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UET / 29-30 April 2022

Konferencë ndërkombëtare shkencore / International scientific conference

**CRISES AND CREATIVE DESTRUCTION :**  
**Opportunity for Remodeling the Economy and Society**

PROCEEDINGS



Tiranë, shtator 2022

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PANEL I

**THE NEW ECONOMIC  
MODEL**

# Institutions and growth in the Western Balkan economies: evidence from the last two decades<sup>1</sup>

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**Selami XHEPA**

European University of Tirana

**Mimoza AGOLLI**

European University of Tirana

**Anida OSMANAGIQ**

European University of Tirana

## Abstract

*Economic growth is result of a complexity of factors and different schools emphasize the impact of some specific ones. This paper analysis the impact of institutions in some of the Balkan countries for the last twenty years. There is a lot of variation among countries in terms of the progress of institutional reforms and of growth rates, and the model we employ finds that country effects are strong. Some key findings from this research are: (1) Significant nexus between economic growth and good governance, which carries specifics to how the effect runs from the good governance to economic growth that are relevant for the country and time. (2) All else equal, the economic growth for Albania would be 4,1% annually (in a long term); (3) Improving the control on corruption by 1 point would increase the economic growth rate by 0,06 percentage points; the rule of law and regulatory framework would strengthen the economic growth by respectively 0,004 and 0,07 percentage points, respectively. (4) Government effectiveness is not statistically related to the economic growth. The volatility of the government effectiveness or its declining trend has impacted in weakening the impact of an efficient public sector on growth.*

**Key words:** *economic growth, government effectiveness, rule of law, control of corruption, voice and accountability, political stability*

## Introduction

These past two decades have been politically and economically eventful for a majority of the countries in the world, including Albania. During this period, a lot of interest was shown by scholars in determining what causes economic growth. Many studies argued that the evolution of a country's political and economic institutions paves the way for sustainable economic growth. Institutions can be defined as inclusive or extractive and it has been shown that "growth is much more likely under inclusive (economic and political) institutions than extractive institutions" (Acemoglu & Robinson, 2012). If institutions protect private property, provide unbiased law and order, offer public services that are accessible by all and uphold contracts, they are considered inclusive. On the other hand, extractive institutions are exploitative, favoring an elite group, by making participation in economic and political affairs inaccessible to majority of population. This difference in quality of governance can set countries on very different economic trajectories.

While many political and economic researchers agree with this view on governance, there are others that claim this connection is only theoretical and the proof of it is considered anecdotal.

This article aims to analyze the relationship between good governance and economic growth in some Balkan economies, including Albania, North Macedonia and Serbia. Croatia is also included in the sample as a more advanced economy and member of the European Union. By studying the evolution of their governance since the 1990s and their economic growth during the same period we attempt to confirm the causal relationship between a better governance and a higher economic

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<sup>1</sup> This paper was presented at the European University of Tirana's International Conference, "Albania Studies Day", April 2022

growth. Considering the still problematic institutions in most Balkan countries, we set out to explore how it has affected their economy during these past two decades. Moreover, comparisons can be made regarding institutional and economic evolution in the region.

The article examines the indicators of good governance for these countries during 1996-2020 by relying on the data provided by the World Bank's database as the institution that has been producing the yearly estimates World Governance Indicators (WGI) since 1996. These indicators have been commonly used by researchers for over twenty years to evaluate a country's governance. The article also analyzes the economic growth data of the same period to show how it has changed over the decades. We run a regression analysis of the relation between good governance and economic growth to empirically explore such a relationship. The purpose is to check if all these indicators have affected growth and if so, in what manner. Furthermore, it can be used to examine which areas of governance are lacking, which are the biggest influencers on economic growth, and which ones don't appear to affect these particular economies.

This article is structured into four sections. The first section, Introduction, defines the issues that will be researched in this article and gives a detailed structure. The second section is a literature review of the most important works on this topic, critiques and new research. The third section presents a description of the data, the methodology used and empirical results of the study using regression analysis. The fourth section provides some key findings and conclusions.

## Impact of governance on economic growth

Since the 1990s, good governance has been a focus of both academics and policymakers to furthering a country's development. In itself, good governance is a political objective, but it is also widely accepted as crucial to social and economic development. This fuels the demand for good measurements of the quality of governance in order to evaluate the way it affects the pace of development and what policies can be implemented to improve it.

To analyze the quality of a country's governance, first we must define what governance is. There have been many definitions over the years, but we will refer to World Bank's definition: "...the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services" (World Bank, 2007). Governance data is available from many sources such as surveys of government institutions, businesses and households and polls, but its use is hindered by the fact that different sources use different methodologies and measurements and that makes comparison quite difficult (Thomas, 2010).

World Bank researchers Kaufmann and Kraay worked on combining governance elements from various sources into aggregate indicators that reflect government performance. The Worldwide Governance Indicators were presented in a set of accompanying papers. "Aggregating Governance Indicators" explained the methodology behind combining data from different sources and how the existing measures were inadequate (Kaufmann, Kraay, & Zoido-Lobaton, 1999). In "Governance Matters" that methodology is used to create six aggregate indicators and to provide empirical evidence of the positive connection between improved governance and improved development results (Kaufmann et al., 1999).

The indicators used are as follows: 1) voice and accountability – evaluates the level of political, speech, association and media freedom; 2) political stability and absence of violence – the possibility of governmental change through an unlawful or violent manner; 3) government effectiveness - quality of public services and policy implementation; 4) regulatory quality – evaluates the policies that protect and promote the free market; 5) rule of law – quality of law enforcement through police and courts; 6) control of corruption – level of abuse of office for private gain (Kaufmann, Kraay, & Mastruzzi, 2010).

Since their introduction, governance indicators have been used in numerous studies to explain the state of development in a region or country over time and to make cross-country comparisons. Kaufmann and Kraay (2002) used WGI to analyze the relationship between per capita income and governance in Latin America and Caribbean region and came to an interesting conclusion. While they confirm the positive causal relationship between good governance and high income, they conclude that higher income doesn't lead to better governance.

Han and Zhuang (2014) concluded that regional differences should be kept in mind when discussing governance effects on growth. Using a cross-country examination between countries with above average governance and countries with below average governance during 1998- 2011, the study found that political stability, government effectiveness, regulatory quality and control of corruption have a more significant positive effect on growth than voice and accountability and rule of law.

Acemoglu and Robinson (2012) take a historical approach to this theory. Using empirical evidence from Latin America, Europe, the United States and more they explore how the difference in models of governance can cause even neighboring countries to have very different economic performances. Comparing neighboring cities along the United States–Mexico border, North Korea to South Korea and African countries, they conclude that the differing politics regarding incentives and government-market relationships caused opposing institutional trajectories. And this institutional evolution is what determines economic growth.

Roll and Talbot (2003) also conducted a cross-country study of 14 changeable factors of wealth. According to them 80% of all the GNI/capita disparity between countries is positively affected by property rights, political rights, civil rights, freedom of press, and government expenditures. On the other hand, size of black market, trade barriers, regulation, and inflation have a negative effect on GNI/capita growth.

Despite there being a number of studies that confirm the positive causal relationship between good governance and economic development, there are also critiques of the use of WGI to assess economic growth and potential policies. Arndt and

Oman (2006) claim that WGI “...cannot reliably be used for monitoring changes in levels of governance over time, whether globally, in individual countries, or among specific groups of countries” (p. 61). Knack (2006) brings up the issue with using WGI for cross-country or over time comparison because the estimates might come from different data sources. Because the underlying data is sourced in part from risk rating agencies and survey companies, the individual indicators reflect the views of business elites, making the aggregate indicators biased. Kurtz and Schrank (2007) critique WGI’s data sources because they are too influenced by a country’s recent growth and the extent of their development. In these cases, countries score higher than they deserve. Thomas (2010) considers the connection of the WGI to economic growth to be an untested hypothesis and unreliable for policymaking. These claims were addressed by Kaufmann et al. (2007), who called some of them unfounded, while others simply didn’t reduce the WGI’s practical usefulness.

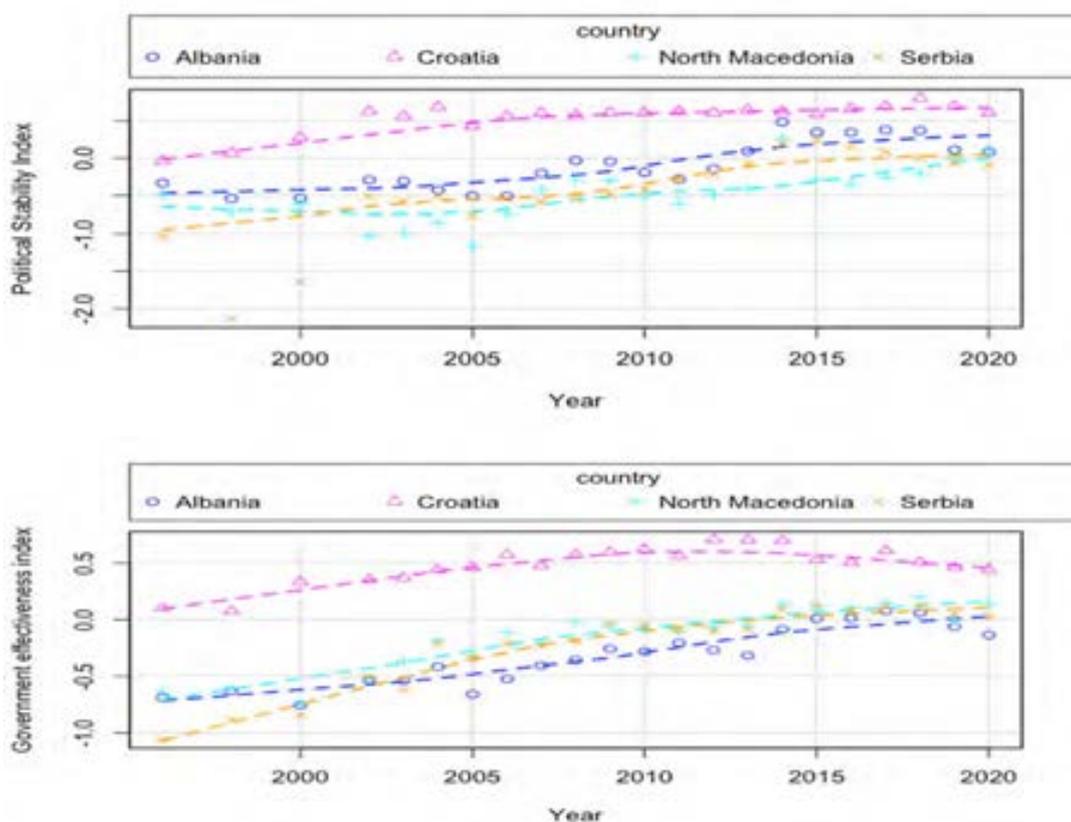
To this day, there is still much research being made that attempt to prove the usefulness of these indicators in studying the link between growth and governance. Zubair and Khan (2014) concluded that out of all indicators political stability was the biggest contributor contributes to economic growth in Pakistan. Buterin, Škare and Buterin (2017) researched the impact of institutional reforms on economic growth in new European Union members and Croatia from 1996 to 2012 and showed they had significant positive impact on economic growth. There are also papers that study the effect of only one indicator on development. Alam, Kitenge, & Bedane (2017) studied government effectiveness in 81 countries and found it positively affected economic growth.

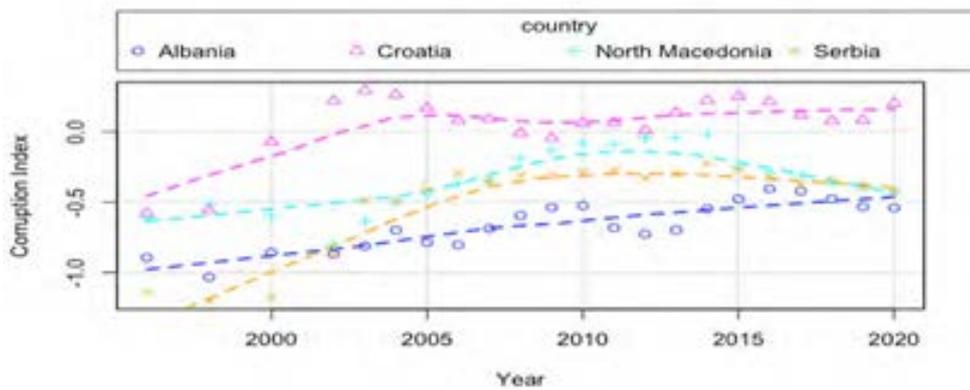
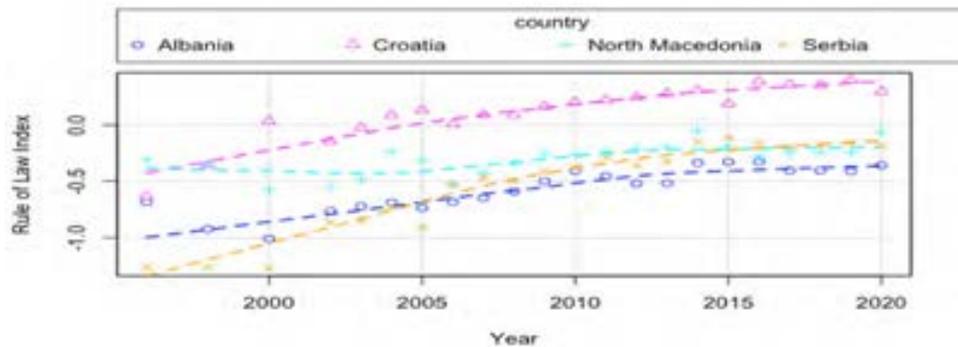
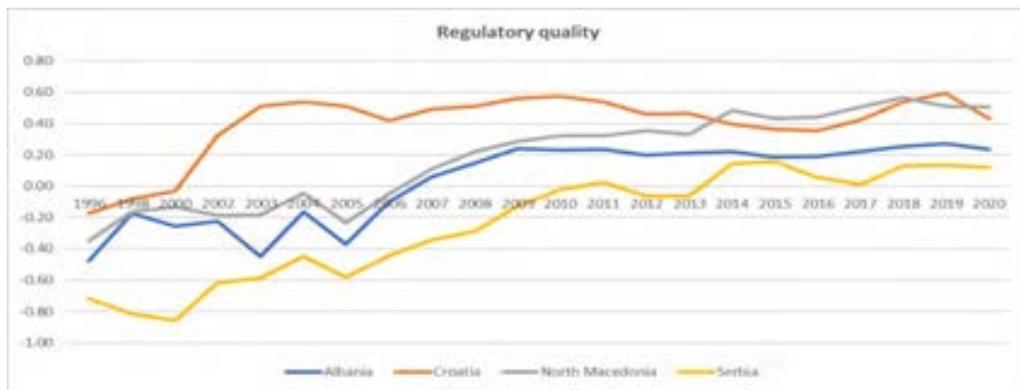
Lastly, there has been a previous examination of the connection between greater governance and better economic growth in the Western Balkans during 1996-2012. Pere (2015) remarked that there were mixed results on the relationship between economic growth on the quality of governance. Different indicators affect growth at different times; therefore, a longer time period needs to be analyzed in order to get conclusive results. Our research intends to bypass this limitation by using data from a longer time frame of 25 years.

## Progress of governance and growth performance in the Balkan

Based on the theoretical assumptions, one can expect that countries enjoying better governance indicators, shall also have a better growth performance than other countries.

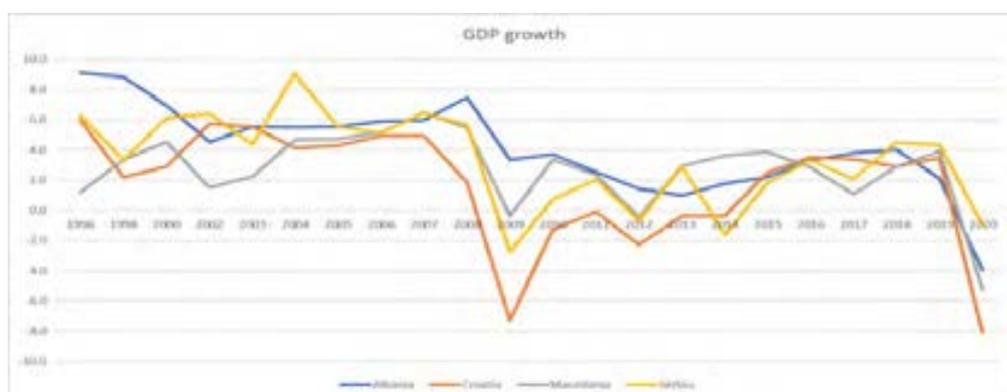
In our sample, Croatia is the most advanced country in terms of six dimensions we measure governance, as graphs illustrate. In general, we observe that countries have reached some progress in improving quality of institutions, however there are large country differences, and some countries display deteriorating trends in the last years. Albania is ranked below the comparator group in three key components of governance: government effectiveness, rule of law and control of corruption. Quality of regulation is also problematic in both Serbia and Albania and trends have been towards a deterioration on the quality of regulations since 2019.





Compared to Croatia which is more advanced and a recent member of the EU, the gap on the indicators of governance is large and in most of dimension of the phenomenon, is increasing.

On the other hand growth performance has been much stronger in the least advanced countries in terms of progress of governance. From this descriptive data does not seem to be a clear statistical relationship between governance and economic growth.



	Average 1996-2020	Average 2000-2020	Average 2010-2020	SD
Albania	4.1	3.6	2.0	2.92
Croatia	1.8	1.5	0.3	3.83
Macedoni	2.7	2.8	1.9	2.51
Serbia	3.4	3.2	1.7	3.03

Two things stand out from this data:

- (1) Growth rates have been in a steep decline from one decade to the next. Growth rates in the last decade are getting much lower than advances economies which undermines the convergence process.
- (2) From the group of countries in the analysis, Albania and Serbia show the strongest decreasing trends while North Macedonia seems to be more stabilized: lower declining trend and lower volatility.

## Methodology and results

Panel data analyses were adopted to examine the impact of good governance indicators on the growth path of regional economies. Countries that are included in the analysis are Albania, Croatia, Serbia and North Macedonia and data cover the period 1996-2020. All data are taken from world governance indicators of World Bank.

The variation of data throughout time and countries has posed an important impact on the goodness of fit for the panel regression. Since the country and time variation appear strong the model that better fits is the fixed effect panel data where country and time variation is captured by the constant term, while impact of the good governance indicators on economic growth is captured by the coefficient of variation estimated.

Diagnosed tests performed confirmed that fixed effect is the best fitted model, while between fixed effect cross-country fixed effect captures best the variation and explains the effect of good governance on growth.

**TABLE 1:** Panel data analyses of the good governance indicators on economic growth

	OLS Estimators	Random Effect	Fixed Effect (country)
Corruption Control Index	0,018*** (2,3267)	- 0,039 (-0,4602)	0,062*** (2,932)
Voice and Accountability	0,016*** (2,063)	0,049** (2,1058)	0,0129*** (3,147)
Governance effectiveness	0,0098*** (2,879)		0,0042 (0,157)
Political Stability	0,0095 (0,8339)		0,0193** (2,212)
Rule of Law	0,103*** (8,483)	-0,0304 (-0,327)	0,0764*** (5,267)
Regulatory Framework	0,0071 (0,79)		0,0418*** (3,391)
Constant Term	No constant		
Country Specific Effect			
Albania			0,0419** (1,993)
Croatia			0,036*** (2,963)
Northern Macedonia			0,041*** (2,955)
Serbia			0,0212* (1,762)
R-square	0,27		0,32
Adjusted R-square	0,23		0,29

F-test	4,5128*** (0,00053)	1,089 (0,591)	6,1102*** (0,000029)
LM Test (Best fit fixed effect vs. pooled estimation)			3,803*** (0,007)
Hausman Test (fixed effect vs. random effect)			13,658*** (0,00108)
t= 22, n=4, N=88	t= 22, n=4, N=88	t= 22, n=4, N=88	t= 22, n=4, N=88

## Conclusions

The results show that there is a significant nexus between economic growth and good governance, which carries specifics to how the effect runs from the good governance to economic growth that are relevant for the country and time. All else equal, the economic growth for Albania would be 4,1% annually (in a long term), improving the control on corruption by 1 point would increase the economic growth rate by 0,06 percentage points.

Similarly improving the rule of law and regulatory framework would strengthen the economic growth by respectively 0,004 and 0,07 percentage points respectively.

Government effectiveness is not statistically related to the economic growth. The volatility of the government effectiveness or its declining trend has impacted in weakening the impact of an efficient public sector on growth.

Slowing economic growth rates are a serious concern and weak democracy, poor governance, and high corruption continue to undermine the growth potential of the region. Unfortunately Albania ranks poorer than comparator group in many dimensions and some deteriorating trends in most of the dimensions, such as voice and accountability, government effectiveness, regulatory quality, rule of law and control of corruption. Reform of justice is expected to bring serious improvements in many of these dimensions. If successfully implemented, it will bring better growth prospects in the coming years.

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# Economic Restructuration after Social Destruction

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## **Prof.Dr. Adriana GALVANI**

Department of Socio-Economics, Faculty of Economics, UNIPOMEDITERRANEA, NAPLES, Italy  
Adriana.galvani@live.com

## **Prof. Dr. Drita KRUJA**

Center for sustainable development, Faculty of Economics, Business and Development,  
European University of Tirana, Albania  
drita.kruja@uet.edu.al

*In a globalised world  
it is the first time we face a global  
health crisis, but United Nations state  
this is much more than a health crisis.  
It is a human crisis. (UN, 2021).*

## **Abstract**

*In a globalised world it is the first time we face a global health crisis.*

*The crisis is involving not only the health collapse, but also a political, economic, cultural, social downfall.*

*Like every crisis, it will change the human communities, the social and political system, with radical consequences for the economic survival of everyone, conducting towards an increased inequalities among individuals and societies, generating a menace of a greater hiatus, between the "Have and have not."*

*After twenty years of UN actions for SDGs, quite all their efforts are collapsing. History teaches us that, in challenging periods, the rich become richer, and the poor, poorer (Sumner, 2022). Few international companies, like IT groups, are representative of the direction of accumulation of large profits.*

*In critical periods it is the practical research that help people, but without education, there is the risk that science advances and common people cannot follow its path,*

*For both poor and developed countries, the solution seems investments on public infrastructures, and, surely in science. Science research is in facts the only solution for fighting the virus, for communicating at distance, for creating new jobs, but science needs time and engagement, science requires a larger dissemination and deepening of education and culture, the same education and culture which are now penalized, and restricted.*

*We present in this paper some examples from Italy about public and private investments, sustaining unemployment, by upgrading edifices and funding small activities for the closed periods.*

## **Introduction**

We are facing a global health crisis, unlike any in the 75-year history of the United Nations — one that is killing people, spreading human suffering, and upending people's lives (UN, 2020, pg. 1).

All this, in connection with the reduction of raw material, like gas, oil, water, and metal and non- metal resources, is exacerbated by the increase of the number of earth inhabitants. At the same time, the interconnected force of raw material reduction from one part, and costs increase from the other, have created inflation all over the world and political unrest, raised by the Russia-Ukraine war, one reason of which, among many, is the control of the riche ores.

The huge effects of Covid19 are like the jumping of an elephant on champagne glasses, it has caused: health, political, economic, cultural, financial, and social collapse, with the closure of activities, the inflation of the stronger values, the lack in political trust and governments' direction.

The negative impact of the COVID-19 pandemic is not limited to a sharp drop in business revenues and a general “cooling” of the global economy, that is why government also needs to take a closer look at political stability. (Antipova, 2021). The emergence and subsequent spread of the Covid-19 disease has triggered an unprecedented politico-economic crisis. A crisis that will probably persist far longer than the present biomedical risks (Ortiz & Cummins, 2021, pg.145).

Every one of these consequences is significant, but the economic-social-political ones, are inclusive of many others. Society is the basis of human communities; when the cement of society dissolves, nothing can be glued together afterwards. To restore civilization, there is a need of two forces working in harmony: the government ability of sustaining economy and society together, from one part, and the individual respect of rules from the other. In order to obtain respect of laws, citizens must nurture trust in governments and governments trust in science.

Sadly, in the last times, after the pandemic, quite everyone has lost trust in politics, in science, in humanity, and even in himself. This has occurred, because many think that politicians have created « Une peur amplifiée par les médias et instrumentalisée par les gouvernants. Des mécanismes politiques se sont installés qui la font grandir. » <https://nouvelle-page-sante.com>

## From Health to cultural crisis

It is not admissible that schools have been closed, like theatres, cinemas, and cultural centres and events totally blocked. Governments have killed the life reasons of many, erased the work of honest people, menacing the future generations. Governments have requested the payments of all the fees, the rent of magazines, the payment of light and gas, the local and national taxes, even from the owner of closed activities, while the on-line shopping is bouncing at extraordinary level, enriching the few. (OECD, 2020 d, 2021).

The policy of shutting healthy people in their homes when a death had occurred, instead of allowing them to escape infection, may well have been counterproductive. (Baldwin & Di Mauro, 2020)

As a compensation, governments' efforts were directed at wage subsidy schemes to contain mass job destruction, additional temporary benefits to compensate self-employed and other non-standard workers for the loss of earnings; the expansion of unemployment insurance; and finally, the introduction and/or strengthening of schemes to provide support for families with care responsibilities (UN, 2020).

What is at risk is the high and increasing cost of life, especially energy; oil high prices will increase the transport costs, which have a consequence on all the other prices, especially, for door-to-door services, augmented because of the generalized lock-down. (<https://www.mef.gov.it/index.html>).

Lock-down could instead be a favourable possibility for smart worker, who could spare time and money for transfer, even if they will spend more for their time and needs at home; it will become harder for women, staying home with a double charge.

According to someone, smart working is a good thing, but it lacks social interactivity which is necessary for human interconnection and collaboration.

Distance learning is surely not good for children and youth, it is also difficult for adults; it requires strong capacity of attention, and requires dialogue interchange; how can a teacher maintain the same discussion like in a real class? How can we expect that distance learning could be enough for a complex, technological and stratified world, with different social conditions which create homework gap? (<https://futureready.org>)

## Regenerating the past and programming the future

After the Iraqi war, after the subprime crisis of 2008, after the Syria war, after millions of people as illegal immigrants everywhere, after bombs and attacks from ISIS, after 2 years of physical and mental closure, due to a new virus, now we are forced to assist at the Russia - Ukraine conflict, under the threat of a third world war. All these events do have the consequence of economic ruins. Economic crisis is the last incident we must hope for, even if, after a crisis, the economy, or the international finance usually resumes. World doesn't need crisis, people doesn't need uncertainty, but, more than other things, people need equality, since it is inequality the reason of several economic problems.

This crisis has brought home the precarious nature of today's economy for so many people. Billions of people are either not benefitting from the global economy – the 700 million are in extreme poverty; the 1.3 billion without access to basic needs – or not receiving their fair share. (UN, 2020, pg. 22).

We don't need to reinstate the wars, peace is a dream, but it is a continue duty of men to ameliorate the way towards a better future. However, negative conditions are breaking down the evolution process of all the countries, underdeveloped and developed ones.

Solutions are to be found; we could remember the resolutions adopted with the New Deal in US, between 1933 and 1939, by President Franklin D. Roosevelt, a series of programs, public work projects, financial reforms, and regulations.

Italy has been the most affected country by Covid19, but it is the first beneficiary, in absolute value, of the two main instruments of the NextGenerationEU Plan (NGEU): the mechanism for Recovery and Resilience (RRF) and the Recovery Assistance Package for Cohesion on the Territories of Europe, (REACT-EU). The RRF alone guarantees resources of 191.5

billion euros, to be used in the period 2021-2026, of which 68.9 billion are non-repayable grants. Italy also intends to fully use own national resources through loans from the RRF, which is estimated in 122.6 billion, encapsulated in the national Plan PNRR, approved by the Council of Minister on the 12.01.2021.

It will create the society of the future in a holistic view, including investments and reforms for growth and employment, ecological transition, digitisation, education, and research, among others.

## Political turmoil

The pandemic crisis has significantly aggravated social and political tensions in many countries around the world, with a particularly explosive situation in developing countries, that have been hit by the COVID-19 pandemic to the largest extent (UNDESA, Monthly Newsletter, vol 26, March 2022).

To sum up, experts highlight the following political risks:

- Move towards strategic autonomy and protectionism
- The Rise of Neo-Etatism
- A critical moment for developing countries debt
- A new wave of public unrest
- Risk of high inflation.

Among the most crucial political risks on the national scale, it is the growing number of mass protests and other forms of social unrest, as a result of food shortage, unemployment, a greater stratification of society into rich and poor. In their efforts to mitigate political instability through bailouts and massive social programs, governments hazarded great political risks for the world economy such as debt crises and uncontrolled inflation, especially in developing countries. (WEF, 2021).

We are now trying to contain the last conflict, but like in all battles, the turmoil will bring financial revenues for someone, even if poverty will be for quite all the other. This usually generates a major social inequity, like Covid 19 has brought contrasts and divergence, never seen before. <https://www.weforum.org/reports/the-global-risks-report-2021>).

## Against the virus

In order to combat a new illness, the global world has been closed. Instead of enforcing the immune system of the most fragile people; quite all citizens in Israel and Italy have been vaccinated even four times, with an enormous expenditure. Considering 60 million of Italians, and considering a medium price of 50 E per person, only for the vaccine, it brings 3 billion; adding the costs of the personnel, of the structures and infrastructures, it makes, probably, tree-four times more.

The result is that with all the money spent, Italy is poorer than ever. Several warehouses, boutiques, workshops of artisans, cinemas, theatres, discotheques have closed. Thousands of unemployed, cannot pay the daily necessities, and also cannot maintain families, while industries are already closed.



**FIGURE 1.** Closed shop in Italy (Photo Galvani)

People is forced to stay home, with a significant impact on economic activity and daily lifestyles, with an unexpected contraction in consumption. Accordingly, a symmetric shock on both demand and supply spread-out, with consequences for the world economy.

People cannot go to bars, restaurants, they cannot and don't want to buy clothes, shoes or something, not only because of the laws, but because they have lost the capacity do desire superfluous objects. If this may be a moral progress, it turns to be a devastation for the diversified activities of the industrialized countries.

At the same time, we are polluting the entire world with not biodegradable masks, plastic gloves and clothes, and sanitary equipment.

## Agriculture and nutrition

The entire process of the Italian Recovery Plan is programmed to follow 2 ways, starting from the natural world, arriving at the last process of digitisation, culture, research, and telemedicine.

This procedure is supposed to connect, in a complete way, the expansion of all the sectors through the innovative digitisation with a view to safeguarding the planet (Galvani, Sotelo-Perez, and Lew, 2020).

In a report dated March 2020, the national Institute of Services for the Agri-Food Market (ISMEA) showed that panic buying was people's first instinctive reaction. Accordingly, "global supermarket shelves emptied of key food items, such as pasta, rice, canned goods, flour, frozen foods and bottled water, are raising questions about the overall sustainability and resilience of the food system", along the nutritional value chain. <https://www.ismea.it/istituto-di-servizi-per-il-mercato-agricolo-alimentare>.

It is well established that diet plays a major role in the function and status of immune system and it is closely related to the host's immunity and resistance to any infectious agent. Malnutrition is the most common cause of failure in immune system worldwide. The function of phagocytosis, complement system, cytokine production, and secretion of immunoglobulin antibodies are generally associated with protein and energy malnutrition. <http://www.santatureinnovation.com>

From the agriculture it should start both the restoration of the world economy and the reinforcement of the human immune system. (Martindale et al., 2020).

Even before the Covid 19, surely dating at the time of the cereal crisis in Orient in 2007-2008, a focus on agriculture has been forecasted for several reasons: it is the primary human activity; it is an unavoidable activity, it is practicable quite everywhere in the world, according to the zone's limits, it is indispensable for human nutrition and animal feeding, it is also important for non-food production, even for green energy (FAO, 2020 b).

New tendencies are realizing the ideal for our planet through Agroecology, a holistic and integrated approach that simultaneously applies ecological and social principles to the design and management of sustainable agriculture and food systems. It seeks to optimise interactions between plants, animals, humans, and the environment, (Galvani, Lew, and Sotelo-Perez, 2020) while also allowing people to exercise choice over what they eat and how and where it is produced (OECD, c, 2020).

"The COVID-19 pandemic has underlined the importance of a robust and resilient food system that functions in all circumstances and is capable of ensuring access to a sufficient supply of affordable food for citizens" (Marzban, Khabiri, and Anbari Nogyni, 2021, p. 181).

The EU effort towards achieving a sustainable food system began with the Farm2Fork (F2F) strategy; an integrate food safety policy, included in the European Green Deal set of actions aimed at mitigating climate change and related environmental disasters.

The Farm to Fork Strategy is aiming to make food systems fair, healthy and environmentally-friendly through an integrated Food Safety policy in the EU. (EU portal of the From Farm to Fork (F2F)).

EU position on food systems is this: "The Green Deal is a key part of the EU's Covid19 recovery strategy for a greener, sustainable and inclusive Europe. (Do you know what it tackles?" EU Parliament on Twitter, 2020-06-25).

The Green Deal is a package of measures ranging from ambitiously cutting greenhouse gas emissions, to investing in cutting-edge research and innovation, to preserving Europe's natural environment. It will focus on a health nutrition and clean environment through natural resources, even deriving from non-food agricultural production. [https://ec.europa.eu/clima/eu-action/european-green-deal\\_en](https://ec.europa.eu/clima/eu-action/european-green-deal_en)

The dominant theme in the pre-pandemic period was food safety; during the lockdown period, social media attention shifted to food security; finally, in the post-lockdown period, the theme of food sustainable management gained momentum (FAO, 2020 a). <https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal>

Three are the pillar of the food system:

- Food safety, defined as a measure of food health, ranging from the way it is produced to the way it is stored and consumed;
- Food security, defined as a measure of food availability and accessibility, including topics of food shortage, donation and wasting;
- Food stainable management, defined as the system of incentives oriented towards guaranteeing the sustainability of the food supply chain.



**FIGURE 2.** Farm o Fork Strategy

Source: <https://ec.europa.eu/food/horizontal-topics/farm-fork-strategy>

Urbanization strongly impacts on food consumption patterns by increasing demand for processed foods, animal-based foods, fruits and vegetables. Our global food system greatly increases our risk of suffering a pandemic, since all the purchased food is manipulated and supplemented with natural<sup>1</sup> and chemical additives, bringing the risk of rapid spread of pathogens through the globalized channels of the global economy (van der Ploeg, 2020.)

Food sovereignty, peasant agriculture, territorial markets and agroecology are proposed as the main components for alternatives. (Giudice, Caferra, Morone, (2020).

Focusing and investing in the conversion of non-edible food waste into energy and materials, promoting renewable energy related research and development via green chemistry and bio-refineries is already a successful process for green energy and green hydrogen.

Covid-19 has revealed, in a pitiless way, some of the main weaknesses of the global capitalist economies. This applies especially to the hegemonic patterns for the production, processing, distribution and consumption of food (Giudice, et al. (2020).

As a solution, evolution must start a process of sustainable future through a focus on the basic systems, say agriculture (FAO, 2020 d). Without an efficient agricultural system, we cannot grow in any sense. It is not only the basis of human and animal nutrition, it is the repository of the new energetic mechanism based on hydrogen, it fundamentally is a reserve of the entire life on the globe.

Surely, today, the process of transformation of agriculture will be connected with a refined industrial technology, to save land, work, water, energy, and time in the forecasted circular economy (FAO, 2020 c).

A just and inclusive transition towards circularity calls for a stronger participation of women across the complete circular economy spectrum, and not only in activities associated with the informal sector and with low productivity levels and low technology use.

## Economy and Finance

International organisms are suggesting a stronger financial international organization and enforcement of taxation, as the best mean to enforce both developed and less developed countries.

The most evident effect of all the emergency is the increasing inequalities among individuals and societies, the opposite as what UN are fighting for. After twenty and more years of UN actions for SDGs, quite all the efforts are failing. The goal of equity is pushed forward, inequity between genders, among countries and among individuals will inevitably increase. People with savings can afford old and new expenses, at the same time; poorer cannot afford even the current needs.

In critical periods it is culture that help people, but without a good educational system, there is the risk that science advances, while common people cannot follow its path, remaining behind, generating a menace of a greater hiatus, between the "have and have not." (IMF, 2022).

Realising a strict tie between the first sector, the secondary, and the tertiary sector, we will proceed in the way of saving the Earth resources, to holistically advance humanity. A major element is also indispensable in the fourth sector, the financial funding. Finance is probably the principal factor today, due to the interconnections of the global commerce and world exchanges <https://www.imf.org/en/Data>

<sup>1</sup> Natural essences are not always health ingredients, like salt and sugar which should be consumed in small quantity.

The threat of climate change must be addressed as a core economic and financial system challenge. Improving sustainable finance approaches and enhancing market alignment with the climate transition is vital (OECD, 2021).

“Trade in agricultural and food products has changed over time, with the food we eat and the clothing we wear increasingly being delivered by global production systems that cross many borders. Wheat produced in Australia and the Ukraine, for example, is processed into flour in Indonesia and Turkey, and then exported to make noodles in China, and bread in Africa and the Middle East. These global value chains (GVCs) connect producers of food and fibre to consumers across the world and help deliver stable supplies of food and textiles along with greater choice to consumers, and at the same time generate incomes for producers. In 2014, on average around 21% of the value of exported agro-food products from any given country came from goods and services produced in other countries. <https://www.oecd.org/agriculture/topics/global-value-chains-and-agriculture/>”

Financial markets are beginning to integrate climate transition risks and opportunities into investment decision making. Addressing these challenges will require a thorough reset of the financial system by incorporating climate risks and opportunities across relevant aspects of central banking, supervision, regulation, and market practices for making investment decisions (OECD, 2021, cit.).

