling to cover a range of industries, e.g. finance, leasing, insurance, airline, manufacturing, and dot-com companies (Table I).

The qualitative research consisted of face-to-face in-depth interviews with corporate customers of banks that offer Internet banking. The interviews were conducted in a semi-structured format that allows respondents to express their own viewpoints . A set of interview topics guided the interviews, with a list of probing questions to draw out respondent opinions. Topics were discussed as respondents brought them up, occasionally supplemented by new issues that arose in the interviews. The interview included customer perceptions of both benefits and barriers, although this paper is only about barriers. There was no bias from forcing respondents to focus only on positive or negative issues. They could, and did, bring up both.

All in-depth interviews were conducted in Albanian language. (Quotes in the discussion were translated into English by the first author.) Extensive notes were taken during the interview. We highlighted key issues mentioned from each interview and combined the most common issues mentioned by the interviewees. To identify the major barriers to Internet banking, a qualitative content analysis is used for paraphrasing the range of significant issues. Passages and rewordings with the same or similar interpretations were summarized and categorized according to the barriers schema discussed above, although these categories were internal, not revealed to respondents. Then adopters and non- adopters were contrasted to determine possible differences.

Findings: Trust is a major barrier

Industry	No of respondents	Position
Large manufacturing companies	2	Accounting/finance managers
Finance and securities	2	Managing director/vice-president of finance
Hotel reservation dot-com company	1	Managing director
Non-Internet banking users: (Non-user/1-10)	2	Finance managers
Insurance		
Leasing	2	Financial controller and officer
Hospitality	3	Finance director
Airline	3	Accounting/finance managers

The content analysis determined nine critical barriers to Internet banking, which fall roughly into the three broad categories dis

cussed above. Three barriers relate to trust issues: security, reliability of transactions, and trust in the service provider, including about privacy. Security is one of the major barriers. The interviews among Albanian corporate customers indicate that most Internet banking customers have adopted Internet banking as an alternative channel for their customers to make payment to them, but they do not use Internet banking for their own money transfers to other parties. This is because of concerns about security of the communication network. The following statements highlight this issue:

Although we use Internet banking, our company is concerned about security of Internet banking at some level. We believe that banks must also be concerned about security and invest intensively in security infrastructure. The reason is that most hackers normally prefer to hack directly through the bank financial systems. If any financial loss occurs to bank customers (because of this), banks have to [be] responsible for that loss (User1).

We adopt Internet banking as an additional channel for customers to make any payment to us. For internal financial transaction, such as employee salary, payment to suppliers, we use other service delivery channels, e.g. traditional money transfer or cheque payment (User3).

Non-Internet banking customers prefer to receive services directly from the banks, and have not even set up channels for their customers to use. These customers are not necessarily technology averse, e.g. some of them use non-Internet proprietary online banking software which enables banks to transfer funds or pay bills directly to bank customer accounts. However, non-Internet banking customers stay with services which are either less technologically advanced or are more closed systems, because they believe that the Internet is an open technology with easy accessibility, and thus, is not secure. Representative of these views are two quotes from respondents:

I have to remember my user name and password. I am afraid that if unauthorized personnel of my company know the password by chance or even deliberately, there will be financial risk to our company (Non-user2).

I prefer to use traditional systems, changing to Internet banking is not secure enough for financial functions that need elaborate procedures (Non-user3).

The two groups of customers also perceive reliability at different levels. Internet banking customers believe that Internet banking has some level of reliability, even though in absolute terms, it is not considered highly reliable. Non-Internet banking customers are not confident at all about doing financial transactions via the Web, and perceive Internet banking as highly untrustworthy. The following statement illustrated this point:

Business transactions normally have a great amount of money and one click may create any fraud to the firm's financial system. I don't want to absorb the financial risk and responsibility, our financial processes require originals and many copies of documents for internal control and signatures (Non-user4).

Another important issue which Internet banking users brought up is that when problems occur while making transactions via the Internet, the problem cannot be immediately resolved. Internet banking users have to go to the bank to solve such problems, which is time-consuming.

In addition, some Internet banking users are dissatisfied with the low speed of Internet banking response, which results from deficiencies in infrastructure for the Internet communication network. This causes slow feedback and slow transaction response. Their perception of convenience seems to shift once they are experienced on the Internet, and they view slow Web sites as inconvenient. Slow physical response to transactions is perceived as even more inconvenient. For example, the Managing Director of one finance company highlighted the importance of system response:

Response time is dreadful, it's very slow and keeps me waiting for ten minutes to confirm the transaction (User5).

Finally, Internet banking customers seem to choose banks which they believe have more experience in using technology-based service delivery, which is one major factor that contributes to customer trust and helps them decide whether to adopt the new service from that bank. Internet-banking customers stated that they would have less confidence using technology-based services from banks inexperienced in the technology.

Customers are also concerned about privacy in Internet banking systems, but not as much as security. Most respondents believe that they have already lost control of their personal information because Web information systems facilitate the increasingly effective dissemination of information about customers. One respondent said that he believes banks use

customer information without customer consent whatever service delivery channel is used. It might be somewhat easier to misuse customer information if it is on the Internet, but privacy is not very safe anyway, on- or off-line. Some customers were not as cynical, but many believe that bank privacy policies are essentially the same, regardless of which service-delivery channel is used .

Barriers	Internet banking users	Non-Internet banking users
Trust of the system		
Security	Lower level of concern	Greater level of concern
Reliability of transaction	Lower level of concern	Greater level of concern
Trust of the bank	Lower level of concern, but prefer to use internet banking provided by Albania banks	Do not trust the internet-based service channels
Legal support		
Fair liability	Lower level of concern	Greater level of concern
Court capability to solve online cases efficiently		Greater level of concern
Privacy protection	Lower level of concern	
	Equal level of concern	Equal level of concern
Organizational barriers		
Management attitude		
Lack resource	Positive attitudes toward adoption	Negative attitudes toward adoption
Lack knowledge	Have sufficient iT resources	Lack iT resources
	Have more technical knowledge	Have less technical knowledge

Conclusions and implications

These in-depth interviews demonstrate that there are still some serious barriers to adoption of Internet banking by Albanian corporate customers. The barriers are stronger for the non-users, but even users are not entirely comfortable with Internet banking, and have not switched most of their transactions to the Internet yet. Table II summarizes the three main types of barrier to Internet-based service delivery discussed here. Trust is one of the most critical issues, including worries about security of the system, low reliability of transactions, and distrust of the service provider. Security is a frequently cited obstacle . In our research, all customers have this concern, but non-Internet banking customers have greater levels of worry, do not have confidence to make any financial transactions via the Web, and have no intention of changing to Internet banking.

Reliability of transactions via the Internet banking system is another major concern among all customers, but again, stronger among non-users. Users do worry about reliability of this new service, but are more confident that the bank can solve problems that arise. However, they prefer to deal with banks that have many branches, so that it is easy to go to the bank when the problems do occur. This has important implications for staff training in the branches. Even though the branches are not responsible for implementing the Internet banking, there must be someone in each branch trained to handle common Internet problems, and who knows where to go for help within the bank for more complex problems.

Finally, trust is related to experience with the bank and bank policy, which contributes to customer trust in bank business practices. The bank's overall reputation combines with reputation in technology-based service provision to make banks more or less attractive. All of these trust issues would make it difficult for new entrants, especially purely virtual banks, to make much rapid progress in developing markets among Albania corporate customers. With no prior relationships to customers, no strong reputation, and no visible prior experience with the technology, customers are unlikely to trust Internet banking services.

Albania is currently in the early stages of developing e-commerce law, and customers believe the country still lacks ability to protect bank customers sufficiently in cases of financial loss via Internet banking, and to trace online evidence and to resolve cases fairly. Further, customers are not happy with the legal support for privacy protection in Internet banking. They do not worry about this issue as much because they generally do not believe that Albania has very strong privacy protection in any service delivery channel. Banks do not have to wait for Albania law to catch up here, they can take the lead in devising policies and enforceable Internet banking contracts, which customers think are more fair than much of current practice.

Some of the trust and legal issues are partly perceptual, thus managerial attitudes are one key organizational barrier. Support or lack of desire from top management for beginning to use Internet banking seems to be critical in adoption. Non-users have quite negative attitudes toward adopting Internet banking to replace traditional financial procedures. In addition, non-Internet banking customers do not want to invest much in information technology or training to support Internet banking adoption. Internet banking customers are not really concerned about this problem much because they already have more capability. However, even Internet banking customers do not use this channel very extensively yet. Albanian corporate customers still prefer face-to-face interaction with the banks. With trust such a strong issue, it is unlikely that this desire for close relationships will disappear. This suggests that banks will mainly develop their Internet banking from their current customer base. It seems unlikely to be an effective way to attract many new customers in the early stages of development.

To begin overcoming customer distrust of the system, banks need to visibly demonstrate concern for security, reliability, and liability with concrete solutions to reduce or eliminate costs to customers in case transactions fail or are processed inaccurately. Often, these are not purely technical issues, but rather, are related to process design, or, sometimes, partly to customer psychology and beliefs, which may or may not be consistent with the actual technology and system. All customers, even users, believe that problems will occur, so it is about what customers believe the bank will do when the problems do arise. The Internet channel must be well integrated into other channels so that customers can easily interact with people who are trained to handle problems efficiently, and banks must adopt strong customer orientations. Aside from the usage barriers, our research indicates that current users feel Internet banking is the good channel for some interactions with the bank. If it is well integrated into the overall business, the Internet can enable banks to provide more customized service, and stronger personalized relationships. Thus, customers do not seem to see the Internet as a channel to replace traditional relationships, but rather as a way to supplement and enhance the relationships. This is consistent with the cultural environment.

Banks frequently view Internet banking as essentially a cost reduction mechanism, both for themselves and for customers, but customers see quite a lot of potential new costs, partly because the new channel is perceived as much more risky. Relationships are a mechanism for reducing risk in more traditional business, and probably must also be part of the Internet banking system if it is to be widely accepted in Albania. Customers clearly say that the Internet service channel offers potential, but even users feel that it does not deliver much value yet compared to the problems of operating on the Internet. Thus, improving patronage at this stage of development seems to be mainly a matter of lowering barriers not improving benefits, and much of the work on lowering barriers seems to be about learning how to integrate the Internet into interpersonal relationships with customers.

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Job satisfaction of social service workers in Penitentiary Institutions in Albania

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Abstract

This study analyzes job satisfaction of Social Service Workers of Penitentiary Institutions in Albania. The overall job satisfaction of Social Service Workers of Penitentiary Institutions in Albania is associated with 12 variables. These variables are the most important among all the 24 variables that taken in consideration in this study. If these factors are considered carefully, then there will be a positive overall satisfaction of Social Service Workers of Penitentiary Institutions. This study gives a message to the employers of Penitentiary Institutions that if they want to improve job satisfaction of Social Service Workers then they have to consider the above 12 variables: recognition for good work, adequate remuneration for work, feel proud of job, satisfaction from non-financial rewards, motivated to work, job is meaningful, available opportunities for promotion, exchange of ideas between superior and subordinate, job evaluated reward, relationship –colleagues, training program regularly and satisfied with available opportunities. This study covers a wide range of independent variables that significantly influences job satisfaction of Social Service Workers of Penitentiary Institutions; however, referring to the limited number of data, this study fails to bring a complete and exhaustive evaluation picture on job satisfaction of social workers of Penitentiary Institutions in Albania.

Keywords: *Job satisfaction, social service workers, penitentiary institution*

Introduction

Job satisfaction has been defined as an emotional reaction to the work situation (Ilham, 2009, Locke, 1969, 1976). Perhaps the best-known definition of job satisfaction is Locke's contention that "job satisfaction is a pleasurable or positive emotional state resulting from an appraisal of one's job or job experiences" (Locke, 1976). Rahma, M.M et al. (2012) underline that "The degree of satisfaction is determined by the ratio outcomes against the desire of employees from their respective jobs. By law of nature as we have more, we want more, hence the level of satisfaction remain less. Job satisfaction is dynamic, as it can go as quickly as it comes. It is positive emotional state that occurs when a person's job seems to fulfill important values, provided these values are compatible with one's needs"

The penitentiary Institutions in Albania are considered by social service employees as a good opportunity to exercise their profession and as a job that is in line with their expectations (Kume, E. 2013). Given the target groups (prisoners) to whom this service is offered, it is naturally that "...social service workers must often deal with intense emotional issues and are frequently confronted with disturbing situations (Bernal, J.G., et al. 2005, Zaimi, et al. 2013).

The purpose of this study is the evaluation the job satisfaction level and identification of factors (variables) important for social service employee's job satisfaction in order to plan and carry out the necessary intervention in order to increase the effectiveness of this service in penitentiary Institutions in Albania.

The objectives of the study are: (i) to identify the most important factors of job satisfaction, (ii).to identify the level of satisfaction of social service specialist in penitentiary Institutions and (iii) to evaluate the correlation between job satisfaction and factors of job satisfaction

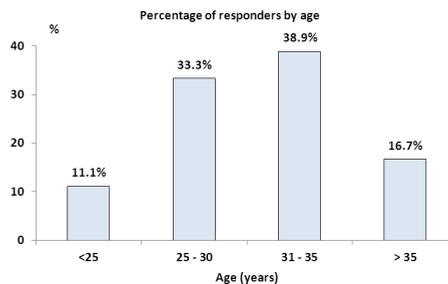
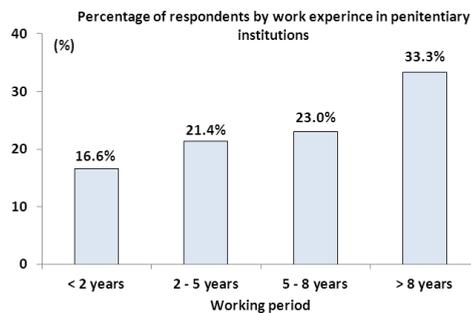
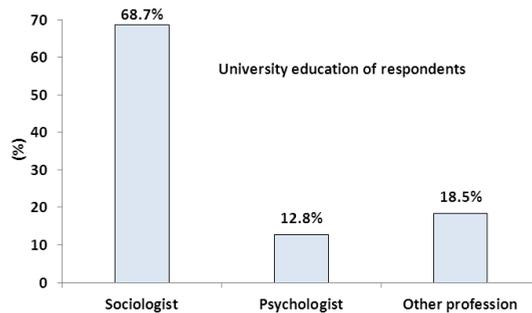
Methodology

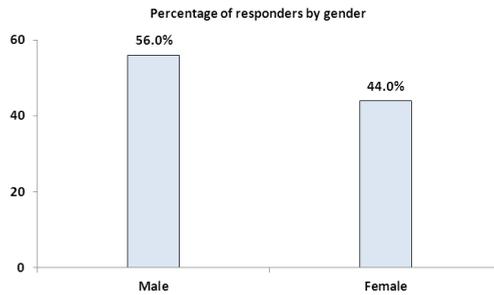
Sample Design

The targets of this study are 36 social service specialists who work in 23 penitentiary institutions. A structured questionnaire was developed using job satisfaction forces to which the respondents was asked to react using a seven step Bi-polar scale ranging from strongly disagree (1) to strongly agree (7).

At the end of the questions, a final question was added: "overall I am satisfied about my job". This question was intended to measure the respondent's reaction to the job satisfaction in a scale. Bipolar scale has been selected because of its widespread appropriateness of measuring attitude (Rahma, M.M et al. 2012)

The demographic compositions of the respondents are shown in Figure no.1





Methods

SPSS 17.0 and Excel have been used to process and analyze the data. Dependent and independent variables are analyzed by using correlation and linear regression. Different statistical tools like ANOVA, T-test have been used to assess and interpret data. ANOVA has been used to analyze the relationship of job satisfaction factors with overall satisfaction of employees. T-tests have been performed to test the statistical significance of the parameters at 5% level of significance.