## International funds

Lockdowns caused by the COVID-19 pandemic around the world slowed down existing investment projects, and the prospects of a recession led multinational enterprises (MNEs) to reassess new projects.

The IMF (2020), has just reassessed the prospect of growth for 2021-22, declaring that we have entered a recession – as bad as or worse than in 2009.

International Organizations hope in upgrading FDI for poor countries, EU is largely funding economic rebuilding. For both poor and developed countries, the solution seems investments on public infrastructures, and, surely in science. Science research is in fact the only solution for fighting the virus, for communicating at distance, for creating new jobs, but science needs time and engagement, science requires a larger dissemination and deepening of education and culture, the same education and culture which are now penalized, and restricted.

Global foreign direct investment (FDI) shrank in 2020, falling 42% from \$1.5 trillion in 2019 to an estimated \$859 billion, according to an UNCTAD Investment Trends Monitor published on 24 January 2022. Such a low level was last seen in the 1990s and is more than 30% below the investment trough that followed the 2008-2009 global financial crisis.

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FDI flows to Europe declined by 80% while those to North America fell less sharply (-40%). The fall in FDI flows across developing regions was uneven, with 45% in Latin America and the Caribbean, and 16% in Africa. <https://data.oecd.org/fdi/fdi-flows.htm>.

From 2010 and the following years, there was attention to the fact that much of global poverty had shifted to middle-income countries. The countries that are home to large numbers of poor people had got better off on average, but poverty hadn't fallen as much as one might expect. The world's poor live not in the world's poorest countries, but in fast growing countries and countries with burgeoning domestic resources to address poverty, albeit 'locked' by domestic political economy.

Solutions to be found remember to us the resolutions adopted with the New Deal in US, between 1933 and 1939, by President Franklin D. Roosevelt, a series of programs, public work projects, financial reforms, and regulations.

## The old new

The coronavirus disease has attacked societies at their core. The crisis has dematerialized and “desocialized” the food sector, speeding up consumers' adoption of online services, but it is this same sector that is representing the most vital energy of resurrection. As soon as the lock-down has been a little bit reduced, people have organized reunions at restaurants with family and friends. Eating is a symbol of vitality, of liberty after the jail, of re-birth after the death, of joy after the shadow of the pandemic. The resurrection of free movements is attracting people to meet and to eat together, so the renewed habits are lifting restaurants and supermarkets out of crisis, even not for all, since the revitalization has many expressions. Small and cheap restaurants are in great trouble, because many workers are forced staying home, for unemployment or smart working. At the opposite shops of clothes, shoes, and accessories are renewed into food delivery. Some shops have closed because of the pandemic, and have reopened with a new destination; shops of clothes, shoes, bags or other have been transformed into restaurants or similar, often with nutritional or service innovation.

## The new Meccas

The Italian territory is geographically diversified, for that it is rich in biodiversity which becomes an asset for a good nutrition. Italy has the largest number of certified products in Europe. The culinary tradition is largely famous, with its regional specificity. One region is particularly diversified, the Emilia Romagna Region in the gravitational centre of the

peninsula. This region is called the Food Valley; it enumerates the greatest number of certified products in Italy, which, in that sense, is the richest in Europe. Bologna is at the core of that area. It has become the Mecca of receipts of long tradition. Today after the lock-down it has become the goal of food lovers. They queue in front of the restaurants, of the food markets, and food makers.

One of the most prestigious palaces of the city centre of Bologna, the ancient office of the first bank, the Banca del Monte, founded in 1475, the former Monte di Pietà (Compassion), or Loan Office, has been transformed into the most central supermarket with 3 restaurants. Surely, there are space of luxury, but it must be considered a desecration of a historical symbol.



## Reconstruction

Once the virus is under control, the economy will supposedly return to its normal routines and rhythms, think someone, probably only in part, but, surely, in the good or in the bad, never will come like before.

The 2021 Political risk map shows that COVID-19 is fuelling social inequality and political unrest, massive bankruptcies after government-backed trade-credit schemes to support businesses during the pandemic end.

In the hope of UN, the COVID-19 pandemic, with the right actions, can mark the rebirth of societies, the revival of economy, the renewal of culture, the regeneration of arts, all that for the amelioration of the future generations. “It is the greatest test that we have faced since the formation of the United Nations, one that requires all actors - governments, academia, businesses, employers and workers’ organizations, civil society organizations, communities and individuals - to act in solidarity, in new, creative, and deliberate ways for the common good and based on the core of United Nations values that we uphold for humanity.” (UN, 2020).

## IT

Like in every crisis, not everyone is stricken at the same time and in the same manner. Generally, the inequality is increasing, and the equity falls at the cost of women and families. Some people for surviving, change activity, place of residence, rules, and habits. [https://read.oecd-ilibrary.org/agriculture-and-food/making-better-policies-for-food-systems\\_ddfba4de-en#page1](https://read.oecd-ilibrary.org/agriculture-and-food/making-better-policies-for-food-systems_ddfba4de-en#page1)

The greatest revolution brought by COVID19 is the expansion of IT, of on-line communication and on -line commerce. People designated to smart working, to social media, to media communication, like journalists, health specialists become rich and famous.

For the small enterprises, nothing will continue, other than trust, courage, and creativity.

Without trust and money, it becomes difficult to find creativity, it will be easier to have faith in the successful activities of the old times and restore them in a new adapted way.

The IT sector is the most augmented in the Covid19 era. Few international companies, especially the IT groups are representative of this new direction (OECD, 2019).

Nowhere else, has unprecedented and unforeseen growth occurred, as in the digital and e-commerce sectors, which have boomed amid the COVID-19 crisis. The pandemic has mostly benefited the world’s leading digital platforms (OECD, a. 2020).

Changes in the architecture of many markets under the influence of digital technologies were expected, but the pandemic

has dramatically accelerated this process, in connection with which we can talk about the positive side of the corona-crisis from the standpoint of the structure of the economy.

Investment in intangible assets has grown gradually over the past 40 years. This investment centres on assets like data, software, skills, new organisational process, and intellectual property, like attributed designs and patents. Intangibles like intellectual property and brand strategies are key in today's economy. An example of their power is the growth of a few tech companies compared to the declining revenue of the traditional companies that dominated the Fortune 500 decades ago. While Amazon's revenue increased by over 4 000% from 2005 to 2020, and 46% from 2020 to 2021, while Exxon Mobil's decreased by about 50%. Global e-commerce jumps to \$26.7 trillion; COVID-19 boosts online sales.

## Conclusions

Humanity is plagued by calamities from its existence. What is not acceptable is the method Covid 19 has cured with; it is not a plague (O Grada, 2020); it has been used a method deriving from medieval times. Vaccines are also not the solution, we cannot be vaccinated every day, against everything, this one is just the method to weak people. The solution should be to reinforce human beings, since the fight for health will always continue, along with the climate change. Because of climate change, million people die every year-UN confirms. We are physically feeble everyday more, confronting us with a technology every day stronger, affecting the atmospheric conditions. Western people are becoming older and older, and weaker, and subject to corrupted environment and manipulated food and beverages, not to say about psychological stress.

In a close circle of pressures, the only point of force is, or must be, a strong economic system, enhancing the general development.

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# Typology of Tourists and Their Travel Motivations During Pandemic

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## *A Study of Velipoja Grand Europa Resort in Albania*

**Elida BOSHJAKU<sup>1</sup>**

Assistant lecturer  
Marketing Management Department  
Faculty of Economy, Business and Development  
European University of Tirana  
E-mail: elida.boshnjaku@uet.edu.al

### **Abstract**

*The Covid-19 pandemic had a significant impact on various sectors of economy in Albania including tourism. Tourist behavior and travel motivations changed, and as a result this was reflected to the product planning and development. To study these significant changes, a survey was conducted and addressed to Velipoja Grand Europa Resort in Albania. A google form questionnaire was designed to identify and analyze the typology of tourists and their travelling motivations which affect the decision for destinations to visit. Such questionnaire was disseminated online to resort representatives. Also direct interviews were held. The research provided a quantitative and descriptive approach. The results indicated that the the typology of tourists were individual and family groups, and their main travel motivations were related to holidays, recreational activities, visits to friends and relatives etc.*

**Keywords:** *Domestic and Inbound Visitors, Pandemic, Traveling Motivations, Destination.*

### **Introduction**

The Covid-19 pandemic posed big challenges to various sectors of economy worldwide including Albania. One of very important economic sectors to be affected it was tourism which faced slowing down since March 2020 until the start of year 2021. Tourist behavior and travel motivations changed, and as a result this was reflected to the product planning and development. Typology of tourist and travel motivations were in focus of this study.

To identify, analyze and describe them secondary and primary research was held.

A specific case for Albanian tourism was considered Velipoja Grand Europa Resort in Velipoja, in order to give some facts about the situation of tourism after the pandemic outbreak, challenges and changes faced.

### **Methodology**

The required data for this paper were collected using secondary and primary research. In the secondary research were analyzed books, reports, studies, scientific papers, blog posts, online database etc. While for primary research a survey

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<sup>1</sup> Graduated in 2005, Marketing-Tourism Branch at the Faculty of Economy, University of Shkodra "Luigj Gurakuqi" and in 2010 for Scientific Master in Marketing in the Faculty of Economy, University of Tirana. Has attended various qualifications and trainings. For several years has been working as Secretary of General at Shkodra Chamber of Commerce and Industry, and as Project Coordinator at Tirana Chamber of Commerce and Industry, Adjunct professor at the Faculty of Economy at the University of Shkodra and at the Faculty of Economy at University of Tirana. Actually is Assistant Lecturer at the European University of Tirana at the Faculty of Economy, Business and Development and PhD candidate at the Agricultural University of Tirana.

was done by designing and distributing an online questionnaire using doc.google. The questions were closed ones with multiple choices and opened ones to get as much details as possible.

The questionnaire consisted in questions for identifying and describing types of visitors visiting Velipoja Grand Europa Resort in Velipoja, as well as factors and motivations to travel, visitors behavior, length of stay and expenditure, frequency of visits etc. The questionnaire was distributed via email and whatsapp to resort employees of Velipoja Grand Europa Resort who are in daily contact with visitors and customer service. The questionnaire took 10 minutes to complete it. Also direct interview at premises of the resort was held. The collected answers of the questionnaire and direct interview were analyzed by quantitative and qualitative aspect.

## 2. Literature review

### 2.1 Word tourism after Covid-19 outbreak

The Covid-19 pandemic posed worldwide big challenges to various sectors of economy including tourism. Mobility and travel restrictions between countries after Covid-19 outspread, the reduction of household income, generated by the economic crisis, impacted visitors motivations to travel and tourist services as well. As tourism situation changed, several companies closed. Airflight were reduced or cancelled, and hotels and tourist accommodation were faced with unpredictable situations, and necessity to make changes, rethink and replan. Tourist planners adopted the tourism product according to visitors expectations, perceptions by considering all. Strong promotional campaigns were designed.

Many struggles were made to face the big challenges and overcome the difficult years 2019-2021. It seems that year 2022 gave breath and safety to tourism experience.

According to the statistics of The United Nations World Tourism Organization site, international tourism had a strong and steady recovery in many parts of the world, in the first five months of 2022, with almost 250 million international arrivals recorded.

This compared to 77 million arrivals of the first five months of the last year 2021, it means a recovery of about 46% of pre-pandemic 2019 levels. Europe received many international visitors, more than four times as in the first five months of 2021 (+350%), due to removal of all travel restrictions in a growing number of countries. America had more than doubled international visitors (+112%). However these results are compared to the results in 2021.

### 2.2 Tourism in Albania after Covid-19 outbreak

Albania is rich of tourist resources. Tourism is a very important economic branch of the Albanian economy as well, contributing significantly to the GDP. Since March 2020 until the start of 2021, because of the COVID-19 pandemic, the tourism sector had recorded change in tourist behavior, motivations to travel by reflecting a decline in the number of tourists, length of stay and expenditures. Visitors decided about places to visit and experience based on some important internal and external factors. All these changes impacted development of tourism and economy of the country.

Statistics from the report of the World Travel and Tourism Council (WTTC) for Albania, referring to 2019, show the following results as in Figure 1. – Albanian key data of travel and tourism contribution: total contribution of the tourism and travel sector to gross domestic product (GDP) was 20.3%, it accounted 21.3% of total employment, and visitors expenditure were 50.3% of total exports. If we look at the data through years from 2019 to 2020 and then to 2021, it can be stated that the number of tourists decreased in 2020, by contributing to the GDP with 50.2% less, while in 2021 with the opposite effect, by showing an increase, strong recovery 81.1% compared to the year before. In 2020 there was also decline in the number of jobs and expenditures of visitors compared to 2019 and positive change was seen in 2021, by registering recovery and improvement against the year 2020.



FIGURE 1. – Albanian key data of travel and tourism contribution

Source: World Travel and Tourism Council Report

Regarding types of visitors it can be seen below from the Figure 2. – Inbound arrivals for the years 2019 and 2021, highest arrivals of foreign visitors were from North Macedonia, followed by Greece, Italy, Montenegro and Germany.



**FIGURE 2.** – Inbound arrivals and outbound departures

Source: World Travel and Tourism Council Report

According to UNWTO statistics, for the period January – June 2022, Albania, along with the other countries such as the Republic of Moldova, Serbia, Seychelles, Romania, North Macedonia, Saint Lucia, Bosnia & Herzegovina, Pakistan, Sudan, Turkey, Bangladesh, El Salvador, Mexico, Croatia and Portugal, have fully recovered the pre-pandemic levels.

For Albania, Europe is being the main source of tourists. Short travelling from the place of origin of visitors coming mainly from Kosovo, Macedonia, Italy, Greece, Germany, Spain, United Kingdom is an important factor for the influx of foreign visitors. However, also people from the United States of America and Asia, have shown a significant increasing interest to visit our country.

National TV media ABC News mentions some statistics of INSTAT (2022): over 2.5 million foreigners entered Albania during January – June 2022. The trend of visitability in the period January – May 2022, has marked an increase in comparison of period January-May 2021 as follows:

- visitability by Kosovo people were 39% of total foreign tourists in Albania
- visitability by English people increased by 34%
- visitability by Italians increased by 24%
- visitability by German people increased by 24%
- visitability by Spanish people increased by 18%
- visitability by Greek people increased by 5 times more, by reaching approximately 200.000 visitors.

Referring to the number of the visitors visiting Albania and Albanian people visiting foreign countries are shown at Table 1. - Arrivals and departure of Albanian and foreign citizens, while the origin of foreign visitors visiting Albanian are shown at Table 2. – Arrivals of foreign citizens. At table 1. below, it can be seen that during January-May 2022, the Albanian people coming abroad are greater in number of arrivals than foreigners visiting Albania. Same for departures.

**TABLE 1.** - Arrivals and departure of Albanian and foreign citizens

Period	May 2021	May 2022	Percentage change (%)	January-May 2021	January-May 2022	Percentage change (%)
<b>Total arrivals</b>	<b>605.421</b>	<b>1.074.828</b>	77,5	<b>2.232.568</b>	<b>3.453.732</b>	54,7
Albanian	276.679	470.398	70,0	1.148.967	1.776.041	54,6
Foreigners	328.742	604.430	83,9	1.083.601	1.677.691	54,8
<b>Total departures</b>	<b>651.062</b>	<b>1.121.298</b>	72,2	<b>2.336.723</b>	<b>3.746.140</b>	60,3
Albanian	344.500	517.692	50,3	1.331.373	2.020.676	51,8
Foreigners	306.562	603.606	96,9	1.005.350	1.725.464	71,6

Source: General Directorate of Policy of State, calculations INSTAT (2022)

While at Table 2, shows that the majority of international tourists originated from Kosovo, with Macedonia and Greece close behind.

**TABLE 2.** - Arrivals of foreign citizens

By countries	May 2021	May 2022	January-May 2021	January-May 2022
Kosovo	143.970	245.743	525.359	575.220
Macedonia	46.192	60.951	166.578	212.652
Greece	7.578	34.684	27.928	157.711
Italy	17.211	40.994	60.812	154.756
England	3.440	14.138	9.241	46.006
Montenegro	33.752	47.195	123.512	165.735
Poland	4.701	6.587	6.407	11.075
USA	5.835	11.907	14.680	30.804
Spain	470	2.181	1.328	6.736
Germany	7.644	19.768	18.173	47.552
Switzerland	3.955	3.787	10.465	14.605
Others	53.994	116.495	119.118	254.839
<b>Total</b>	<b>328.742</b>	<b>604.430</b>	<b>1.083.601</b>	<b>1.677.691</b>

Source: General Directorate of Policy of State, calculations INSTAT (2022)

There is evidence that, also Serbian people are visiting more and more Albania because of reasonable prices. Such evidence is cited by Albanian posts, referring to the Serbian Monitor.

Below at Table 3. are given some statistics as presented from INSTAT (2022), related to the reasons of visitors travelling. As it can be seen from the table, there are listed personal reasons, visits to friends and relatives, health reasons, religious ones, transit travelling, business and professional.

**TABLE 3.** - Arrivals of foreign citizens according to the reason of visits

Period	May 2021	May 2022	Annual change (%)	January-May 2021	January-May 2022	Annual change (%)
<b>Arrival of foreign citizens</b>	<b>328.742</b>	<b>604.430</b>	<b>83,9</b>	<b>1.083.601</b>	<b>1.677.691</b>	<b>54,8</b>
I. Personal	327.682	593.820	81,2	1.050.103	1.634.146	55,6
1. Holidays, visit to friends and relatives	318.344	568.041	78,4	1.003.890	1.559.409	55,3
2. Health care	235	41	-82,6	766	458	-40,2
3. Religious reasons	68	23	-66,2	193	175	-9,3
4. Transit travellers	9.035	25.715	184,6	45.254	74.104	63,8
II. Business and professional reasons	1.060	10.610	900,9	33.498	43.545	30,0

Source: General Directorate of Policy of State, calculations INSTAT (2022)

INSTAT also has given the modes of transport of foreign visitors visiting Albania.

Regarding the mode of transport, the data show that most of them; 2.551.249 people entered Albania by land during the period January – May 2022. 775.049 non-resident visitors entered Albania by air and 127.434 non-resident visitors entered by sea. The figures refer only to arrivals and not to departures as it is being analyzed tourism situation in Albania.

**TABLE 4.** - Travelling of citizens according to modes of transport

Period	Total arrivals			Total departures		
	Air	Sea	Land	Air	Sea	Land
May 2021	78.767	22.949	503.705	72.483	19.403	559.176
May 2022	223.589	37.301	813.938	218.416	32.419	870.463
<b>Annual Change (%)</b>	<b>183,9</b>	<b>62,5</b>	<b>61,6</b>	<b>201,3</b>	<b>67,1</b>	<b>55,7</b>
January- May 2021	242.437	93.088	1.897.043	250.586	88.023	1.998.114
January- May 2022	775.049	127.434	2.551.249	809.660	135.835	2.800.645
<b>Annual change (%)</b>	<b>219,7</b>	<b>36,9</b>	<b>34,5</b>	<b>223,1</b>	<b>54,3</b>	<b>40,2</b>

Source: General Directorate of Policy of State, calculations INSTAT (2022)

## 2.3 Typology of tourists and travel motivations

### 2.3.1 Typology of tourists

Studying the typology of tourists helps to know consumer behaviour in tourism, take important decisions on product development, pricing and promotional strategies and predict future trends about tourism. Different authors have described different categories of tourists as below:

#### **Cohen`s Tourist Typology (1972), classified tourists in four categories:**

- 1) Organized mass tourists: these tourists want fully packaged holidays and prefer Western style accommodations.
- 2) Individual mass tourist: these tourists use facilities of the tourism system e.g. scheduled flights, centralized booking etc. and like to travel individually
- 3) Explorer: is the type of tourist who prefers newness along with comfort and modernity.
- 4) Drifter: is the type of tourist who stays for long in a destination and seeks the innovations at any cost even discomfort and danger.

#### **Smith`s Tourist Typology classified tourists in seven categories:**

- 1) Explorer: these tourists are eager to explore new destinations and lifestyle of the area being visited.
- 2) Elite tourists: these tourists are rarely seen because of their status, but do fully adapt to local norms eventhough temporarily.
- 3) Off beat tourists: these tourists don't prefer to stay in crowds of tourists, they do something beyond norms.
- 4) Unusual tourists: these tourists choose one day package tour and prefer to travel in organized manner.
- 5) Incipient mass tourist: these tourists want western amenities and comfort.
- 6) Mass tourists: these tourists have middle income and they like to travel and visit destinations in groups.
- 7) Charter tourists: these tourists have minimal contact with people of the host country. They ask for western amenities.

#### **Amex`s Tourist Typology classified tourists in five categories:**

- 1) Adventurer: these tourists are the educated tourists who like to try new experiences.
- 2) Worriers: these type of tourists lack self confidence, fear taking flights and that's why they prefer domestic holidays.
- 3) Dreamers: these tourists dream to travel to exotic destinations and don't choose ordinary destinations.
- 4) Economizer: these tourists make economical travel, they don't ask for special amenities as they think there is no extra value to the experience.
- 5) Indulgents: these tourists are wealthy people, who ask for the extra comfort. They tend towards staying in five star accommodations.

#### **Plog`s Tourist Typology (1977) classified tourists in three categories:**

- 1) Allocentric (The Wanderers): these tourists are self-confident people who prefer new experiences and adventure. They like to fly and to be the first to explore unusual destinations, meet with people, and taste good food. They stay at good hotels but not necessarily to modern ones. In case they choose a tour package, they ask for the basics such as transportation and hotel. They prefer to make their own arrangements, explore the area on their own, not to have a structured programme.
- 2) Psycho Centric (The Repeater): these tourists usually prefer known destinations, which are familiar to them where they can relax. They know beforehand what types of food and activity they will have.
- 3) Mid-centric (Combination): these tourists are a combination of allocentric and psychocentric tourists.

Abovementioned tourists, are people who move not only within their own country but also to neighboring and distant countries for several reasons such as: good climate, nice place and landscape to see and explore, culture of a destination etc. As for the place being visited, there are several categories of visitors:

- 1) Domestic visitors: these tourists are residents of one country who visit that country during local excursions, regional trips or national travels. In contrast to international tourists, they know the destination, its language, its customs, its laws, its climate, its cultural context.
- 2) International visitors: these tourists are non-resident travelling in the country of reference or a resident travelling outside of it (IRTS 2008, 2.42). They travel to places outside their own country for leisure, business and other purposes and stays there at least one night and less than 12 months.

### 2.3.2 Travel motivations

Motivation refers to a psychological process to achieve the goal. The origin of this word comes from the Latin term "move". Travel motivations influence the visitors on their choice for destinations to visit. The choice of destination to move is influenced also by activities offered at it. (as cited by Ramchurjee, 2013).

Travel motivations are crucial on travel decisions and the outcome of satisfaction (Chang, 2007; Correia, Oom do Valle & Moço, 2006). Motivations of travel are related to the characteristics of visitors such as age, education, income etc.

Hermawan, Nurdin, & Hutagalung reveal as cited by Ross (1994:33), that the motivation of tourists consist into four types: (1) Physical motivations e.g related to sport activities (2) Cultural motivation related to cultural stimuli of a country such as art, customs, dance, painting, and religion (3) Interpersonal motivations related to interest to meet new people, make new friends, visit friends or relatives, family or neighbours and (4) Motivation status and dignity: the need for recognition, attention, respect, and reputation.

Other factors to influence the choice of tourist destinations are visitors income, prices and quality of tourism offer and what lately and mostly crucial are the safety issues because of Covid-19 situation. In their research Marques Santos, Madrid González, Haegeman, & Rainoldi, 2020 cite that visitors prefer to avoid overcrowded places, choose destinations with outdoor activities and contact with the nature (as according to DNA, 2020; Interface Tourism, 2020c; Gursoy et al., 2020), and stay away from big cities (according to VVF, 2020). People interest is for less developed areas or remote places such as rural areas or unique natural areas which provide sustainable and responsible tourism.

Among factors to impact motivation to travel are also push and pull ones. By knowing these factors it can be explained why tourists decide to visit a certain destination, what kind of experience they want to get and what activities they prefer to do. Some of push factors also known as internal factors are: learning, exploring, fun, rest and relaxation, escape, family, friend togetherness. While some of pull factors or external factors are culture, sight-seeing, hospitality, novelty, familiarity, prestige, price – deal, information, recommendation.

Considering the travel of international tourists entering a host country, according to the International Recommendations for Tourism Statistics 2008, the reasons of travel for inbound travelers are business and professional, holiday, leisure and recreation, visiting friends and relatives, education and training, health and medical care, Main purpose of tourism trips, Religion / pilgrimage, Shopping, Transit, Other



**FIGURE 3. – Classification of inbound travellers**

Source: International Recommendations for Tourism Statistics 2008, pg. 28

With the the outbreak of pandemic several implications changed visitors motivations

- According to Global Data (2020)), because of COVID-19 health crisis, consumer patterns were changed in the short-term.
- Many visitors, especially international ones prefer to avoid overcrowded places, choose destinations with outdoor activities and contact with the nature (DNA, 2020; Interface Tourism, 2020c; Gursoy et al., 2020), and stay away from big cities (VVF, 2020).
- People interest is for less developed areas or remote places having a deal with the green. Nature and rural areas are among the first choice. According to Gursy et. al (2020), preferences are for beaches, and road trips through scenic countryside. They choose to visit in cities, touristic villages, unique natural destinations. This is provided through sustainable tourism, responsible tourism, ecological tourism.

Thus, tourism planners and developers have a lot to pay attention while planning tourism by considering visitors behavior strongly related to tourist behavior which form and influence expectations and perceptions. They must try to find out what visitors need and prefer. So, visitor's motivations and behavior represent a focus to explore and predict.

## Results and data analysis

### Case: Velipoja Grand Europa Resort

Velipoja Grand Europa Resort is located near a reserve with a surface of 635 hectares. It is situated in Shkodra region, in Albania. In the south it is bordered by the Adriatic Sea and in the west by Buna River. It is 99 km far away from the national airport “Mother Teresa” in Albania, and 117 km away from the airport of Podgorica in Montenegro. It is a “Beach Front” hotel, 300 m from Velipoja Beach, designed and built in line with the European and contemporary standards.

Visitors choose to visit Grand Europa Resort in Velipoja as a close destination to their home or their country of origin. Types of visitors are domestic visitors mainly from Shkodra region and international visitors such as inbound visitors coming from Kosovo, Montenegro, Italy, Germany, England and France. It is worth to mention that the resort is preferred also by visitors such as Albanian immigrants coming from distant countries e.g from United States of America, Canada and Australia whose main reason of travelling is interpersonal one to visit friends and relatives, meet people. Velipoja resort is mainly visited during summer and tourism is characterized by seasonality. During the season of year 2022, approximately 50.000 visitors visited the resort.

Regarding previous years 2020-2021, Covid-19 seemed to impact the visitors behavior and the choice of destination. The number of visitors during these periods was decreased because of internal motivations, such as anxiety and fear of being contaminated, joining crowds of many strangers and not knowing the state of their health. Thus, mostly visitors were domestic visitors who decided not to travel far away and stay near home by choosing Velipoja Grand Europa Resort in Velipoja and respect some prevention mechanisms, such as avoiding crowds and respecting distance, wearing a mask or applying disinfectant gel.

As a marketing strategy, the resort staff promoted the resort aiming mainly the loyal visitors and new domestic visitors. The resort was strongly promoted especially through digital means such as website and social media to consolidate the destination image and become the new choice of potential visitors. During the first two years of pandemic outbreak, resort tourism product planners put an end to mass tourism, considering more individual visitors.

Once travel restrictions lifted, long-distance travel toward resort was not an obstacle for the tourism development. Nevertheless, the resort took the measures to enhance and raise the confidence and safety of tourists, by taking care about the sanitation and disinfection procedures of rooms and restaurants, attractions and other facilities, and avoiding travel of visitors in large groups and in closed spaces.

Visitors of the resort are influenced by the offers the resort staff makes. Most of visitors around 90%, are organized mass visitors who travel in groups. Typical visitors of resort are Albanian immigrants coming with their families from several countries abroad such as Italy, France, Greece, Belgium, Netherlands, Spain, Switzerland, Germany, America etc. to visit their friends and relatives. Also to visit Albania are foreign visitors (couples or groups of friends) from Italy, Spain, Germany, Switzerland, Belgium etc. Both these types of visitors can be classified as elite tourists and indulgers. They are also psychocentric visitors who prefer to repeat their visits through years. Over 60% of domestic visitors and over 20% of foreign visitors repeat their visits. About 20% of visitors come for the first time to the destination. Length of stay of visitors in groups is at least 1 week. Typical visitors in this category are families with children.

10% of visitors travel individually. They stay 4-5 days in resort.

According to various types of visitors and demand, the resort offers different products with different prices by matching so demand and offer. Promotional offers and service quality are important pull factors to influence visitors choice and behavior. In the decision to choose the resort and type of services a crucial factor is price. Visitors are very sensitive to price.

Thus, the resort provides accommodation in standard rooms, deluxe, apartments or suite rooms.

As for the accommodation capacity the resort has 59 rooms (11 standard ones, 19 deluxe, 5 apartments, 4 suite rooms). The accommodation offers a 24-hour front desk, room service and currency exchange for guests.

Prices vary according to the product e.g accommodation type.

Prices for individual visitors for 2022 are:

Standard Room	120€/night
Deluxe Room Twin	135€/night
Deluxe Room Double	145€/night
Apartment (2 rooms, capacity 4 adult)	190€/night
Connected Rooms	220€/night
Suite Duplex (2 floors)	270€/night

Prices for group of visitors are applied for more than 10 rooms. In case of reservations of more than 15 rooms 1 twin room is offered gratis.

Standard Room	120€/night
Standard Room Sea View	135€/night
Deluxe Room	145€/night

Apartment (2 rooms, capacity 4 adult)	170€/night
Connected Rooms	200€/night
Suite Duplex (2 floors)	250€/night

The given price influences the duration of stay of visitors. So, after the pandemic usually were shorter or with the same duration but divided into several small trips combined with various places to visit including resort. Level of budget allocated to tourism experience were lower because of uncertainty and economic instability. During May-June 2022, durations of visitors were longer than previous experience in 2020 and 2021 and expenditures higher as well. 60% of visitors chose to stay 2 days, only 3% stay up to 1 month and the remaining part to stay about 1 week.

To influence the level of total expenditures of visitors are also other services such as:

- mode of transport: airplane, boat, car or bus. Visitors of resort mainly travel by car, taxi or bus.
- facilities e.g restaurant, bar caffè service, free private parking, the outdoor swimming pool, spa, wellness and fitness centre, water sports facilities etc.

As indicated by the answer of the questions of the survey and direct interview:

- 70% of visitors travel for entertainment, fun, family time, recreational activities and to do something out of the ordinary.
- 20% of visitors travel to go away from routine of everyday life, so rest and relax.
- 10% of visitors travel to know the way of living, their culture, tradition, discover new places, participate in cultural activities etc.

## Conclusions and recommendations

### Conclusions

As presented in introductory pages of this article, the purpose of this paper was to understand ways that COVID-19 outbreak has affected the visits in Albania by visitors, with special research on Velipoja Grand Europa Resort in Velipoja beach. The research questions were based on the typology of tourists and their travelling motivations.

From the research it resulted that Covid-19 pandemic posed big challenges to tourism sector in Albania. Since March 2020 until the start of year 2021. During this period, the sector as worldwide faced a strong decline in the number of tourists, especially international ones and their duration of stay. This was reflected to the tourism income. Important internal and external factors affected tourists behavior and their motivations to travel which impacted development of tourism and economy of the country. Year 2022, seemed to be a good year for the full recovery of tourism. Statistics of INSTAT (2022) show that over 2.5 million foreigners entered Albania during January – June 2022. An increase interest to visit Albania has been from Kosovo, Macedonia, Italy, Germany, Spain and Greece. Reasons of travel have been interpersonal ones such visit to friends and relatives, meet new people, health reasons, religious ones, transit travelling, business and professional. Taking into consideration the case of Velipoja Grand Europa Resort, a beach front building in Velipoja, situated in Shkodra region, Albania, it can be said that for the first 2 years after the pandemic outbreak, Covid-19 impacted or changed visitors decision to choose the resort as a destination to visit. The number of visitors decreased because of anxiety and fear of health uncertainty. During 2020-2021, mostly visitors were domestic visitors who decided to travel near home at the resort and respecting prevention mechanisms, such as respecting distance, avoiding crowds, wearing masks in closed spaces and using disinfectant gel. Then the situation changed for the year 2022 by reaching approximately 50.000 visitors. Lots of tourists visited Velipoja Grand Europa Resort in Velipoja as a close destination to their home. The customers of the resort are mainly elite tourists and indulgers coming from abroad such as from Kosovo, Montenegro, Italy, Germany, England and France, but not only, also from United States of America, Canada and Australia whose main reason of travelling is interpersonal one to visit friends and relatives, meet people and recreational to enjoy nature, have fun and entertain.

By summarizing, the research has proven the fact that COVID-19 outbreak during 2020-2021 in Albania has impacted a lot the tourist behavior and their motivations to travel from choice of destination, and what product to buy, when compared to their experience before COVID-19 outbreak. By considering the latest data on tourism for 2022, which show that the number of tourists visiting Albania is growing month by month, it can be said that it is an optimistic post-pandemic situation for tourism which represents a sector with significant incomes for Albania.

### Recommendations

- Combine different types of tourism and design innovatively to extend tourism development.
- Enrich activities that can enable families to spend quality time with each-other.
- Ensure a tranquil environment for rest and relax where tourists can forget the routine and pressure of everyday life.
- Provide activities that ensure tourists to enjoy nature, have fun and entertainment.
- Organize visits which offer not only relaxation but also learning experiences.
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# The importance of meat product label information in creating consumer perception

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## **Msc. Irimi GOGA**

European University of Tirana, Albania  
e-mail: irini.goga@uet.edu.al

## **Msc. Mikel QAFA**

European University of Tirana, Albania  
e-mail: mikel.qafa@uet.edu.al

## **Abstract**

*Meat products are a very important element in the diet of consumers. This increases the need to study consumer perception about this product. In a dynamic and intensive lifestyle, eating healthy in this decade is one of the most important and discussed issues. The consumer needs to be protected and well informed through product certification to insure good product quality. A well described label should always accompany all the products especially meat products. A quality label will provide more knowledge about the health benefits of food, and be able to increase awareness of food-borne disease. A well product describe will impact to consumers to be more concerns about the environment which influence the consumer welfare. A major task for food producers and policy makers would be creating efficient mechanism or program to provide food quality information demanded by consumers, though it is not an easy one, due to the complicated relationship among food quality attributes.*

*This paper evaluates the consumer label importance in meat products in two of the main cities in Albania: Tirana and Durres where is concentrated almost half of the habitants. The purpose of this paper is to identify consumer perceptions about their belief in the information reflected in the label of the meat product. This study evaluates that consumers are identified by lack of faith on label description. Only 16.8% of the interviewers always read the product label, 36.8% read the label from time to time, and 14.5% read often the product label. The study showed that the habitant in urban area (average= 3.65) are more interested in reading the label compared with the habitants in rural areas average=3.2). Meanwhile, the results shows that females are more interested in a quality certified product than men.*

**Keywords:** consumer, consumer behaviour food quality, label.

## **Introduction**

Meat is for a tradition and most cooked food Albanian family. It dominates the food basket of households. In fact, the meat especially sheep and beef meat are far more expensive when compared to poultry or pork meat which makes about ½ of total meat supply consumption. In contrast on a different situation is presented in the EU, where beef has much smaller share compared with other types of meat. Imports represent a significant share of local consumption for all main types of meat. The meat value chain is considered a priority sector considering import substitution potential.

Chicken meat plays different roles in the meat diets of the populations of countries. In the Western Balkan Countries (WBCs), for instance, poultry is a popular meat and represents roughly 30% of total meat consumption . Based on FAO study, as incomes rise in developing countries, consumers generally diversify their diets, moving away from staple foods and towards including more meat (along with dairy products and fruits). The new lifestyle favours “ready-to-eat” and “convenience” food products. This shift in consumption pattern increases the demand for high-value food products such as poultry meat and eggs (FAO, 2010;). In that last quarter of 2008, poultry meat prices remained stable, but in early 2009, the price of poultry meat fell when consumer demand started to falter, portending another year of low profits or even losses.(FAO 2010; Poultry meat

and eggs). As Skreli mention in his report, there has been an increasing trend in the production of all types of meat and meat production is destined to the domestic markets, thus the production increase is mainly triggered by increase in the domestic demand. Despite the increase in production, imports have remained high thus any investments or business developments should consider import substitution as a priority, while exports are no feasible in the near future. One major concern is the lack of compliance with standards, which also bans Albania from exporting livestock (meat) products to EU markets (E.Shkreli & 2019)

It is important to underline that the global poultry meat production has been revised downwards since November 2008 to 94.7 million tons, largely because of the avian influenza epidemic in Asia.

Suphabphant et al., 1983, mentioned that contaminated chicken meat may represent the greatest potential hazard of human gastroenteritis caused by salmonellae. As well, segun different studies of various authors (Barrel, 1987; D'Aoust, 1989; Rampling et al., 1989; Bean and Griffin, 1990; Cooper, 1994; Morris, 1996) it is identified that there are various reports which link human cases of salmonellosis to the consumption of chicken. Numerous outbreaks have been reported related high rates of contamination of broiler chickens with Salmonella (Bokanyi et al., 1990; Machado and Bernardo, 1990; Burow, 1992; Rusul et al., 1996; . Uyttendaele et al., 1998; Boonmar et al., 1998).

All over the world, people are becoming increasingly aware of farm animals' welfare. Based on Euro barometer, people believe that broiler and laying hen industries need to improve the current level of bird welfare. Consumers' perception can influence the type of product purchase.

There are guidelines which determined that imported products should meet the basic EU standards to enter this market.

The Regulation (EU) n. 1151/2012 has defined further and maintained protected designations of origin (PDOs) and protected geographical indications (PGIs) schemes. This Regulation aims to help the producers of agricultural products and foodstuffs to communicate with buyers and consumers the product characteristics and farming attributes. Understanding consumers of food products (FAO 2010)

National labelling laws, international norms and guidelines as well as private standards aim to protect consumers from deception and businesses from unfair competition. Food labelling is also becoming a policy tool for Food producers in many countries are keenly interested in finding ways to inform consumers about the qualities of their products at the point of purchase. Many consumers actively seek information about products that have qualities that serve their health needs and are consistent with their values. As a result of these varied interests, food labels are increasingly being used to provide consumers with information about the environmental, technical and socioeconomic conditions under which the products were produced, as well as the health and safety aspects of food products. The growing consumer and industry interest in food labels presents challenges for government authorities, which must ensure that the information that appears on food packages is useful, credible and presented clearly so that it does not mislead the consumer. With the increase in global trade in food, there is a need to harmonize food labelling so that product information is easily understood and is relevant to consumers in different markets. r motivating change in consumer behaviour and shifts in food production practices. (FAO, 2010 )

It is very important for food businesses, scientists and policy makers to understand consumers of food products: in the case of businesses to develop successful products and in the case of policy makers to gain and retain consumer confidence. Consumers' requirements and desires are affected by issues such as culture, age and gender and issues important to consumers nowadays such as diet and health or GM foods will not always be so significant. Therefore food businesses and policy makers need to understand consumers' attitudes and the influences upon them to respond effectively. Edited by two distinguished experts, this book is an essential guide for food businesses, food scientists and policy makers (FAO, 2010 )

Consumers have to choose between various meat products, with different origin, type of production and conservation. Meat label product should be accompanied always the product in order to be a source of nutrition information also a guaranty of meat food quality.

Albania is facing serious problems with the national food safety control system in terms of legislation, food processing, transportation, trade and control as well as law enforcement, which pose real and perceived safety risks for consumers (Kapaj et al, 2016)

The producing labelling should complies with existing legislation and satisfies the needs of all interested parties. Food labelling also provides a valuable insight into possible future developments.

Our study is concentrated on two main areas with highest number of habitants.

## **Poultry meat consumers preferences and labelling products**

Starting from the intensive and dynamic life, people have less time to have a healthy lifestyle. Nowadays is becoming an important issue for consumers living healthy, preferring friendly environment products and take intation on animal welfare.

Thus, consumer preferences are focused more and more to poultry meat. This type of meat has a good quality of the protein needed on the consumer's diet. This product, needs short time to prepare also.

In a competitive market food safety issues often arise from problems of asymmetric information between consumers and food producers with regard to product-specific attributes or characteristics (Ortega et al., 2011). The consumers' interest in the origin, freshness, taste are the cues for the poultry meat producers.

Based on different studies, the consumers' attitudes are influenced by extrinsic cues as well by intrinsic cues for quality selection.

Each label conveys a set of characteristics (such as text, color, shape, etc.) that provides information about the product; however, the space available is always limited by the size of the package as well as by the regulations set out by law. In today's modern, globalized market, these limitations can be partially overcome by using Mobile Marketing, such as the QR Code (Quick Response Code), that combines the possibility to provide information with that of promoting and enhancing the value of the product and/or the brand. (S. Bacarella L. A., 2015)

Nevertheless, consumers' choices are influenced by many factors that ultimately shape purchasing decisions.

As mention Shiang et al. and Kwak, (Shiang-Yen T., 2010); (Kwak S.B., 2013), in order to record traceability of food products was used QR Mobile Marketing, which transforms the physical identifiers (adhesives and labels on products, packaging, price tags, etc.) into something new and interactive, which can provide much information about the product's production process and general information about the Company .

Also, Grunert, Bredahl, and Brunsø (2004) used the Total Food Quality model to analyze consumers' perception and decision- making in determining meat quality. The model showed that consumers form expectations about quality at the point of purchase, based on their own experience and informational cues available in the shopping environment. These preferences are influenced not only by quality and consumer- related factors but also by context, culture, and information (Kanerva, 2013; York & Gossards, 2004). An author in his study mentioned that in early age, when consumers are initially interacting with market, their involvement and observation for purchasing of food products are high. When consumer crosses the age of 25 and gains more shopping experience, his/her food label reading habits change (M. Zeeshan, Zafar, 2014), Tiziana de-Magistris et al 2017)

## Methodology

Based on the literature and various studies made, it was constructed and conducted a survey which will figure out the socio – demography and economic data situation of the interviewers, their desire to consume meat products especially poultry meat, type of ultry meat, through the poultry meat attributes. The selection of the poultry meat attributes was made based on what other studies investigated and what different author has said regarding the products attributes. This survey was conducted in Tirana and Durres distirct, with around 250 interviewers. Conjoint analysis has been used extensively in marketing research to estimate the impact of selected product (service) characteristics on customer preferences for products or services (Louvier,1988). Based on the above, we select the conjoint choice method to analyze the results of the surveys. Within this method, is easy. As well, the approach aims to show the impact of attributes in the buyers decision and correlation of poultry meat attributes as: country of origin, price, age, gender, and color, place of purchase, type of product. The perception of products, including perception of its attributes means the starting point for the consumer decision. So, the combination of these indicators will give the necessary information needed to identify buyer's preferences towards the attributes of the poultry meat.

## Discussion and Results

The survey covered a sample of population in two main, biggest cities Tirana and Durres Region. The results of 250 samples of consumers in these areas, demonstrate that 89% of the participants evaluate as very important the product labelling of poultry meat product, 36% has an average assessment of the labelling presence in the meat product. It is important to underline that there is 1.6 % of interviewer indiferent of reading the product labelling.(table 1)

**TABLE 1.** How do you evaluate the detailed information on product?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Little	4	1,6	1,6	1,6
Average	86	34,4	34,4	36,0
A lot	134	53,6	53,6	89,6
Mostly	26	10,4	10,4	100,0
Total	250	100,0	100,0	

Meanwhile, there was a statistically significant correlation between customer confidence in the predominance of labels and the frequency of reading labels ( $p = 0.00 < 0.05$ ). This relationship is positive and relatively strong ( $r = 0.697 > 0.6$ ). This means that the more buyers believe in label the more they will read them and vice versa. To the question if the consumers read the product labelling before buying poultry meat product, 83.2% of the participants answer that they read often the labelling;

51.2% read sometimes the product labelling and 14.4 % read the labelling rarely.

Below are presented the relations between variable gender (female – male) and the reading and believing in product labelling (table 2)

**TABLE 2.** Descriptive Statistics

Gender	N	Minimum	Maximum	Mean	Std. Deviation
Male	99	2,00	5,00	3,4545	,91777
	Valid N (listwise)	99			
Female	151	2,00	5,00	3,5497	,95001
	Valid N (listwise)	151			

Both female and male pay attention in reading labelling of meat products. Thus, female read more often the labelling of product (average=3.5) compared with male (average=2.4). Our data show that the interviewer of urban area read more often (average= 3.6) the labelling of poultry products than, the interviewer from rural areas (average= 3.2) (table 3)Also, And the rural consumers of our study compared with them of urban area expressed low confidence in the meat labelling.

**TABLE 3.** Descriptive Statistics

Birthplace	N	Minimum	Maximum	Mean	Std. Deviation
Ur- ban hab- itant	156	2,00	5,00	3,6538	,96823
	Valid N (listwise)	156			
Ru- ral hab- itant	94	2,00	5,00	3,2766	,83478
	Valid N (listwise)	94			

The relation between age and the reading labelling of poultry product show that older age get more intention of reading the labelling than the younger age. ( $r = 0.208 < 0.3$ ). (table4). On the same trend is the confidence level on the labelling description of the poultry product. Older ages believe more than younger people. This relation is positive but weak ( $r = 0.210 < 0.3$ ).

**TABLE 4.** Correlations

		Did you read labelling before buying a product?	Age
Did you read labelling before buying a product?	Pearson Correlation	1	,208**
	Sig. (2-tailed)		,001
	N	250	250
Age	Pearson Correlation	,208**	1
	Sig. (2-tailed)	,001	
	N	250	250

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

Our study results show that there is a pozitiv but weak relation between education level and the reading of the poultry labelling (( $r = 0.288 < 0.3$ ). (table 5). So, consumers with higher levels of education are more careful to read the poultry meat labelling.

**TABLE 5.** Correlations

		Did you read labelling before buying a product?	Highest education level
Did you read labelling before buying a product?	Pearson Correlation	1	,288**
	Sig. (2-tailed)		,000
	N	250	250
Highest education level	Pearson Correlation	,288**	1
	Sig. (2-tailed)	,000	
	N	250	250

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

Our interviewers 48.8% believe very little in the poultry labelling and only 0.4% of them believing on labelling of the poultry product. 2.4% average of interviewers believe in the labelling poultry product.

**TABLE 6.** Did you believe on the labeling description?

	Frequency	Percent	Valid Percent	Cumulative Percent
1,00	58	23,2	23,2	23,2
2,00	122	48,8	48,8	72,0
3,00	43	17,2	17,2	89,2
Valid 4,00	26	10,4	10,4	99,6
5,00	1	,4	,4	100,0
Total	250	100,0	100,0	

Table below, figure out the assessment of different attributes that are described in the label

**TABLE 7.** Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation
How do you evaluate the lower (sale) price when you buy the product?	250	1,00	5,00	2,8320	,83820
How do you evaluate the product package?	250	1,00	5,00	3,2560	,81061
How do you evaluate fat % of the product?	250	1,00	5,00	3,2760	,72797
How do you evaluate the written message in the product?	250	2,00	5,00	3,7280	,66316
How do you evaluate the brand of the product?	250	2,00	5,00	4,0120	,87574
How do you evaluate the appearance of the product (color)?	250	1,00	5,00	4,3680	,75022
How do you evaluate the origin of the poultry product	250	2,00	5,00	4,3760	,70185

How do you evaluate a certifying product?	250	2,00	5,00	4,4320	,72628
How do you evaluate the taste of the product?	250	2,00	5,00	4,8920	,43944
How do you evaluate the freshness ?	250	3,00	5,00	4,9280	,28835
Valid N (listwise)	250				

Our customers value product freshness (mean = 4.92), product taste (mean = 4.89), certification or product safety villa (mean = 4.4) and then on origin, appearance / color, licensing stamp, brand etc. The least appreciated feature is the low price (sales) (mean = 2.8). Consumers are progressively more and more aware of the issues related to food and the impacts on their own economy and the environment.

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# Travel Motivation Factors of Domestic Tourists in Albania

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## **Ani MBRICA<sup>1</sup>**

Department of Management and Marketing, Faculty of Economics, Business and Development,  
European University of Tirana, Albania  
ani.mbrica@uet.edu.al

## **Ermira QOSJA<sup>2</sup>**

Department of Management and Marketing, Faculty of Economics, Business and Development,  
European University of Tirana, Albania  
ermira.qosja@uet.edu.al

## **Aurela BRAHOLLI<sup>3</sup>**

Department of Management and Marketing, Faculty of Economics, Business and Development,  
European University of Tirana, Albania  
aurela.braholli@uet.edu.al

## **Ina KEÇI<sup>4</sup>**

Department of Management and Marketing, Faculty of Economics, Business and Development,  
European University of Tirana, Albania  
ina.keci@uet.edu.al

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<sup>1</sup> Ani Mbrica is a lecturer at the European University of Tirana. After graduating from the Agricultural University of Tirana, Albania, she holds a master's degree in "Environment and Health" from Tuscia University (Italy, 2006). She completed her Ph.D. studies in "Economy and Territory" at Tuscia University (Italy, 2013). During her stay in Italy, she got the opportunity for an internship at European Commission (October 2010 – February 2011). Previously she held the position of a junior expert at GIZ and has experience teaching in public and private higher education. Her research areas include organizational behavior, entrepreneurial behavior, tourism, and rural development. Some of her scientific works are presented at different international conferences.

<sup>2</sup> Doctor in Management, Polytechnic University of Tirana; doctoral studies at Politecnico di Bari, Italy; specializes in SME management at the University of Washington, Seattle, USA, and other universities in France and Portugal. She became involved in the senior management of several businesses in Albania. Ermira is the author of several publications related to entrepreneurship, entrepreneurship education, leadership in higher education, etc., in scientific journals at home and abroad. She took the initiative for several projects to connect UET with the businesses. She held the Head of Management and Marketing Department position (April 2018- March 2019) and the Vice-Rector of the University for Institutional Development and Students (April 2019 - November 2020).

<sup>3</sup> Aurela Braholli graduated from the Faculty of Economics at the University of Tirana. She has completed a Master's Degree in Marketing at the Faculty of Economics of the University of Tirana. She has also completed the third cycle of Doctoral studies at the Faculty of Economics and Agribusiness, Agribusiness Department, of the Agricultural University of Tirana. From 2005 to 2019, she worked in different public institutions where she held positions as a budget specialist, audit inspector, etc. Aurela has experience teaching in public and private higher education (2008 – 2018). She has numerous publications and has participated in international conferences at home and abroad. Her teaching and research areas include marketing, consumer behavior, and tourism management.

<sup>4</sup> Since October 2018, Assistant Lecturer at the Management and Marketing Department, European University of Tirana. She is currently a Ph.D. student at the International Doctoral School of the University of Seville in the Department of Economic Analysis and Political Economy. She received her MSc. and B.Sc. in Business Administration from the Faculty of Economy at the University of Tirana. In 2013 Member of the NES, University of Tirana. Ina has attended several training and courses offered by WBG, ALISON, and Coursera and international scientific conferences such as the International Scientific Conference of ASECU, International Scientific Conference of Obuda University, University of Seville, EUT, and UAMD.

## Abstract

*Albania is a country that offers incredible natural landscapes and intriguing cultural monuments. In recent years, some regions of our country have become attractive and promotional areas by attracting domestic and foreign tourists. Tourism development is essential to a country's growth and economic development. Sustainable tourism affects the protection of natural and cultural assets and improves the quality of life of the regions involved.*

*The study aims to identify which motivation factors push domestic tourists in Albania to visit a specific destination, specifically Durres Region. The study was carried out using a questionnaire created using the appropriate software for collecting the exciting data. The questionnaire was provided in Albanian, and all surveyed people live in Albania.*

*The study found that the motivations that push Albanian tourists to visit the Durres region are related to Escaping from routine life and its demands; Relaxing physically and spiritually; Being released from work pressure; Having an enjoyable time with their travel companions.*

**Keywords:** *sustainable tourism, domestic tourists, motivation factors, region.*

## Introduction

Albania is a country that offers incredible natural landscapes and intriguing cultural monuments. In recent years, some areas of our country have become attractive and promotional areas by attracting domestic and foreign tourists. Tourism development is essential to a country's growth and economic development. Sustainable tourism affects the protection of natural and cultural assets, creates job opportunities, and improves the quality of life of the regions involved. According to the Institute of Statistics data, two out of the five sectors of the tourism industry, accommodation services and food and beverage services, in 2020, represent about 17.5% of the entire service sector and 10.5% of all economic activities in Albania. Accommodation and tourism services have been gradually improving their standards. The increase in the tourist flow to the most attractive areas of our country shows the interest of domestic and foreign tourists in natural tourism, rural tourism, cultural tourism, ecotourism adventure tourism, etc.

The study aims to identify which motivation factors push domestic tourists in Albania to visit a specific destination, specifically Durres Region. The research questions posed in this study are as follows:

- (1) Which motivation factors push Albanian tourists to a specific destination in the County of Durres?
- (2) Which motivation factors pull Albanian tourists to a specific destination in the County of Durres?

The study was carried out using a questionnaire created using the appropriate software for collecting the exciting data. The questionnaire was provided in the Albanian language, and the surveyed people are Albanians who live in Albania and Kosovo, Montenegro, and the Republic of Macedonia. The question allows maximum freedom of expression to the survey sample and aims to bring out the deep perception of the phenomenon.

## Literature Review

The World Tourism Organization (UNWTO) defines tourism as "activities of individuals traveling and staying in a country outside their usual residence for less than one year, for leisure, business or other purposes." As a phenomenon of post-industrial society, mainly in the current conditions of the global economy, the tourism industry (Ninemeier & Perdue, 2005; Cooper & Hall, 2008) is characterized by a very rapid dynamic of development following the latest trends step by step. In recent years, tourism has become one of the most important and growing sectors, which also has the potential to bring socio-cultural and economic contributions to a country. The tourism industry occupies a key place in any economy and is an essential resource for its development. It contributes to the three dimensions of sustainable development: job creation, generating trade opportunities to identify needs and supporting tourism activities, and building essential capacities that promote the benefits of preserving the environment and cultural diversity.

The notion of the quality of tourism, which means "something good," is an indeterminate and unclear concept for many researchers and scientists. Inaccurate adjectives for it like "goodness, luxury, splendor, or weight" are often confused (Crosby, 1979), while its quality and requirements are not easily articulated by consumers (Takeuchi & Quelch 1983). Explaining and measuring quality is a problematic issue for different researchers. Although there have been numerous attempts to study tourism service quality, there has been no general agreement on measuring this concept. Most researchers have tried to use the SERVQUAL method (Parasuraman et al., 1985, 1988) to measure service quality (e.g., Edvardsson et al., 1997; Reynoso & Moore, 1995; Young & Varble, 1997; Sahney et al., 2004). According to them, using the SERVQUAL instrument has been necessary to ascertain any connection or gap between customer expectations and perceptions of the service. Parasuraman,

Zeithaml, and Berry (1988) concluded that only five dimensions (reliability, security, sensitivity, consistency, and accountability) are essential for measuring service quality.

According to various definitions, quality mainly refers to all the characteristics of a product or service required by consumers as the key to survival in difficult times in the business sphere and achieving long-term success through consumer trust. (Langeard et al. 1981; Parasuraman & Zeithaml 1982) Their study argues that service traders may not always understand what consumers expect in service, but strategic quality benefits in its market contribution, return on investment, and reduced production costs (Anderson & Zeithaml, 1984; Phillips et al., 1983). Zeithaml, Berry, and Parasuraman (1993) estimate that expectations are significant for assessing customer satisfaction. Still, it isn't easy to reach a consensus regarding the definition of these expectations because many factors such as customer desires, service standards, and efficiency of services contribute to their formation.

Quality of service can also be defined as the difference between customer expectations for service and perceived service. If expectations are more significant than performance, the perceived quality is less than satisfactory, and consequently, the client is dissatisfied (Parasuraman et al., 1985; Lewis & Mitchell, 1990). The concept of quality has consistently been seen as an essential research focus for the tourism industry (Bojanic & Rosen, 1994; Fink & Ritchie, 1991; Saleh & Ryan, 1991) by being associated with new customer attraction, customer loyalty, employee satisfaction, and commitment enhancing corporate image, reducing costs as well as increasing business performance (Berry et al., 1989; Sureshchander et al., 2002 ). Successful service delivery begins with management's ability to correctly assess customer expectations (Saleh & Ryan, 1991). Different authors have analyzed the consequences of quality of service to the buyer and have concluded that the level of service quality is supposed to affect consumer consumption (Cronnin & Taylor, 1992; Minge & Ing, 2005; Elgaraihy, 2013). Similarly, in tourism, service quality is commonly used to understand tourism experiences (Crick & Spencer, 2011). However, studies on tourism experience show that it extends beyond service quality (Chen & Chen, 2010; Bhat, 2012).

The motivation process of tourism has been an exciting part for many scholars worldwide covering various fields of study such as sociology, anthropology, and psychology (Cohen, 1972; Dann, 1977; Crompton, 1979; Gnoth, 1997). They have studied the motivations to travel and have concluded that it is an essential determinant that influences the behavior of tourists. Every tourist's experience has different motives for traveling from one region to another. Motivation is precisely that which directly impacts one's decision to travel due to intrinsic reasons (motivating factors) and attraction to destination attributes (attractive characteristics) (Yoon & Uysal, 2005). The motive of interest is mainly driven by the tangible attributes of the destination, such as tourist attractions and objects related to the tourism offered by a destination. Meanwhile, the motivation to push is an inviolable factor, as the inner desire of someone pushes him out of his daily routine, relaxation, self-discovery, prestige, gathering family and friends, and social interaction (Kim, 2003 ).

Kim et al. (2003) worked with several motivating factors influencing tourists to visit the national park in South Korea. Correia et al. (2007) proposed the Portuguese tourists' motivations and perceptions model, identifying the relationship between the two constructs of causes. One of the most significant factors that motivate a local tourist is "escape from the monotonous environment." In this regard, in their study, Mohammad & Som (2010) concluded that "meeting spiritual needs" is the factor that has the most substantial impact on the motivation of foreign tourists in Jordan. Different findings noticed the lack of proper segmentation in the domestic market, the lack of specific needs, and a close diversity of products and services studies (Kifworo et al., 2020; Mutinda & Mayaka, 2012).

In economic terms, rational consumer choice is based on anticipating the benefits of meeting a specific need. When discussing tourism promotion through social media, advertising campaigns are crucial to influencing a consumer's decision to choose a particular destination. Because it is not about products but services, they can not be tested in advance. Therefore, the choice is based only on the expectations illustrated through the ads, which should be very effective as most of the ads go unnoticed by the users (Nikjoo & Ketabi, 2015). Today, social media has a significant impact on the tourism industry. In most cases, the content created by the user is more important than any other official information, so every company must develop a solid and effective strategy for social media (Nikjoo & Ketabi, 2015).

According to data from ETTC, in the last 20 years in Albania, the tourism sector has also experienced a dynamic development. However, COVID-19 harmed the Albanian tourism sector because, in 2020, Albania was visited by 41.49% less than in 2019. While the number of tourists is increasing significantly due to various factors (excluding the pandemic period), the issue that is becoming urgent is the lack of a clear vision of the development of this tourism. Significantly the increase in quantitative or mass tourism is associated with various social and economic problems. Thus, developing quantitative and qualitative tourism in a destination like Albania is necessary. Qualitative development of tourism turns it into sustainable development for all residents' economic and social benefit spread throughout Albania, not only in coastal areas with the greatest concentration of tourism. But compared to other countries in the region and the Western Balkans, the tourism development in Albania is still far from achieving the potential represented by the country's natural, historical, and cultural resources. Infrastructure, accommodation capacities, quality of services, tourist offers, and tourist products all affect the sustainable development of tourism in Albania.

Tourism as a critical element of modern life, seen from the perspective of a long-term period, takes a multidimensional form as an opportunity to turn it into a manufacturing services industry. Studies in tourism are essential topics in sustainability, and elements such as communication, methodological rigor, and integrity contribute to the practical approach to the tourism sector, especially in times of pandemics. This study seeks to present a report and argumentative analysis that describes a model and product composed of several elements: geographical location, service, hospitality, freedom of choice, and inclusion. The social benefits of this paper will be more apparent if diverse scholars build a bridge between literature and practice.

Therefore, our research tries to fill in some gaps regarding the practical research on the Albanian tourism sector, considering the relationship between the expectations and perceptions of tourists. This paper has its limitations, but in the future, we can focus on the relationship between tourism and the economic, political, and social aspects and the political uncertainties following the COVID-19 pandemic.

## Methodology

In this study, we have used a positivist research approach. This approach focuses on scientific methods that yield pure data and facts uninfluenced by human interpretation or bias. Our methodological choice is based on using quantitative research. This methodology is a synonym for any data collection technique (such as a questionnaire) or data analysis procedure (such as graphs or statistics) that generates numerical data. This study is based on primary and secondary sources for collecting the data. A questionnaire has been implemented to manage the primary data; meanwhile, other data have been collected from studies conducted several studies realized by different authors. The drafting and construction of the questionnaire were based on works listed in the literature review. The questionnaire was created using the appropriate survey software (SurveyMonkey), enabling it to complete online. The electronic questionnaire can be handy as it is fast, low-cost, does not require help, and can easily be distributed to many people (Williamson, 2002). The questionnaire is formulated in the Albanian language. The surveyed people are Albanians who live in Albania, Kosovo, Montenegro, and the Republic of Macedonia.

The questionnaire analyzes the motivation factors that push and pull tourists to visit a specific destination in Durrës County. The questionnaire is divided into two sections. The first section includes respondents' demographic data such as gender, age, status level of education, and monthly income. In this section are used closed-ended questions. The second section contains 25 items that measure push and pull factors and were selected using previous research (Correia, Oom do Valle, & Moço, 2007; Kima et al., 2003; Nikjooa & Ketabib, 2015; Hua & Yoo, 2011; Kozak, 2002; Mutinda & Mayaka, 2012). Thirteen items are related to push factors, and the remaining items, 12, are related to pull factors. Items were asked based upon a five-point Likert scale (from 1 - strongly disagree to 5 - strongly agree).

The sample consisted of 263 Albanian tourists who have visited and rested in Durrës County. The combination of the convention technique with the snowball technique (used in the non-probabilistic samples) was used for the sample selection.

Processing and analysis of data collected through questionnaires were performed through Excel Programme. The examination for deriving the results was conducted through descriptive analysis

## Study Results

### Characteristics of respondents

Table 1 shows the demographic data of individuals who completed the questionnaire, gender, age groups, status, education level, and income per month.

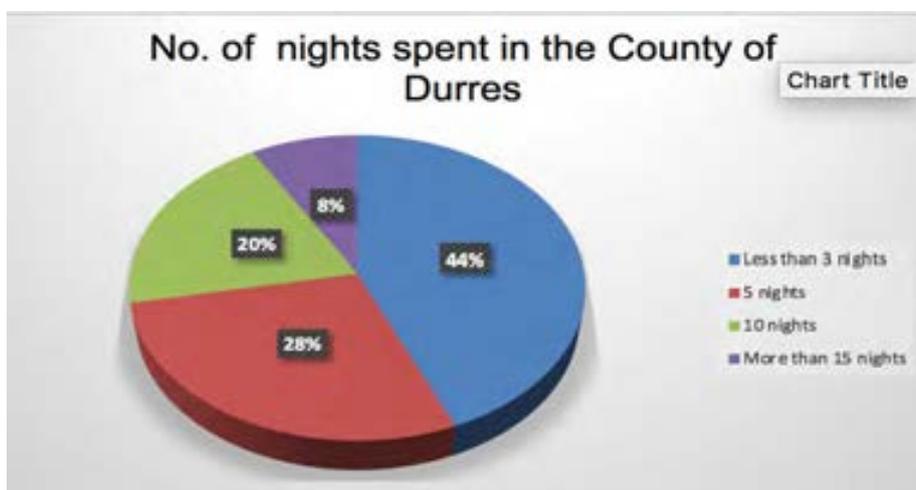
**TABLE 1.** Demographic characteristics of respondents

Characteristics	Percent	
Gender	Male	32%
	Female	68%
Age	18-34	50%
	35-44	21%
	45-54	20%
	55-64	7%
	> 65	2%
Status	Single	44%
	Married with children	45%
	Married without children	7%
	Divorced with children	3%
	Divorced without children	0%
	Widow	1%
Level of education	High school	4%
	Student	10%
	Higher education	35%
	Master/PhD	51%

Income per month (ALL)	< 30.000	17%
	35.000 - 54.000	22%
	55.000 - 74.000	28%
	75.000 - 94.000	16%
	> 95.000	17%

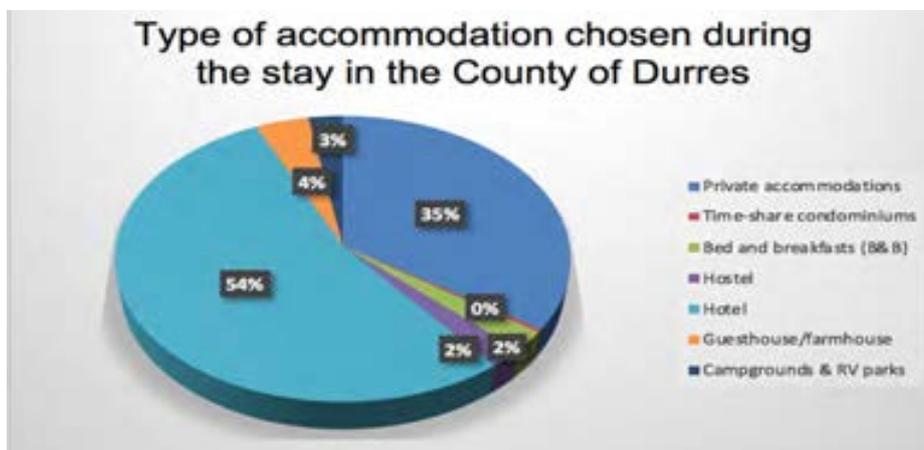
According to the demographic results, the gender dispersal is not balanced; subsequently, 32% of participants are male meanwhile 68% are female. As we can see from the table, the study sample is represented mainly by the youngest group of participants (50%), followed by the age groups 35- 44 (21%) and 45-54 (20%). Regarding the status, 45% of the respondents are married with children, and 44% are single. Meanwhile, 11% of the respondents are married without children (7%), divorced with children (3%), and widows (1%). Of the study participants, 51 % of surveyed people have a master’s or doctoral degree, 35 % have completed higher education, followed by respondents who are students and have a high school, respectively, with 10% and 4%.

The survey sample shows one leading group of respondents with monthly income between 55.000 and 74.000 ALL (28%), followed by the respondents with monthly income between 35.000 and 54.000 ALL (22%). A significant result (17%) concerns the respondents with lower monthly payments than 30.000 ALL and higher monthly income than 95.000 ALL.



**FIGURE 1.** Nights spent in destinations of the County of Durrës

From the graph above, we can see that 44% of the respondents spent less than three nights in the County of Durrës, followed by 28% of the respondents that spent five nights and 20% who spent ten nights. Only 8% of the respondents spent more than 15 nights in the County of Durrës.



**FIGURE 2.** Type of the accommodation chosen during the stay in the County of Durrës

From the graph above, we can see that 54 % of the respondents chose to stay in the hotel, and 35% chose the private accommodation during the time spent in the County of Durrës, meanwhile only 11% chose the other types of accommodation (Guesthouse/Farmhouse, Campgrounds & R.V. parks, Bed and Breakfast and Hostel).

#### Descriptive Analysis

As we can see from the results in the table below, the factors that push Albanian tourists to visit the destinations of the County of Durres are related to escape from routine life, being released from work pressure, relaxing physically and spiritually, and enhancing health. They also seek to facilitate relatives and friends ties and appreciate nature.

**TABLE 2.** Motivation factors that push tourists to visit the destinations in the County of Durrës

No.	Push factors	Value
1	Escaping from routine life and its demands	4,17
2	Being released from work pressure	4,19
3	Seeking a place to just relax physically and spiritually	4,25
4	To enhance communication with local community	3,31
5	Experience new and different lifestyle	3,59
6	Meeting new people with similar interest.	3,43
7	To have an enjoyable time with my travel companions	4,05
8	Facilitating relatives/friends ties.	3,82
9	To appreciate beautiful natural resources	4,22
10	To observe rare wildlife	3,39
11	To appreciate historic/cultural resources	3,87
12	To explore buildings and sites of archaeological importance.	3,82
13	To enhance health.	4,01

As we can see from the results, the factors that push Albanian tourists to visit the destinations of the County of Durres are related to escape from routine life, being released from work pressure, relaxing physically and spiritually, and enhancing health. They also seek to facilitate relatives and friends ties and appreciate nature.

**TABLE 3.** Motivation factors that pull tourists to visit the destinations in the County of Durrës

No.	Pull factors	Value
1	To increase knowledge about a specific destination.	3,92
2	Outdoor activities like swimming, boating, cycling, trekking, canoeing, etc.	3,67
3	Festivals and entertaining events	3,63
4	Various traditional foods and drinks of the area.	3,76
5	Standards of hygiene and cleanliness of the destination.	3,45
6	Clean and comfortable accommodations	3,71
7	Safe Destination	3,73
8	Easy accessibility and convenient transportation	3,51
9	Well-organized tourist information system	3,43
10	Availability of important information about the destination.	3,54
11	Suitable price and quality of goods	3,57
12	The destination suits my household budget.	3,86

As we can see from the table results above, we can not identify important factors that attract tourists to visit the destinations of the County of Durres. We can distinguish two concerning the increasing knowledge of a destination and the destination's suitability to the household budget. The results also show that the destination doesn't meet the hygiene and cleanliness standards and lacks a well-organized tourist information system.

## Conclusion

According to the descriptive analysis, we can conclude that Albanian tourists select tourist destinations in the County of Durrës region mostly related to their personal needs and desires. Albanian tourists choose to visit and relax at these destinations because they offer the opportunity to escape the daily routine and pressure of work, allowing them to relax physically and spiritually and improve their health. Also, Albanian tourists like to contemplate and enjoy the natural environment that these destinations offer and spend a pleasant time with family or friends with whom they decide to travel. On the other hand, the study shows that Albanian tourists do not identify attributes that attract them to visit these destinations. The lack of an adequate information system highlights the problems related to the access and availability of essential information for the destinations of this region. Albanian tourists have no information about the destinations' local activities, festivals, and entertainment events. Also, they do not have information about certain outdoor activities like boating, cycling, trekking, canoeing, etc. The destinations of the County of Durrës do not offer an excellent quality-price ratio to attract Albanian tourists. To some extent, we can say that they fit their assigned budget to spend on tourism. The lack of attractive attributes of destinations in the County of Durrës explains even the short stay (no more than five nights) of Albanian tourists in this County.

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# Challenges of Fiscal Policy of Western Balkans countries on their road to EU integration

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**Ketrina ÇABIRI MIJO, PhD**

European University of Tirana, Albania  
ketrina.cabiri@uet.edu.al

**Grisejda MYSLIMI, MSc**

grisejda.myslimi@uet.edu.al  
European University of Tirana, Albania

**Hysen MUCEKU, Prof. Assoc. Dr.**

European University of Tirana, Albania  
hysen.muceku@uet.edu.al

## Abstract

*The challenges of meeting the requirements of fiscal policy criteria set out in the Maastricht Treaty will be the focus of this study. Functioning of Fiscal policy for nations that want membership in the European Union is very important as the appropriate fiscal indicators lead to economic growth and continued economic stability. The objective of the fiscal policy of the European Union is to build a strong and healthy system for the coordination and participation of the fiscal policies of the Member States. The treatment of the actual situation in the Western Balkans regarding the fulfillment of fiscal policy criteria is an important part of this study. This research will analyze the strategies that countries of this region should follow to have a healthy economic integration. The identification of variables that affect the sustainability of public debt is an essential part of this survey. The legal framework establishes strict rules for unsustainable public finances between euro area countries. Strengthening of public finances is a must for candidate countries. Maastricht treaty recommends that the public finance deficit must not surpass 3% of GDP and public debt must be limited to less than 60% of GDP. The harmonization of fiscal legislation of Western Balkans with the EU law will be extensively examined in this study. Considering that many Balkan countries have advanced on fiscal consolidation and have implemented considerable reforms on government spending and taxing, we will analyze the informal economy and tax evasion as a critical challenge that Western Balkan countries must overcome.*

*Keywords: fiscal policy, public debt, Western Balkans, sustainability, economic growth, tax evasion*

## Literature review

### Fiscal policy as a transmission mechanism in the economic activity of the country

The history of thought on fiscal policy births since 1936. The publication of The General Theory of Employment, Interest, and Money (1936) were called The Fiscal Revolution in America. It shows that government spending was a determinant element driving aggregate demand. Keynes pointed out that government spending was needful to maintain full employment. The Means to Prosperity (Keynes, 1933) advocated tax cuts as short - term measures to support economic healing. Keynesian economic theory promote a lively role of government in modeling economic activity. According to this theory interference of government by increasing spending or reducing taxes is required to eliminate the loss of effective demand. Keynesian economic theory highlights the importance of state intervention in increasing unemployment level during recession time when economy has a considerable decline in investment and private consumption.

“Functional finance” a theory of intentional financing to meet explicit goals developed by Abba Lerner (1943) included full employment, no taxation designed only to fund expenses or finance investment and low inflation. The Principals of Welfare Economics (Lerner, 1947) explained that controlling personal income tax rates could have valuable temporary objectives such as economy growth and control of inflation. The Theory of Public Finance (Musgrave, 1959) applied the analytic tools of price theory and of Keynesian macroeconomics to the issues of tax indicate, of efficiency and of achieving full employment. Walter Heller in his publication “New dimensions of Political Economy” (1966) wrote that both monetary and fiscal policy had “to be put on constant rather than intermittent, alert” in order “to provide stability at high levels of employment and growth that the market mechanism, left alone, cannot deliver”. As a Keynesian he promoted cuts in the marginal income tax rates. Friedman challenged the Keynes ideas. He emphasized that central bank cannot peg interest rate or unemployment rate. Friedman (1968) explained the idea that Phillips curve is transitory, and unemployment must eventually return to its natural rate and so any attempt by government to do otherwise will lead to inflation getting out of control. In similar way Friedman argument that any attempt to peg interest rates would drive inflation into an unstable way. Robert Eisner (1969) wrote that regular use of tax policy for stabilization purposes would roughly undermine its efficacy. Activist use of the income-tax for stabilization purposes would request for continuous changes in income taxes (Eisner; 1969). Keynes wrote that if fiscal policy is used as an intentional instrument for the more equal distribution of incomes its effects in increasing the tendency to consume is greater (Keynes, 1973). Barro (1979) proposed a theory of tax smoothing. According to this theory government should spread the burden of raising taxes across time periods in order to minimize their burden. This has important implications for the pattern of budget deficits. The idea of reducing the budget deficit or increasing the surplus in the way to grow the economy even in the short term started to dominate. This thinking was anti Keynesian. In this contest Miller (1984) and Blanchard (1984) explained how a decrease in expected future budget deficits raise aggregate demand by lowering long term interest rates.