Statistical parameters like mean, standard deviations will be estimated. In order to evaluate and estimate the significance level among dependent and independent variables, the variables are further analyzed with the help of regression model. Overall job satisfaction is the dependent variable and adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful, relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates and exchange of ideas between superior and subordinates are independent variables

The regression model is as follows:

$$OJS = \alpha + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \beta_6 X_6 + \beta_7 X_7 + \beta_8 X_8 + \beta_9 X_9 + \beta_{10} X_{10} + \beta_{11} X_{11} + \beta_{12} X_{12} + \beta_{13} X_{13} + \beta_{14} X_{14} + \beta_{15} X_{15} + \beta_{16} X_{16} + \beta_{17} X_{17} + \beta_{18} X_{18} + \beta_{19} X_{19} + \beta_{20} X_{20} + \beta_{21} X_{21} + \beta_{22} X_{22} + \beta_{23} X_{23} + \beta_{24} X_{24} + \epsilon_1$$

Where:

OJS-Overall Job Satisfaction	X ₁₄ - Motivated to work
X ₁ - Adequate remuneration for work	X ₁₅ - Flexibility working hours
X ₂ - Job is meaningful	X ₁₆ - Like job
X ₃ - Salary increases on performance	X ₁₇ - Job meaningful
X ₄ - Satisfaction from non-financial rewards	X ₁₈ - Relationship –colleagues
X ₅ - Job evaluated reward	X ₁₉ - Collective work
X ₆ - Available opportunities for promotion	X ₂₀ - Team work
X ₇ - Satisfied with available opportunities	X ₂₁ - Colleagues help
X ₈ - Feel proud of job	X ₂₂ - Supervisors care
X ₉ - Training program regularly	X ₂₃ - Trust between superior and subordinates
X ₁₀ - Use skill, experience and qualification	X ₂₄ - Exchange of ideas between superior and subordinates
X ₁₁ - Top management support	
X ₁₂ - Satisfied environment	ϵ_1 - Error Term
X ₁₃ - Recognition for good work	

and α is a constant and $\beta_1, \beta_2, \beta_3, \beta_4, \beta_5, \beta_6, \beta_7, \beta_8, \beta_9, \beta_{10}, \beta_{11}, \beta_{12}, \beta_{13}, \beta_{14}, \beta_{15}, \beta_{16}, \beta_{17}, \beta_{18}, \beta_{19}, \beta_{20}, \beta_{21}, \beta_{22}, \beta_{23}, \beta_{24}$ are coefficients to estimate.

Results and discussion

The mean value and standard deviation of variables are showed in Table no.1. The mean value of all factors, except Flexibility working hours, Team work and Colleagues help, is more than 5.0 which is between the neutral and agree in the scale showing the average employees perception about job satisfaction.

Table no. 1 Descriptive Statistics

Variable	Main	Standard deviation	Variable	Main	Standard deviation
Adequate remuneration for work	5.06	0.721	Recognition for good work	5.06	0.634
Job is meaningful	6.13	0.824	Motivated to work	5.32	0.891
Salary increases on performance	5.02	0.703	Flexibility working hours	4.61	0.637
Satisfaction from non-financial rewards	6.09	0.986	Like job	5.36	0.843
Job evaluated reward	5.72	0.712	Job meaningful	5.82	0.784
Available opportunities for promotion	5.42	0.783	Relationship –colleagues	5.21	0.782
Satisfied with available opportunities	5.31	0.923	Collective work	5.03	0.789
Feel proud of job	6.04	1.003	Team work	4.81	0.853
Training program regularly	5.21	0.754	Colleagues help	4.16	0.609
Use skill, experience and qualification	6.02	0.762	Supervisors care	5.10	0.712

Top management support	5.21	0.759	Trust between superior and subordinates	5.03	0.735
Satisfied environment	5.03	0.692	Exchange of ideas between superior and subordinate	5.13	0.789
Overall Job Satisfaction	5.23	0.897			

From Table no.2, it is seen that there is a significant correlation between dependent variable and independent variables. At 5% level of significance the correlation is 88.2%. Here, adjusted R square is 0.722 which tells us about 72.2% variation of dependent variable is explained by independent variables included in regression model.

Table. No. 2 Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.8823 ^a	.779	.722	0.394
a. Predictors: (Constant), adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful, relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates, exchange of ideas between superior and subordinates				

Table no. 3, shows that the regression equation is explaining a statistically significant portion of the variability in the dependent variable from variability in the independent variables. Therefore we can conclude that it accurately explains that the overall job satisfaction of the social service specialists who work in penitentiary institutions depends on the factors that have entered in the model.

Table no.3. ANOVA^a

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	342.86	24	54.14	15.60	.00 ^b
	Residual	107.52	11	3.47		
	Total	450.38	35			
a. Dependent Variable: Overall Job Satisfaction						
b. Predictors: (Constant), adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, satisfied with available opportunities, feel proud of job, training program regularly, use skill, experience and qualification, top management support, satisfied environment, recognition for good work, motivated to work, flexibility working hours, like job, job meaningful, relationship-colleagues, collective work, team work, colleagues help, supervisors care, trust between superior and subordinates, exchange of ideas between superior and subordinates						

Table no.4 shows the coefficients between dependent and independent variables. According to significant values of the coefficients for adequate remuneration for work, job is meaningful, salary increases on performance, satisfaction from non-financial rewards, satisfaction from non-financial rewards, job evaluated reward, available opportunities for promotion, training program regularly, recognition for good work, motivated to work, flexibility working hours, job meaningful are statistically significant ($p < 0.00$) and satisfied with available opportunities, feel proud of job, relationship–colleagues are statistically significant ($p < 0.05$). The coefficients for other independent variables are not statistically significant which implies that these factors have some impact on overall job satisfaction but these are not considerable.

Referring to the values of standardized coefficients that correspond to the variables that have statistical significant effect on dependent variable, overall job satisfaction, in Table no 5, are chronologically ranked the variables that should be taken in consideration by the decision making body in drafting policies that want to increase job satisfaction level for social service specialist in penitentiary Institutions.

Table no. 4 Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		β	Std. Error	β		
1	Constant	2.346	0.561		2.32	0.75
	Adequate remuneration for work	0.468	0.231	0.387	3.76	0.00
	Job is meaningful	0.521	0.268	0.294	3.98	0.00
	Salary increases on performance	0.219	0.318	0.128	3.07	0.00
	Satisfaction from non-financial rewards	0.326	0.056	0.307	4.02	0.00
	Job evaluated reward	0.189	0.082	0.256	4.12	0.00
	Available opportunities for promotion	0.321	0.125	0.287	3.08	0.00
	Satisfied with available opportunities	0.156	0.025	0.203	2.75	0.05
	Feel proud of job	0.507	0.089	0.321	2.98	0.05
	Training program regularly	0.329	0.120	0.237	3.67	0.00
	Use skill, experience and qualification	-0.221	0.107	-0.241	-1.11	0.62
	Top management support	0.142	0.112	0.067	1.67	0.09
	Satisfied environment	0.068	0.321	0.088	1.06	0.62
	Recognition for good work	0.367	0.054	0.406	3.69	0.00
	Motivated to work	0.293	0.217	0.302	3.05	0.00
	Flexibility working hours	-0.324	0.142	-0.289	-3.12	0.00
	Like job	0.387	0.121	0.098	-1.68	0.10
	Job meaningful	0.309	0.120	0.152	3.17	0.00
	Relationship –colleagues	0.341	0.122	0.241	2.06	0.05

Collective work	-0.027	0.203	-0.067	-1.04	0.62
Team work	-0.257	0.065	-0.185	-1.07	0.62
Colleagues help	0.067	0.103	0.024	2.19	0.05
Supervisors care	-0.127	0.111	-0.204	-1.87	0.09
Trust between superior and subordinates	-0.129	0.183	-0.183	-1.90	0.08
Exchange of ideas between superior and subordinate	0.357	0.098	0.276	3.15	0.00
a. Dependent Variable: Overall Job Satisfaction					

Table no. 5. Rank order of variables

Variables	Value	Rank order on the basis of significance
Recognition for good work	0.406	1
Adequate remuneration for work	0.387	2
Feel proud of job	0.321	3
Satisfaction from non-financial rewards	0.307	4
Motivated to work	0.302	5
Job is meaningful	0.294	6
Available opportunities for promotion	0.287	7
Exchange of ideas between superior and subordinate	0.276	8
Job evaluated reward	0.256	9
Relationship –colleagues	0.241	10
Training program regularly	0.237	11
Satisfied with available opportunities	0.203	12

Conclusions

This study analyzes job satisfaction of Social Service Workers of Penitentiary Institutions in Albania.