The stabilization function of fiscal policy links the regular and careful use of government revenues and expenditures to effect macroeconomics variables as high employment, positive and stable economic growth, proper current account on the balance of payments (Blanchard,2010; Stanovnik,2008).

## Public Debt - a challenge and indicator of the Fiscal Policy criterion for EU integration

Studies are divided into two categories. One part sees public debt as an aid for country development and the other that focuses on its negative effects.

According to Keynesian, the budget deficit and public debt have a positive effect on the economy. Keynes theory supports expansionary fiscal policy. Keynes argued that government spending on infrastructure, unemployment benefits and education was a critical factor driving aggregate demand and needed to maintain full employment.

On the contrary, representatives of the classical school of economics say that the budget deficit and public debt can have negative effects on the economy. After analyzing household consumption expenditures, they indicated that government with budget deficit movements increases the tax burden for future generations. Classical economic theory support restricted government debt. Government borrowing will lead to high interest rates. High interest rate make borrowing costly. Empirical studies prove that over a certain level higher public debt reduce economic development. Some research indicates that the analytical value of debt to GDP will remain in the diapason between 85% - 100% for developed countries and between 40% -70% for developing countries (Kumar & Woo 2010; ChecheritaWestphal & Rother, 2010; Cecchetti et al., 2011; Reinhart & Rogoff, 2010a, 2010b). Reinhart, Reinhart, and Rogoff (2015) suggested that the ratio should be at 90% but the economy would still be able to raise with the debt ratio less than 90%. If the debt ratio increases more than 90%, public debt will cause a negative effect on the economy. This case was proven empirically by studying developing countries, in which the debt was found at 88.2% (Karadam 2018). The economy is able to grow positively when the debt level is below the limit. However, when public debt to GDP exceeds the limit, the growth begins to decline.

Theoretically, the factors that determine the level of external debt for a country are the projected average inflation rate, government spending and national income (Barro, 1979). Forslund et al. (2011) identify six major categories determining the composition of the public debt. These are: (1) macroeconomic imbalances; (2) country size and the level of development; (3) crises and external shocks; (4) openness; (5) exchange rate regime. Macroeconomic imbalances category includes inflation, current account balance, level of total public debt and exchange rate misalignment. The second category, country size and level of development is related to indicators such as GDP, per capita income, M23 over GDP, and institutional quality. The third category, crises and external shocks, captures the crisis situations related to a sovereign default and other impulsive changes in the current macroeconomic situation. The fourth category sketches trade and capital account openness. The last category, exchange rate regime, is related to the fixed or floating exchange rates. Budget stabilization or tax smoothing approach provides important insights in decision making process in public debt management and emphasized importance of the correlation matrix between key macroeconomic variables like inflation, GDP growth and interest and exchange rates for the optimization of debt structure. Bergström & Holmlund (2000) work<sup>24</sup> which introduced new approach to debt management that set minimization of debt costs as an objective of their public debt management model. Their numerical 25 approach comprises modeling of the inflation, GDP, short and long-term interest rates and exchange rates using stochastic processes in order to capture stochastic nature of risk factors and calculate costs of debt under different financing strategies.

## Research aims and objectives

The purpose of this paper is to identify the fiscal policy challenges for EU integration of the Western Balkan countries. Some general objectives of this research are:

- 1) an assessment of the situation and identification of factors that prevent countries of the Western Balkans to join the EU,
- 2) identification of unfulfilled factors for the fiscal policy criteria,
- 3) an assessment of public debt determinants that affect its sustainability,

Three research questions are proposed to achieve the research objective:

RQ 1: What challenges do Western Balkan countries have in identifying economic indicators for meeting the Fiscal Policy Criterion for its EU membership?

RQ 2: Is the informal economy and tax evasion the main challenge of Western Balkan countries fiscal policy for EU integration?

### Hypothesis:

GDP growth rate, inflation, public debt and legal restriction are the main indicators that affect integration of Western Balkans in EU.

## Proposed Methodology

The methods of research used are:

1. Deduction - uses universal information to reach at a specific result. It may be seen as argumentation where the outcome is considered as the logical following of the keynote. The conclusion strongly depends on the arguments in a deduction method. In this case, the situation where some western Balkans countries are regarding the fulfillment of the criteria for EU membership will be studied and analyzed according to the methodology applied for each candidate country approved by the EU, until we reach the Fiscal Policy Criterion and which of its indicators remain unfulfilled.
2. Descriptive - refers to questions, study design and analysis of data conducted on a peculiar subject. Various studies and reports that have dealt with the study of the integration of the countries in the EU will be collected. Literature by modern and classic authors, research by different agencies and studies published by organizations dealing with surveys in this field will be analyzed.

## Objectives of fiscal policy

Some objectives of fiscal policy include:

- Meeting public needs through a healthy public funding system
- Full employment
- Increasing the rate of economic growth
- Maintaining price stability
- Improving working conditions
- Stimulating savings
- Investment incentives
- Increasing the competitiveness of local products and services
- Increasing the quality of services in education and health

The countries of the Western Balkans have been slow to adopt the EU integration process. The most important challenges such as these countries' economic and political problems persist unsolved. This is because the countries of the region have not been able to resolve the regional challenges and achieve a political consensus. Western Balkans still suffer from a weak performance of the labor market, which translates into low economic activity rates as well as into high unemployment, high share of informality and prevalence of migration. Governments have limited capacities to address these challenges due to low economic growth and large fiscal deficits.

## Public debt and growth rates level in the Western Balkans, 2019-2020 % of GDP

The difficult year 2020 corresponds to an increased level of public debt by 10.8 percentage points in Western Balkans. Montenegro holds the largest increase in public debt with 28.4 percentage points. In second place is Northern Macedonia with 106 percentage points. In third place is Albania with 9.9 percentage points. Kosovo, Serbia and Bosnia and Herzegovina have increased public debt close to 6% of GDP.

Country	Albania	B.Herzegovina	Kosovo	Montenegro	N.Macedonia	Serbia
FY 2019	67.3	32.5	17.6	78.8	40.6	52.8
FY 2020	77.2	36.7	24.1	107.2	51.2	58.4

Source: MoFE, IMF

Meanwhile Growth rates, 2019-22, percent in those countries are as below.

Country	Albania	B.Herzegovina	Kosovo	Montenegro	N.Macedonia	Serbia
2019	2.2	2.8	4.8	4.1	3.2	4.3
2020	-4	-3.2	-5.3	-15.3	-4.5	-0.9
2021	7.2	4	7.1	10.8	4.6	6

Source: MoFE, IMF

## Economic overview of the Western Balkans

The average total rate of social contributions in the Balkans for 2018-2019 is at 30.9%. Below this average rate are ranked 3 sites:

Kosovo (10%), North Macedonia (27%), Albania (27.9%), Bosnia – Republica Srpska (23%). On this average are ranked 4 countries: Croatia (37.2%), Montenegro (34.3%), Bosnia – Federation (41.5%), Serbia (37.8%). It is necessary that the policy of the burden of contributions be revised to narrow this gap in Kosovo, North Macedonia, and Albania. Lower rates of contribution rates threaten in the medium to long term the implementation of the current schemes, driven only by the fact of increasing the retirement age for retirement benefits. Western Balkans average tax rate on personal income tax / wages is at level of 16.9%. Croatia (36%), Albania (23%) and Serbia (20%) apply personal tax rates above this average. Kosovo (10%), Bosnia and Herzegovina (10%), North Macedonia (10%), Montenegro (9%) apply tax rates below this average. Improving the tax system should also address both the tax rate policy and the strengthening of the administration, always being considered as a necessary condition for the functioning of the fiscal system development in accordance with the objectives for economic development.

Inflation in the Albanian economy is the highest it has been in the last 15-20 years, suffering two major shocks: the impact of the pandemic and the Russia-Ukraine war. While in Albania, the price increase marked a level of 5.7% in March 2022, in the markets of the Balkan countries inflation accelerated even more, where in Kosovo it was 7.5%, in Serbia was 8.8%, in Bosnia-Herzegovina was 6.9%, in Montenegro was 9.7% and in North Macedonia it was 7.6%, with an average increase for WB6 of 7.7%. Unemployment reached historic lows in most Western Balkan countries, falling from 16.2 percent to 15.3 percent over the last year. Country rates ranged from around 12 percent in Serbia and Albania to 29 percent in Kosovo. The region also experienced a substantial decrease in long-term unemployment, from a peak of 1.5 million people in 2011 to 776,000 people in the second quarter of 2018. Still, unemployment remained a significant challenge in the Western Balkans, where levels were two to three times higher than in EU peer countries.

## Conclusions

The determination made on the way to EU integration will generate the conditions for a modern market economy and boost these countries' capabilities to compete within the EU. The countries of the Western Balkans have been slow to adopt the EU integration process. The most important challenges such as these countries' economic and political problems persist unsolved. This is because the countries of the region have not been able to resolve the regional challenges and achieve a political consensus. The EU adopted in 1993 the Copenhagen Criteria for membership, creating a foundation for economic, political, legal, and administrative development. The required standards by the EU would enable the region to significantly improve the standard of living for their nations and bring it closer to the European family. Although the Copenhagen criteria had been established, the region was an arena of several wars in the 1990s.

Candidate countries in the Western Balkans still suffer from a weak performance of the labor market, which translates into low economic activity rates (particularly among women) as well as into high unemployment (especially among youth), high share of informality and prevalence of migration. Governments have limited capacities to address these challenges due to low economic growth and large fiscal deficits. National social dialogue processes are also constrained by polarized discussions on labor market and labor law reforms in this context. Western Balkans countries have not met the requirements of fiscal policy set out in the Maastricht Treaty. The level of public debt has not been in line with the strategic objectives of SAMB. The relationship between a budget deficit within the limit of 3% of GDP and public debt up to 60% of GDP does not seem clear to be achieved in the near future for Western Balkans nations.

## Recommendations

Fiscal policies should be clearly oriented towards fiscal consolidation to reduce public debt below 60% of GDP, while ensuring an optimal level of investment of about 5 percent of GDP on average. Supporting fiscal consolidation would help these countries join the EU. Increasing the transparency of the use of public funds and avoiding tax evasion should be the focus of these countries. More progress in the fight against corruption, a stronger, more independent, more transparent judiciary is needed. Increasing the rate of economic growth, decrease of unemployment rate and stability price are a significant challenge of Western Balkans on their road to EU integration. Improving the tax system and the strengthening of the administration is a must for the functioning of the fiscal system development in accordance with the objectives for economic development.

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# Training, challenge of the times and competition for knowledge

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**PhD. Irina CANCO**  
European University of Tirana

**Dr. Albana DEMI**  
“Aleksandër Moisiu” University

**Msc (c). Melisa BUCPAPAJ**  
European University of Tirana

*“It all has to do with training:  
you can do a lot if you are properly trained”*  
**ELIZABETH II (1296-2022)**  
*Queen of Britain and Northern Ireland*

## Abstract

*Competition between business is growing. Training growth professional skills and reduces employee turnover from one business to another. From this point of view, training constitutes a competitive advantage. The purpose of this paper is to present some problematics about the employee training and benefits both employees and business organizations, because the success or failure of the organization relay on the performance of employees. The study refers assessment of literature about the impact of training role on business performance. In our review, we have evidence some prominent authors about training theory. The most important findings are that both managers and employees strongly believe in the importance of training and its positive impact on business performance. The paper analyzes the perceptions of managers and employees in some businesses in Albania regarding training problems. This emphasizes the original character of the study.*

*Key words: managers, employees, training, businesses performance*

## Introduction

The rhythm of development of the business world requires more knowledge and skills from employees. By their very nature, knowledge, as a result of the development of science and technology, is abundant to the limits of infinity. Thus, commitment in current and future jobs focus the training, as a condition for the individual employee development and the business performance. Training save and increase the capacities of the individual and the respective community for a successful economic functioning. Based on Goldstein (1991): “The process of training is the process of systematically acquiring behaviours, concepts, knowledge, roles or skills that lead to better performance at work” Training is an old activity of human resources management that has attracted the attention of scholars. The training focuses on increasing employee value. Through training human resources from the one hand become better able to meet the challenges posed by the competitive environment in the labour market and the other hand the trainees, also satisfy their personal goals. Therefore the scholars evaluate training from two point of view. Jehanzeb & Bashir (2013) refers the others scholars admit that some of the scholars suggest that training opportunities increase in high employee turnover whereas the others claimed that training is an instrument which is beneficial for employee retention (Colarelli and Montei 1996; Becker 1993). Training was born as a necessity of technical and social development over the years. In continuation, the need for training has been present, as a precondition for development.

**Research question:** Which are the perceptions of managers and the employees about the trainings?

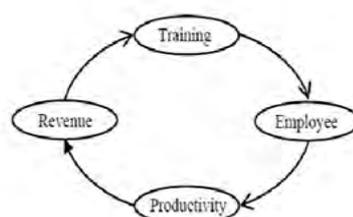
## Literature review

The future of any business and society in general, depends on the quality of human resources and the continuous improvement of quality in different periods. Individuals and businesses are interested and willing to embrace the achievements in the field of technique and technology to achieve a better standard of living. Increasing the standard of living is conditioned by several factors, among which is training. For this, Steinmetz (1976) express that: “As man invented tools, weapons, clothing, built and communicated, the need for training became a key component in the process of civilization”. Helms (2016) admit that employers and individuals depend on continuing education, employers in order to have highly skilled workers, and from employees perspective they need continuation of the education to be able to move forward in their career. Thus, a workforce is only efficient and effective if the appropriate training and development is provided for such and therefore leading to productivity Maimuna & Yazdanifard (2013). Galanou & Priporas (2009) consider training as a process is one of the most pervasive methods to enhance the productivity of individuals and communicating organizational goals to personnel. Because, training is viewed as a systematic approach of learning and development that improve individual, group and organization Goldstein and Ford (2002). This significantly affects employees by increasing their self-confidence. Logan (2000) acknowledges that employee feels comfortable and wants to stay with their organization when they feel they are putting their efforts and skills in the bottom line for their organization. These are made possible through lifelong training. Training should be a constant concern of managers. In this context, Khawaja & Nadeem (2013) suggest that organizations need to invest in continuous employee development in order to maintain employees as well as the organization success. For Kum; Cowden & Karodia (2014): “Employers do not regularly considers the feelings of their employees regarding skills development”. Training and development are two complementary processes. Based on Garavan (1997) “..... training refers to bridging the gap between the current performance and the standard desired performance. While Antonacopoulou (2000), defined development: ....”the capacity and capability building on an employee and thus as of whole organization, to meet the standard performance level”.

Training is an important activity for new employees to gain knowledge on the job and for other employees because knowledge on the job becomes obsolete. “Training and development is very essential at all employee levels, due to the reason that skills erode and become obsolete over a period of time and has to be replenished” Nishtha and Amit (2010).

Based on Jehanzeb & Bashir (2013): “Today most of the companies are investing a lot of money on the training and development of employees in order to remain competitive and successful part of the organization”. It is important. For Leboeuf (1985): “If you believe that training is expensive, it is because you do not know what ignorance costs. Companies that have the loyalty of their employees invest heavily in permanent training programs and promotion systems”. Paradise (2007) admit that reference to a current report prepared by American Society for Training and Development, organizations are spending more than \$126 billion yearly on employee training and development. Training plays an important role and is especially rewarding when it is a well-planned activity considering the objectives of the business organization. Beer, Finnström & Schrader (2016) speaking of the importance of training acknowledge that: “Pre - and post-training surveys suggested that participants’ attitudes had changed”. This is why training costs are incurred. “American companies spend enormous amounts of money on employee training and education - \$ 160 billion in the United States and close to \$ 356 billion globally in 2015 alone - but they are not getting a good return on their investment” Beer, Finnström & Schrader (2016). This highlights the fact that training and development constitute a strategic objective. For Oluwaseun (2018): “By making training and development a strategic priority of the organization, and implementing it in a thoughtful and deliberate manner, a company can benefit from measurable ROI. You can measure for impact, for qualitative and quantitative ROI, and there are various ways to do so”. This explains the actions of current managers referred to by Beer, Finnstrom & Schrader (2016) who emphasize that: “Still, senior executives and their HR teams continue to pour money into training, year after year, in an effort to trigger organizational change”. Training affects the internal values of work. Onyekwere (2021) asserts that personnel training have intrinsic worth; amongst the virtues, it produces a high degree of discipline and exemplary behavior in the performance of assigned responsibilities, as well as assist personnel to learn more on the job since personnel training is a selective and rigorous effort to enhance performance. The expected importance of training increases significantly if managers take care to coordinate it with the necessary inputs in quantity and quality. Onyekwere & Douglas (2021) stressed: However, training can only lead to better job productivity when complementary inputs/resources are also provided along with training.

Training expresses a cyclical relationship between employees, productivity and revenue according to the following scheme:



Source: Rohan & Madhumita (2012)

## Some training forms in years

- **The earliest form of training is: On the Job Training - OJT** This form provides immediate feedback and immediate corrections. It is direct, real and tangible. de Jong; Thijssen & Versloot (2001): “The spectrum of training on-the-job learning processes and related trainee and trainer roles, training objectives, and training procedures can be systematically described in a typology of planned training on the job”.
- **Craftsmen and Apprentices**, was used on Middle Ages in Europe, although traces of this form are also found in the Code of Hammurabi. The apprentices performed certain tasks next to the masters. “Apprentices generally lived with their masters and were practically unpaid, but benefited from living expenses and training” (Steimtz 1976). While Epstein (1998) stress: “... craft guilds was to provide adequate skills training through formal apprenticeship”.
- **Schooling** Tuition aims in large-scale training and belongs to industrial revolution period. It is used for the first time from large printing house of New York. Hoe and Company, in 1872 opened the school that trained its employees. This way of training significantly increases the number of trained employees per unit time and realizes lower cost training per unit.
- **Near the Job Training - NJT**, was performed in the workplace, with small concentrations of about 6-8 employees and was led by a trainer. This form used around the 1900s. “On the job training is a method to develop the skills of a worker through hand-on experience” Vasanthi.S Dr.S.Rabiyathul Basariya (2019).
- **Systematic Training - ST**, belongs to the period of World War II. It is a form of flexible training. “Training can be provided periodically and systematically” Vasanthi & Basariya (2019). “Training in industry is effective only to the extent that it is planned, structured and systematic” Onimole & Zekeri (2012).
- **Individualized Instruction - II**, copyrighted by Skinner. “While the idea of individualized instruction has existed for some time (Courtis, 1938), what is remarkable are the striking similarities of desired goals and methods between current research in training and education and work beginning almost a century ago (e.g., teaching machines Skinner, 1958; etc.)” Chung et.al (2007). “To begin the individualized training, the mentor starts with a needs analysis through initial or pretraining information gathering of the current situation” Merritt (2017).
- **Job Support Scheme - JSS**, orient employees to know how to seek the information needed to get the job done. JSS also helped to preserve local workers’ wages. “... the Government implemented the Jobs Support Scheme (JSS) which provides wage subsidies to employers to support the retention of local employees” Ministry of Trade and Industry of Singapore (February 2022). “The job support could be viewed in the context of diversity management”, European Union of Supported Employment.
- **Information Technology or Integrated Performance Support** was developed in the early 1990s with the aims of replacing as much knowledge of the task and the use of the mind with electronic means as possible.

Currently use term efficacy electronic performance support system (EPSS)

- Essentially, an EPSS attempts to replace human tutors and teachers, while providing the same type of assistance.
- An EPSS design is more efficient than a tutorial because tutorials typically have defined beginning and end points.
- There is no standard way of constructing an EPSS because each system depends upon the needs of users, available technology, resources available, and the skill of the designer. Platt (2008).

## Methodology

This paper has aim to evidence of the managers point of views and employees regarding of training. The paper consider primary and secondary data. Secondary data refers to various studies and publications about the training. In order for the training to be analyzed by the two stakeholders the primary data is collected using two measuring instruments. The questionnaire was used to test employee perceptions and interviews to managers. Sample size of the study consists of 31 employees and 10 management from different business operating in the city of Tirana. Descriptive statistics is used for data analysis and ANOVA as well as.

## Results

The literature review evidence that training needs is a strong support for achievement. From the terrain data it results that managers accept the fact that training is very important but has cost for the business.

## Managers

- From the terrain data it results that from the point of view of managers training is not a planned activity. All interviewed managers admitted that they have no training plan. Training planning is important, as training should not be left to chance.
- Managers do not collaborate with experts from academia to increase the quality of training. This makes training a routine activity. Collaboration with the academic world will affect the increase of professional skills of the managers themselves.

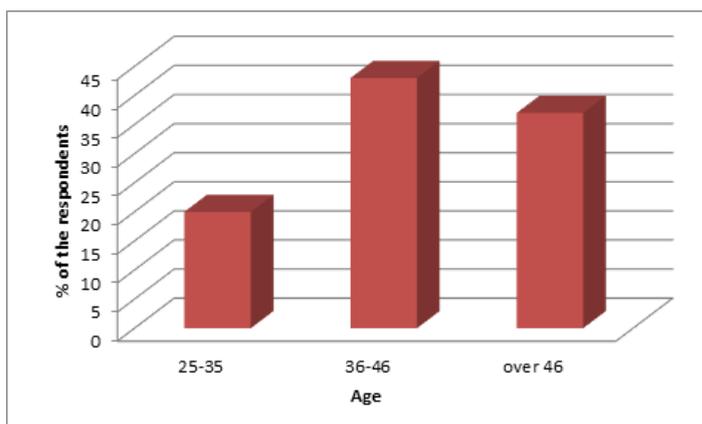
However, managers admit that performance after the training has been:

- 22.8% better than before
- 51% average
- 26.2% unchanged

For this reason Armstrong (2006) asserts that trained employees usually work better in teams as they are aware of the expectations and together are able to achieve them smoothly. However, “Training has been found to be a significant variable in enhancing organizational productivity. At its heart is the improvement in the performance of participating individuals” Abogsesa & Kaushik (2017).

## Employees

The respondents are mostly at a young age, as the following graph:



Source: Authors (2022)

Employees generally value it and are therefore interested in their professional training through training. They see training as an opportunity for better performance or a higher level of employment. Therefore, about 2/3 of the respondents highly value the opportunity given to them for training, as shown in the following graph:



Source: Authors (2022)

However, the training situation is presented as the follow:

- 11 employees are trained systematically
- 16 employees are trained but not systematically
- 4 employees never trained

Lack of training directly reflects on professional skills to perform the task. This is evidenced in the statements of employees. Most of employees, about 73% of them report that don't have mastery and enough of the skills needed to do well their jobs

- 16 % possess acceptable professional skills
- Only 11% of employees apply new skills

Employees admit that one of the reasons for the lack of training is the frequent change of work in different businesses. The impact of training is twofold. "These benefits comprises better organizational performance (e.g., profitability, efficiency, and output) and further benefits that directly or indirectly related to employee performance" Jehanzeb & Bashir (2013) .

However, managers admit that performance after the training has been positive. Base on the ANOVA, sig. .000 express that it has exists a positive relation between training and business performance, as it is below.

ANOVA <sup>a</sup>						
Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	3.142	1	3.142	13.142	.000 <sup>b</sup>
	Residual	38.134	41	.229		
	Total	41.276	41			

a. Dependent Variable: performance  
b. Predictors: (Constant), training

## Conclusions and recommendations

Training and development is vital activity for the human resource development and business, too. Training impact on employee is in the different directions:

- productivity, training improve the wellbeing of organizations
- performance of human capital
- the economic growth of the nation

There is a lack of national policies for training.

The study shows that the culture of doing business considers training as an opportunity for good business performance, but there are still problems that can and should be improved. So far the trainings do not have a permanent frequency. Systematic training is important. This can and should be achieved through the training plan. Preparing and adhering to the training plan should be part of the manager's professional ethics. Improvements in terms of training will be visible in the fact that businesses cooperate with professionals from the academic world.

## Limitation

The study is a qualitative one. This constitutes another limitation because this study based on the subjective judgments of employees and managers on focus. Bayyan (2016) admit that: "..... qualitative data takes the form of generalizations, perceptions, and/or the "why" of the study without concrete numerical data to support the study". It is necessary to engage in further research studies on the training and development of employees in order to have a broader understanding of its valuable impacts.

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# Crises and Creative Destruction. Opportunity for Remodeling the Economy and Society. Determinants of FDI in Albania, 2004-2018

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Geraldina FEJZAJ  
Sokol NDOKA

## Abstract

*Financial markets are developing in a more globally integrated framework as a result of increased liberalization of market access. A very important element in this economic integration is precisely foreign direct investment.*

*This paper focuses on identifying the factors that have influenced the determination of foreign direct investment in Albania during the period 2004 - 2018. During the study, there will be identified 4 important variables in terms of FDI such as market size, opening of market, inflation and the level of corruption. The paper is based on an empirical study with secondary data collected by the World Bank. The effect of each of the variables on foreign direct investment will be studied through the analysis.*

*This study makes a significant contribution in determining the influencing factors in FDI. The recommendations that emerge at the end of the paper serve the relevant instances to improve the indicators in order to create a more appropriate environment to make Albania an attractive destination for foreign investors.*

**Keywords:** *Foreign direct investment, market size, market opening, inflation, corruption.*

## Chapter 1: Introduction

Financial markets are developing into a more globally integrated framework as a result of increased market access liberalization. A very important element in this economic integration are foreign direct investments. One of the economic problems of developing countries, including Albania, is that they do not have enough national savings to finance their investments. They are in constant need of foreign capital, and FDI (foreign direct investment) is what provides the instrument for creating direct and sustainable connections between economies.

Foreign direct investment serves as an important tool for enterprise development, and can also help improve the competitive position of both the host and the investing economy. FDI encourages the transfer of technology and knowledge between economies. On the other hand, it offers an opportunity for the host economy to promote its products more widely in international markets. Besides the positive effect on the development of international trade, it is also an important source of capital for host economies.

Foreign direct investment is spreading rapidly throughout the world economy in the last two decades. More countries and more sectors have become part of the international FDI network. The high level and different forms of FDI represent an important force that generates greater global economic integration. (Mody. A. 2006).

Albania managed to take a relatively late step towards opening the door to encouraging foreign direct investments. Foreign direct investments are a phenomenon that began to appear in Albania after the 1990s. The transition from a centralized economy where everything was owned by the state, to a decentralized economy where private property exists, was a key factor that significantly affected FDI in Albania. In recent years, our country has taken important steps with the aim of attracting foreign investments. The creation of a safe investment climate, the favorable geographical position, the young population, the announcement of legal acts within the framework of foreign investments and strategic investments, the design of various fiscal

and non-fiscal incentives in support of different sectors as well as macroeconomic stability have contributed to the creation of an attractive environment for foreign investments, ranking Albania in second place in the region for this indicator.

However, the dynamics of recent events, as well as the ending of two of the most important foreign investment contracts in the country during 2020, put our country in front of an uncertain future situation in terms of FDI level. For the above, it is incumbent upon the government to focus on the appropriate determinants of foreign investment in order to smooth out the fluctuation in the coming years.

### 1.1 The purpose of the study

Foreign direct investment became a very dynamic economic variable in the early 1990s. They are now an important part of national development strategies for many different countries, especially for developing countries. These countries tend to liberalize their investment policies to encourage FDI inflows. (UNCTAD, 2017). FDIs strengthen host economies by contributing to the creation of new jobs, transferring technology and know-how, as well as increasing the competitiveness of local firms.

In this context, acknowledging that FDI can contribute to economic development, all governments want to attract it. Indeed, the world market for such investment is very competitive, and developing countries, in particular, seek such investment to accelerate their development efforts. To achieve this, host countries cannot just wait and see what international market forces bring them.

Albania, on the other hand, was faced in 2020 with the completion of two of the most important investments in the country, the Trans Adriatic Pipeline (TAP) and the Devolli Cascade. Under these circumstances, the government should take the necessary measures to mitigate their effect.

Regarding the above, we can say that the primary purpose of this study is to determine the factors that encourage foreign direct investment in Albania. Special attention has been paid to these factors, given that the country's sustainable development is becoming more and more important.

### 1.2 Research question

Research question: Are market size, market opening, inflation and corruption determinants of foreign direct investment?

### 1.3 Hypothesis

Hypothesis: Market size, market opening, inflation and corruption are determinants of foreign direct investment.

### 1.4 Description of the study methodology

The methodology used for this study is investigative, analytical and empirical. The investigative and analytical character are noted in the collection and examination of information related to foreign investments in Albania. The analytical character also consists in analyzing the main driving factors of FDI and their impact on economic growth, the increase in the competitiveness of host country firms, the development of international trade as well as the implementation of new technology and know-how. Empirical character is noted in the econometric model used to prove or reject the hypothesis.

The data used in the model are secondary data collected from the World Bank. The type of data is time series and has been collected for a period of 15 years, 2004 – 2018, for Albania. A multiple linear regression with 4 independent variables was constructed which was analyzed through the Eviews statistical program.

The variables studied are foreign direct investment, market size, market openness, inflation and corruption. Foreign direct investments are identified as the dependent variable and are measured in billions of dollars. On the other hand, variables such as market size, market openness, inflation and corruption are independent variables. The gross domestic product per capita (GDP/capita) was taken as a proxy for the market size, while an index was taken for market openness, which was calculated as the ratio of import + export to the gross domestic product (GDP). Inflation is expressed in %. Corruption is measured by the perceived corruption index which ranks countries on a scale from 0 (very corrupt) to 100 (very clean).

## Chapter 2: Research Methodology and Data Analysis

### 2.1 Using the theoretical framework in function of the empirical study

Attracting foreign direct investment is an important objective of any economy that has long-term goals of economic well-being. FDI increases the wealth of the host country and also encourages economic growth. As a result of the growing importance of FDI in the world economy, especially in countries in transition, an extensive empirical literature has developed on the determinants of FDI. The literature examines a large number of variables that have been defined to explain FDI. Some of these variables are included in theories of FDI, while others are suggested because they make intuitive sense.

Artige and Nicolini (2005) state that market size measured by GDP or GDP per capita is the most powerful determinant of FDI. Jordaan (2004) mentions that FDI will be directed towards countries with larger and expanding markets and greater purchasing power, where firms can potentially receive a higher return on their investments.

The market size hypothesis characterizes that the level of FDI injected into a foreign economy is highly dependent on the size of the host economy (Markowitz, 1999). Charkrabarti (2001) points out that market openness (openness) is best measured by the ratio of exports plus imports to GDP in determining FDI. According to Kumar (2002), in general the degree of market openness has a positive effect on FDI inflows.

Trade restrictions can take the form of taxes on exports and imports (as opposed to tariffs), quotas and non-tariff barriers. The degree to which governments can impede access and foreign trade flows to a country can have a direct impact on the ability of economic operators to achieve their goals.

The inflation rate is not a measure of the real economy because it measures the change in the price level. However, it is a common and undoubtedly determining factor of FDI inflow in the literature. Inflation is defined as “the rate at which the general level of prices for goods and services increases, causing a decline in purchasing power”. Leamer (2000). An important factor such as inflation that significantly affects FDI inflows can reveal many aspects of an economy. When inflation is not stable and fluctuates frequently, investors are more likely to leave these countries, as investing in those economies may result in failure.

The World Bank states that it has identified corruption as one of the biggest obstacles to economic and social development. It undermines development by distorting the rule of law and weakening the institutional base and thus strongly hinders the attraction of new investments. The Corruption Perceptions Index ranks countries based on the perceived level of corruption in the public sector on a scale of 0 (very corrupt) to 100 (very clean).

## 2.2 Source of information and methodology of the research

After the above discussion and reflection of the main determinants of foreign direct investments, we build the econometric model. The methodology used is multiple linear regression with 4 independent variables. The data obtained are secondary data collected by the World Bank. The type of data is time series and has been collected for a period of 15 years, since 2004 - 2018 for Albania. The variables studied are foreign direct investment, market size, market openness, inflation and corruption. Foreign direct investments are identified as the dependent variable and are measured in \$ million. On the other hand, variables such as market size, market openness, inflation and corruption are independent variables. As a proxy for the size of the market, the gross domestic product per capita was taken, while for the opening of the market, an index was taken, which was calculated as the ratio of import + export to the gross domestic product. Inflation is expressed in %. While corruption is measured by the corruption perception index.

The following table presents a summary of the variables used in the analysis. To make the equation easier, the names are also shown as abbreviations.

**TABLE 1:** Summary of variables used in the analysis

VARIABLE	MEASUREMENT	TYPE OF VARIABLE	ABBREVIATION
Foreign direct investments	Billion \$	Dependent	fdi
Market size	Gross Domestic Product per capita, in \$	Independent	gdp/capita
Market openness	Imports + Exports / Gross Domestic Product	Independent	opn
Inflation	%	Independent	inf
Corruption	Corruption Perception Index	Independent	corrp

Source: Author

The regression equation is of the type:  $FDI = \beta_0 + \beta_1 * GDP/capita + \beta_2 * OPN + \beta_3 * INF + \beta_4 * CORRP + \epsilon$

The purpose of this model is to show whether market size, market openness, inflation and corruption are determinants of foreign direct investment as well as to note what impact they have on FDI.

The expected sign for market size and market openness is positive, while the expected sign for inflation and corruption is negative.

## 2.3 Regression analysis and hypothesis testing

In this part of the chapter, the implementation of the econometric model will be carried out, through which the hypothesis raised at the beginning of the study will be proven or rejected.

Before running the model, tests were performed to investigate stationarity, heteroscedasticity and normality.

1. Investigation of stationarity

For the investigation of stationarity, we will develop the Augmented Dickey – Fuller test for the unit roots of the study series.

- a. H0: The FDI<sub>t</sub> series is non-stationary.  
Ha: The FDI<sub>t</sub> series is stationary.  
 $\alpha=5\%$
- b. H0: The GDP/capita series is not stationary.  
Ha: The GDP/headlines series is stationary.  
 $\alpha=5\%$
- c. H0: The OPN<sub>t</sub> series is not stationary.  
Ha: The OPN<sub>t</sub> series is stationary.  
 $\alpha=5\%$
- d. H0: The INF<sub>t</sub> series is not stationary.  
Ha: The INF<sub>t</sub> series is stationary.  
 $\alpha=5\%$
- e. H0: The CORR<sub>t</sub> series is not stationary.  
Ha: The CORR<sub>t</sub> series is stationary.  
 $\alpha=5\%$

Below is the processed table with the results of the ADF test for each series.

**TABLE 2:** ADF test results for each series

Series	p statistic	Results
a. FDI <sub>t</sub>	0.09	$p > \alpha \rightarrow H_0 \uparrow$
b. GDP/capita <sub>t</sub>	0.47	$p > \alpha \rightarrow H_0 \uparrow$
c. OPN <sub>t</sub>	0.10	$p > \alpha \rightarrow H_0 \uparrow$
d. INF <sub>t</sub>	0.27	$p > \alpha \rightarrow H_0 \uparrow$
e. CORR <sub>t</sub>	0.52	$p > \alpha \rightarrow H_0 \uparrow$

Source: Author

From the results of the ADF test, we find that the series are not stationary.

What we need to do is to differentiate these series which turned out to be non-stationary.

We generate:

$$dfdi = fdi - fdi (-1),$$

$$dgdp/capita = gdp/capita - gdp/capita (-1)$$

$$dopn = opn - opn (-1)$$

$$dinf = inf - inf (-1) dhe$$

$$dcorr = corr - corr (-1)$$

- a. H0: The dFDI<sub>t</sub> series is not stationary.  
Ha: The dFDI<sub>t</sub> series is stationary.  
 $\alpha=5\%$
- b. H0: The dGDP/capita series is not stationary.  
Ha: The dGDP/capita series is stationary.  
 $\alpha=5\%$
- c. H0: The dOPN<sub>t</sub> series is not stationary.  
Ha: The dOPN<sub>t</sub> series is stationary.  
 $\alpha=5\%$
- d. H0: The dINF<sub>t</sub> series is not stationary.  
Ha: The dINF<sub>t</sub> series is stationary.  
 $\alpha=5\%$

e. H0: The dCORRt series is not stationary.

Ha: The dCORRt series is stationary.

$\alpha=5\%$

Below is the processed table with the results of the ADF test for each differenced series.

**TABLE 3:** ADF test results for each differenced series

Series	p statistic	Results
a. dFDI <sub>t</sub>	0.01	$p < \alpha \rightarrow H_0 \downarrow \rightarrow H_a \uparrow$
b. dGDP/capita <sub>t</sub>	0.04	$p < \alpha \rightarrow H_0 \downarrow \rightarrow H_a \uparrow$
c. dOPN <sub>t</sub>	0.02	$p < \alpha \rightarrow H_0 \downarrow \rightarrow H_a \uparrow$
d. dINF <sub>t</sub>	0.003	$p < \alpha \rightarrow H_0 \downarrow \rightarrow H_a \uparrow$
e. dCORRP <sub>t</sub>	0.041	$p < \alpha \rightarrow H_0 \downarrow \rightarrow H_a \uparrow$

Source: Author

By differentiation, we now have the series all stationary.