The overall job satisfaction of Social Service Workers of Penitentiary Institutions in Albania is associated with 12 variables. These variables are the most important among all the 24 variables that taken in consideration in this study. If these factors are considered carefully, then there will be a positive overall satisfaction of Social Service Workers of Penitentiary Institutions. This study gives a message to the employers of Penitentiary Institutions that if they want to improve job satisfaction of Social Service Workers then they have to consider the above 12 variables: recognition for good work, adequate remuneration for work, feel proud of job, satisfaction from non-financial rewards, motivated to work, job is meaningful, available opportunities for promotion, exchange of ideas between superior and subordinate, job evaluated reward, relationship –colleagues, training program regularly and satisfied with available opportunities

This study covers a wide range of independent variables that significantly influences job satisfaction of Social Service Workers of Penitentiary Institutions; however, referring to the limited number of data, this study fails to bring a complete and exhaustive evaluation picture on job satisfaction of social workers of Penitentiary Institutions in Albania.

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An Albanian Case Study On Measuring the Service Quality in An Academic Library

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Abstract

Purpose – The aim of this study is to measure the perceptions of the Faculty of Economics of Tirana library users as they relate to quality service and to determine how far this library has succeeded in delivering such service to its users. Design/methodology/approach – The research was carried out among the students of the Faculty of Economics of Tirana. A questionnaire was used as the data gathering instrument. The instruments for data collection consisted of structured questions. All the closed ended questions were designed to elicit responses on a five point Likert scale to measure both respondent satisfaction and perception of service quality. Analysis of the collected data made use of the chi-square method. Findings – The results would appear to indicate that Faculty of Economics of Tirana library is not lacking in quality of service. However, we need to note that quality information service is about helping users to define and satisfy their information needs, building their confidence in using information retrieval systems, and making the whole activity of working with library staff a pleasurable experience. To achieve total quality in information service the Faculty of Economics of Tirana library should provide a comprehensive information programme that is predicated on the needs and activities of the users. Originality/value – This article may help those libraries, who are seriously interested to develop user satisfaction and provide better service to the user. This article also suggests some recommendations about increasing the user satisfaction in the library service.

Keywords: Library, Albania, Service Quality

Introduction

Generally, the quality of an academic library has been described in terms of its collection and measured by the size of the library holdings and statistics on its use. This traditional method no longer fulfills the goals for successfully measuring the user's demands for information. It seems that it is time to evaluate the quality and significance of library service using alternative methods. To this end, the SERVQUAL method has evolved as a quality management instrument to measure service quality. Quality is the basic philosophy and requirement of library service and all libraries strive to deliver the highest quality of service. A quality service is one that fully meets the expectations and requirements of the users. If a library provides appropriate information to the right user at the right time and in the required form, then it could be argued to be maintaining quality. Quality library services mean satisfying the query of each and every user accurately, exhaustively and expeditiously. The rapid development of information technology, tremendous speed of sociotechnical development and the changed needs of users have all added to the expectations of a service organization. It is evident that management skills must match these demands on and threats to library and information services. The application of quality management in libraries should establish a culture of never ending improvement of quality of products and services. Its implementation in libraries improves the image of the library staff and helps in public relations and marketing.

The concept of quality in library services

The concept of service quality in the context of a library can be defined as the difference between users' expectations and perceptions of service performance and the reality of the service. Service quality means being able to view services from the customer's point of view and then meeting the customer expectation for service. The concept of service quality was defined as the difference between a library user's expectations and perceptions of service performance to the mid 1970s. Quality becomes a big issue when libraries try to expand their scope and improve their service. Identifying new ways to conceive of quality and to monitor its attainment are current challenges for libraries. In the library, quality may be recognized by the customers in terms of prompt delivery or error free services.

Recently, some librarians have shifted their perspective of library services to represent a user driven view. The assessment of how well a library succeeds depends on the user as judge of quality. The primary goal of any library therefore should be to maximize user satisfaction and to potentially exceed the expectations of their users. Quality can also be seen as relating to the fitness of a service or product to its intended purpose or use, subject to the expectations of the customer or user. Quality, therefore, must be in conformity with the customer's requirements or needs. This means that the quality of a service can be a definition of the customer's perception of what is good or bad, acceptable or not acceptable service. There are identified five dimensions with which consumers judge services:

Reliability: the ability to perform the promised service both dependably and accurately.

Responsiveness: the willingness to help customers and to provide prompt service.

Assurance: the knowledge and courtesy of employees as well as their ability to convey trust and confidence.

Empathy: the provision of caring, individualized attention to customers.

Tangibles: the appearance of physical facilities, equipment, personnel, and communication materials.

SERVQUAL instrument

The SERVQUAL instrument easily identifies service quality from the customer perspective. To measure potential gaps, Zeithaml, Parasuraman and Berry developed a 22 item questionnaire called SERVQUAL. The gaps model and its SERVQUAL instrument is probably the most frequently used approach to discuss and measure service quality. The first four gaps are the major contributors to the service quality gap that customers may perceive. The fifth gap is the basis of a customer oriented definition of service quality; it is discrepancy between customer's expectations for excellence and their perceptions of actual service delivered. This discrepancy is the conceptual basis for the SERVQUAL instrument (Nitecki and Heron, 2000).

Thapisa and Gamini (1999) determined the perceptions of the clients of the University of Botswana library as they relate to quality service, and how far the university library has succeeded in delivering quality services. According to Nitecki and Heron (2000), SERVQUAL is a new approach to measuring service quality, one that produces findings useful for local planning and decision-making. It also differentiates between service quality and satisfaction and points the direction for further research. A study by Dadzie (2004) indicated the important role of top management in an organization and examined the possibilities, challenges and constraints posed to librarians in the provision of quality service to the university community in Ghana. SERVQUAL is a diagnostic tool to measure service quality, defined as the difference between customer perceptions and expectations of service. This study discusses implications for library management and future explorations of a tool applicable to academic libraries (Nitecki, 1996).

Rajan and Ravi (2001) have discussed some of the limitations and possibilities of the service quality model for academic libraries. The model was originally developed in a commercial environment and may require some adaptation to the non-commercial environment of the academic library. Various ways in which the model might be adapted are suggested. Walmiki (2001) discussed in his study how to take effective steps towards the larger goal of total readers' satisfaction. The study defines the meaning of quality control and its evolution, and depicts the relation between quality and user's. It describes the implementation of total quality management (TQM) in library and information services. It also examines the benefits of quality management such as efficiency, and continual and systematic improvement in the activities of the library as a whole. Finally, it elaborates on the modern concept of TQM.

A case study

The aim of this study is to examine the perceptions of the library users as they relate to quality service and to determine how far the library has succeeded in delivering such service to its users. The following objectives of the study are:

- . Determine how the students of the Faculty of Economy perceive quality service at the library.
- . Establish whether the library is meeting the quality expectations of the users.
- . Make recommendations on how to improve the level of quality service.

Methodology

The research was carried out among the students of the Faculty of Economy of Tirana. This research study is to determine the perception of the users as they relate to quality service provided by the Faculty of Economy library.

The study has a total sample of 70 from 111 questionnaires issued. The samples were randomly selected from out of the regular users of library. Both qualitative and quantitative data were collected. The instrument for data collection consisted of structured (open/closed-ended) questions. The questionnaire was administered to a sample of students. The questionnaire covered three main section of the library, i.e. the aspects relating to the physical facilities, technical facilities such as computer facilities, and the attitude and competence of staff.

Questionnaire design

It consisted of open-ended and closed questions. The questionnaire reflected seven determinants of the quality services. Each section is summed up by an open-ended question, which allowed the respondents to assess the overall impression of given criteria of quality service. All the closed ended questions were designed to be responded to on a five point Likert scale to measure both respondent satisfaction and perception of service quality. Respondents were replying indicating:

1 representing "strongly agree", 2 "agree", 3 "disagree", 4 "strongly disagree" and 5 "not sure". In addition, two independent questions were given in questionnaire to aid respondents in giving their views on their overall impression of the services and physical facility at library.

Measuring service quality

Reliability

This refers to the delivery of the service as it relates to dependability and accuracy. It includes:

- . Giving correct answers to reference questions;
- . Making relevant information available;
- . Keeping records consistent with actual holdings/status;
- . Making sure that overdue notices and fine notices are accurate.

Responsiveness

Responsiveness measures the readiness of library staff in providing the service.

It includes:

- . Timeliness in delivering needed information;
- . Making new information available;
- . Checking in new journals and newspapers promptly;
- . Calling back a patron who has telephoned with a reference question immediately;
- . Minimizing computer response time;
- . Re-shelving books quickly;
- . Minimizing turnaround time for interlibrary loans.

Assurance

Assurance measures the knowledge and courtesy of the library staff and their ability to convey confidence. This includes:

- . Valuing all requests for information equally and conveying the importance of an inquiry to the client;
- . Clean and neat appearance of staff;
- . Thorough understanding of the collection;
- . Familiarity with the workings of equipment and technology;
- . Learning the customer's specific requirements;
- . Providing individual attention;
- . Recognizing the regular customer.

Access

Access measures the ability to reach out for something and finding or getting it as and when it is needed. It includes:

- . Waiting time at circulation desk;
- . Availability of computer terminals, online public access catalogue (OPAC), etc. without excessive waiting;
- . Library hours meeting expectations;
- . Location and convenience of the library.

Communications

Communications measures the ability to keep clients informed in a language they understand, and the ability to listen to them:

- . Avoiding library jargon;
- . Determining the needs of the client through gentle follow-up questions;
- . Developing precise, clear instructions at the point of use;
- . Teaching the customer library skills;
- . Assuring the customer that her/his problem will be handled.

Empathy

Empathy measures the behavior, attitude and approach of the library staffs towards users. It includes:

- . Determine the attitude of the staff;
- . Giving equal importance to all user's request

Discussion of results

The results taken from the survey suggested that the users of library are largely satisfied with various aspects of services quality except responsiveness and communication. Communication is brought in here because some students suggested that they did not know about the existence of some of the available services. Proper and effective communication systems should be put in place, so that users can be informed about the availability of the services they may require. Information seeking therefore is a function not only of awareness of the possible existence of documents but also their availability and accessibility. In responsiveness, some students have given negative responses. The largest number of students suggested that the library should provide the latest publications.

Conclusion

The results have indicated that the Faculty of Economy Library is not lacking a quality service. However, we need to note that a quality information service is about helping users to define and satisfy their information needs, building their confidence in using information retrieval systems, and making the whole activity of working with library staff a pleasurable experience. To achieve total quality in information service the library should provide a comprehensive information programme that is predicated on the needs and activities of the users.

Service providers, no matter their profession, need to know that the definition of quality is a subjective matter. It is a fact that the users will always dictate what he/she wants, when and how. The service provider, though certainly not a bystander in this transactional relationship, is always influenced to a large extent by the demands of the users.

The user can always change the direction, form and character of any service depending on his/her needs. The provider's responsibility to the user is to adapt to such needs. The service therefore should always be tailor-made to accommodate the needs and wants of the customer. Quality means conforming first to customer requirements, and then to standards or specifications. Users have a tendency of voting with their feet if things do not work out their way. Quality service therefore is a symbiotic relationship where the user prescribes the needs and the service provider capitulates to them within available capabilities and resources.

Recommendation

By providing quality services and satisfaction to users, they can distinguish their services through friendly, helpful, and knowledgeable advice and the best technological resources available. Because academic library users have varying needs and expectations, it is the responsibility of the library staff to know these needs and expectations and strive to meet them.

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Teacher's Belief in Enhancing Children Imagination Through Children Malay Traditional Song

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Abstract

The purpose of this study is to examine the teacher's beliefs on imagination construction of preschool children in class, explore and understand the beliefs of preschool teachers on the concept of imagination and understand the beliefs of teachers on using children traditional Malay songs to improve preschool children's imagination. This exploratory study adopted the use of qualitative method of inquiry to provide an in-depth understanding of the area being investigated. Interview and observation of four preschool teachers were purposively selected from two government schools were used to collected data. Findings revealed that all the teachers in this study expressed their views that All the teachers involved in this study expressed their views that imagination is related to creativity and it is regarded as fundamental to the child's ability to be creative. All the teachers also believe that children traditional Malay songs can boost the child's imagination because such songs have the characteristics that suit well with children. Hence the songs are easy to be appreciated and understood by the children and indirectly it can simplify the process of building child's imagination.

Keywords: Imaginations, creativity, beliefs

Introduction

Our daily lives are constantly surrounded with various problems that demand us to think for the best solution. Whether we realize it or not, amid our struggle to think for problem solving, creativity plays an important role in helping us to find ways that are innovative and effective. Since creativity can be defined as creating new idea or concept (Guilford, 1950; Mindham, 2005), divergent thoughts (Butcher & Nice, 2005), innovative (Butcher & Nice, 2005), and seeing things in a new light (Mindham, 2005), the definition given clearly demonstrates that creativity is the key to many things related to daily life.

In the process of building creativity among children, there are two elements that need to be addressed, namely imagination and expression. According to Susan (2010), imagination of a young child is at a very high level. The child must be given opportunity and enough space for their imagination in order for them to think creatively. Egan (1999) confirms that imagination is a need to ensure that we think and be creative constantly in our modern society.

Imagination is a mental picture of a phenomenon that goes beyond human logic. Imaginative activities are involved in the creative process because creative ideas are generated through imaginative ability. The ability to imagine is an essential prerequisite to publish and translate creative ideas (Azhar, 2004). The ability to imagine are within every individual and it

can be performed any time and in any situation regardless of age and background level. Nevertheless, to be a creative person, the ability to imagine is one of the most important factors of being a human.

Imagination can be triggered using words to describe or illustrate certain abstract, view the conflict events or occurrences, reverse a hypothetical events, and using alternative thinking to something that has been considered (Schirmacher, 2002). Critical thinking can permeate all aspects and beyond these aspects critical thinking is the real imagination activator. Imagination is usually associated with the allegation that fantasy practices as something that do not exist. But imagination in actual is the basis for any creative activity and it is an important component in every aspect of human life. This implies that every product around us have been created by human on the basis of imagination. According to Ribot:

“Every invention, whether large or small, before being implemented, embodied in reality, was held together by the imagination alone. It was a structure erected in the mind through the agency of new combinations and relationships. . . . The overwhelming majority of inventions were created by unknown inventors; only a few names of great inventors are extant. The imagination forever remains true to its nature, whether it manifests itself individually or collectively. No one knows how many acts of imagination it took to transform the plow, which started out as a simple piece of wood with a fire-sharpened end, from this simple manual tool, into what it became after a long series of alterations that are described in the works devoted to this subject. In the same way, the dim flame from a branch of resinous wood, which was the first crude primitive torch, led us, through a long series of inventions, to gas and electric lighting. All the objects used in everyday life, including the simplest and most ordinary ones, are, so to speak, crystallized imagination.”

(Ribot, 1906)

Built imaginations are often based on material obtained from reality through one's environment and experience. Moreover this factor is very important that influence one's imaginative ability. In addition, imagination also plays an important role on human action and development. Every human experience is translated through imagination because it is through imagination that human can conceive something that cannot be seen, describing information obtained through stories of others and describing something that are experienced by other people. The relationship between imagination and experience are closely intertwined and constantly influence each other. Apart from experience, imagination can also be influenced by one's emotions. Each feelings and emotions require different forms of imagination. This is because each feelings and emotions that are seen and experienced will produce different imagination (Ribot, 1906). In one particular situation, emotions may affect imagination; nevertheless, imagination may also affect emotions. Schirmacher (2002) explains that creativity is dependent on one's environment. Each creator includes those brilliant inventors who are product of their time and environment.

Studies show that a decrease in the level of a child's imagination is caused by environment and culture of the child rather than caused by natural process (Torrance, 1974). Children should be exposed to different forms of experience so that they have the opportunity to play with fantasy in order to encourage them to imagine.