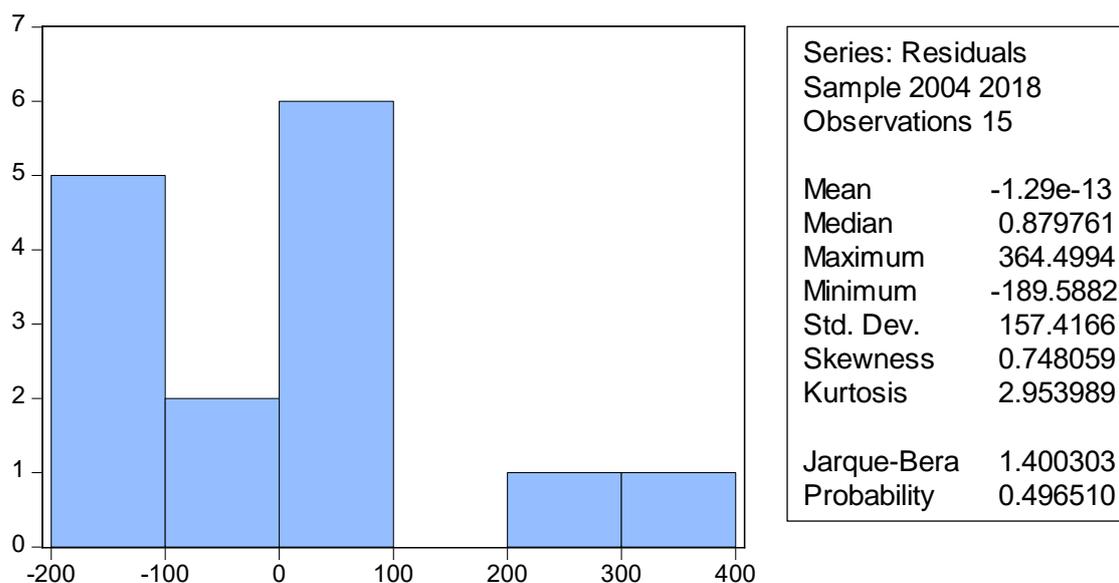
2. Investigation of normality

To investigate normality, we will use the Jarque – Bera (JB) test.

H0: The error term is normally distributed

Ha: The error term does not have a normal distribution

$\alpha=5\%$



Source: Author

**FIGURE 1:** Investigation of normality according to the Jarque Bera (JB) test

$p = 0.48 > 0.05 \rightarrow H_0 \uparrow \rightarrow$  The error term has a normal distribution√.

3. Investigation of heteroscedasticity

To investigate heteroscedasticity, we will use the Breusch – Pagan – Godfrey test.

H0: The variance is constant.

Ha: The variance is not constant.

$\alpha=5\%$

### Heteroscedasticity Test: Breusch-Pagan-Godfrey

F-statistic	0.431222	Prob. F(4,10)	0.7832
Obs*R-squared	2.206701	Prob. Chi-Square(4)	0.6978
Scaled explained			
SS	0.958193	Prob. Chi-Square(4)	0.9161

Source: Author

$p = 0.78 > 0.05 \rightarrow H_0 \uparrow \rightarrow$  There is no heteroscedasticity  $\checkmark$

**FIGURE 2:** Investigation of heteroscedasticity according to the Breusch – Pagan – Godfrey test

### MULTIPLE LINEAR REGRESSION

$$FDI = \beta_0 + \beta_1 * GDP/capita + \beta_2 * OPN + \beta_3 * INF + \beta_4 * CORRP + \epsilon$$

**TABLE 4:** Multiple Linear Regression

Dependent variable: FDI					
Method: Least Squares					
VARIABLE	COEFFICIENT	p	Number of observations	Prob (F-statistic)	R <sup>2</sup>
C	103.1	0.044	15	0.001335	0.807399
GDP/Capita	25.5	0.042	15		
OPN	62.87	0.017	15		
INF	-21.2	0.038	15		
CORRP	-16.25	0.045	15		

Source: Author

From the output we see that the estimated equation is:

$$FDI = 103.1 + 25.5 * GDP/capita + 62.87 * OPN - 21.2 * INF - 16.25 * CORRP + \epsilon$$

We note that the coefficient of determination R<sup>2</sup> is equal to 0.807399. So, about 80.1% of the total variability is explained by the equation. This is a satisfactory result for our model.

Based on the results, we find that market size measured by GDP/capita and market openness measured by the ratio of export + import to GDP have a positive effect on foreign direct investments. Meanwhile, as expected, inflation and the level of corruption have a negative effect.

#### The test of overall significance

H<sub>0</sub>:  $\beta_1 = \beta_2 = \beta_3 = \beta_4 = 0$  (The linear regression model is insignificant).

H<sub>a</sub>: At least one of the parameters is different from 0 (Model is significant).

$\alpha = 5\%$

$p = 0.001 < \alpha \rightarrow H_0 \uparrow \rightarrow H_a \downarrow$

So our empirical model is relevant.

#### Tests of individual significance:

**TABLE 5:** Tests of individual significance

H0: $\beta_1 = 0$ Ha: $\beta_1 \neq 0$ $\alpha = 5\%$ $p = 0.042 < \alpha \rightarrow H_0$ $\downarrow \rightarrow H_a \uparrow$	H0: $\beta_2 = 0$ Ha: $\beta_2 \neq 0$ $\alpha = 5\%$ $p = 0.017 < \alpha \rightarrow H_0 \downarrow \rightarrow$ $H_a \uparrow$	H0: $\beta_3 = 0$ Ha: $\beta_3 \neq 0$ $\alpha = 5\%$ $p = 0.038 < \alpha \rightarrow H_0 \downarrow \rightarrow$ $H_a \uparrow$	H0: $\beta_4 = 0$ Ha: $\beta_4 \neq 0$ $\alpha = 5\%$ $p = 0.045 < \alpha \rightarrow H_0 \downarrow$ $\rightarrow H_a \uparrow$
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Source: Author

So, all the variables are important.

In conclusion, we say that the hypothesis raised at the beginning of the study is true.

## Chapter 3: Conclusions and Recommendations

### 3.1 Conclusions of the study

#### 1. General theoretical conclusions

- Foreign direct investments are a very important segment of a country's economic activity, due to the effects they bring. FDI contributes to many indicators such as the expansion of the investment base in the country, the reduction of unemployment through the creation of new jobs as well as the implementation of advanced technology. Foreign direct investment is spreading rapidly in the world economy during the last two decades. More and more countries and more sectors are becoming part of the international FDI network. The high level and various forms of FDI represent an important force generating greater global economic integration. (Mody. A. 2006).
- FDI was an unknown phenomenon for Albania until the 1990s due to the centralized economy where everything was owned by the state. The transition to a decentralized economy was a key factor that significantly affected FDI in Albania. During the last few years, our country has taken a number of important steps in order to attract foreign investors.
- Creation of a safe investment climate, favorable geographical position, young population, promulgation of legal acts in the framework of foreign investments and strategic investments, design of various fiscal and non-fiscal incentives in support of various sectors such as and macroeconomic stability have contributed to the creation of an attractive environment for foreign investments, ranking Albania in second place in the region for this indicator.
- There are two groups of factors that affect the intensity of FDI: microeconomic and macroeconomic factors. Microeconomic factors are what prompt a company to enter a foreign market in the form of FDI. These factors are quite diverse and mainly include: financial resources; access to free sources of capital, business strategy, positioning in the global market, etc. Macroeconomic factors include government policy (taxes, trade, monetary policies, etc.) and business cycle factors (GDP growth, export dynamics). More general factors can also influence FDI inflows: political stability, welcoming attitudes towards foreign investment, appropriate skills or even low business transaction costs.
- Foreign direct investment is an integral part of an open and effective economic system and is considered a major catalyst of development. Regardless of the level of economic development, countries are oriented towards the creation of economic policies that encourage the attraction of FDI. FDI affects the host country in different ways. They contribute to the overall investment made in the host country, add to the accumulation of capital stock and thus generate economic growth. Moreover, FDI is carried out by multinational corporations that are at the forefront of global R&D activities and apply the most advanced technologies. By transferring knowledge and management expertise to the host country, FDI can stimulate technological progress in the host country. It is also known that foreign direct investments encourage the economic development of countries by making companies more competitive, promoting the development of international trade and increasing employment.
- Referring to the current data from the Bank of Albania, the trend of FDI in the country, in terms of flow and stock, is increasing and promising. During the last 5 years, both of these indicators are characterized by continuous growth, reaching the maximum in the last year. The flow of FDI in 2019 reached the value of 1,079 million Euros and increased by 59 million Euros or 5.78% compared to the previous year. The stock value for 2019 is 8,542 million Euros and has increased by 939 million Euros or 12.35% compared to the previous year.
- The FDI trend is expected to change significantly throughout 2020 as a result of the situation created by COVID-19. According to a UNCTAD forecast on March 27, it is expected that this situation will lead to a contraction of FDI globally by 30%-40%. Even Albania, like all other countries affected by COVID-19, will face a decrease in the level of FDI and will therefore have to adapt to the changes that are expected to occur in the global economy from this situation.
- The main source of FDI flow in Albania are the countries of the European Union with a high value in relation to the global level. The biggest investors have been mainly those of Italian and Greek origin, a characteristic of developing

countries that secure the majority of FDI from neighboring countries. For 2019, the country that has contributed the most to the flow is the Netherlands with about 22%. Other countries with a large contributing weight are Switzerland, Italy and Austria with 19%, 11% and 7% respectively.

- The flow distribution structure according to economic activity has undergone significant changes over the years. In the period 2014 - 2015, the sector which carried the largest weight of this indicator was the extractive industry, respectively with 58% and 36%. This sector has suffered continuous fluctuations in the following years. The extractive industry was followed by electricity, gas and water supply with 9% in 2014 and 15% of the total in 2015. The latter experienced a remarkable increase in the following year reaching the value of 60% of total investment flows directly from Albania, as a result of the start of the largest project ever realized in our country, the Trans Adriatic Pipeline (TAP).
- For 2019, the dominant sector in the flow of FDI continues to be Electricity, gas and water supply with 31% of the total. The next sector with the most contribution is the extractive industry with 20%. Then follows the sector of financial and insurance activities as well as that of real estate activities with respectively 12% and 11%.
- Another concept that is gaining more and more life in recent years is that of strategic investments, justified by the approval of law no. 55 in 2015. This law also deals with strategic sectors and sub-sectors along with the application criteria for the benefit of the status and has together with the 10 VKM in implementation, aim to encourage investments in strategic sectors by facilitating administrative procedures and offering investors continuous support. Based on the above legislation, there are 3 strategic statuses that are granted: project with strategic potential; investor/strategic investment, assisted procedure; investor/strategic investment, special procedure. The type of status varies depending on the level of investment, and based on the status obtained, the support measures for the project are also applied. According to the legislation mentioned above, the sectors that are classified as strategic are: Energy and mining sector; Sector "Transport, infrastructure of electronic communications and urban waste"; "Tourism" sector; Sector 'Agriculture (large agricultural farm) and fishing'; Sector 'Technology and Economic Development Zone' and Priority Development Zone.
- Referring to the data published by AIDA, for the period January 2016 - January 2020, out of 28 reviewed applications, 12 of them received the status of "Strategic Investment/Investor, assisted/special procedure"; 8 investment projects were rejected; 3 projects returned for completion of documentation by KIS; 2 pending projects of KIS; while 3 projects are still in the application phase.
- The Albanian government has taken important steps towards a new approach in the implementation of specific preferential legal packages, oriented towards results, with the main goal of improving the investment climate. The steps consist of the creation of Technical and Economic Development Zones (TEDA), specifically designated for the development of industrial parks that benefit from the legislation in force and investment incentives. The creation of TEDAs in our country aims to attract more investments, encourage the opening of new jobs, implement an advanced technology, expand economic ties with the international market as well as accelerate the circulation of goods and capital.
- Currently, 4 technology and economic development zones have been created in the Republic of Albania, 2 of which, although completed, are not yet functional, TEDA Spitalle and TEDA Koplik. Despite the existence of an approved legislation and the creation of TEDAs, Albania has not yet managed to attract foreign investors to the free economic zones. One of the biggest problems for their progress remains the issue of property rights, since the law stipulates that the issue of ownership must be resolved between the land owners and the developer of the area.

## 2. Conclusions of multiple linear regression analysis

- Market size measured by GDP/capita has a positive effect on foreign direct investment.
- Market openness measured by the ratio of export + import to GDP has a positive effect on foreign direct investments.
- So, the bigger and the more open a country is to foreign trade, the higher the foreign direct investment in that country.
- Inflation has a negative effect on foreign direct investment.
- Corruption has a negative effect on foreign direct investment.
- The more stable a country's economy is (low inflation), the higher the foreign direct investments in that country.
- The lower the level of corruption, the safer and more reliable a country is for attracting FDI.
- Based on the overall significance test, we found that we are dealing with a statistically significant model.
- Also, based on individual significance tests, we come to the conclusion that the variables of market size (proxy is GDP per capita), market openness (proxy is import + export/GDP index), inflation and corruption are determinants of foreign investments direct.
- Through the Breusch – Pagan – Godfrey test, we conclude that the model does not suffer from heteroscedasticity.
- Through the JB test, we conclude that the error term has a normal distribution.

## 5.2 Recommendations

In the context of the results of the empirical model developed during the study, in order to highlight the relationship between market size, market openness, inflation, corruption and the level of FDI, below I am giving some recommendations referring to the works consulted as well as my own experience so far.

- Given that the opening of the market is one of the main determining factors in the level of foreign direct investments, it is recommended to remove import duties for investors who invest for the first time in the country for an initial period of their operation. This can be applied to investments above a certain investment value judged appropriate based on the type of sector selected.
- Judging from my experience, one reason that affects the value of the export is the level of information, which in many cases has become an obstacle. Therefore, I recommend increasing the number of promotional activities organized or not by domestic or foreign investment promotion agencies such as fairs, B2B meetings, etc. These are considered very good tools to establish contacts and increase the level of information on various export opportunities.
- One of the main factors that makes a country attractive or not in the eyes of a potential investor is transparency and the level of corruption. For this reason, it is important to continuously take measures to facilitate the monitoring of the procedures followed for the realization of the investment. For the above, I recommend the creation of a tool where investors can register at the moment of starting the implementation of the business plan. In this way, for every application for documentation such as permits, licenses, etc. to be able to monitor the progress of the process and the implementation of the rules. The tool would serve to highlight bottlenecks and track them in order to reduce corruption and stimulate transparency.

**ANEXES****Figure 3: Augmented Dickey - Fuller test for the FDI variable****AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON FDI**

Null Hypothesis: FDI has a unit root

Exogenous: Constant

Lag Length: 1 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-2.934408	0.0958
Test critical values: 1% level	-5.119808	
5% level	-3.519595	
10% level	-2.898418	

\*MacKinnon (1996) one-sided p-values.

*Source: Author***Figure 4: Augmented Dickey - Fuller test for the GDP/capita variable****AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON GDP/CAPITA**

Null Hypothesis: GDP/capita has a unit root

Exogenous: Constant

Lag Length: 1 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-1.430844	0.4960

Test critical values: 1% level	-5.119808
5% level	-3.519595
10% level	-2.898418

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\*MacKinnon (1996) one-sided p-values.

*Source: Author*

### Figure 5: Augmented Dickey - Fuller test for the OPN variable

#### AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON OPN

Null Hypothesis: OPN has a unit root

Exogenous: Constant

Lag Length: 1 (Automatic based on SIC, MAXLAG=1)

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	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-1.359901	0.5276
Test critical values: 1% level	-5.119808	
5% level	-3.519595	
10% level	-2.898418	

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\*MacKinnon (1996) one-sided p-values.

*Source: Author*

### Figure 6: Augmented Dickey - Fuller test for the INF variable

#### AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON INF

Null Hypothesis: INF has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-5.261955	0.0062
Test critical values: 1% level	-4.803492	
5% level	-3.403313	
10% level	-2.841819	

\*MacKinnon (1996) one-sided p-values.

Source: Author

### Figure 7: Augmented Dickey - Fuller test for the dFDI variable

#### AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON dFDI

Null Hypothesis: D(FDI) has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-2.768845	0.0116
Test critical values: 1% level	-5.119808	
5% level	-3.519595	
10% level	-2.898418	

\*MacKinnon (1996) one-sided p-values.

Source: Author

**Figure 8: Augmented Dickey - Fuller test for dGDP/capital variable****AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON dGDP/capita**

Null Hypothesis: D(GDP/capita) has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-1.375045	0.0420
Test critical values: 1% level	-5.119808	
5% level	-3.519595	
10% level	-2.898418	

\*MacKinnon (1996) one-sided p-values.

*Source: Author***Figure 9: Augmented Dickey - Fuller test for dOPN variable****AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON dOPN**

Null Hypothesis: D(OPN) has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic based on SIC, MAXLAG=1)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-2.059612	0.0260
Test critical values: 1% level	-5.119808	

5% level	-3.519595
10% level	-2.898418

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\*MacKinnon (1996) one-sided p-values.

Source: Author

**Figure 10: Augmented Dickey - Fuller test for dINF variable**

**AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON dINF**

Null Hypothesis: D(INF) has a unit root

Exogenous: Constant

Lag Length: 0 (Automatic based on SIC, MAXLAG=3)

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	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-4.747322	0.0031
Test critical values: 1% level	-4.057910	
5% level	-3.119910	
10% level	-2.701103	

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\*MacKinnon (1996) one-sided p-values.

Source: Author

**Figure 11: Augmented Dickey - Fuller test for dCORRP variable**

**AUGMENTED DICKEY – FULLER UNIT ROOT TEST ON dCORRP**

Null Hypothesis: D(CORRP) has a unit root

Exogenous: Constant

Lag Length: 2 (Automatic based on SIC, MAXLAG=3)

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	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-3.153010	0.0418
Test critical values: 1% level	-4.200056	
5% level	-3.175352	
10% level	-2.728985	

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\*MacKinnon (1996) one-sided p-values.

*Source: Author*



PANEL II

**LAW, INSTITUTIONS  
AND POLITICS**

# Democratic Party Crisis: A New Opportunity for Re-modelling of Albanian Society

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**Assoc. Prof. Dr. Ilir KALEMAJ<sup>1</sup>**

Department of Political Science/International Relations, UNYT, Tirana, Albania  
ilirkalemaj@gmail.com

## Abstract

*Political crises are both a sign of dysfunctional democracy as well as its own lubricant. While this is generally the rule of thumb, it seems that the Albanian democratic transition is a never ending story in perpetuating crisis after crisis. Nevertheless, the past five years, starting with 2017 have been unusual even for Albania's politics standards. The abandoning of the parliament as a unilateral act by the Democratic Party, the boycott of the local elections, the political protagonist role of the President of Republic, the absolute power of the Executive Republic by Prime Minister Rama and the Socialist Party, the atrophy of the institutions and the lack of checks and balances due to the vacancies in the Supreme and Constitutional Courts have all been disturbing signs of a non-functional democracy. After the 2021 parliamentary elections, while it seemed that things would flow in a normal political cycle, we had yet to witness the enrolling new crisis of the Democratic Party, which is actually in the midst of its most existential threat.*

*The main argument here is that contrary to the most sensible hunch that this might mean catastrophe for Albanian politics and its vulnerable democracy, the author argues that this is a new opportunity to create more room for politics and to strengthen the democratic credentials of the country. While in the short-term everything looks bleak, this is not the case. First of all, in the short-term, the exposures of the political "dirt" from all sides and not only within Democratic Party, benefits the society as a whole as transparency and accountability increases. Secondly and more importantly in creates new avenues of political action, it might lead to constitutional changes and electoral reform, which might go hand in glove with the new territorial-administrative reform and create the conditions to have free and fair elections. This might in turn make "democracy the only game in town" for the first time in the three transitioning decades that followed the aftermath of communism.*

**Keywords:** Albania, Democratic Party, crisis, democracy

## I. Introduction

Albanian post-communist history may be characterized as a series of endless crises, each one fomenting the following in a perpetual fashion. Although from first glance it looks like Albania has strong democratic credentials, meaning that every eight years (until the last general elections of April 25) we have had political rotations, we have a substantial number of registered parties, out of which constantly around 40-50 political parties partake into general or local elections and there are a large number of daily newspapers, national and local televisions as well as hundreds of portals, real democracy is unfortunately eroding.

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<sup>1</sup> Prof. Assoc. Dr. Ilir Kalemaj is Vice Rector and Chair of Department of Political Science/International Relations at the University of New York Tirana. His expertise is primarily in the areas of comparative politics, international relations and European studies. Prof. Kalemaj has published five books, three of which monographs, more than twenty peer review journal articles as well as an equivalent number of book chapters, conference proceedings etc. Furthermore, he regularly contributes in daily press with his commentaries on political affairs and is invited regularly in Albanian televisions for his commentaries on matters of foreign policy and international relations.

We partly know this from international indexes such as Freedom House where lately Albania has a score of 66 out of 100, ranking it as partly free (Freedom House, 2021). Or from other proxies such as perception of corruption as measured by Transparency International is currently ranked 110th out of 180 countries worldwide with a score of only 35 out of 100 (TI, Albania, 2021). But we also know it from internal developments, which in the last years have further downgraded the quality of democracy, the strength of independent institutions, have broken any fragile balance of powers and have contributed to the strengthening of the majority rule which has produced an executive republic. Not only the national government has a comfortable majority in the Albanian parliament but also controls almost all municipalities. At present only the Shkoder municipality is temporarily in the hands of opposition but that might change soon since in March 6 we have local elections in six municipalities. This is unprecedented even for Albanian standards. Furthermore, the unilateral acts by the Democratic Party and the opposition, like walking out of the parliament in 2019 and the subsequent boycott of the local elections in the same year, left the field open for grasps by the Socialist super-majority, which further consolidated its grip on power.

The last political defeat of the Democratic Party and the other opposition parties such as the Socialist Movement for Integration in the parliamentary elections of 25th of April 2021, were a re-confirmation of the strength of the ruling Socialists but also the shady ways they deployed to achieve the third win in a row in general elections. From the database of patronazhists, which were employees of state government of Tirana municipality as recruiters of the votes and collecting data on citizens, including their political affiliations and voter behavior, to grants of reconstruction money after the earthquake which were often handed in partisan manner, to expansion of public administration to heights never seen in the last two decades in order to expand the voting base, were all denounced by opposition as “electoral crimes” and also partly reflected in the final OSCE/ODIHR official report.

The question this paper addresses is why the Democratic Party crises that seems to have paralyzed the opposition indefinitely, is instead a new opportunity for re-modelling the Albanian political class and consequently the Albanian society? My thesis argument is that contrary to the hypotheses that this might mean catastrophe for Albanian politics and its shaky democracy, this is a new opportunity to create more room for politics and to strengthen the democratic credentials of the country.

While in the short-term everything looks in fatalistic terms for the Democratic Party and the Albanian opposition in general, this paper argues that this is not necessarily the case. First of all, in the short-term, the exposures of the political “dirt” from all sides and not only within Democratic Party, benefits the society as a whole as transparency and accountability increases. Secondly, it leads inevitably to opening up the political debates within the political parties, starting with the Democratic Party and it may lead to the circulation of elites. Thirdly and more importantly in creates new avenues of political action, it might lead to constitutional changes and electoral reform, which might go hand in glove with the new territorial-administrative reform and create the conditions to have free and fair elections. This might in turn make “democracy the only game in town” for the first time in the three transitioning decades that followed the aftermath of communism.

The first part of the paper deals with the unusual crises that befell the Democratic Party and the subsequent deadlock that has started from 2017 and continues to the parliamentary elections of 25 April 2021. Then, I proceed with the election debacle and contestation of elections, the leadership struggles of Democratic Party and its internal elections, chairman Basha’s expel of the former party leader Berisha from the parliamentary group to continue with the resulting party split to this day. In the last section, I analyze the potential avenues of the Democratic Party from here onward and how counter-intuitively what seems to be a political catastrophe that will result inevitably in political marginalization of the Democrats, it may actually lead to a more solid and renewed opposition in the medium and long-term.

## II. The starting of the crises

For careful observers and unbiased political analysts, it is no surprise that the year 2017 represented the long way downhill of the Democratic Party. First there was the mistake of agreeing for a joining government with the ruling Socialists for a short election preparatory period, after the infamous Rama-Basha deal of the May 17. Not only, most ministries were a symbolic token that did not benefit Democratic Party in the long run, but most of their administrative apparatus was kept intact and reports of involvement of the government in shifting the election results to the benefit of the ruling party were aftershocks that did not save the Democratic Party from sharing the blame of co-governing and pre-accepting the election results. Secondly, the strategic blunder of the Democratic Party to concentrate the heavy political artillery against the Socialist Movement for Integration (Alb. LSI) instead of the Socialists who were their main contenders, which not only failed to destroy SMI but also resulted in a shocking defeat for the Democrats.

Secondly, the Democratic Party decided to engage into a unilateral de-recognition campaign of the legitimacy of the new majority government, this time composed entirely of the Socialists, while culminating in the boycott of the parliament two years later and refusal of participation in the June 2019 local elections. In this last instance, together with the SMI with a renewed commitment to work together toward same opposition goals and objectives. In retrospective, it seems that these were political blunders and the only public opposition to these moves came from the President of the Republic Ilir Meta. He often and publicly criticized especially the boycott and withdrawal from the Parliament and this becomes even more relevant at present where both the chairman of the DP Basha and its former leader Berisha both accuse each other for pushing for these extreme and self-defeating political acts.

### III. 2021 Annus Horribilis for the Democratic Party

The Democratic Party entered the electoral year of 2021 with high spirits and made efforts for a unified opposition front, thus not repeating the blunder of the 2017 elections. Therefore, it signed a pre-election agreement with Socialist Movement for Integration (Alb. LSI), PDIU, PAA, PBDNJ, PR, PDK and other relevant opposition parties.<sup>2</sup> However, despite maintaining a façade of a strong coalition, there were deep disagreements particularly between PD and LSI. Most of these issues came into light well past elections but were rumored in the corridors of mass media and politics. The main bone of contention was what later PD claimed that LSI had asked for an outrageous number of its candidates in a common list, which for PD was unacceptable and therefore a deal was not made to present a single list of opposition candidates (Bardhi, 2021). Instead, PD incorporated the other allies in its lists, thus securing parliamentary mandates for Shpetim Idrizi, Mesila Doda, Fatmir Mediu, Dashamir Shehi, Agron Duka and few other of its traditional allies. LSI left alone, had a poor electoral result, securing only four mandates nationwide, only one more than the Social-Democrats of Tom Doshi. This happened despite the fact that LSI had triple the number of votes of the Social-Democrats but they were dispersed throughout the territory while the social-democrats have gathered their votes primarily in two districts: Tirana and Shkodra.

Although PD based its campaign on programmatic issues and its main points were agreed and advised by Konrad Adenauer Stiftung and German experts from CDU/CSU sister party in Germany (Basha, 2021), while it also had foreign consultancy on its public relations and political communication, still it fell short to win enough votes that would enable a ruling coalition from the opposition sides. Furthermore, the lack of coordination with LSI and the absence of coming out with a single list between the two opposition parties, most probably lost deputies in districts of Gjirokastra, Vlore, Berat and Durres and potentially in others as well.

But irrespective of the loss of general elections, the blame for which the Democratic Party leadership was quick to unburden to the “election massacre”, the real problem laid ahead. The declaration on “non-grata” for the former historic leader of the DP and former President and Prime Minister Sali Berisha was the main buzz of the late Spring and Summer of 2021. Being forced between a rock and a hard place, the chairman of the party Lulzim Basha, first decided to make blitz elections within the party where for the first time he faced three opponents (Kume, 2021). He won by a landslide these inner party elections also with the tacit support of Sali Berisha. But that was not the end of the problems for the Democratic Party but the beginning of a new wave of criticism that came internally and externally. With strong warning from the Americans, especially from the U.S. Embassy in Tirana and its outspoken Ambassador Yuri Kim, Mr. Basha had no choice but to expel Sali Berisha from the parliamentary group in the very last day of the consistency of the parliamentary groups. This unleashed a huge wave of criticism, chiefly from within the party and included some very high-level functionaries of the party such as former President Bujar Nishani, former party leaders such as Tritan Shehu and Genc Pollo, high-ranking functionaries of the party and important deputies that headed parliamentary commissions such as Oerd Bylykbashki, Albana Vokshi, Flamur Noka or Belind Kellici (Maloku, 2021).

In a nutshell, this inner-party battle culminated with the holding of two consequent National Conventions in December 2021, first by Berisha and its allies in December 11 in Air Albania Stadium, followed by Basha and its supports in December 18 in Congress Palace. Furthermore, both parties took this to the Court to recognize themselves as the only legitimate ruler backed by majority of the party. While we still have to wait for the first court decision, the partial local elections of March 6 have in a way split the party in two, where both official Democratic Party headed by Lulzim Basha as well as a new coalition called “Freedom House” headed in practice by Sali Berisha confronted each other, even more than Socialist Party candidates in six municipalities (Shkodra, Diber, Durres, Lushnje, Rogozhine and Vore). The disappointing results of these elections for the Democratic Party headed by Mr. Basha were also a preliminary test for the strength of these factions and which one will have the backing of the majority of the membership of the current Democratic Party. The DP scored only 13.7 percent of the total number of votes casted in these six municipalities, the lowest ever recorded result in its history. Furthermore, with the sole exception of Rogozhine where it came ahead slightly of the “House of Freedom” coalition headed by the former Democratic leader Sali Berisha, in all the other five municipalities was listed third. Furthermore “House of Freedom” won decisively the municipality of Shkodra (Sinoruka 2022).

#### Discussion of the findings after March 6 partial local elections

The preliminary and partial local elections of March 6, 2022 were the first test that determined irrevocably the electoral strength of each side within the Democrats in Albania, the ones siding with Basha and the ones siding with Berisha. Since the Court has still to decide on the validity of the constituting forums of July 2021 convention of Democratic Party, as well as that of December 11, 2021 in another case presented to the Court, we may speak only of political ramifications of this elections, while the legal ones are bound to continue for some time. What we know from March 6 elections is that the coalition led by Mr. Berisha had more than twice the votes or 31 percent as compared to barely over 13 percent of the

<sup>2</sup> Albanian acronyms are used here for the sake of clarity.

official Democratic Party led by Mr. Basha. Altogether though these two parts, along with LSI are roughly at 44 percent of the total votes casted which is the electoral results that the unified Democratic Party together with other opposition parties and LSI had scored also in April 25, 2021 general elections. This last point is important for the following reasons.

First, it showed that the electoral mass of the opposition in not further shrank. In the least optimal scenario it has preserved the same reservoir of votes but now split in two parts. But in the most realistic scenario, we should rationally count those votes that could not fathom the split within the Democratic Party. The votes that are still attached to the Democratic Party logo but are disappointed with Mr. Basha's leadership or the ones that do not want the return of Sali Berisha as the new head of Democratic Party. Not to mention, the votes of the independently minded, the "gray" population, the votes of the unaffiliated with any of the opposition parties but that are disappointed with the way that country is governed in the third mandate of the Socialists. We saw especially this mass in the weeks long economic protests that are clearly alienated by the public policies of the government but cannot find their concerns expressed in the opposition's agenda.

Secondly, the split within the Democratic Party, forced both sides to choose some of the best and most electable candidates, either through primaries as Berisha's faction decided or through more debate in party's forums like Basha choose to engage. This is good news for the opposition in general and Democratic Party in particular because it forces a missing debate within the Democrats' camp. A debate about the internal democratic structures or rather the democratic deficit that all parties in Albania have. It forces a necessary debate about circulation of elites and referring to institutions. Eventually it may lead to party's unification and more importantly its opening toward civil society, media and academic world, in order to have not only more qualitative human resources, but also better political thesis, more convincing economic and public policies and a wider appeal to a broader mass of public.

## Conclusions

The Democratic Party is in its bitter and long lasting existential threat since its inception in December 1991. Not only has the party split in two parts, after Basha's expulsion of Berisha from its parliamentary group, but the attacks and counter-attacks between the two and their followers have reached depth that we have not seen even among political adversaries in these three decades of political pluralism. The electoral result of the Democratic Party in March 6, 2022 local partial elections in six municipalities, which also represent a perfect sample of the electoral pool, showed that the logo and stamp of the party are not enough to maintain it as one of the relevant political forces in the country. It was by far the most shameful electoral result since 1991, much worse than that of 1997, which is widely considered to be *annus horribilis* for Albania at large but also specifically for the Democrats and the Democratic Party.

Nonetheless, the splinter debate within the Democratic Party has also brought several benefits in the short and long terms. First of all, it has opened up the debate within the party about the ways and means to generate political success in electoral battles. This in turn has already brought two added benefits. It has forced a missing debate about the political identity of the party as well as it has made possible for the party to field the best possible candidates in the preliminary partial local elections. By best candidates we mean both the official candidates of the Democratic Party for which there was more scrutiny than usual, as well as the primaries organized by House of Freedom coalition led by Sali Berisha.

Secondly, in the long term the party will benefit from a debate that it forces the current or future leadership to accountability and taking personal responsibilities. It will force internal party mechanisms that will guarantee freedom of debate, functional party structures, limits on the mandates and other organizational measures. Furthermore, it will impact party's agenda setting politics and how the party will act in political science.

Third, it will force up a debate about the political identity of the Democratic Party in the new millennium. What sort of party should it be? This opposition force, since its inception, in addition to anti-communism had as its main motive freedom and democracy. Its foundations lay at the protection of individual freedoms and rights such as that of speech, property, trust, enterprise, etc., and the protection of the right of representation. The DP has had strong ideological pillars such as economic liberalism and political conservatism which are of course assets to be used with caution and prudence. It has been the intelligence party for a good part of its history, it has been voted massively by university districts, by urban and metropolitan areas, it has been the representative party of groups with strong political identities such as former persecutors and former owners (Kalemaj, 2022).

Of course, PD can extend its influence beyond what it considers to be the original groups of influence. For example, there is much to offer to groups such as security personnel, the military or those working in law enforcement who generally vote right in developed countries. As a considerable part of the farmers vote who are by nature more conservative and right-wing concepts like belief in God, family holiness or social values resonate more. It may also be the most representative party of small entrepreneurs in terms of percentage occupying the second place in Europe (Kalemaj, 2022).

Lastly, the Democratic Party has not a lifetime guarantee that it will continue to last as the primary center-right political party and one of the two most important parties in the country. In fact, the experience of sister parties that arose as anti-communist fronts in former Eastern Europe is not at all a guarantee for that. In fact, most of them ended up as marginalized or fringe parties or ceased to exist at all. But, trying to put the optimistic glasses here, we believe that the current debate, bitter as it is, it is forcing the Democratic Party to wear a realistic jacket, to face its existential threats and to emerge more coherent and united in the long term. Not only there is not a viable candidate in the center-right front to compete with PD, but also it has continuously had a pool of supporters that have not failed to back the party or its most imminent leaders even in dire times.

In order to win though, Democratic Party needs to united the opposition, to get swinger and “gray” votes and the “silent majority”. In order to do so, it needs to present it vision, objectives and agenda of how it conceptualizes the re-modelling of the Albanian society. The current debate it has served well to understand not only the numbers and the odds vis-à-vis the majority but also the alternative agenda and what it has to offer to a disappointing public opinion in order to get their trust and support. The bet is set and now is the time that will tell if this crisis will translate into an opportunity.

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# Legal-Criminal Aspect of Implementation of Covert Interference and the Legitimacy of Interfering in the Privacy and Communication

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PhD. (c) Blerim BALOKU

Ma. Sc. Artan T KASTRATI

## Abstract

*Respecting the correspondence privacy right of an individual means to protect the confidentiality of private communication and, therefore, is also interpreted as a guaranteed right to uncensored communication and free of interference with others. The court has regularly taken into consideration the technology advancement and therefore influenced in updating the wide notion of correspondence. Apart from traditional letters, as per article 8 of the European Convention on Human Rights, correspondence is considered also older electronic means of communication such are telexes and phone calls, associated with their time of occurrence, date, duration, and the dialed numbers; pager messages; electronic mail (e-mail) and the information obtained by monitoring of the internet surfing; private radio conversations (besides public frequency broadcasters where the others may have access to); intercepted correspondence during business affairs or in business premises; digital data, obtained during legal office raid; seized packages by custom officials; and similar. Usage of the office phone to intercept a communication was considered irrelevant in applying article 8. Although the right to correspondence is granted to everyone, the identity of the individuals intercepted in the correspondence is of importance to determine whether the interception has legal grounds according to paragraph 2 of the European Convention on Human Rights. The content of the correspondence is not of importance when we are focusing on interference; it is the method not the content of the communication that is described under article 8. All these matters are regulated in the European Convention on Human Rights and other international and local laws of any democratic state.*

*Keywords: Privacy, Correspondence, Wiretapping, Prosecutor's Office, Court, Police*

## Preface

Wiretapping has become a lawsuit increasing constant and it has become an issue that compelled legal entities, such are courts, to draw a comparison between the traditional principles of article 8 of the European Convention on Human Rights and the sophisticated means of interference in private life. Moreover, Strasbourg's Judicial Practice is whistleblowing on the immediate seizure of arbitrary interference. It is imperative that any such wiretapping should be clearly outlined for the specific circumstances of concern when public authorities approve this particular action.

In addition to the aforementioned requirement, the competent court has cleared other minimum protection measures. Proper legal systems of the local administration are ought to clearly name violations that may lead to obtaining the issuance of wiretapping warrant, issue subjective restrictions on categories of people, monitoring timeframe, the procedure of the material's usage, and data excerpts and the circumstances under which the gathered material might be erased or destroyed. If any of the given proceeding are not specified by the local legal authorities, the case will be delegated to the local competent court authorities. In any given circumstance, the court's approach toward the information is handled strictly. It is due to the fact that, often, all the cases cannot be handled fully by local legal authorities.

In all developed countries of the world, data protection agencies are highly cautious of the interference in privacy, particularly when taking children from parents and handing them over to foster care authorities. Unless approved by competent authorities, physical check of individuals, wiretapping, communication interception, retention of information, and similar are all considered violation of privacy.

## **Under what circumstance it is considered a breach and interference in privacy and communications?**

In principle, the plaintiff must provide the interference material as evidence proof of the committed violation against his guaranteed rights under article 8. However, the evidence doesn't necessarily have to be factual. Actually, the existence of legislation itself, which allows this means of intervention, in combination with the fact that the plaintiff has received full information on being wiretapped, can convince the court of the violation of rights, regardless if it wasn't proved with the material. In other words, upkeeping a certain system is enough to demonstrate, to a certain extent, the possibility of the Convention breach. Otherwise, the plaintiff would be stripped off of the possibility to defend himself/herself for the incurred damage or in cases where the violation of rights results in psychological injury deriving from the possible consequences of the applied law upon him or her. The latter is substantial, particularly in means of covert wiretapping, be it at a specific moment of the ones being tapped or in general. In such cases, the plaintiff may claim about the suspicions that his or her communication and movements have been tapped and their life was surveyed as the only basis of the claim is the existence of the legislation for such actions. The court assesses the grounds of the plaintiff based upon the circumstances, i.e., the possibilities that the means for covert wiretapping is being carried out on the plaintiff. Absence of the direct evidence doesn't limit the court's assessment on wiretapping occurrence considering that this evidence, in principle, is very difficult to get hold of. <sup>1</sup>

## **Is privacy interference justifiable?!**

In cases when the privacy interference is authorised by public authorities, the Court has to come up with the decision whether it is in adherence with paragraph 2. Since the derogative clause allows restriction of rights granted by the Convention, the area of the implementation must be clearly outlined. Subsequently, the Court has a significant role in this regard – closed list exemption, which should be strictly interpreted. According to a general principle, unanimously accepted in court practice, any limitation of the protection listed under the Human Rights Convention must be explicitly authorised or be justified by the same Convention. According to the European Convention on Human Rights, limitations might be applied with the sole intent of human rights protection.<sup>2</sup>

## **When is interference justifiable and in adherence to law?**

Appeal Court treats all stages of prior court decision and possible breaches. The third aspect, which is directly in relation to the first, covers the presumption of the individuals' behaviour: any individual should be free to act in accordance with the law. Laws are always written sort of vague and their interpretation and application are more of an issue of practice. Nevertheless, the law which carries within the competencies of discretion should specify the intention expected by the local public authorities, in order to analyse all options.

## **The extent of the competencies of the police stopping and search.**

According to law, the police can stop and search anyone and anywhere without a warning, regardless of whether there is a suspicion for misbehaviour, provided that the uniformed police officer considers the activity as "in proportion for preventing terrorist acts". <sup>3</sup> The court considered that this extensive discretion, envisaged by law, such as the competency to stop and search, as well as its application in practice, has not been properly outlined in terms of necessary action in compliance with legal protection, exposing the individual with inadequate protection from arbitrary intrusions in his/her rights. First of all, it emphasizes that on the first stage there is no envisaged condition to make the intrusion necessary, it is rather considered fit to consider it to be suitable. Hereby, the vast portion of the legislation is granting the police officer wide discretion, whose decision to stop and search an individual is solely based upon professional intuition. They were not obliged to demonstrate a justifiable reason nor were expected to provide a subjective suspicion for stopping and searching

<sup>1</sup> European Council Human Rights Handbook. Strasburg 2012, Ivana Roagna.

<sup>2</sup> European Convention on Human Rights.

<sup>3</sup> Law on Police of the Republic of Kosovo

individuals.<sup>4</sup> The only condition given in the legal disposition for the intent of search is the possibility of finding things that could be used for terrorism, i.e., the stop and search intended to find things (so vaguely described that they also cover the range of casual things the ordinary people usually carry), for which, additionally, there was no need for suspecting. Furthermore, shedding light to statistical testimonies that describe the usage of legal competencies of police stopping and searching, the court considered that this disposition was not outlined enough nor it is subsequent to necessary legal protective measures against misuse, which in turn doesn't meet the required legal condition as given in article 8.5

## **Legal grounds on proper interference**

Article 12 of the Universal Declaration on Human Rights and Freedoms states “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”<sup>6</sup> When the court proves legal ground of interference, it will assess the legal grounds of the intention. From the procedural point of view, the state as an indicted party is obliged to offer proof for issuing privacy interference warranties. This denotes that the main battle is oriented towards the necessity and proportionality of actions implemented to achieve the expected outcome. Legally based intentions, as given in article 8, and interpreted by the court cover areas as follows “national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”<sup>7</sup>

## **Correspondence interference, laws and structures that regulate the interference in the privacy of the Republic of Kosovo.**

Apart from dispositions and other international conventions discussed earlier in this paper, there is a significant number of laws and other local legal dispositions that regulate the privacy sector, including correspondence disclosure protection as a constitutional category. Amongst other laws that regulate this area of concern, some of the most important ones are the Criminal Procedure Code of the Republic of Kosovo (hereafter CPCRK); the Law on Kosovo Intelligence Agency (Law nr. 03/L-063); and the Criminal Code of the Republic of Kosovo (hereafter CCRK).

## **Prosecutor's Office and implementation of covert actions.**

In order to have a maximal outcome in privacy protection – protection of correspondence between individuals who claim to have them being breached on one hand and the Prosecutor's Office, courts, and other legal institutions on the other hand – the State Agency for Protection of Private Data, the police, and other protection structures, have to thrive avoiding state arbitrary actions. Courts mustn't issue warrants for the issues that violate privacy, and in parallel with this, Prosecutor's Office mustn't file such requests.<sup>8</sup> In other words, prior to issuing warrants by the competent structures for wiretapping, the case should be thoroughly assessed and make sure that no privacy nor correspondence violation befalls. On the contrary, all the evidence extracted in violation with the local and international laws are ought to be inadmissible. All in all, these are the principles that are being proclaimed and it is the concept of the state under the rule of law, which makes democracy function by protecting its citizens, that, consequently, improves their quality of life. This is certainly achievable through authorised structures and mechanisms, such as are Prosecutor's Office, courts, and the police.

## **Actions of the Prosecutor's Office on wiretapping and their legitimacy.**

Taking into account article 202 (violation of the privacy of the correspondence and of the computer database) and article 206 of the Criminal Code of the Republic of Kosovo (CCRK), the issues related to the protection of privacy and private data are noticeably well regulated. Criminal Code incriminates actions that breach privacy and private data, considering them as criminal acts and sanctions them as such. Such violations are considered: violation of the privacy in living premisses; illegal search or raids; violation of the privacy of the correspondence and of the computer database; unauthorised disclosure of credible information; unauthorised audio and/or video surveillance; unauthorised photographing and other recordings; and breach of wiretapping consent or any of its previously described techniques or the investigation itself.<sup>9</sup> Article 204 of CCRK

<sup>4</sup> Criminal Procedure Code of the Republic of Kosovo

<sup>5</sup> European Convention on Human Rights, article 8.

<sup>6</sup> Universal Declaration on Human Rights.

<sup>7</sup> Law on Personal Data Protection.

<sup>8</sup> Criminal Code of the Republic of Kosovo

<sup>9</sup> Criminal Code of the Republic of Kosovo, article 202 and 204

specifically regulates cases and punishments in lieu to unauthorised wiretapping, for which it is given a sentence from 2 to 5 years of imprisonment. Article 206 of CCRK regulates issues relating to excessive use of competencies in actions undertaken in secrecy, the surveillance techniques, or the investigation itself, for which it is given a sentence from 3 months to 5 years of imprisonment. State Prosecutor’s Office is authorized to act upon the Criminal Procedure Code and such intervention has legal grounds if all procedures and positive laws in power are abided and in no way is considered a breach on privacy and correspondence. Articles that regulate this matter are article 88, 89 and 90, paragraph 1 of CPCRK. A State Prosecutor can order a certain technique of surveillance that must be legally endorsed and then assessed by the pre-trial Judge. The pre-trial Judge, upon Prosecutor’s demand, can act upon and order phone call surveillance (article 91, paragraph 2.2). Article 92 describes broadly wiretapping procedures, from which we can extrapolate when a correspondence is considered breached. In order to ensure objectivity and oversee eventual arbitrary actions, the Agency should have an independent instrument of supervision, such as the State Agency for Protection of Private Data because of its solid structure, as we described its functionality through article 30 of the Law for Protection of Private Data in coordination with the civil society and other relevant mechanisms.<sup>10</sup>

### Court actions on wiretapping and CPCRK compliant procedures

Article 92, paragraph 3 describes actions available for the pre-trial Judge about the wiretapping. It is the same Judge who assesses if such overall intervention is necessary or unnecessary. When authorised police officers enter private premises, in concord with the order deriving from this paragraph, their proceeding in private premises is to be limited in the necessity of actions for activating or deactivating the tech gears. Article 5 also describes: upon State’s Prosecutor’s decision, the phone call wiring order may include only a general description of phones to be tapped, only when the pre-trial Judge of the Municipal Court assesses that there are legal grounds for suspicion. Hence, all wiretapping actions are subjected to the Prosecutor’s request and pre-trial Judge’s assessment of the credibility of the necessity.

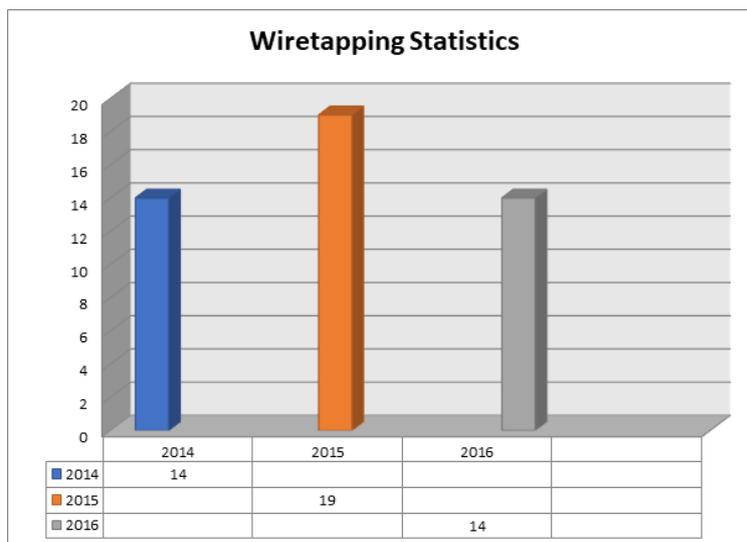
### Actions of the police authorities on overhearing discussions

Kosovo Republic Law nr. 04/L-076 on Police, article 6, describes the relationship between the Police, Public Prosecutor, and the Court.

1. The Police execute orders and instructions legally issued by the Public Prosecutor or the competent Judge.
2. The Police cooperate and report to the Public Prosecutor’s Office, who is in charge of the proceedings of the allegations over the suspicious criminal activities, for which the Police is informed in adherence with the applicable law.

Random authorisations too are described in CPCRK<sup>11</sup>

Graphic display of undertaken wiretapping actions by the District Prosecutor’s Office in Pejë during 2014, 2015 and 2016  
 The below-given table graphically shows proceedings by the District Prosecutor’s Office in Pejë about the implementation of covert wiretapping for years 2014, 2015 and 2016.



Source: District Prosecutor’s Office in Pejë, April 3rd, 2017

<sup>10</sup> Criminal Procedure Code of the Republic of Kosovo

<sup>11</sup> Law on Police of the Republic of Kosovo

## Recommendations and Conclusions

In conclusion, one of the pillars and the most important principles of a lawful state-building and promotion of democracy in that state is the protection of human rights and freedoms, independent judiciary, and equity amongst its citizens.

Therefore, by analysing the right of privacy and the violation of the correspondence, as constitutional rights, we've tried to bring to the foreground, through the given examples of court practices, the wide dimension of the matter of our concern, which is being regulated by a considerable number of local and international laws. The aforementioned is assisted, in adherence to the law, also by other authorised structures that are too specialised in this such complex matter.

This paper also sheds light to conclude that, apart from legislation that regulates this area of concern, a major contribution is given by structures that are dealing with the protection of privacy and correspondence, such are the police, prosecutor's office and the court.

## References

1. European Council Human Rights Notebook. Strasburg 2012 Ivana Roagna;
2. European Convention on Human Rights;
3. Law on Police of the Republic of Kosovo;
4. Criminal Procedure Code of the Republic of Kosovo;
5. European Convention on Human Rights, article 8;
6. Universal Declaration on Human Rights;
7. Law on Private Data Protection;
8. Criminal Code of the Republic of Kosovo, article 202 and 204;
9. District Prosecutor's Office in Pejë, April 3rd, 2017.

For the given contribution in this research, particular gratitude goes to the Chief District Prosecutor in Pejë, Mr Agim Kurmehaj and the Administrative Staff, Mr Sadat Muhović.

# Victimization of the State

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**Blerim BALOKU PhD. Cand.**

Faculty of Criminal Science, Criminology and Security Studies, Bosnia and Herzegovina

e-mail: blerimbaloku@hotmail.com

## Abstract

*The paper will cover the topic of victimization of the state and its direct and indirect consequences. Many scientific papers and author books elaborate on the individual victim, rarely talk about the collective victim, but close to never is discussed victimization of the state.*

*Based upon official statistics of legal bodies we can see that the state is one of the main victims but very little attention is given to this matter. Moreover, we have no serious studies, in the area of victimology, to treat the state as a victim of penal acts. This paper will present cases where the state is the direct or primary victim and indirect or secondary victim, and the measures for undertaking to prevent the victimization.*

*When we talk about the victim, we immediately think of a private individual or different groups of ethnicity, religion, race, or political affiliations. The victimology studies of legal persons are extremely scarce (if not inexistent), let alone the victimization of the state.*

*There will be two different scientific methods for the collection and processing of data: The Method of Accounts and Official Data Usage and The Method of Historical/archival studies . Official reports, issued by, but not limited to, the Republic of Kosovo will be considered as information resources or data. Apart from Kosovo official data, I will use different reports of the national and international organizations, non-governmental organizations, and different media published articles.*

**Keywords:** *victimization, victim, state, private individual, legal person.*

## Preface

Victimization of the state by public institution officials or any given citizen occurs on a daily basis and repetitively. There's a misconception roaming amongst Kosovan society, not excluding the entire Balkan region, that the state cannot be victimized. Public goods are considered as foreign property and the citizens are often inclined to dishonestly get their hands on or even destroy the public property, which is in fact the common good of all citizens of that country.

In many scientific papers, we encounter the victim in a form of a private individual, his/her victimization and the procedures to compensate the private individual when s/he is a victim of crime. Nowadays, many studies have been paying attention to environmental protection and we encounter flora and fauna victimization researches, which is virtuous, but we have no studies where state structures nor the state itself are considered as victims of crime.

Through legal science, it has been brought to our attention that the state is considered as a social organization with its structures, as an artificial creation, i.e., a legal entity. The country run under the rule of law that abides by the internal and international derivational legal obligations has its own subjectivity and holds the right to participate as defending or as a plaintiff party in international organizations. Subsequently, we can say that the state may violate the rights – find itself in the role of the offender – and at the same time can be the damaged party, namely, a victim of crime.

This paper will present the meaning of the notions of the state, the victim, and the victimization based upon papers of authors who studied state organization and the victim as a private individual that have suffered damages as a result of illegal endeavours. The paper will ponder on the state victimization problem, which at the same time is the authority entrusted for implementation of the law and prevention of the victimization of private individuals and legal entities. The paper will limit its data only to statistics or results of criminal acts against the economy and corruption, both of which victimize the state financially, based upon national and international rights. As per reports and previous studies, outcomes of this paper followed by recommendations will be accordingly presented.

## Literature Review

The word *victim* covers an individual or a group of individuals that have suffered or have been inflicted upon, whilst *victimisation* covers the process of the suffering from the afflicted harm. Traditionally, the victim was an individual but today *victim* has a much wider connotation as it now covers the entire flora and fauna. An *individual victim* is when someone has been afflicted upon whilst the *collective victim* is considered when that affliction affects many individuals. Collective victims may be certain collective groups based on, to name a few for the sake of the argument, ethnicity, religion, or race. Initially, the Victimology academic subject treated only human victimisation and the forms for preventing victimisation. However, in due course of time, this subject expanded and included flora and fauna as victim subjects (Halili, R., 2007). In his work, the author doesn't talk about the state as a victim but indirectly considers environmental destruction as the victimisation of the state. Almost the entire Victimology subject lacks discussion or acute subject treatment when the state is demonstrated as a victim of crime.

Arie Freiberg, an Australian academic, argues in his *The State as a Victim of Crime* that the study on the victimisation of the state is a segment that is being overlooked and that there are significantly few people that conduct research with the main focus on the state as a victim of crime. The neglect of the study of collectives as victims of crime, in particular of the state, has been a major gap in victimological research. This article examines the role of the state both as a surrogate and direct victim of crime, focussing on the harm suffered by the state as a victim of white-collar crime. The nature of such harm is examined, as are some of the victimizing factors which result in the state being probably the most frequent victim of crime (Freiberg, A. 1988). During the 80s, apart from the vast number of authors who treated only individuals as victims, which we can often encounter in today's school textbooks that a victim is a human being, disregarding in this context the environment, the collectives, and the state as a victim, the named author opened a new page for shedding more light into this matter. He promoted a new and interesting concept arguing that the state is one of the most frequent victims of crimes and yet only a handful number of authors pay attention to this matter, pretending as if the state cannot be a victim.

## Methodology

For the research to be as complete as possible, the method of Official Data and Accounts will be used and then the analysis of the data will be done after the collection of information that has passed through the verification process, an overview can be presented, reliable for the real situation. In this paper, the data will be taken from the reports of the main institutions that fight crime, such as the reports of the Prosecutorial Council, the report of the Kosovo Police, and the report of the Anti-Corruption Agency.

The gathered data will be taken not only from public institutions but also from non-governmental organizations dealing with the study of law, which provide very important data for the researcher. After receiving the data from the sources of public and non-public institutions, their analysis will be done and descriptions and explanations will be given for the data we have collected.

The importance of victimization of the state can be viewed from a social and scientific point of view. The social aspect of corruption is a phenomenon of victimization of the state. It is spread out on a large scale and in every sector of life, which is seriously endangering the development and well-being of society. The greatest danger for society is its moral degradation and one of the main factors of moral degradation is corruption, which brings us to the victimization of the state. Through this study, we will try to inform society and be aware of the negative aspect of victimization of the state and the benefits that derive from fighting against it.

The scientific aspect of this research will focus on the collection and study of information and materials, their processing, and presentation on a scientific basis. Like any scientific study, this study will serve future researchers with the results achieved to undertake other similar initiatives, to research this issue.

## Results

The state's notion can be geographic, as a part of the world and as a creation of the society, as a unity of people, a proper organization in the aspect of functionality and structure as well as in the legal aspect, based upon legal norms. If the state is viewed as an organization, a state structure, it presents one of many social organizations that differs in the high number of

employees, legally intertwined with specific functions. Therefore, as a social organization, it stands as the most important one for society (Ismaili, 2011).

Legally, the state may be considered equal to private individual – artificial creation by the people to organize and function within a given geographical territory.

Victimization of the private individual, of the state in our case, differs from the victimization of the private individual. In vast cases, at the moment when a private individual has suffered a crime, it creates visible consequences in most of the cases. The consequences may appear immediately or in due course of time but they leave visible traces for the human eye. The situation is almost completely different when the legal entity is the victim. The consequences don't appear immediately, and when they do, the responsible individuals – nor rarely the offenders – have enough time in their hands to cover all the damages caused by their criminal endeavour by attributing them to certain circumstances.

We may say that the victimization of the state, from the internal legal point of view, occurs when crime impacts the constitutional order and the Republic of Kosovo security. However, this area of crime will not be discussed in this paper. The subject of this paper will only be crimes that victimize the state in the role of the legal entity viewed from the internal legal aspect, which is given in the Criminal Code of the Republic of Kosovo, that damage the state in its financial incomes – as given in Criminal Code chapters that describe institutional corruption, crimes conducted by state officials, and crimes against the economy.

The victimization of the state is mainly facilitated by state officials that hold leadership positions. European Policy Institute of Kosovo (EPIK) states that 43.4 million Euros have been confirmed lost and it is expected to confirm another loss of 11 million Euros. Mr Demush Shasha from EPIK, who affirmed the loss in the European Committee report, says that the European Integration Ministry has scored a decline in fulfilling the MSA conditions from 715 into 361 conditions. Failing to fulfil the conditions carries a financial cost and the first consequence impacts the endorsed agreement by the assembly of the IPA-2016 for direct budgeting of public administration reforms. Apart from these funds, Mr Shasha says that Kosovo has lost another 43 million Euros for the period 2014 – 2020 due to bad performance of the institutions, lack of reforms, and lack of political will for implementing reforms (Syri.net, 2019).<sup>1</sup>

Kosovo is about to lose some 300 million Euros of international financial agreements if Kosovo refuses to endorse them in the Kosovo Assembly. Ministry of Finance envisages decreasing salaries in the public sector, including parliamentarians' salaries that presently amount to over 2 thousand Euros. Deputy Minister of Finance, Mr Agim Krasniqi, in an interview given for Kosova Press, said that if these financial agreements are not administered through the parliament, they have to review the budget, which entwines cutting off in expenditures or a smaller financial package for economic development. Mr Krasniqi states that unless the 2020 budget review is voted, the package for economic development nor contingency fiscal package won't be implemented (Fokus.info, 2020).<sup>2</sup>

Failing to successfully carry out the tasks by the state officials and endorsing harmful decisions made Kosovo lose millions of Euros in local courts and international arbitrations. Such a case is the collective agreement of the Ministry of Education with its staff and the Ministry of Health with its own staff for payment of food expenses, jubilee salaries, transportation fees, and a series of other expenses. Although collective contracts were in power, officials of each respective ministry failed to fulfil the contracts, which resulted in massive court indictments that amount to millions of Euros of procedural expenditures in courts and law enforcement disputes. Moreover, in vast cases, these expenditures were higher than the amount being indicted for, which became a substantial financial drain of the state.

In 2019, as per court decisions and through private law enforcers, 25,834,238 Euros have been transferred as payments. In comparison with the report of 2018, the number of payment transfers increased by 28% or for 5,574,163 Euros, which is a clear indicator that the budget organizations are becoming lesser liquid or are late in carrying out their dues to the economic operators and other suppliers (the 2019 report of the General Audit Office). Failing to comply in due time, budget organizations caused complicated and hefty cost court procedures. These delays caused additional budget expenses and negative implications for the credibility of the public institutions. Payments of larger amounts have been carried out mainly in the category of capital investments, which implies that many other capital projects have been cut off in order to pay the aforementioned additional costs. The data shows an increasing trend of payments ordered by court decisions by 28% from the previous year and an astonishing 124 percent if compared with 2017. Payments ordered by court decisions or through private law enforcers for 2020 were in the amount of 29,965,312 Euros. If we compare this amount with the payments of 2019, we encounter another increase of 9,705,237 Euros or 48%. Considering that the trend of unnecessary overspending remains existent, it clearly reflects that the responsible officials have done very little to none to remedy this problem (the 2020 report of the General Audit Office). The 2021 report has not been published yet but, based upon several disaggregated data, considering the number of increased court decisions and private enforcement activities, initiated by Education and Health staff, the payment might increase by 100 percent.

<sup>1</sup> [https://www.syri.net/syri\\_kosova/ekonomi-lajme/12599/pervec-43-milioneve-kosova-rrezikon-ti-humbas-edhe-11-milione-nga-be](https://www.syri.net/syri_kosova/ekonomi-lajme/12599/pervec-43-milioneve-kosova-rrezikon-ti-humbas-edhe-11-milione-nga-be)

<sup>2</sup> <https://www.fokusi.info/mosratifikimi-i-marreshjeve-nderkombetare-kosova-rrezikon-ti-humbe-300-milione-euro/lajme/>

The Union of Education, Science and Culture (*Alb.* SBASHK) indicted the Municipal Education Directorates (MEDs) for failing to respect the Collective Contract. Chairman of SBASHK, Mr Rrahman Jashari, in an interview for *Ekonomia Online*, said that the municipalities have not paid the education staff with three eligible salaries upon their retirement; failed to pay for their meal; and failed to pay for their transportation expenses! These mentioned segments for payment are covered under the signed agreements between SBASHK and the Ministry of Education, Science and Technology (Aktiv Press, 2018).<sup>3</sup> Kosovo Government committed additional 53 million Euros for payment to “Bechtel-Enka” company as a penalty fee, consequent to a contract breach (INFOKUS, 2018).<sup>4</sup> Former Minister of Infrastructure, Mr Pal Lekaj, his former Advisor, Mr Eset Berisha, and the former official within the Ministry of Infrastructure, Mr Nebih Shatri, are all indicted by the Special Prosecutor’s Office for granting of 53 million Euros to “Bechtel & Enka” consortium to build Prishtinë – Hani i Elezit highway, which is also known as the “Arbën Xhaferi” highway.<sup>5</sup>

Kosovo is summoned to appear in international arbitrary proceedings for the amount of some 300 million Euros, due to its mismanagement or suspicious contracting that is additionally harming the state. Until now, Kosovo has lost millions in international arbitrary proceedings, such is the case with Kosovo Telecom which 100% of its shares are owned by the state of Kosovo. Kosovo Telecom’s debt of over 25 million Euros towards the “Z-Mobile” is all about failing to adhere to the contracted services for issuing 100 thousand phone numbers and providing 3G and 4G internet services. By then Prime Minister Ramush Haradinaj’s economic advisor, Mr Haki Shatri, said for Free Europe that the Government is looking at the financial and other possibilities to save Telecom from bankruptcy. “Kosovo Telecom has been mismanaged for 10 years now. Telecom has been misused for the sole interest of certain groups and has been significantly degraded in value – initially valued in the amount of 1 billion Euros, followed by second evaluation of 700 million and at the last time with 300 million Euros. Presently, it doesn’t have any value as it is on the brink of bankruptcy” said Ms Luljeta Krasniqi Veseli in 2019.<sup>6</sup> “Kosovo Telecom is due to pay over 11 million Euros to “Z-Mobile” company since once again lost a legal case against “Dardafon.net LLC” in the International Court of Arbitration (Valon Fana 2022).<sup>7</sup>

The 2016 Performance Report of Public Companies shows that central public companies, which are 100% in shares owned by Kosovo Government, are recording each year lesser incomes but higher expenses.

Since some 90 million Euros are short-term dues, there’s a great risk that these companies will not be able to pay them. Under this circumstance, the Government would be obliged to cover the deficits of these companies in order to avoid declaring to the public their bankruptcy. Hence, if no steps are undertaken to remedy this situation, the Government’s financial burden will grow larger (the 2019 report of the General Audit Office)

Adherence to procurement procedures, particularly in the evaluation stage, continues to be the most challenging aspect that causes a great number of filed complaints by the business operators. As a result of dissatisfaction in evaluation stage, during this year there have been 981 filed complaints in Procurement Review Body (PRB). The PRB findings have instructed to re-evaluate more than half of the cases (54%) or, in number, 535 cases. The number of consents with the decisions taken reaches 261 cases or 27% of the total number of filed complaints. On the other hand, there were two issued fines during 2019 by the PRB. During individual audits, many organizations with budget portfolios don’t carry out a systematic process to implement recommendations. Although, compared to 2018, the number of recommendations has declined but the number of the recommendations fully carried out remains at 40%. The rest of the recommendations are either in process of carrying out or not being carried out, including hereby the recommendations of the previous year too. Failing in adhering to the recommendations given causes repetition of mistakes and systematic irregularities that are being carried out from one year to another (the 2019 report of the General Audit Office).

In 2020, several public officials committed a heist of some 3 million Euros from the Treasury of the State by transferring the funds to several private companies for implementing several non-existing projects.<sup>8</sup> The offenders transferred the funds to bank accounts in foreign countries and, as it results, procedures for the return of funds appear to be highly complicated, which makes getting them back incredibly difficult if not impossible. Being informed of this heist from the Treasury, we ought to ask whether this is the first time or there were other times that such a thing may have happened but it has not been brought to attention? Moreover, we should wonder whether the state’s security structure is so weak that the Treasury can be easily broken into? This hypothesis becomes even stronger if we take into account that the integrity and the function of the Treasury of the State are crucial for the entire state’s functioning.

During 2016, public companies had worked with a deficit of 29 million Euros. These findings are reported in annual external audits’ reports (*arbresh.info*, 2018). Total incomes of public companies, during 2016, reached some 307 million Euros, which amounts to 7% less than the previous year. On the other hand, the expenses reached some 336 million Euros, which amounts to 1.9% higher than in 2015 (the 2016 Public Companies’ Performance Report).

<sup>3</sup> [https://aktivpress.com/sbashk-u-i-padite-komunat/?single\\_page=5172](https://aktivpress.com/sbashk-u-i-padite-komunat/?single_page=5172)

<sup>4</sup> <https://gazetainfokus.com/keshtu-i-mori-53-milione-euro-bechtel-enka/>

<sup>5</sup> <https://kallxo.com/lajm/rruga-deri-tek-aktakuza-cka-ndodhi-dhe-pse-u-paguan-53-milione-euro/>

<sup>6</sup> <https://www.evropaelire.org/a/telekomi-i-kosoves-falimentim-/29929187.html>

<sup>7</sup> <https://kallxo.com/lajm/telekomi-humb-arbitrazhin-kunder-kompanise-se-blerim-devollit/>

<sup>8</sup> <https://www.koha.net/arberi/242257/merren-ilegalisht-mbi-2-mln-euro-nga-thesari-i-shtetit-nje-i-arrestuar/>

According to the 2019 Kosovo Police report, 169 cases were being investigated for corruption and 199 cases for economic crimes. In 2020, according to the Kosovo Police report, there were 183 cases reported in fighting economic crimes, corruption, and property issues; one hundred and twenty-eight suspects were apprehended and 127 criminal indictments were filed against 289 suspects. For the crimes: (a) 87 cases against officials/corruption, 29 apprehended and 60 criminal indictments against 144 suspects; (b) 55 cases were recorded of economic indictments, 86 apprehended and 42 criminal indictments against 112 suspects. Nonetheless, the above-given data are not completely accurate as the crimes committed by officials in the public sector and of the ones responsible ones who caused harm in the private sector are not given separately.

According to the report issued by the Attorney Council for the period January – September 2020, 263 new indictments were filed involving 533 individuals for the committed crime of corruption, on the other hand, during the same period of time, there were 261 filed indictments for economic crimes against 432 individuals. In the 2021, January – September period, there were 372 new indictments filed for corruption that involved 635 individuals and, on the other hand, during the same period of time, there were 351 new filed indictments for economic crimes, involving 444 individuals. Similar to the Police report, these data are not completely accurate as the crimes committed by officials in the public sector and of the ones responsible ones who caused harm in the private sector are not given separately.

## Discussions

Before we tackle the issue of whether the state can be a victim of crime, we will discuss upon notions, terms, and understanding of the term *state*, *victim*, and *victimization*.

Considering the fact that this paper will treat the state as a victim of crime, we will initially treat the notion *state*. Many known national and international authors have discussed the issue of what *state* means and how it came to existence ever since the ancient times with its own military and political structures or, presently, with its health care, education, and other civil services.

Therefore, the state is:

1. A social organization of higher structure;
2. A specific organization, as it has its organized force within its own territory;
3. The organized physical force is regulated when it should be active and when not, which means it is a controlled force;
4. It is an organization with its main social function to develop the process of production and its upkeep;
5. A social organization that, apart from the elements of violence and the control of other life sectors, carries out public services for overall interests. (Ismaili, 2011).

Creating a state took a long time of human society development, which in words were known as primitive community, primitive society, pre-historic society, and similar. Primitive community is the first and the longest lasting socio-economic formation during entire humankind. This formation sets roots since humans became social beings and lasted until the first civilizations (Ismaili & Sejdiu, 2002).

Many authors have put in their efforts in describing how the state is born during mankind. In medieval Europe was thought that the state is divine and only kings deserve to rule it. There were many theories during the renaissance about the birth of the state and its foundation of a repressive governing power.

The theories of the force in vast modern variants explain the origin and the nature of the state with the forms of organizing violence – conquer and submission. Social groups that are better trained for war (armed with organizational and military skills) reap victories over weaker groups and organize rule over them. This is how states were formed. Nowadays, the most spread theory treats the concept of the state as an organism that carries out a specific function within the social system, which in itself reflects a system of complementary functions with reciprocal interdependence (Abazović, M. 2002).

The process of the creation of the state as a social organization began since in the stage of differentiation within the society due to the surplus in the non-ranked society. In other words, an increase in producing power created ownership and other derivational differentiations. During this stage of social development, other differences kept occurring, which were previously unknown nor existent for the society. It is at this stage that the non-ranked society started to crumble and new elements of new social organization emerged – this is the foundation of the state (Ismaili, 2011).

The notion of *victim* connotes a person that has been harmed in some way by an illegal action whilst *victimization* is the occurring process during an illegal action through which a person is harmed in some way.

The victimization of the state could be viewed through two different legal points of view: national and international. National victimization of the state occurs when the state suffers financial losses due to corruption, misuse of entrusted official position, damaging state's resources, and in cases when the existence of the state itself is jeopardized through attacks against state structures and its judiciary-political system. When the state suffers financial losses – in corruption, misuse of entrusted official position, damaging state's resources – we are facing victimization of the state in primal form, i.e., the state is the victim of illegal endeavour. Victimization of the state occurs when private individuals are victims of crime whereby the state indirectly becomes a victim since, as per contemporary norms, the state is responsible to compensate the victims even in cases when the compensation cannot be covered completely or partially by the offender.

When the state is a victim of national crime, it usually remains undisclosed since it is often committed by officials who hold public positions that are expected to protect the interests of the state. Moreover, the aforementioned crimes often aren't discoverable since they are usually committed by highly educated and qualified staff working in positions that enable them to easily hide their deeds from investigators. Another advantage of theirs is their high-ranked position, the political power they hold, and the reluctance of investigators to treat such high position crimes. Consequently, all of the mentioned victimize the state.

In regards to indirect victimization, the state financially or in-kind compensates the victims that couldn't be compensated by the offenders who don't necessarily hold public positions. We call it victimization of the state for the sole fact that the state is indirectly damaged by compensation of victims as a result of the crime that could be prevented.

In concord to the law on Crim Victim Compensation, before applying for the compensation, the applicant is obliged, except in cases referred to in Article 9 of this Law, to initially request compensation from the defendant in accordance with the Criminal Procedure Code. In cases when the defendant provides only partial compensation to the victim, the victim is entitled to file a request for additional compensation from the crime victim compensation program. The applicant is eligible to apply for compensation pursuant to this Law if he demonstrates that the compensation could not be obtained due to the following circumstances: 1. if a person was a victim but two (2) years have passed since the discovery of the offense and there was no file of an indictment; 2. if determined that the person was a victim, but the defendant is acquitted as he was the wrong person, while the offender remains unknown; 3. if the Court has determined that the defendant in the criminal proceeding is not criminally liable; 4. if the defendant in that criminal case is deceased; 5. if the of the court procedure for the defendant to pay compensation is not possible or when for other reasons foreseen by the legislation in force, the same cannot be executed ( Law No. 05/L-036 on Crim Victim Compensation, 2015)

When compensation is not fully available from the offender or other sources, States should endeavour to provide financial compensation to: (a) Victims who have sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes; (b) The family, in particular dependants of persons who have died or become physically or mentally incapacitated as a result of such victimization. 13. The establishment, strengthening and expansion of national funds for compensation to victims should be encouraged. Where appropriate, other funds may also be established for this purpose, including in those cases where the State is ought to compensate the victim when the national offender is not in a position to compensate the victim for the inflicted harm (Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 1985).

The state is a victim of international crime when it suffers harm or is invaded by another state, which causes loss in its full or partial subjectivity or suffers internal conflicts that are influenced from abroad.

All entities that are subjected to international rights and obligations are the subjects covered by such legal rights. This is the most general notion of an international subject (Gruda, 2013). Private individuals and legal entities are subjects with legal rights within the state. Subjects with international legal rights, in principle, are states but, recently, different organizations that operate alongside with states in different areas of life are also entitled to international legal rights (Puto, 2010)

According to international legal rights, states are subjects of international legal rights with the possibility of being indicted or indicting someone. As subjects of international legal rights, states have their rights and obligations. During their exercise of rights and obligations, states might violate international laws, respectively, commit offences or become victims according to international laws. Subsequently, we can firmly say that a state as a subject of international legal rights could become a victim of one or more crimes.