Music is seen as one of the tools that contribute to the children holistic development which includes the intellectual, emotional, physical, social and aesthetic developments. This is because musical activity is an integral part of their daily activities such as singing, moving, dancing, and playing musical instruments and the sounds that they produced on their own. Gadsden (2008) affirms that the arts allow us to imagine and allows individuals to put themselves in the experience, situation and environment that transcend different time, ages and contexts in viewing the world through different perspectives.

According to the philosophy of contemporary music pedagogy, music concepts such as melody and rhythm are good teaching materials using traditional music of local culture. Zoltan Kodaly who is an educator of Hungary suggested that the use of folk music when teaching kids in school because music is considered to be the children's "musical mother tongue" (Choksy, 1988). Folk music can evoke a sense of belonging to the singer and the listener to something bigger than themselves, such as the family and society (Davis, 2005; Kvideland, 1989). Due to most of folk music are based on environmental themes such as animal sounds that surrounds them, thus it could help the overall children development more easily. Folk music also allows the child to remember, absorb and react faster in a manner that is distinctive and creative in style. According to Kodaly, before one is able to understand the music of other countries, it is necessary to first understand the music of his country (Choksy, 1981).

Kupari (2003) stated that teacher's beliefs are critical element in determining teaching and learning processes in the classroom. According to Cooney and Lin (2001), every action carried out by the teacher in the classroom is resulted by the teacher's beliefs. With particular emphasis on aspects of teachers' beliefs, hopefully it will help the teachers to be able to transform their way of teaching in educating the children, especially on the creativity aspect. This is because the study on teachers' beliefs and practices in class will contribute as basic knowledge that can be used for us to understand and develop a more effective teaching practices in the future (Kang & Wallace, 2005; Levit, 2001 ; Luft, 1999; Tsai, 2002). Stipek et al. (2001) mentioned that teachers uphold something that is reliable. This fact will shape teaching practices in the classroom. Pajares (1992) and Hofer et al. (1997) stated that teacher's beliefs can influence the perception and evaluation on the results of teaching, in addition to the choice of methods and activities.

Previous studies found that teacher's characters can influence (Pianta et al., 2005; Saracho & Spodek, 2007; Mashburn et al., 2008), trust (Cassidy et al., 1995; Chang, 2003), and quality of early childhood programs (Burchinal et al., 2000, Bryant et al., 1994; Pianta et al., 2005; Howard-Jones, Taylor, & Sutton 2002; Peisner-Burchinal et al., 2001) on the social, emotional and cognitive developments. However, there are very few studies that examine its influence on imagination and creativity, especially in the early ages of children.

Therefore, effort that can stimulate the ability to express idea of their minds need to be given further attention. Freedom in imagining and expressing ideas should be seen as necessary actions so that they will have the opportunity to play with fantasy and encourage them to imagine things. This can generate children who are able to cope with rapid changes that will constantly occur in their lives in the future and generate the world that puts high value on individual with innovative and creative character.

The purpose of this study is to examine the influence of teacher's beliefs on imagination construction of preschool children in class to enhance creativity of young children. The main objective is to:

1. Explore and understand the beliefs of preschool teachers on the concept of imagination in creativity development.
2. Explore and understand the beliefs of teachers on using children traditional Malay songs to improve preschool children's imagination.

This study provides room for discussions among preschool teachers on implications for teachers who are educating and continuing professional development and may indicate cultural differences in the creativity concept. Furthermore, this study will also provide basis for judging whether current practice meets the requirement to promote children's imagination. The findings from this study will also be able to determine how teachers conceptualize imagination and what impact that their concepts have on their interpretation and objectives both in curriculum requirements and in professional preparation and training.

Method

Research design

In order to obtain an in-depth understanding of teachers' conceptions of imagination in creativity development and their beliefs about the best way in promoting imagination in the classroom, this exploratory study adopted the use of qualitative method to provide further understanding of the area being investigated. The use of qualitative method is appropriate for this study because it is an attempt to understand the phenomenon of interest from the participant's perspective, not the researcher's. A qualitative researcher is interested in understanding the meaning that people have constructed; that is how they make sense of their world and the experiences that they have in the world (Sherman & Webb, 1988). Moreover, Burn (1997) asserts that the task of qualitative methodologist is to capture what people say and do as a product of how they interpret the complexity of their world, to understand events from the viewpoints of the participants.

Sampling

The subjects of this study consisted of four preschool teachers who were purposively selected from two government schools. As Denzin and Lincoln (1994) put it, many qualitative researchers employ purposive, and not random, sampling

methods. In the context of this study, the said teachers have been purposely selected for the fact that they might show differences in ideas, beliefs and practices because of the different characteristic of their personalities and physical settings.

Data Collection Methods

Data were gathered using semi-structured interviews consisting of open-ended questions and classroom observations. The use of two instruments act as data triangulation to increase authenticity and trustworthiness of the data collected. The data gathered from the interviews and observations were shared with the teachers and discussions were held with them to find out why they acted in certain behaviors during their actual teaching.

Findings

In this study, the analyses provide broad conceptual themes to address the research questions. The themes are:

36. Teachers' conceptions about imagination.
37. Teachers' belief on using children traditional Malay songs.

Teachers' conceptions about imagination

All the teachers involved in this study expressed their views that imagination is related to creativity. Imagination is regarded as fundamental to the child's ability to be creative.

"To be creative, children need to be imaginative."

"Imagination is important to children because imagination can improve their creativity."

Teachers also explained that through imaginative skills, development of children's creativity will grow faster. This can be seen through the results of their creative artistic creations that are more unique and interesting.

"Children's creative outputs are resulted from description of their imagination."

"Imagination can make children more creative because they would imply something else, such as car that can fly with wings"

Teachers' belief on using children traditional Malay songs.

All the teachers interviewed believe that children traditional Malay songs can boost the child's imagination. This is because such songs have the characteristics that suit well with children. Hence the songs are easy to be appreciated and understood by the children and indirectly it can simplify the process of building child's imagination.

"Children are likely to be more inclined on something that interest them and fit well with them."

"The children songs are usually short and easy with simple melodies."

The ability to attract children interest is very important in the learning process. If the kids are interested they will then be able to give full attention to something that they do. Children's songs are sung by the children at all time and these songs are easy to sing and remembered by them.

"Children's songs fit well with their souls."

Apart from the children's song that fit well with their self and souls, the teachers who were interviewed also emphasized that the songs are using lyrics according to their surroundings.

"The lyrics of children's songs are based on their surroundings. For example the song entitled 'Cak Kekok Kaki Ayam'. The song deals with cock fighting that child often see in the village. "

In addition, it is also explained that there are lyrics without meaning in children's songs. Meaningless words can be used to improve children's imagination.

"The sound of 'chok' on the song entitled 'Cok Cok Kendung' is a word without meaning in this song. Thus teachers can exchange with other sounds to boost children's imagination."

There are also children's songs created accompanied with game. For example, a song entitled 'Enjit-enjit Semut'. The song is sung while making movements or activities related to the song being sung. With activities or movements that are accompanied with singing, therefore the singing of these children will be more effective because it involves cognitive, affective and psychomotor domains simultaneously.

"Kids love to sing with movement involved. Sometimes the movements are changed by the teachers and the children."

Summary

The development and improvement of children's creativity level have always been the main goals set by the Ministry of Education for preschool education. Since the preschool curriculum were drafted and introduced in 2001, up to the drafting of KSPK in 2011, the emphasis on creativity in teaching and learning processes in order to produce creative and innovative students has never been pushed aside. In fact it has to be emphasized even more seriously in the development of preschool children. In an attempt to increase knowledge level of students in various disciplines, they should also be taught on thinking skills and how it can help them to solve everyday problems. Skills in creative and critical thinking are the main skills that must be practiced in the process of teaching and learning in the classroom (Ananda, 2005). Mello (1996) explains that teachers can foster creativity in teaching and nourish children's creativity in addition to environmental and creative programs.