## Limitations

The lack of literature in the field of this particular study – victimology – was my major problem for referencing my paper. The authors who study victims, which are scarce, treat only legal entities as victims and almost never the state as a victim of crime. Another disadvantage encountered was the lack of written reports from court authorities for criminal offences of concern. Police and Attorney Council's reports don't give clear indications about the crimes committed by officials who work in the public sector from the ones of the private sector who caused damage to private businesses. The latter became a deterrent factor to compare the victimization of the state and legal entities in private business ownership.

## Conclusions

Victimization of the state can occur in the national and international aspects. The topic of this paper was the internal victimization of the state in finances and in its incomes. In most of the victimization of the state, in cases with large amounts of money, the main offenders are the officials who are supposed to protect the state's wealth.

Accountability of individuals holding state management positions is absent, particularly in public companies where the state is a shareholder with 100% of shares. Public companies are continuously operating with a negative balance and their survival vastly depends upon the financial assistance provided by the state's budget instead of being a helping hand of the state's budget.

Audits' reports are being ignored as each year we have official reports made public about the state's public companies' performances and their incomes whereby over half of the administrative recommendations issued to respective companies are not implemented.

As a consequence of corruption or negligence, Kosovo has lost millions of Euros in internal court disputes and international arbitrary disputes. Moreover, as given in the paper, it is on a brink of losing another 300 million Euros. Postponing reforms and improper functioning of central institutions, such as Kosovo Parliament and Kosovo Government, continuously causes loss of projects worth millions of Euros, which additionally enhances the damage the state is suffering from for which no one is being held responsible.

In order to prevent the victimization of the state in the future, the accountability of the public sector management positions should significantly increase. The reports of the General Audit Office should be reviewed and bring the responsible individuals to justice for their misdeeds. Realistic performance evaluation reports of each individual who holds an official position should be made mandatory. All losses must be accounted for and investigated in detail. All public officials who significantly increased their private finances while declaring only their public salary as an income must be investigated.

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# *Political Liberalism* for post-communist societies. A re-reading of Rawls's paradigm

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Florian ÇULLHAJ

## Abstract

*This article will elaborate on a reassessing of John Rawls' paradigm developed in his Political Liberalism. The question here deals with the suitability of PL in post-communist societies. Nowadays, the mainstream idea considers PL limited to societies with a previous liberal tradition, and we argue that Rawls' project could have something to offer to post-communist societies. We do so by shifting our reference point from John Rawls to the Italian political philosopher Alessandro Ferrara, who updates the Rawlsian paradigm of PL to a historical context different from the original and makes it apt for other diverse realities.*

*The paper divides into three sections. First, we will clarify the gist of a post-communist society. The second section summarizes Rawlsian paradigms. The final section will investigate hyperpluralism and multivariate democratic polity and determine if this new version could bring stability for the right reasons in post-communist societies.*

**Keywords:** *Political Liberalism, post-communist, Alessandro Ferrara, Hyperpluralism, multivariate democratic polity*

## Introduction

Thirty years after the fall of communism, an enduring awareness held sway that one must act without more ado to free oneself from the heavy Communist heritage and embrace the democratic ethos. The fear expressed by Solzhenitsyn summarizes the mood of sociologists, economists, and political scientists of all the ex-communist countries: "The clock of communism has stopped running. But his concrete building has not collapsed yet. And that we, rather than freed, do not end up crushed under its rubble". (Solzhenitsyn 1990). This statement was a farsighted prediction because most post-communist countries experienced a "reversed wave" of democratization, ending up crushed under new democratic disguised institutions rubbles. (Huntington, 1991) The transition process was as necessary and challenging to be carried on by people who had suffered long enough under communist regimes. Somehow, the transition to democracy formally occurred but remained wedged in the consolidation phase (Bermeo, 2016).

According to Alessandro Ferrara, nowadays, 'democracy has become a regime without antagonists, an indisputable horizon shared by all advanced societies in the Western world democracy is facing the challenge of sinking roots in cultural contexts where the value of individual autonomy is not paramount'. (Ferrara 2014, p. 3). As novel and yet challenging, this extrapolation allows these countries open potential to reach democratic consolidation from within. (Çullhaj, 2017). Even though post-communist societies ought to deal with Richard Rorty's hegemonic comment on spreading the planet's western-like democratization. This statement is patronizing to those who might have a passion for democracy but still want to preserve their authentic culture. Outlining democracy as a homogenizing calcified ideology elicits repellent behaviors towards it and people, out of prudence, tend to embrace a secure realistic closeness instead of an unknown normative 'openness'. (Ferrara, 2014)

Thinking nowadays about democratization in the Balkans proceeds from various procedural considerations. Authors like Larry Diamond and Guillermo O'Donnell *inter alia* classified some of these countries as 'hybrid regimes'. Regimes hold

elections but produce little or no democracy. (Diamond 2002; O'Donnell 2007). The persistent fact is that with the collapse of communist regimes, a wide range of political systems in the region can be grouped into three categories: democratic, semi-democratic, and autocratic (Ekiert, Kubik, Vachudova 2007, p. 11). However, to lay it with Ferrara, 'procedural criteria are always vulnerable to the risk of a "trivializing emulation": no parameter is immune from being formally satisfied and yet substantively deprived of all meaning' (Ferrara 2014, p. 4).

## 1. Conceptualizing a post-communist political system

In interpreting the phenomenon of post-communism, we can identify three general concepts: in the first case, it would be the 'end of history', a clear separation between two eras; in the second case, a road would have opened that unites capitalism with real socialism; finally, in the third, post-communism would coincide with a transition phase between a demolished totalitarian system and a system based on political and economic freedom.

The thesis on the 'end of history', presented by the American political scientist Francis Fukuyama (1992), sees the final victory of the market economy and liberal democracy as the solution to historical conflicts and the victory of freedom. However, the events after 1989 have shown that the freedom won has fragile roots in reality and that the national and social problems emerging from the ruins of communism create new dangers and conflicts. There is no clear break between the two eras implying that history does not stop.

In the eyes of the countries freeing themselves from the Communist regime, the vision of a possible model of society capable of uniting positive sides of both systems had appeared in the aftermath of the 'revolution'. However, the very experience of the failed reforms of real socialism indicated that, in essence, the search for a blended system<sup>1</sup> is illusory. The concept of 'social and market economy' places private property and market mechanisms as the foundation of economic organization, postulating at the same time a social policy supporting the weakest categories. Nevertheless, this was undoubtedly not the outcome of a third way.

According to the third interpretation, post-communism appears as the antithesis of communism, as its negation: the distance between the old regime and the ongoing transformation process is evident. Nevertheless, abandoning the Communist regime did not simply mean eliminating the shell under which the edifice of normality would appear. An intermediate phase was indispensable to create the conditions thanks to which post-communist countries could adapt to the rest of Europe, and each of them could organize and better defend the interests of its citizens; a transitional period during which these specific tasks could be accomplished was therefore indispensable. The experiences of the years following the liberating momentum of 1989 lead us to accept this approach.

Ralf Dahrendorf's (1990) essay on the 1989 revolutions attempted a quick analysis of the transformations taking place on the debris of communism. Dahrendorf attributed particular significance to the new definition of the state's role and, therefore, the creation of a constitutional framework to establish the rule of law. They were rebuilding an independent judiciary and creating an economy free from monopoly and centralized administration. From this perspective, hypothetically, constitutional reform paves the way for the economy and politics, initiating a process that can be compared to passing through hard times. Dahrendorf considered the risk of this phase so high that he sustained - albeit with some hesitation - that the danger of the advent of fascism could arise in it. The latter would have shown itself differently from those known to us from history, but its essence would have remained the same: a tyranny that exploits the nostalgia of the community to build a monopoly of political power and suspend the rule of law. However, the transition period could also have allowed the construction of an *open society*, on the model indicated by Karl Popper (1995), free from any system. The latter would have shown itself differently from those known to us from history, but its essence would have remained the same: a tyranny that exploits the nostalgia of the community to build a monopoly of political power and suspend the rule of law. However, the transition period could also have allowed the construction of an open society, on the model indicated by Karl Popper, free from any system. Nowadays, democratic liberals criticize such a view because it develops a conceptual apparatus that excludes, with no plausible argument, the religion of Islam from the public space as a fair and equal interlocutor. (i.a, Ferrara, 2014)

Finally, Dahrendorf (1989) outlined the temporal dimension of the transformation processes: six months could be enough for constitutional reform; six years to feel the positive effects of the economic reforms. In the end, for these economic and political transformations to become lasting, Dahrendorf envisaged not less than sixty years. However, if we consider post-communism as a time in which fundamental transformations occur, it becomes clear that it cannot be considered an ephemeral phenomenon.

If the system change marked a crucial point, this was undoubtedly the conquest of freedom, which could have taken place with a twist, with a sensational historical event, and in a single instant. However, the political translation of such momentum into the prose of democratic institutions and procedures required a long-term process. In most former Communist countries,

<sup>1</sup> The idea of the third way arises from the thought of a Christian-democratic and social-democratic matrix. The aversion to capitalism, profit, and wealth belongs to the social doctrine of the Christian churches. The Reformed Churches have overcome this hostility from the theological and practical points of view. The famous thesis of Weber (2005) attributed Protestantism an essential role in the genesis of capitalism, while the Catholic Church remained wary of liberalism as a program and a political movement. The conviction accompanied the position of equidistance between socialism and capitalism that it was necessary to find a separate path. The Church's attitude towards liberalism has only changed in recent years, while interest in a third way remains. The situation is similar concerning the European Social Democratic parties, which, despite having rejected the communist system, have only softened their anti-capitalist attitude after abandoning Marxism. In the context of social democracy, the search for the third way was born spontaneously on this ground.

new constitutions have been voted, but perhaps in none of these countries, the new Constitution has genuinely become a founding act of the new system. For example, the Constitution in force in Albania since 1976 was radically changed in 1998 and amended several times after that. The rules relating to the role of the Communist Party, the alliance with the ideology, the supremacy of socialist state ownership, and the state monopoly of foreign trade have been removed (Bozoki, Ishiyama 2002). All ideological references to socialism have also been removed. According to the new formulation, the Albanian Republic is a state backed by the principle of the rule of law. Unfortunately, it is a principle that does not describe the current legal and political situation but indicates the direction in which the state must move. Nowadays, in Albania, the Constitution is considered a set of shared values and norms, thus ignoring its axiological content concerning the processes of consolidation of democracy. The lack of *constitutional ethos*, namely the conception of the Constitution as a fundamental instrument for guaranteeing stability, legitimacy, and continuity focused on common basic principles, seems to be the leading cause of the fragility and weakness of the illiberal democracy of today's Albania. (Case, 2017; Bermeo, 2016; Çullhaj, 2019). This shortcoming has led the Albanian political system to move towards the category of electoral democracy. (Rabinowitz B & Michael B. (Ed) 2003)

In its fundamental structure, the Albanian state has changed profoundly: the legislation bequeathed from the previous regime, but nowadays, the courts face corruption and are vulnerable to political pressure, and a similar situation is also found in the state administration. Therefore, we can argue that the assumption of the principle of the rule of law did not make it possible to correctly define the path of political transformation, excluding the application of liberal-democratic methods for constructing democracy. This choice constitutes an authentic reinforcement of the totalitarian system's essential constitutive elements and represents the final acceptance of the totalitarian inheritance during the transition phase, let alone in the consolidation phase.

The battle for pluralism was the programmatic motto of the democratic opposition in communist countries: it claimed the right to a pluralism of opinions and social organizations, first of all, trade unions and political parties. The latter was already a revolutionary task, as it required the overthrow or dissolution of communism. However, after 1989, building a party pluralism was a simple process in some countries like Slovenia or Croatia. On the other hand, Balkan countries are still experiencing a delay in realizing balanced political pluralism. The attempt to preserve the unity of the democratic and reforming forces, which could have been helpful for the first period of the transformations, remained unsuccessful in the consolidation phase. Political Parties formed in democratic transformations still have a weak social root. (Ishiyama, 1995)

The principle of free elections conducted under international control by the European Council has led to the pluralism of political parties in all post-communist countries. However, the party system remains weak everywhere, with an uncertain ideological profile and a fragile organizational structure. A shadow on this system is also cast by the relatively low level of social commitment in political life, expressed in the high percentage of absenteeism in elections. The latter phenomenon involves half of the electorate and general mistrust towards political parties. The crisis of political parties, which affects the whole of Europe, seems to have an enhanced effect in the case of post-communist countries. (Ishiyama, 1995; Bozoki, Ishiyama 2002).

Against this background, the ex-communist parties exploit their organizational superiority, experience, and material means. Immediately after the transformations, they tried to entrench themselves in their positions. Attempts had even been made to forge international ties, to shape a sort of 'international' of post-communist countries. Therefore, they adapted to the new situation, changing the name and manner of political activity. By exploiting the unrest produced by the social costs of reforms and widespread disillusionment with the new governments, in most countries, these parties have been able both to return to the political arena and to seek and find, through elections, success and a way back to power. However, even when these parties reached power, none of the countries where the transformation process is advanced enough have any changes in the course taken because the democratic system and the market economy have continued to develop. Returning to the scene of the ancient elites causes some government practices to revive. The principle of political majority is treated according to canons inherited from the single-party system and the monopoly of power.

## 2. Rawlsian paradigms in a nutshell

John Rawls was perhaps the most important political philosopher of the twentieth century. Through his thought and writings, liberalism is affirmed that it is detached from the typically nineteenth-century model, which we could call classical liberalism, in favor of liberalism mixed with a solid egalitarian inspiration, a typical trait, the latter of socialism. With Rawls, we are faced with a Kantian constructivist who postulates that an institutional structure is legitimate only to the extent that it gives the possibility of justifying itself concerning the citizens of a political community. Rawlsian-type liberalism implies a theory of justice that surpasses that of utility. According to the philosopher, institutions must realize the mutual benefit of the equally free and rational parties to the social contract, located in the original position behind a hypothetical veil of ignorance. In this way, he does not admit pure or radical egalitarianism: the consequence would be the determination of institutional solutions unable to benefit everyone.

However, John Rawls's fundamental work is *A Theory of Justice*, published in 1971, aiming to replace the utilitarianism employed by most of the classical authors, such as Bentham and Mill, in order to "generalize and bring at a higher level of abstraction the traditional theory of the social contract of Locke, Rousseau, and Kant" (Rawls, 1971, pp. 13-14). In particular, according to Rawls, Immanuel Kant appears to be the thinker from whom he drew the most. As he immediately makes clear, justice has priority over the good. After the first-hand experience during the Second World War and the struggles for civil

rights that took place in his country during the 1960s, Rawls was primarily interested in the theme of pluralism, i.e., imagining the possibility of a context within which variegated visions of good could coexist in a peaceful and non-warlike way. Thus, “justice is the first virtue of social institutions, just as truth is of systems of thought” (Rawls, 1971, p. 21). Justice, like truth, is an absolute value: as such, it cannot be subject to compromise, and every person is endowed with an inviolability based on a sense of justice that cannot be harmed.

Justice, according to Rawls, takes on the characteristics of society’s first and fundamental problem. Justice presides over the distribution of fundamental rights and duties and the benefits of cooperation. In this sense, we are faced with the Aristotelian distributive concept of justice. Society can be conceived as a kind of cooperative enterprise from which all members benefit from each other. Those who benefit from the most significant surplus deriving from cooperation will have to reward those who benefit least from such cooperation: this explains what is defined as the difference principle. The guiding idea of Rawlsian social justice considers the fundamental structure of society as the object of an original agreement: “these are the principles that free and rational people, concerned about pursuing their own interests, would accept in an initial position of equality to define the fundamental terms of their association. These principles must govern all subsequent agreements” (Rawls, 1971, p. 27). The principles of justice as fairness are determined by individuals who would choose them in a hypothetical situation of equal freedom. This principle is called the original position and is essentially equivalent to the state of nature of the traditional social contract theory.

These principles are thus chosen under a thick veil of ignorance, such that “no one knows his place in society, his class position or his social status, the part that chance assigns to him in the subdivision of natural gifts, his intelligence and similar forces”, as well as, “the contracting parties know nothing of their own conceptions of the good and of their own particular psychological propensities” (Rawls, 1971, p. 28). In such an abstractly defined situation, no one will be benefited or not from the natural lottery or the contingency of social circumstances. Being in the same condition, everyone will not choose principles of justice dictated by a particular and self-interested perspective, but the result will be a conception of justice that is the fruit of fair bargaining. These disembodied individuals, conceivable as dehumanized robots, will choose a well-ordered structure of society such that the distribution of the overall burdens and benefits will be fair, as it is also derived from a justice procedure.

When Rawls argues that justice has priority over good, he means this: everyone would naturally be inclined to desire more for himself, therefore yearning for greater benefits. However, based on justice as fairness, each Rawlsian individual renounces personal preferences by virtue of those principles of justice that justify an equitable corporate structure for all citizens. Therefore, the principles aim at the institutions of a just society and not at individual conduct. The whole Rawlsian argument assumes the connotations of a thought experiment (Maffettone, 2010, p. 28). The original position is a representation device: “Rawls tries to detranscendentalize the Kantian model of subject and contract, to place it in the historical reality of a modern liberal-democratic society” (Maffettone, 2010, p. 28). Compared to a utilitarian theory of justice - according to which the distribution of wealth should have an average utility as its objective - the Rawlsian theory of justice as fairness respects the rule of maximin or “maximum minimorum. It aims to maximize the minimum gain: an alternative for which, among the existing distribution possibilities, the one whose worst outcome is better than the worst of the other alternatives chosen.

In light of this, the two principles of justice that emerged would be the following:

- 1) “Every person has an equal right to the broadest total system of equal fundamental freedoms compatibly with a similar system of freedom for all” [principle of fundamental freedoms, or of “primary social goods”: this includes civil and political freedoms, but not of an economic nature, or the protection of private property];
- 2) “Economic and social inequalities must be: a) for the greatest benefit of the least advantaged, compatibly with the principle of just savings [principle of difference] and b) connected to positions open to all in conditions of equal equality of opportunity “[principle of equal opportunity] (Rawls, 1971, p. 255).

Two priority rules accompany these two principles; given that the two principles are ordered lexically and hierarchically, the first precedes the second. The first priority, which concerns freedom, can only be limited in the name of freedom itself. The second priority, which concerns the primacy of justice over efficiency and well-being, considers equal opportunity pre-eminent over the principle of difference.

Nonetheless, in the light of the criticisms received, these principles were reworked in the author’s second great work, Rawls 1993, Ferrara 2014), and articulated as follows: 1) “Every person has equal title to a fully adequate system of equal rights fundamentals and freedoms; the attribution of this system to one person is compatible with the attribution of him to all, and it must guarantee the equal value of equal political freedoms, and only of these”; 2) “Social and economic inequalities must satisfy two conditions: first, they must be associated with positions and offices open to all, in conditions of equal equality of opportunity; second, to give the maximum benefit to the least advantaged members of society” (Rawls, 1996, pp. 5-6).

The difference principle, which is the second part of the second principle of justice, is essential. According to Rawls, it is unfair that the natural lottery allows someone to enjoy more distributional shares of natural skills and talents than others. Such qualities prior to choosing the original position behind the veil of ignorance would not originate from individuals’ free and rational choices placed on the same level. Then, this moral arbitrariness must be stemmed based on the principle of efficiency. In this sense, Rawlsian-style egalitarian liberalism, based on a democratic interpretation of justice, is the bearer of a considerable redistributive commitment and tends to be anti-meritocratic in nature since meritocracy would reward those who, by nature, would be more gifted than others. However, he does not consider that gifted individuals do not necessarily automatically use natural endowment.

A utilitarian interpretation of justice would have imposed improper sacrifices on some for the benefit of others. In the interpretation of Rawls, however, social cooperation is the “source of all economic surplus” and “reciprocity is the basis of cooperation itself”. If so, writes Maffettone, “the most gifted would have no reason to complain about the asymmetry implicit in the difference principle, since only the latter would be able to create equitable terms of cooperation, and therefore the source of their own advantages” (Maffettone, 2010, p. 58). Therefore, Rawlsian work has the particular merit of rediscovering society’s cooperative dimension. In other words, it does not take the form of a disordered heap of individuals dedicated to maximizing their satisfaction and locked up in their own particular. On the contrary, only within an “equitable” basic structure can individuals live in harmony since society is “a cooperative enterprise for mutual benefit” (Rawls, 1971, p. 22).

Finally, we should remember that democracy lives on and in the concrete experience of citizens. An imaginary stipulation of a contract, albeit based on principles of justice, lacked that political experience that only a demos alive and accurate might have been. Therefore, political participation is essential for a democracy worthy of the name. An effectively democratic society cannot be deprived of a context and instead situate itself in an imaginary non-place ideal: democracy is given and lived in the practice of the experience of the local institutions that constitute the first democratic fabric.

That said, due to the abstract nature of the Rawlsian contribution, all those actual conditions are overlooked, those concrete problems that civil coexistence entails. As some critics have seen, democracy thrives on daily practices and concrete experiences that the Rawlsian subject escapes. In particular, ahistoricity and denial of the past. The withdrawal from the present and the inability to envisage a future. The following analyses will focus on Ferrara’s assessment of hyperpluralism and multivariate democracy.

### 3. Hyperpluralism and multivariate democratic polity

Critics have acknowledged that *PL* has lost “normative force” over *A Theory of Justice* as a book that investigates the conditions for the stability of an overlapping consensus and political conception of justice. According to Ferrara, these interpreters do not realize the high degree of normative idealization still present in political liberalism. In *PL*, Rawls notes that “at the moment, there is no agreement on how the basic institutions of a constitutional democracy should be organized”. The controversy concerns “how the values of freedom and equality are best expressed in the fundamental rights and freedoms of citizens”. Rawls continues if we want to give names to the alternatives under discussion. “We can think of this disagreement as a conflict between the tradition associated with Locke and the tradition associated with Rousseau (Rawls, 1993, p. 5). To this premise, Rawls introduces his proposal for a political conception of justice, known as “justice as fairness”, as an attempt to “judge between these conflicting traditions”, unite and reconcile them under two principles of justice that can “serve as a guide, on how basic institutions should realize the values of freedom and equality. (Rawls, 1993, p. 5) Justice as fairness, therefore, aims to provide a conception of justice that appeals to citizens who adhere to one of these two opposing points of view and, by virtue of this, it proposes to constitute the fulcrum of an overlapping consensus that ensures its durability and the guarantee of the existence of a just society of free and equal citizens over time.

According to Ferrara, the element of idealization in this construction lies in the fact that in very few places in the world, we can find a polity in which most citizens adopt these two concepts. What Rawls calls the fact of reasonable pluralism - the simultaneous presence in the public space of a liberal democratic society of a plurality of reasonable and global conceptions - mainly translates into the United States, thus displaying a highly stylized image. Ferrara states that contemporary societies, especially in Europe or the Balkans, are populated by large sections of the population who follow Roman Catholicism, Islam, Orthodox Christianity, and Marxism. However, Ferrara argues that religious and ideological affiliations are not an obvious obstacle to adopting the views of Locke and Rousseau. However, these global views could become problematic concerning some essential Western-style constitutional elements, at least for some more traditional citizens. Ferrara has called this condition “hyperpluralism,” a notion that describes the actual circumstances in which contemporary democracy operates and modifies Rawls’s famous opening question on *PL* into the following new terms:

How is it possible that over time a just and stable society of free and equal citizens, who remain deeply divided by religious, philosophical, and moral doctrines, some reasonable and likely to give rise to an overlapping consensus, others only partially reasonable, show only an incomplete acceptance of the burdens of the judgment and cannot be deemed to support all the essential constitutional elements? (Ferrara, 2014, pp. 105-107).

Ferrara argues that despite the limitations of the *PL*, an overly simplified and trivializing answer must be avoided, as if, in a hyperpluralist reality, there was no possibility of overlapping consensus and constitutional essentials. After all, the only options for such societies are “stability for the wrong reasons” or simply a *modus vivendi*. However, Ferrara firmly believes that Rawls’ political philosophy is rich enough to offer us a better solution. Hyperpluralism is conceived as a situation in which it is impossible to obtain an overlapping generalized consensus based on conjectural arguments. Here Ferrara proposes “multivariate democratic polity” as the best response to the phenomenon of hyperpluralism. This notion of multivariate democratic polity refers to the fact that in contemporary democratic societies, multiple and variable orders of relations between groups and their integral conceptions coexist: the overlapping consensus and the *modus vivendi* would not be exclusive but would coexist. Multivariate democratic polity is a model that redefines how political liberalism grasps the fact of

pluralism, and a second-order notion introduced as an amendment to the received interpretation of the *PL* scheme, intended as a linear, from religious conflict up to *modus vivendi*, constitutional consensus, and finally overlapping consensus (Ferrara, 2014, p. 105). This notion, therefore, leads us to rethink the relationship between consent and dissent and their role in political legitimacy in different realities, such as the Balkan one. In Ferrara's own words, the multivariate conception of democratic politics: 'constitutes the best response to the tenuousness of consensus and the ubiquity of dissent that political liberalism can offer, in line with the premise (often neglected or contradicted by most of its agonistic interpreters) of an enduring relevance of the distinction between legitimate coercion and arbitrary oppression' (Ferrara, 2014, p. 108).

## Conclusion

With no experience in arranging the basic institutions of their new constitutional democracy, post-communism citizens embarked on a dualist model by employing two democratization perspectives: progressive and internalist. These reasonable comprehensive conceptions have been the primary sources of creating an overlapping consensus around a well-thought democratization perspective for the post-communist states. Since the system changed, most citizens who adhere to the progressive approach backed by the presence of the internationals fail to employ conjectural arguments with other minorities who believe in authentic democratization from within. They impose their perspective through liberal oppression, thus creating a form of democratic 'stability for the wrong reasons' or just a *modus vivendi* democracy.

The remedy to such a condition is to consider democratization as a multivariate unity that includes a progressive and internalist approach ensuing in an overlapping consensus and *modus-vivendi*-type relations between the citizens. Such multivariate democracy could impact the condition of hyperpluralism, under which democracies must function today and build stability for the right reasons.

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# Building Albanian nationalism on Orientalist ideology

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**Dr. Hazbi LIKA**

Lecturer at the University of Durrës (UAMD)

## Abstract

*The fact that the era of Albanian nationalism begins after the profound transformations that took place in the Ottoman Empire, for me has been a constant curiosity about who were the main drivers in promoting this nationalism? The beginning of the fall of the Ottoman Empire, awakened new geopolitical aspirations in the Balkans and as such, ethnic entities in the pursuit of geopolitical interests, were given the chance to rise to the level of national consciousness. Since the nation is also a cultural notion, then the curiosity goes further to understand on what cultural and intellectual product our national ideology began to be based. This ideology in the national sense, starts the public articulation with the renaissance and continues with the other generations. The question goes further; where did this nation-building elite get the knowledge and inspiration to construct national identity? And in response to this question, this paper is developed within a limited research construct. A claim of mine that ethnic feelings and sentiments were strongly aroused by the renaissance and in their boiling national consciousness was conceived, from the data I collected in these texts, did not turn out to be so. With these data I prove that our ethnic feeling was not raised to the level of national consciousness through an internal evolutionary process. I had another claim that our national ideology was promoted by the progressive thought and ideas of the European Enlightenment, but from the reviews and analyzes, in the Albanian case and not only, this does not work for me. The Enlightenment as knowledge and way of knowing the world, has gradually and unconsciously eroded internally in Western societies the sacred communities held by religion, but Enlightenment knowledge itself was foreign to the impulses of national ideologies.*

*This paper examines the period of Renaissance and Independence. Collects data through poetic discourse and mainly journalism of the time. This discourse, regardless of whether it is poetic, publicistic or philological, is fully used to promote the national ideology. The data I collected from these two periods, placing them on a comparative plane and in the time contexts when they were created, resemble and are almost completely identical to the meaning given to this term by Edward Said in his work Orientalism. So in this paper, I try to prove that our national ideology is built primarily on Orientalist premises.*

## Introduction

### The meaning of the term Orientalism according to Said

Symbolically, Orient and Occident are geographical terms, East, West, spatial notions, and later Oriental and Occidental, express the intellectual and cultural product with their essentially contradictory affiliation.

In the history of art, literature, and cultural studies, Orientalism is the imitation or description of aspects of the Eastern world. These descriptions are usually made by Western authors. In particular, Orientalist painting and literature had an interest in Oriental themes.

Since the publication of Edward Said's "Orientalism" in 1978 (Said, 1978) many academic discourses have begun to use the term "Orientalism" in an altered sense to refer to a generally contemptuous and patronizing Western attitude towards societies of the Middle East, Asia and North Africa. In his analysis in this book Said- says; The West regards these societies

as underdeveloped states, and these Western views of Oriental culture are studied, described, and conceived in such a way as to serve imperial power. Implicit, writes Said, is the idea that Western society is developed, rational, flexible and superior.

As a public intellectual, Edward Said debated with historians and scholars of the Oriental world and especially with historian Bernard Lewis. Lewis described Said's Orientalist thesis as "anti-Western." Orientalist Rudyard Kipling, "*East is East and West is West, and the two will never meet*." This prompted Said to present Orientalism as a European perspective that reflects East-West as a Manichean contrived duality (the duality in eternal incompatibility between good and evil).

Said distinguishes between at least three distinct but interrelated meanings of the term Orientalism:

- 1- This term had become of the academic tradition;
- 2- Worldview, and "style of thinking based on an ontological and epistemological distinction between the" Orient "and (most of the time) the" Occident ";
- 3- As a powerful political instrument to achieve imperial domination over the Orient.

In other words, Said had in mind the views and the way of "western" observation on the eastern cultures, where the western thought raised the imperial prejudices and ideologies as emperor over the orient.

These cultural representations describe the 'Orient' as primitive, irrational, violent, despotic, fanatical, and essentially inferior to the Western informant, and consequently, the 'Enlightenment' can only occur when the 'traditional' and 'reactionary' values are replaced by "contemporary" and "progressive" ideas that are either influenced by the West or not by the West.

In practice, the imperial and colonial ventures of the West are aided by the cooperative regimes of the Europeanized Arab elites, who have mastered the imaginary and romantic ways of Arab culture. The idea of "Orient" was conceived by French and English orientalist during the 18th century and was finally adopted in the 20th century by American orientalist. As such, Orientalist cultural stereotypes about the Eastern world have served and continue to serve as implied justifications for the colonial ambitions and imperial efforts of the US and European powers.

Starting from the assertion that "pure cognition" is simply not possible (since all forms of knowledge are inevitably influenced by ideological perspectives), Said tried to explain the connection between ideology and literature. He argued that "Orientalism is not a simple political subject or field that is passively reflected by culture, studies or institutions", but rather "a distribution of geopolitical consciousness in aesthetic, scientific, economic, sociological, historical and philological texts". (Said. Orientalism, 1978). European literature on Said carried, actualized and advanced Orientalist notions and constantly reinforced them. In other words, the literature produced by the Europeans made possible the domination of the people of the 'East' because of the Orientalist discourse embedded within these texts. Literature here is understood as a kind of carrier and disseminator of ideology.

According to Said, this "orientalist knowledge" was done to justify political and military incursions, not as an objective exercise with research premises, as intellectual and academic research to elaborate Eastern cultures. Orientalism, therefore, was a method of practical and cultural discrimination that was applied to non-European societies and peoples to establish European imperial domination. In the emperor's justification, the Orientalist claims to know more - he has essential and definitive knowledge - of the Orient than the Orientalists. Modern reality on the ground has been so underestimated that the Orient is implicitly ignored as incapable or unreliable of describing the Self.

The history of European colonial rule and political domination over Eastern civilizations had no intellectual objectivity even for the most learned Western orientalist, with good intentions and culturally benevolent; thus the term "Orientalism" became a derogatory word in relation to non-Western peoples and cultures:

Palestinian-American scientist Edward Said in his famous and provocative book *Orientalism* (Said, 1978) changed the meaning of the term once and for all. Said conveys the insincere perceptions of the "Orient" as different, unusual, fanatical, violent, religious and inferior "The Other" through philosophical analysis. Analyzing Western attitudes towards the East, he sees Orientalism as a powerful European ideological creation and as a way in which colonial writers, philosophers, and administrators process the question of being the Other (Said, 1978, 149). It analyzes how Islamic culture is viewed in Europe and America, as well as the general dichotomous attributions they seek to give to the East: barbarism versus civilization, the western progress we have had "us" versus "them", or Christianity and civilization versus primitivism and Islam. Said defines Orientalism as an ideology, but how can we prove that it contains some essential elements to be included within this definition?

## Orientalism as an ideology

We must first clarify what ideology is in itself and in the course of this we will try to understand that Said's Orientalism fulfills the conditions for being ideology? And in the context of our research will we need to prove that the Renaissance and later were influenced by this ideology?

Starting from Said's statement in the work "Orientalism" that "pure knowledge" is simply not possible as all forms of knowledge are influenced and hold ideological considerations, (Said, 1978) Said exaggerates as every knowledge and belief gives ideological reference, as well as cognition and knowledge that are not understood without ideological context.

But despite Said's claims, can we accept that Orientalism (all Western knowledge of the Orient) is more truly an ideology? To get a satisfactory answer, we must first specify what ideology is. There are many attempts to define the theoretical notion of ideology, but as always such concepts come through opposition and complementarity, without receiving an exhaustive answer.

In presenting this concept we must first provide some essential elements that better describe the nature of ideology. What exactly is ideology?

For Willard A. Mullins, an ideology is nurtured and tends toward utopia and historical myth. According to him an ideology should retain these characteristics; should have power over cognition and be logically coherent, provide guidance for action, serve as a manual for orienting social behavior toward action practices.

Terry Eagleton gives some other definitions for ideology. (Eagleton, Terry. 1991)

He considers (even false) ideas that help legitimize a dominant political power (ideology) as a necessary social illusion, as a conjunctural discourse related to power, and as a package of action-oriented beliefs.

Marx argued that "the class which has at its disposal the means of material production has at the same time control over the means of mental production." So according to Marx, ideology is a product of power (in this case class). It goes on to claim that the dominant ideology of a society is an integral part of its superstructure. And in all his analysis Marx sees ideology as a system of lies deliberately proclaimed by the ruling class, as a means of perpetuating itself.

The German historian Silvio Vietta described the development and expansion of Western rationality since ancient times (Silvio Vietta. 2013) as types and social formations shaped by ideologies; like that of "just war," "true religion," racism, nationalism, or the vision of future history. As a kind of 'paradise on earth' in communist ideology. He said ideas like these became ideologies with power acting in the sense of idealism-driven political hegemony by equipping their leaders with a higher power and setting up "political religions" (Eric Voegelin).

Contrary to the authors quoted above, Michael Freden in his book *The Study of Ideologies* goes beyond traditional definitions of ideologies and sometimes rejects definitions that consider ideologies as static, normative, and coded belief systems. Freden was heavily influenced by theories of semantic linguistics and bases his analysis on modern semantics. Like languages, ideologies are made up of certain concepts, the meaning of which can change and evolve over time (Freden. 2013). Specific relationships between ideological concepts can be analyzed by placing them in their respective semantic domains.

Apart from Freden which is contrary to the traditional meaning of ideology, the other authors adhere to some extent to the definition formulated by, Manfred Steger and Paul James. According to them, ideology should contain these three characteristics;

First; modeled sets of ideas and beliefs that are normatively held and coded.

The second; seek to become authoritarian and imposing

The third; are represented and establish a range of relationships with power.

Does Sadi's Orientalism retain these three characteristics to be accepted as an ideology?

Referring to the first point, Orientalism in a view is a set of ideas that are raised and maintained on a system of knowledge of the academic level, a way of thinking that rises to the rank of a belief, is standardized and coded to be preached in the media. Holds a power of knowledge in the form of a normative manual claiming to possess social truth.

orientalism fully fulfills the authoritarianism of the second point because orientalism is knowledge and cognitions that have supremacy in the hierarchy of knowledge outside them and naturally hold repressive, patronizing authority to subjugate knowledge and meanings coming from lower "ranks" in the hierarchy of cognition. As Vico used to say; "Human history is made by people. While the battle for possession of territories is part of history, so is the battle for possession of the meanings created by knowledge. And in Vico's terms, to justify the military battles of the Empire, the battles of knowledge and understanding that the West would create for the East had to be won.

Third, Orientalism as a system of knowledge and understanding, rises and develops in the era of Western colonialism over the Orient. All that knowledge as an aesthetic, literary, philological experience, etc. serves to fulfill a geopolitical consciousness. It means knowledge related to power and its instrument. This fulfills an important component in defining the concept of ideology. This proves that Orientalism in itself has sufficient evidence to prove that it is an ideology. It remains to be seen whether the elite that promoted Albanian nationalism was influenced by this ideology?

## **Building our national ideology with orientalist stereotypes (Renaissance period)**

N. Frashri expresses these considerations for Turkey and the Turkish nation in the epic poem "Skanderbeg's History" published in 1898 (Frashëri.N, 1898).

When a great savagery / Coming out of Asia /

Spread like darkness / And cover the world like a shadow /

It was a cursed nation / There was cunning on the tongue /

His eyes were furious / He had evil in his heart /

The civilisation fell into the sea / Darkness rose like a cloud /

The ignorance spread on the ground / Blood, death, desert

Naim Frashri, before publishing his work in Albanian was Director of Censorship in the Ministry of Education of the Turkish Empire, customs officer, and other duties in the Turkish administration. He has published in Turkish and Persian, but

has generally published poetry inspired by Persian and Arabic literature. When Naimi was an administration clerk and wrote Turkish, Persian, he could not write in the language of the Renaissance Naim. Suddenly how do you overturn all considerations for the Turks and Turkey? Where did this profound change come from? From a clerk in the service of the empire, with considerations for oriental literature he rejects everything Turkish. Not only N. Frashëri, but almost all renaissances have unified a denigrating discourse about the Turkish people, culture and Ottomanism as a political rule that closely coincides with the Orientalist one.