Music has been seen as one of the tools that contribute to holistic children development, which include intellectual, emotional, physical, social and aesthetic developments. This is because musical activity is an integral part of their daily activities such as singing, moving, dancing, playing musical instruments and producing sounds on their own. Despite the importance of creativity and the role of music in the development of children education has long been recognized in Malaysian preschool education, but their appreciation, understanding and implementation are often put into question (Ministry of Education, 2009). In reality the present preschool education curriculum are more focused on formal education that emphasizes academic achievement of preschoolers (Rohaty, 1984). The emphasis contradicts with the specialists' view on child development (Fortson & Reiff, 1995) who often emphasized that comprehensive children development through creativity and aesthetic construction should be raised in the process of teaching and learning in preschool education.

The use of children traditional Malay songs should be considered in the construction and improvement of children's imagination because such songs have the characteristics that suit well with children self-development. This characteristic in turn will create a learning process that could capture interest and attention of the children based on the songs characteristics which are simple, short, and easy to sing and remember.

Therefore, in order to create an innovative society that could survive in a challenging environment that further lead to well-being of society and country, effort should be carried out in a prudent and systematic manner as well as going through appropriate process. This is because, in order to produce individuals who are able to innovate, characters of a creative innovator must exist within individuals and to create a creative individual, there should be ability to imagine.

It is reasonable to say that imagination development is indeed valuable for our education system and that abundance of benefits for the children can be gained if it is implemented effectively. Teachers are in position to either enhance or inhibit children's imagination development, thus they should make an effort to promote imagination in the classroom. Other relevant authorities like the Ministry of Education, the Curriculum department and teacher training institutions also play an important role to ensure that the aim of promoting children's creativity through the power of imagination could be realized. The development of children's imagination need to be given higher priority in the education agenda to achieve a holistic and more meaningful growth for our children.

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Customer Preferences Towards Regional Food - Albanian Case

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Abstract

Over the last decades the globalized agro-food system incurred in an increasing number of safety crises that mined the reputation of industrialized and standardized food. In addition to this, the reputation of globalized and industrialized agro-food system has been put under attack by criticisms to the environmental and social costs associated to a system relying on the concentration of production in increasingly larger units (in order to exploit scale economies) making use of industrial, capital intensive technologies and producing standardized food to better satisfy the requirements imposed both by the processing industry and by an increasingly concentrated marketing sector (supermarkets). In reaction to this, consumers started to demand healthier, fresher and more tasteful food. Social movements have contributed to increase awareness on the environmental and health problems connected to the intensive use of chemicals in industrial food production, as well as to the environmental problems connected to long distances traveled by food products in the modern globalized agro-food. In many countries we observe an increasing consumer interest in products of the own region or country. In this case-study we investigate the consumer attitudes towards regional food products in Albania. We measured the preferences and tried to estimate the willingness to pay for regional food. The empirical basis is a consumer survey (random sample, 250 face-to-face interviews) conducted in summer 2015 in the city of Tirana and Durrës. The display of the results in these areas provides an empirical evidence which help farmers to understand the customer preferences, and potentially in future should be useful in helping the state labeling and promotion programs of regional speciality food in Albania and understand how specialty goods are perceived by residents and how to promote awareness and loyalty towards these products.

Keywords: agriculture, farmer, customer, attitudes, regional product.

Tax Evasion as a Cause of Informal Economy: Case of Albania

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Abstract

Even though lately the interest for measuring informal economy is high, very little interest is shown to investigate the causes and consequences of Informal Economy. One of the causes of Informal Economy is taxation. As a consequence of informal economy, the government collects less taxes. This is considered the main cause of informal economy. Tax evasion is an illegal practise when a person, organization or corporation intentionally avoids paying his/her/its true tax liability. In this paper we are calculating the tax evasion in Albania starting from the size of the informal economy. Economist, all over the world, have used different models to measure the tax evasion. We follow the methodology of these economists to calculate the amount of tax evasion in Albania by applying the effective tax rate for the income and sales tax (VAT) on the estimated informal economy in Albania. Our calculation are made for the period of 1993-2013 using Monetary Approach method. Tax evasion in Albania for the period of 1993 - 2013 is estimated to be around 645 billion Albanian Lek, while the average annual measures of fiscal evasion is estimated to be 30.760 million ALL.

Keywords: Tax evasion, Informal Economy, Monetary approach, VAT, Income Tax

Challenges That Contribute to SME, Growth in Manufacturing and Service Industry

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Abstract

This study aims to explore a challenges encountered by SME during growth stage, through understanding and description to maintain SME and improve capability for further grow in future especially for manufacturing and service industry. This study propose a new model that explain the challenges in SME growth in manufacturing and service industry. By referring to previous study, it is able to gains information that allows to make conclusions from the theme statements to develop a framework.

Keywords: Challenges, SME, Manufacturing industry, Service industry

The Impact of Integrated Marketing Communication in Customer Satisfaction in Insurance Companies in Albania

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Abstract

Integrated Marketing Communication appears as a powerful tool that guides practitioners in developing and implementation of effective marketing communications. It is the most innovative marketing function, accepted by advertising and marketing practitioners. The large number of participants in the process of purchases of goods and services should appreciate the critical role played by mix marketing communication in the distribution of products and services on the market, making potential customers aware of the quality of these products and services and offers benefits. Integrated Marketing Communication (IMC) is being practiced all over the world in very wide scale. The purpose of this paper is to examine what is IMC, it's influence, the difference between IMC and traditional marketing communication and it's application by the insurance companies in Albania. The conclusions of the study reveals apparently obstacles to it's successful implementation by insurance companies. Furthermore this study presents suggests how to overcome them. IMC helps clients of insurance companies to create brand awareness. It also affects the increasing of consumer satisfaction and customer loyalty to the company. The application of IMC may lead to increasing sales and reduce costs by insurance companies, since IMC is a customer oriented approach

Keywords: IMC (Integrated Marketing Communication), traditional marketing, insurance companies, customer satisfaction.

Impact of Offenses in Alternative Sentences

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Abstract

Alternative sentences prevent violence and help the community. Prison is known as a place where people are confined and restricted from personal freedom. There are a lot of crime categories where exists different type of offenders, but on the other hand there are a lot of solutions for each of them. Imprisonment is not always the only way to punish an offender. As alternative sentences we can list some of them: a suspended sentence, probation, fines, restitution, community service and deferred adjudication/pretrial diversion. Alternative sentences can be different based on the type and harshness of the crime, the effect of the crime on the victims, the age of the defendant, the defendants criminal history and the defendants remorse. This is decided by the judge, court. Below we will explain some different types of alternative sentences in more details.

1.Suspended Sentences

Often happens that the defendants prison sentence is "suspended". This is used especially in cases involving not serious crimes or for first-time offenders. There are some different kinds of suspended sentences.

A sentence can be suspended by the judge before it is imposed or executed. If the judge suspend a sentence prior to the imposition, it means that the judge deviate from outrunning the sentence at all. When the judge is informed by the prosecutor or probation department that during the suspended sentence the defendant has violated any of the rules that led him/her to the suspended sentence, the judge own the prudence to order the defendant to serve the original sentence.

Suspended sentences are divided in two categories: unconditional or conditional. The unconditional suspended sentence just suspend the sentence.

When suspended sentence is conditional, the judge can hold off from either imposing or executing the conviction for as long as the defendant accomplishes the condition of the suspension. If an defendant violates any of the goals of a conditional suspension, the judge can impose or execute a sentence.

1.1 Sentences Suspended Prior to the Imposition

When a judge suspends the imposition of a sentence, he has declined to hand down a sentence, but this doesn't mean to not have the right to do so in the future.

As long as the suspension is for certain amount of time and this period of time is reasonable, the court has the power to suspend a sentence prior to its imposition. This power of the court is not part of all jurisdictions. There must be a law, in some jurisdictions, that authorize suspended sentences before a judge can suspend a sentence.

When the imposition of a sentence has been suspended by the court, they can cancel the suspension and impose any sentence that was available to it at the time of conviction. This happens when the offender doesn't fulfill the conditions of the suspension. The case will be reviewed by a judge and then will be decided whether or not to cancel the suspension and what sentence to impose if it is cancelled.

1.2 Sentences Suspended Prior to the Execution

Even when the judge would refuse imposing the sentence, often happens that they can suspend sentences before they will be executed, that means the defendant does not have to serve it immediately at all.

As we saw above most of the courts have the power to suspend sentences prior to their execution. Just like the sentences suspended prior to the imposition, not every jurisdiction give to the courts the prudence to do this.

Often happens that jurisdictions order judges to suspend sentences immediately after they are done.

Sentences suspended prior to execution can also be either conditional or unconditional. If the suspended sentence is conditional, the judge can cancel the suspension if the defendant violates any of the conditions.

2. Probation

Another way of sentencing a defendant except of imprisonment, is probation. This type of sentencing makes possible to defendant to be part of community but with the same freedom the defendant owned before. As probation is accompanied with conditions that limit the freedom of the defendant, if happens that defendant violates any of these conditions, the court have the capability to cancel the probation.

Courts receive probation for first-time or not serious enough offenders. There are statutes that determine when probation is possible, but most important is up to the sentencing judge to determine if agree the probation.

Sentencing judges must stay within the statutory limits in receiving probation ,even they have this prudence.

Probation has three primary goals:

To help offenders change, rehabilitate

To protect the community by assisting judges in sentencing and supervising defendants

To protect and support crime victims

When a judge has received the probation, what happen then passes into the probation officers jurisdiction ,that monitor the probationers compatibility with conditions of the probation.

2.1 Probation Conditions

As we said the probation is always accompanied by conditions. A defendant must respect and fulfill these conditions else the court would impose an imprisonment or add more restrictive conditions during the probation. Judges set these conditions in order to fulfill the goals we mentioned above.

Usually, courts have the prudence to set probation conditions but this doesn't mean that judges can set whatever they want. The conditions must be reasonable, that mean the conditions cannot be punitive ,unclear or arbitrary. The conditions must protect the public. When a judge want to set special conditions ,these must be in compatibility with the conditions of probation and with importance of how serious was the crime.

Condition are set by the judge, but the people responsible for enforcing them are probation officers. If probation officer find any cause or believe that the defendant has violated any probation condition, then the judge can cancel the probation and impose a prison sentence for him/her.

2.2 Probation Revocation

As we said that the probationers freedom is restricted, however, he/she has to go through e procedural process

In case that the court has decided for e probation revocation, the probationer owns the right for being notified of proposed revocation and guide a hearing of the issue, to indicate at the hearing, to present supporting witnesses and let them confront .At the end the probationer has the right to get a written statement that explains the reasons of the revocation.

The violation of any condition can be reason for revocation of probation. The violated condition must be effectual and important. If a condition is not found within the period of time decided from the court to be unreasonable then violation of that condition will not be a reason for revocation.

3.Fines

All of us have had to pay a fine at some point, as a parking ticket ,or anything like this. People that used to be incriminated in more serious crime in many cases have to pay fines, even thought the amount of the fine has a certain value. By imposing a criminal fine the offender can be punished, the state can be helped to compensate for the offense and any criminal act can be taken away.

When someone is blamed for a crime, the sentencing judge has the prudence to give him a criminal fine. The fine can be given instead of probation or the trip to prison.

It depends on how serious was the crime, to decide a criminal fine instead of prison or probation. Sometime the fines are put without probation or accompanying time for low serious crimes or first time offenders . Even if the defendant pay the fine or finish the probation time ,his occurrence will still be considered as a criminal history.

3.1 Fines vs. Restitution

As we all know the criminal fines and restitution look like one another because for both of them you have to pay ,but they have also their differences. The criminal fines are paid to the government but the restitution should be paid to the crime victims .

4.Restitution

The defendant has to pay a certain amount of money to the crime victim , that is called restitution. In cases where criminal victims have financial problems as a result of the crime ,the judge decides to order the restitution. The restitution sentence pays all the expenses that has been caused by defendant to crime victims.

Restitution can be proposed as a sentence instead of probation or prison, and also as a sentence in its own. If you are ordered by the court to pay restitution, it means that you are ordered to pay all the expenses for damaging the state or victims. Restitution is not given only in cases when you are able to pay, it doesn't consider this fact at all.

Most of the cases the defendant are ordered to pay restitution as one part of the sentence, such as probation, prison, community service etc. Often happens that the defendant accept the crime and the victim will be completely compensated for damage and the criminal charges are dropped . This type of dealing is called a "civil compromise."

4.1 Restitution vs. Fines

As we told above fine is money paid to the state but restitution is money that the offender pays to the victim of crime or to the state if has been its damage. The defendant is ordered to replace stolen or damaged property ,to compensate the crime victims for physic injuries, medical and psychological treatment costs, or to pay funeral and other costs if the victim passes away.

5. Court Ordered Community Service

In this type of sentencing the court order the offender to work for community for a complete or partial of fines, probation or imprisonment. Usually courts like this type of sentencing because it reduces the number of prisoners, the community take a lot of benefits and perhaps teach the offender the ethical behavior.

Not always community service fits with the criminal category the offender is accused of so in most cases the court have to find something that the offender has capability to do.

Despite the fact that offenders freedom is restricted sometimes they are given the possibility by the judge to choose what they can do. In this case someone has to verify if the defender completed his/her hours of work. This can be done by the judge or the any community agency. Another way to verify is the organization where defendant is doing his/her sentence.

6. Deferred Adjudication / Pretrial Diversion

There are many cases that demonstrate the qualification of some offenses or offenders in programs that dismiss the case again the defendant after ending the conditions that have to. All these types of programs make possible for defendant to not go through the prosecution channels but the specific conditions that was charge for. When the defendant complete the conditions successfully ,the court and prosecution will dismiss the charge.

The purpose of this kind of program is to make able the defendants rehabilitation and to prove that they can behave correct and with responsibility. What they carry off in this case is their freedom and dismissed charges.

These type of programs are applied for first time offenders, or not serious enough crimes. The defendant is required to follow some conditions that include form of counseling ,probation and also good behavior throughout the program.

These kinds of program are divided in two types: the first type requires from the defendant to plead guilty for the accusation and the second that do not. The first one is known as deferred adjudication and the second is known as pretrial diversion.

6.1 Pretrial Diversion

Pretrial Diversion is a program for first time offenders that gives them the possibility to avoid being marked for a criminal conviction for further in their life. There are a lot of names used to describe pretrial diversion, such as:

deferred prosecution

withheld adjudication

good behavior

pretrial intervention

withheld sentencing

withdraw and file

Pretrial diversion ,despite the detail that vary from one state to another one, usually has a basic structure. When a defendant is charged for the first time ,for a low serious crime and appears to be a person who do not look like tends to be repeat offender may be given the possibility to follow this program. If the defendant accept to plead guilty to the criminal offense, the judge will not command any penalty to the person. The prosecutor stop the case and the defendant has to meet with specific conditions. These conditions include probation, counseling and community service, among others.

In these cases the discretion to put the defendant's case in this program belong to the prosecutor. The acceptability requirements will be set by the statute, but will be on prosecutor's hands the ultimate decision to allow or not the defendant enter in this program.

Usually happens that the prosecutors have to get the acceptance of crime victim before putting the defendant in the pretrial diversion program. Being involved previously by the defendant in this kind of program make him/her inappropriate to get it for the second time .

When the offender does not meet the conditions that were appointed to him/her, the prosecutor will send the case at the court as no evasion had settled down.

This type of program is a great way to keep you away from criminal conviction for one -time mistake or not serious enough crime. Everyone who gets arrested and doesn't have a criminal history, should ask for pretrial diversion if the offender doesn't want to go to the court.

6.2 Deferred Adjudication

After the defendant has plead guilty, the deferred adjudication begins .It often involves probation, treatment programs and some type of community supervision. As the pretrial diversion, the court will set a number of conditions that the defendant must meet. If the defendant meets the conditions, the charges are dismissed.

If, the defendant does not fulfill the conditions successfully, the court will enter a trial and order a punishment.

What makes the difference between a deferred adjudication and a pretrial diversion is that , a defendant must first plead guilty in a deferred adjudication. If the defendant does not fulfill the conditions of the deferred adjudication, the state does not have to put the defendant back on trial for the crime. The court simply enters its judgment and sentence.

In a pretrial diversion, if the defendant fails to meet the conditions of the program, the state must place the defendant on trial, since there was no prior guilty plea.

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