In 1899 Sami Frashëri published the work; "Albania what has been, what is, is and what will be done". In his discourse he expresses the most negative considerations for the Turkish people; "What are the Turks?" a savage nation that came from the deserts of Asia, these with their savagery captured the most beautiful countries of the world, burned them, devastated them, ripped them, etc ... "(Frashëri.S, 1980). Throughout the work, Sami Frashëri denigrates Turkey, biologically as a savage race, culturally as a primitive and politically as a barbarian empire.

But who was Sami Frashëri? Turkish scholar Bulent Bilmez at a scientific conference held in Paris in 2002 delivers the paper entitled; Sami Frashëri or Shemsedin Sami? Bilmez brings in this paper appreciating data from Turkish historians, scholars, writers regarding the figure of Sami Frashëri as one of the main promoters of cultural and political nationalism of the Turkish nation. Data on Sami Frashëri by a Turkish scholar according to Bilmez;

In the Turkish folk encyclopedia and dictionaries Who's Who? about the history of literature and / or drama, it can be noticed that Sami is regularly introduced as a Turkish linguist and author of the first story in Turkish. In these popular documents he is presented as one of the pioneers of Turkish nationalism. From the encyclopedias and dictionaries that have been checked for information about Sami, most of them start by saying that he was Turkish : (Türk Ansiklopedisi, Ankara)

The origin is mentioned somewhere, but it is said to be of Turkish nationality ; Although of Albanian origin, he chose Turkish nationality; he thought that the Turks were a great nation, wrote studies on the Turkish language with a nationalist mentality, left valuable works that illuminate the past of the Turkish language and enrich its future. ( Encyclopedia, 1994)

Samiu is considered the founder of Turkish nationalism even in the early twentieth century when he wrote his work "Albania what has been, what will be done"

The tendency to see Sami as one of the founders of Turkish cultural nationalism began to become more apparent after the rise of Turkish political nationalism, which followed the Young Turk Revolution in 1908 and during the period of the Second Constitution (1908-1918). (Levend, 1960)

For example, at the beginning of his book Daglioglu states that: it can be said that Shemsedin Sami bey, who is a real son of this country [Turkey], spent his whole life studying the Turkish language and died working for it. (Daglioglu, 1934)

According to the author - Sami Frashëri speaks for Turkish; - our language, and in - mentions the personal pronoun of the first person plural; we are not either. ... as ..... but we are ....

Sami uses expressions such as our compatriots, our ancestors, and for Turkish our national language, our mother tongue and so on, we are neither Arabic nor Persian; we are real Turks . (Turkish Encyclopedia, Ankara)

He also wrote that we are neither Arabs nor Persians; we are real Turks and has often used the pronoun we to denote Turks. It is equally true that he played an important role in the development of Turkish nationalism and in the history of Pan-Turkism. ( Landau, 1999. )

Despite the opinions of Turkish scholars who elevate Sami Frashëri to the heights of myth, Samiu has a series of works where he shows his commitment as an intellectual and as a scholar for the establishment of Turkish national ideology. But even Sami in the Renaissance discourse is no less radical and reluctant to anything Turkish than others. Samiu is the author of many works in the Turkish language and deals with the promotion of Turkish culture, but how do I get this sudden turn? This case can not be addressed here as it goes beyond the framework of this research, but the evidence that proves my assertion is that the author constructs our ethnic identity not for what our identity is , but by constructing - The Other, the Turk, the Asian, the Oriental, yes like other renaissances. It seemed to be an influence coming from an ideological consequence that included Sami in its revolutionary momentum to push him to the extremes of opposition. Even Sami in all his discourse proves Orientalist lexicon.

Further with other data coming from the discourse of the renaissance.

Çajupi, a poet of this period, adheres to the renaissance discourse. The renaissance discourse in relation to the Turk and Turkey was almost unified. In the poem "slavery";

*"Albania remains poor / and never sees light /  
an evil desolate fog has covered him for life.  
a gaze of a darkness / self even rumbles ..... etc. etc./*

Further, Çajup's political-poetic discourse is radicalized and takes on a military character; "Albanian" (Çajupi, 1902) gives a call for open war against - The other, evil, cursed, hatred is openly declared against the enemy that had to be fought.

*take off the clothes of mother slavery / put on the weapons of bravery that you have / (Çajupi, 1902).*

In Mjedë's poem "Vaji i Bylbylit" we have these textual data; *the symbolism of the whistle that stays alone, poor, desolate, murrilani, duhi, winter etc.*

*"The snow is melting / winter is going / Bylbyl i vorfen / why is it thundering /*

*The murrilani stopped / I owe it to myself / The nightingale blew away / so do not stay in the desert. " (Mjeda, 1892)*

Asdren also gives us clues in favor of a unified renaissance discourse in relation to Turkey. In the poem "A New Sun", he attacks Ottomanism as a tyranny, paraphrasing it with wild beasts seeking destruction. The notion of nation is performed in Asdren's consciousness.

*"Today ended all traces of tyranny / A new Sunday is shining brightly  
A time of happiness is born for the nation / And for the wild beasts a destruction"* (Asdreni, 1904).

*From the textual data that most come in the language of poetic discourse, the Renaissance, made the -Self as an ethnic identity, not by making -The Self, but by building the image of the -Other, versus the Self, the Turk, the Asian, who was evil, the opposite ..... etc. This way of doing -Self only through -The other, constitutes a clue that proves that this image of the Other (Turkish in this case) was imported from outside the Turkish majlis. The question naturally arises; how our renaissance raised this image of the Turk so radically and only on negative considerations where in all respects they had become part of the empire as Maia Todorova put it;*

*"It is pointless to look for Ottoman heritage in the Balkans. The Balkans is the Ottoman heritage"?* (Todorova, 2004).

So much textual material that I brought from the renaissance, gives me data to prove that this renaissance discourse made in this way to constitute Albanian nationalism, is done only by rejecting the orient. How did it happen that our renaissance most of them with duties and services in the Ottoman Empire, formed mainly in the oriental cultural and intellectual environment, and especially Sami Frashëri who had become a myth of Turkish cultural and political nationalism, spat so disgustingly on everything that came from the east? We are in the second half and mainly at the end of the XIX century. The geopolitical context in the Balkan region had changed. Turkey was forced by European powers and Russia to surrender the Balkans. This provokes heated reflexes to evoke ethnic sentiments. But from the data I provided here, the renaissance made our ethnic identity more of what they were not than of what they were. This proves my claim that such messages came coded from outside and all the literature and public articulation of the Renaissance promoted an ideology within a new geopolitical consciousness.

## Independence and the construction of the first Albanian state

We are in the years after the public act of declaring independence where intellectuals and politicians of 1920-30 built the nationalist discourse at the time when the first Albanian state was established. Mit'hat Frashri, political figure, well-known intellectual of the 30s, in writing; "Our shortcomings, let us act" (Plejad, 2003) writes;

*"May the administration be hated forever, cursed be the hour that brought the Asian foot to Albania, that made us stay five centuries later by friends, five centuries passed over us like a black shadow, a heavy stone on the mind and our consciousness, a time of darkness that extinguished every feeling of humanity, every quality of an honest person"* (Frashri.M, 2006).

The publicist, Branko Merxhani, brings Turkey to the renaissance point of view: "Turkey that until yesterday has been our enemy, our commander and our tyrant. In the heart of every Albanian patriot there are deep feelings of resentment and anger against this name. This empire, has kept our race under the yoke of slavery for centuries, has stopped us from progressing and from breathing" (Merxhani, 2003).

Mehdi Frashri, political scientist and career politician, says that the Muhammadan religion was the reason that did not allow Albania to develop. "The religion that the Ottoman Turks brought with them and spread in Albania was a religion contrary to European customs. The most important reason for the lack of progress of Albanians lies precisely in this point" (Frashri, 2003)

The analyst and researcher of this period, Krist Maloki, removes the cloak of age and the biological essence of this conflict and presents this conflict as cultural and civilizational incompatibility. His essay; "Oriental or Occidental" shifted the debate to other levels. His discourse holds strong considerations of Orientalist discourse;

*"The war between the Elders and the Youth has ended forever, but the most severe war that awaits the Albanian youth is the war ante portas! This war is distinguished from the others by its direction against an invisible enemy, but even more important in its resistance and for the salvation of the nation. The next war is the war of the Albanian boyhood against the enemy in his heart, it is the war of the creative mentality against a destructive mentality, it is the war of the light worldview against a dark worldview, it is the war of the Albanian Occidentalism against the Albanian Orientalism. Two hostile thrones break the heart of our nation today. It is good to tell the Albanian boys where their tents and trenches are"* (Maloki, 2003).

Even in these authors, but not in all their generation (E. Vlora, F. Noli are not of the radical line) the renaissance discourse in the construction of national consciousness with orientalist stereotypes is reinforced even more. It is required to construct this consciousness only through the rejection of the oriental and the orientalism. Curse and hatred for Evil, the Ottoman Empire, Turkey, defile and disgust for him, accusations of five centuries of captivity. Mehdi Frashëri attacks the Islamic religion as the cause of backwardness, while K. Maloku comes out as the ultimate; Orient or occident. With Maloku and Mehdi Frashëri, the discourse takes a higher class as evidence where two mindsets, two cultures and two civilizations were excluded from each other. As the orientalist Rudyard Kipling once said, "East is East and West is West, and the two will never meet." Where then such categorizations pushed Said to present Orientalism as a European point of view that reflects East-West as a Manichean contrived duality (the duality in eternal incompatibility between good and evil).

What had happened to our elite knowledge of this period to conceive so much the ideology of hatred? The Ottoman Empire had finally fallen from a rule of more than five centuries, the Balkans as the Ottoman legacy would prove a new emperor that the latter would naturally produce its own ideology of conquest. This new imperial enterprise of the West would first Europeanize the elite Balkan knowledge through the romantic version of the culture and history of their peoples to make it easy to cooperate in the realization of this enterprise. Given the claim that "pure knowledge" is simply not possible (since all forms of knowledge are inevitably influenced by ideological perspectives), in this case the new knowledge of the Renaissance and later generations not only does not it was "pure" in itself, but it was deeply ideological in the sense that we defined ideology above. Thus the radical discourse of our conformist elite seems to have actualized, carried, and transmitted Orientalist

semantics. And as such the aesthetic, literary, poetic experiences and philological knowledge of this elite culturally filled the semantics of this new geopolitical consciousness. Renaissance literature was largely the bearer of national ideology, but within this ideology it held deeply ingrained Orientalist notions and concepts. Generally the elite knowledge of the Renaissance and Independence in the spirit of the Enlightenment, or of Occidentalism, became inclined to obliviously erase four centuries of our history in order to misread history, or rather to read and understand our history only in a way orientalist. Viko once said that human history is a war to expand territories, but also to “conquer” historical meanings. The West was in the era of its hegemonic aspirations and would of course also produce its own semantics in the service of this aspiration. The West due to its political and cultural superiority with its knowledge has caused repressive authority in the Albanian elite of modern history, and as such the lexicon of our elite of that period would fall under the domain of this semantics.

## Some theoretical data in favor of the hypothesis

The question arises; why did the albanian national elite raise the discourse of building national identity mainly on the stereotypes, We - They, orient-ocident and with hate rhetoric? It was the easiest way to make the national myth, mostly with historical mythology, and as such, historians, poets, linguists and philologists would rise up to construct the construct of this myth. This elite was being Europeanized or expressed in Said terms, it was filled with orientalist knowledge to adopt the romantic version of nationalism mainly with orientalist clichés. To prove our assertion that the articulations of our national elite hold Orientalist lexicon I must examine the phenomenon on some theoretical data.

**Conceptual approach;** The nationalist rhetoric of the Renaissance, and of other generations, did not have the right theory on the conceptual plane to construct national ideologies with action force. This ideology was not inspired by the theoretical baggage. Many touched on ethnic sentiments to say that we are different from the Turkish race. But the theoretical poverty of nationalism was not only an Albanian phenomenon, in general national ideologies were poor in theoretical concepts. If we express ourselves in the terms of Benedict Anderson, “Imaginary Community”; *nationalism as a theory has failed to bring out its great thinkers: like Hobbes, Tocquevilles, Marx, or Weber* (Anderson. B, 1983) . *Even at the European level, Anderson sees nationalism as a very empty ideology in theoretical isms, so when it was not theoretically inspiring at the European level, there is no way it happens at the Albanian level.*

*Historians then regard the nation as the objective product of modernity. According to them, the nation was formed as a natural distillation of a complex of forces that walks in a long course of development, but were not rationally refined as ideologies. National ideology was not enriched as a theory, it only made some modules to convey to different levels of consciousness the feeling of - Self. Thus the theoretical poverty of the national ideology was a general phenomenon and for this reason our national elite more easily absorbed Orientalism in the construction of Self identity.*

**Enlightenment approach;** There is also a claim that our elites constructed nationalism influenced entirely by the progressive knowledge of the European Enlightenment. This statement seems speculative and abusive to me as the Enlightenment does not fulfill ideological aspirations. It does not try to touch ethnic sentiments. It is theoretically a genuinely rational creature as opposed to national ideologies which are irrational fabrications. Even in the authors’ definitions cited above for ideology, the Enlightenment does not meet the requirements to be an ideology. It is knowledge without ideological bones, without ideologues. Thus our national-forming elite could assimilate Orientalist knowledge as an ideology, but not the Enlightenment as the latter was foreign to national impulses.

**The capitalist approach;** It seems like a paradox, but many researchers also consider nationalism as a cultural product of the market economy. As B. Anderson, with his research; The “Imaginary Community” proves his thesis that nationalism as an ideology developed massively and rapidly in the hungry “belly” of capitalism (Anderson. B, 1983). Fevre and Martin, meanwhile, stressed that nothing *served to ‘collect’ and link popular dialect and culture more than capitalism.* (Fevere and Martin; Coming of the Book, p. 319). Mass education in Western Europe and the spread of this mass knowledge with market mechanisms, managed to raise to a higher degree the awareness of the Self in large communities.

Thus expressed in the language of B. Anderson’s metaphor, seen as a historical process, Albanian nationalism was born without a capitalist “stomach”, and as such has not passed in a healthy way the “organic” cycle of development. Expressed in the language of data, at the time when Albanian nationalism was born, books and writing in the Albanian language were accessible only to the elite market, which were small reefs at the top of the endless oceans of the illiterate. Thus, the knowledge that came through literature and journalism in Albanian at that time, can not of was consciousness about his self in large mass that not knew writing and reading in Albanian languages. This data is in favor of our assertion that Albanian nationalization was not coming naturally as a product of modernity through the capitalist market, but as he emphasizes Nathalie Clayer in her historical research; *the constitution of Albanian nationalism in the Balkans is only a product of political transformations that pervaded the Ottoman Empire* (Clayer, 2012). What I have put forward is more in favor of the assertion that our nationalism was being made out of historical consciousness, ignoring a 400-year period of its history due to the “escape” of our elite to the Oriental “asylum”.

**Nationalism through religious erosion.** B. Anderson in his research “The Roots of Nationalisms” ascertains the first impulses of European nationalisms since the reformist ideas of Martin Luther. Subsequently, quite unconsciously, Enlightenment knowledge eroded the sacred religious communities in Western Europe. Such phenomena (Reformation and Enlightenment) had not occurred in the Islamic Empire and in Eastern Christianity. The sacred religious communities in the Eastern empire,

Islam and Eastern Christianity were not involved in this process of gradual change. When the era of nationalism came to Europe, the greatness of the imaginary sacred communities had faded very gradually and unconsciously, thus creating the possibility of a new form of the imagined community (nation) (B. Anderson, 1983). In Europe, the making and falling of large communities is conditioned by a long evolutionary process, which had not happened in the Ottoman Empire. Pashko Vaso's secular call "do not look at the church and the mosque, the religion of the Albanian is Albanianness" (Vaso, 1880), for what he did and then to make so radically new communities (in this case the Albanian nation), in from the national point of view it was somewhat romantic revenge, and from the cultural point of view, it was semantic blackmail. Under the urgings of modernism or orientalism, the renaissance arose to eradicate all Turkism and Orientalism in the Albanian language. Oriental hatred was escalating into linguistic hatred. Thus Albanian nationalism did not come through religious reform, erosive Enlightenment and capitalist hunger, and as such, the Renaissance and others later falling somewhat into what some scholars call the darkness of modernity, more easily embraced the romantic version of Orientalism.

## Conclusions

We must first clarify that Orientalism as a term in the sense given to it by Saidi is easily attacked for several reasons, but one more important one is that it considers all Western knowledge about the Orient ideologically implicated. Saidi has reduced Orientalism in his sense as knowledge in function of the ideology of conquest. He goes so far as to call European colonialism and hegemony over the Orient as a consequence of Orientalism. Of course in Said's references to the meaning of the term there are exaggerations as it is known that many Orientalists also come from the Austro-Germanic space whom you can not easily implicate in colonial enterprise. All the more so when there are quite a few Orientalists who have elaborated knowledge in the Far East, Japan, China that these countries have not been in the hegemonic aspirations of the West. Saidi in her Orientalism had failed to distinguish between the paradigms of Romanticism and the Enlightenment and ignored the differences between Orientalists, when it is known that there are also Orientalists such as William Jones, British philologist and lexicographer (1746–1794), who sought kinship between worlds. of East and West, and discovered the interconnectedness of the Indo-European language family.

Despite the attacks and opposition provoked by Said's Orientalism, is Orientalism (Western knowledge of the Orient) an ideology in itself? Referring to the chapter above; "Orientalism as an ideology" gave us enough theoretical data to prove that Orientalism was an ideology.

Given that we collected data mainly through poetic-literary discourse, the question arises; does this have anything to do with ideology? Or how can these data prove our assertion that the discourse that built our national ideology carries Orientalist notions?

According to Said, Orientalist literature and art had become ideological instruments, or as a new geopolitical consciousness poured into aesthetic experiences. European literature on Said carried, actualized and advanced Orientalist notions and constantly reinforced them. In other words, the literature produced by Europeans, according to him, made possible the domination of the people of the 'East' because of the Orientalist discourse embedded within these texts. Literature here is understood as a kind of carrier and disseminator of ideology. Despite Said's definition, there are also many theorists and literary critics of the European level who know a kind of literature that carries the political and ideological spirit of their era. Even Albanian literature, especially the poetic discourse of the Renaissance, does not go beyond these considerations. For Albanians, the fall of the Ottoman Empire means a new ideological era (in this case national). Albanian literature and especially the romantic version of the Renaissance became a direct follower of this spirit.

Always in function of assertion; good literature with ideology, but why with orientalism? As we saw above, in general, the renaissance discourse and that of the 30-s is unified in anti-Turkish, oriental, Asian stereotypes. And everything that came from Turkey, the Orient, Asia, was identified with evil, primitive, backwardness, superstitions, superstition, domination, submission, barbarism, darkness. Our national identity was made more through -The other, the Turk, the Oriental, not more like We were, but how evil They were. How did such an immediate transformation happen to the Renaissance and especially to Sami Frashëri (Shemsedin Samiu) as the Turks knew him?

In the Turkish Balkans, the geopolitical context changed, and the renaissance immediately changed the considerations for the Turkish Empire, for Oriental race and culture. The Turkish Empire was being expelled from the Balkans, and a new emperor was coming, and naturally this European emperor would also build the semantics of conquest, or would take a cognitive aid to justify the invasion. As Huntington says in *The Clash of Civilizations* (Huntington, 1996), conquests take place through two powers; strong power (army, economy, administration, etc.) and soft power (values, knowledge, culture, religion, etc.). European powers to expel Turkey and justify rule also needed soft power where important elements of soft power were Orientalist knowledge. In practice, the political ventures of the Western powers, in order to establish control over Turkish Albania, had to be assisted by the Albanian elites, and these elites, in order to become cooperative with the European powers, had to be culturally Europeanized and Orientalist knowledge was easier for them, appropriated by them. Foreign scholars, who dealt specifically with our cultural and historical heritage, brought Albanian nationalism to the romantic version and this version was more compatible with Orientalist knowledge in order for our elites to build our national identity in this version. The West, as a political power, already manifested the superiority of its imperial culture over the culturally inferior Orient. At that time, the Albanian national elite was generally perceived by Western culturally orientalist and as such, wanted

to erase this stain from its intellectual bone. Out of love for imitation, he necessarily sought to resemble Western elites by articulating Albanian nationalism in the language of Western Orientalists. From this ardent desire for imitation, they sought to find early historical connections on the Pelasgian-Illyrian axis and then with Christianity and the western world, leaving in oblivion all the historical and cultural baggage carried by the Orient. Again from the ardent desire for the West they sought to eradicate with linguistic hatred all the oriental words that were deeply ingrained in the Albanian dialect. Eventually, the Albanian nationalism that was born in a hurry was ignited by sentiments that aroused self-knowledge, but to be produced as an ideology and to be publicly articulated, found the Orientalist lexicon easier.

The task of the elite of the Renaissance and the founding of the Albanian state was to “westernize” society, or to “deorientalize” it, in a word, someone’s “Occidentalism” was measured and it was estimated how much it had been liberated from Orientalism within itself. Dugagjin Gorani considers that the analysis of the effects of Orientalist discourse is important for the study of the epistemological landscape that conditioned the formation of national identity and ideology in non-Western societies (Gorani, 2011.). He considers that this fits the history of ideological narratives, who have established and formed the ethno-national identity of Albanians in the Balkans.

And the narrative of national ideology is mainly developed by Austrian scholars such as (von, Han, 1854) in the work (*Albanesisçe Studien*) which threw the idea that Albanians are descended from the Illyrians and that these come from the Pelasgians and then had Albanian followers of this thesis. This is important for the paper, as Austria had imperial ambitions and direct hegemonic aspirations in the Balkans and especially in Albania. And in the context of this new geopolitical consciousness it would build meaning for the Oriental world we were leaving and would make the historical myth of our origin where we came from.

All these analytical and theoretical data that I brought in this paper, come in favor of the thesis that the negative stereotypes about the Orient acquired so quickly by the Albanian elite, had their source and dough from Western Orientalism. These cultural and academic institutions, according to the analysis and data reported in this paper, are proven to have contributed to the creation and further development of negative stereotypes of Albanians about the Orient, and consequently to the making of our national identity on these stereotypes.

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- Hazbi Lika. Lecturer at the University of Durrës (UAMD) since 2013. With the scientific degree “Doctor” I get at UET, for Political Science Relations / International.*

# Recognition of Parenthood in Cross Border Family Disputes

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**Assoc. Prof. Dr. Juelda LAMÇE**

Dean of the Faculty of Law, Political Science and International Relations  
European University of Tirana, Albania

## Abstract

*Family relations become complex as the society evolves. The increasing trend of migration, the plural forms of the modern family, the use of ART and other factors, have challenged the regulation of family life, including parent-child relationship and related rights. Determining parenthood and its recognition in cross border situations, especially for non-traditional families, differs between countries. EU has no competence to recognition of family status and EU member state's legal framework differs significantly. Some of them guarantee to same sex couples the right to marry, to adopt children and to access assisted reproduction, others providing for alternative forms of registration, or even not providing any legal status for them (as in the Albanian case). Registering as parents, with its limitations related to domestic public order, depending on specific rules of ART, legal adoption provisions, surrogacy impediment, etc., have serious consequences on children's rights.*

*The debate on the recognition of parenthood in cross border family disputes, followed up by the EU initiative: "if you are a parent in a country, you are a parent in every country", faces the difficulties encountered by the "margin of appreciation" doctrine. The latter, elaborated by the European Court of Human Rights (ECtHR) is applied to non-absolute rights, using the comparative method. Its jurisprudence establishes a common denominator for the member states, respecting in the meantime their sovereignty*

*The recognition of parenthood in cross border family disputes is also related to surrogacy (traditional and gestational one), with its legal, ethical, and moral implications. Its different treatment and sometimes the lack of regulation in many countries, exposes at risk children born through surrogacy procedures. Of particular concern, transnational commercial surrogacy, including risks on child identity, legal parentage, being sold and/or exploited.*

*As per the above, this paper will examine the recognition of parenthood in cross border family disputes and its consequences, especially from children's fundamental rights prospective. International, European and domestic legal framework, related case law and relevant doctrine will be analysed in a comparative approach.*

*Keywords: discrimination, human rights, best interest of child, cross-border parenthood, birth certificate.*

## Methodology

The aim of this paper is to analyse the cross-border parenting regulation, related difficulties encountered in practice and proposed solutions, in order to guarantee freedoms and fundamental rights for children and their parents (such as free movement within the EU territory, the protection of the right to private and family life etc.). It will focus on qualitative analysis of domestic, European and international standards on establishing parenthood, based on relevant doctrine, legal framework and case law.

The EU initiative on parenthood recognition ("if you are a parent in a country, you are a parent in every country") faces the risk that the decision of an internal domestic law may collide with the internal public order of the another. In its first part, this paper explores the vast doctrinal debate on "margin of appreciation", "attenuated public order" and harmonisation and unification of family law. The second part offers an in-depth insight of the Albanian legislation on recognition of parenthood

and related case law. Concluding remarks highlight the insufficiency of private international law's general norms to resolve questions raised by cross border parenthood recognition – determined by discretionary application of the public order principle – which in turn often implicates situations of injustice.

## Introduction

Recognition of parenthood in cross border family disputes faces “modern” challenges. Couples married/unmarried, heterosexual/homosexual, singles and their children move, for many reasons, from one country to another. States' legal framework in family matters differs significantly, especially when it comes to alternative families, same-sex parenting, the use of ART including surrogacy. Modern debate includes even more complex matters, such as legal multi - parenthood, tested out in studies through the ‘law-in-context’ methodology (“civilology”), aiming at a profound understanding of *lived experience* and *legal accommodation* (Cammu, N. 2019).

Parenthood is regulated by states' substantive law as part of their “margin of appreciation”. The opening trend of the European countries to recognize the validity of institutions of other legislations, through their respective international private law legislations, is balanced by “attenuated public order” principle, based on the fundamental principles of the domestic (internal) law. In parenthood regulation, there is no standardised procedure nor regional harmonisation of birth registration (The Statelessness Index, 2020: 3). The common denominator in EU member states' legal framework is that legal parenthood is reserved for two people.

The recognition of parenthood in cross border family issues is strictly related to the increasing trend of children born through surrogacy, which calls for measures to be taken at every level (international, European and domestic one). Based on the statistics, in EU 31% of LGBT people are parents or legal guardians of a child. In the USA, up to 6 million children are being raised by homosexuals (Alves de Faria, G. 2015). According to a survey conducted by Cornell Law School, the International Human Rights Policy Advocacy Clinic and the National Law University, surrogacy is completely banned in 50 countries and is legal in 40 countries. In 21 countries, surrogacy is partially tolerated (Hibbino, Y. 2022).

On the other side, LGBTIQ\* community calls for the implementation of Pillar Three of the LGBTIQ\* Equality Strategy 2020-2025: protecting rights of rainbow families. It has drafted two options related to the initiative (NELFA 2022):

- a) *member states harmonise their laws concerning legal parenthood, LGBTIQ\* policies and access to assisted reproductive techniques.* b) *the EU elaborates an instrument to enable the mutual recognition of parenthood/filiation... without changing national provisions.*

As far as member states have their margin of appreciation in these matters, the EU has opted out for the second solution. The EU initiative, “if you are a parent in a country, you are a parent in every country”<sup>1</sup>, is based on Article 81(3) TFEU on judicial cooperation in civil matters. Through this initiative, the European Commission does not intend to change competence of EU member states on parentage legal regulation. The initiative is addressing questions of non-recognition of alternative families<sup>2</sup> and on how supranational courts (ECtHR and ECJ) have responded to that. Experts have proposed *cross border recognition of alternative families through EU legislation, court decisions & soft-law measures* (Tryfonidou, A. 2022: 9).

## I. Literature review

The transformation of parenthood is argued by two different opinions, the first considering parenthood as a “changing institution” and the second one which defends “*a*” *family model*, recognised as a “natural community”. With regard to the recognition of personal status obtained abroad, in an online survey, 80% of the respondents disclosed that they were not aware of the case law of the ECtHR regarding the recognition of a personal status. (Den Haese, S. Verhellen, J. 2020).

The process of parenthood recognition is strictly related to the theory of “attenuated public order”, elaborated at the beginning of 1900 by the French doctrine when dealing with migration and polygamic unions. It has been subsequently widely used by traditional immigration countries to resolve questions related to the limits of acceptance of the “other”. According to this theory, the respect to acquired rights, implies a more tolerant approach that the one for the newly created juridical situations, as applied in some countries such as Germany, Luxembourg, France and Portugal (European Parliament - Directorate-General for Internal Policies. Policy Department - Citizen s' Rights and Constitutional Affairs 2010: p.14).

In family and free movement cases, EU Parliament has pushed for the recognition of same-sex marriage or same-sex civil union, in the specific: (EU Parliament, The rights of LGBTI people in the European Union, 2022: 9)

- (...) *that same-sex couples and their families can truly exercise their right to free movement across the EU, including automatic cross-border recognition of adoption orders, without discrimination (...) to propose legislation requiring all*

<sup>1</sup> The proposal of the Commission's Directorate-General for Justice and Consumers for a regulation on the recognition of parenthood between Member States.

<sup>2</sup> Terminology used in this project to categorize different types of family, nuclear and alternative families.

*Member States to recognise, for the purposes of national law, the adults mentioned on a birth certificate issued in another Member State as the legal parents of the child, regardless of the legal sex or the marital status of the adults (...) to end child statelessness by affording universal access to birth registration and certification regardless of the parents' status, including for LGBTIQ+ families.*

Nonetheless, legal measures alone are for sure non-sufficient to guarantee protection from discrimination, needing for politics that adopt non legislative measures as well.

Comparative studies on the conflict rules on legal parentage have concluded that: (Saarloos, K. 2010):

*a) there are cases in which the conflict rules on legal parentage does not exist, because domestic law is always applied (English law); b) others in which the conflict rules have a universal scope of application, where legal parentage has to be determined, irrespective of whether the relevant facts (birth, acknowledgment) take place inland or abroad (France and Germany); c) despite the variety in conflict rules, all systems aim at applying the policy of the national law on parentage to international case (thus, a neutral system of conflict rules, i.e. a system of conflict rules in which the contents of foreign law is a priori irrelevant does not exist).*

The ECtHR jurisprudence on surrogacy and parenting rights is criticized for “genetic essentialism”, *giving full effect to father's foreign birth certificate based on identity and best interests*, while accepting adoption procedures for genetic mother to establish a legal parent-child relationship (Levy, M. 2022, 2). Her arguments on gender discrimination emphasize the *need to shift from biological to social approach in determining legal parenting*, in accordance with the best interest of child. There is also criticism for lack of criteria from the ECtHR to assess the best interest of child in LGBTIQ\* parenting cases (Alves de Faria, 2015).

On the specific question on the recognition in domestic law of the legal relationship between a child born through gestational surrogacy abroad and the intended mother, the doctrine (Margaria, A. 2020: 413) raises two concerns, a substantial one, related to the criteria to determine legal parenthood in ARTs and a procedural one with regard to the new advisory opinion mechanism of the ECtHR adopted under the new Protocol No 16<sup>3</sup>. The doctrine has also criticized the fact that ART are not only used to treat infertility (the initial goal of these techniques), but also for “fulfilling wishes” and going beyond biological limits in procreation (Palazzini, L. 2020).

## II. International and European legal concerns on recognition of parenthood

Recognition of parenthood in cross-border family disputes risk the “legal limbo” on nationality, civil status, birth registration, access to birth certificates, stateless, EU citizenship, free movement in international context and within EU countries. In International and European standards, the protection of the best interest of child is the paramount of policy and decision-making process, such as the right to a name, nationality, to know his/her parents etc.<sup>4</sup>. Comparative studies in EU have questioned the possibility for children's rights and interests to overcome parental sex-based discrimination.

The non-recognition of birth certificates, as well, has led, in many cases, to risk of statelessness for children. Thus, effective protection of children rights means an obligation for member states to undertake all necessary measures<sup>5</sup>, including prohibition of commercial surrogacy (UN – Human Rights Council 2018, par. 34). In the Report on ART and Parenthood of the International Bioethics Committee of UNESCO, *two rights are unanimously recognized as belonging to the best interests of children: the right to know their own origin in the context of gamete donation and the right to acquire nationality in the context of cross-border reproductive services* (Palazzani, L. 2020: 143-144). The Committee on the Rights of the Child has consistently expressed concerns that *surrogacy could lead or amount to the sale of children*. (UN-Human Rights Council, 2018: par. 8).

The ECtHR decided for the first time on international surrogacy and parenthood relations established abroad in the *Mennesson* case. It concluded that France had violation article 8 of the ECHR arguing on the *de facto* relationship between the parent and the child and the best interest of child (right to identity). This judgement was reversed in *Paradiso and Campanelli v. Italy* - as criticized by the doctrine for not passing the proportionality test and based on the doctrine of positive obligations (Tsfay M.G., 2022:3), - where the *absence of genetic link was considered* a not a sufficient ground for limiting recognition of legal parentage (shifting the *de facto* argument).

In V.M.A. case (C-490/20), the CJEU ruled that: (EU Parliament, The rights of LGBTI people in the European Union, 2022: 7):

where a child is issued a birth certificate mentioning two mothers by a Member State, the Member State of nationality of the child is obliged i) to issue to that child an identity card or a passport without requiring a birth certificate to be drawn up beforehand by its national authorities, and ii) to recognise, as in any other Member State, the document from the host Member State that permits that child to exercise, with each of those two persons, its right to move and reside freely within the territory of the Member States.

<sup>3</sup> The author points out that this advisory function has been designed to improve the functioning and long-term effectiveness of the system of the European Convention on Human Rights (ECHR).

<sup>4</sup> Article 7 of the Convention on the Rights of the Child: “The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents”.

<sup>5</sup> Article 35 of the Convention on the Rights of the Child that: “States Parties shall take all appropriate national, bilateral and multilateral measures, to prevent the abduction of the sale of or traffic in children for any purpose or in any form”.

With this regard, the doctrine (De Groot D., A.J.G., 2021: 10), points out that the recognition of the motherhood is not a legal issue of the Bulgarian law (thus not falling within the private international law), but rather an administrative one. The arguments are based on the fact that, the Bulgarian Administrative Court does not question the nationality of the child, as far as one of the mothers has Bulgarian nationality. The author differs between the two hypotheses, concerning a different regulation, recognition and establishment of parentage, asking the first one for a more tolerated evaluation of the internal public order (theory of attenuated public order, *see above*). In case of refusal to accept public documents from other Member States, the Regulation 2016/1191<sup>6</sup> may be considered violated. Nonetheless, the Regulation does not recognize effects related to the content of public documents (article 4 of the Regulation). Mutual recognition of the content of civil documents (such as birth and marriage certificates) between Member States is the solution proposed by LGBTIQ\* representative with regard to parental rights.

The ECtHR's jurisprudence has referred to the theory of "additional rights" to avoid discrimination in cases where domestic legislation allowed adoption by single persons but prohibited it for *de facto* homosexual cohabitants. Although the ECHR does not guarantee the right to adopt, from the moment *a de facto* adoption relationship is created, this relationship is considered "family life", and enjoys protection from Article 8 of the ECHR.

### III. Albanian legislation

Parenthood in Albania is regulated by Family Code. For children born within the wedlock, the mother of the child is the one that gives birth to the child, while the father is the husband of the wife. For children born out of the wedlock, the mother of the child is the one that gives birth to the child, while paternity is established through voluntary recognition by the man who pretends to be the father of the child, under the condition of mother's consent. Paternity and maternity can be also established judicially, depending on the requests of the legitimated parties who may contest each of them. Even though the Constitution grants equal right to children born within and out of wedlock, some differences still remain with regard to the establishment of parenthood (such as the impossibility for the biological father to contest presumed paternity).

The categories of children who face difficulties in accessing the civil registration are asylum seekers, refugees, human trafficking victims, children born through surrogacy etc. According to the UNICEF report (UNICEF 2021, 58):

*In 2018, 97% of those at risk of statelessness were children and less than 50% were under the age of five. In total, 84% of those who were at risk of not obtaining citizenship had encountered obstacles related to birth registration procedures, of which 53% were born outside Albania, 12% were born to unmarried parents, 10% were born at home and 9% were born in hospitals.*

Even though discrimination is prohibited in the Constitution, *girls, Roma children, children with disabilities, and the LGBTIQ\* (lesbian, gay, bi-, trans-, queer and inter-sexual) children and others have faced discrimination* (Albania Child Notice 2021, 16). *There is a gap between the number of births proven through birth assistance certificates in maternity units (larger) and the number of births registered in the civil status offices* (European Network on Statelessness. Working paper 06/15, 14). *Gaps in access to civil registration and the provision of ID documents are also putting children born in Albania or to Albanian parents abroad at risk of statelessness at birth.* (European Network on Statelessness. Working paper 06/15, 16). The need for the national process of civil registration and birth registration in Albania to be simplified and all staff to be trained to carry out this procedure in a useful and non-discriminatory manner is identified as well in the National Agenda for Children's Rights 2021–2026 (p. 17).

With regards to the application of Albanian international private law dispositions, in the specific to the applicable law exemption due to public order, it is interpreted strictly by the doctrine, including only *exceptional cases which would be absolutely intolerable* (Jessel Holst, Ch. *et al.*, 2018:32). In fact, article 7 of the Albanian International Private Law No. 10428 date 2.6.2011 revised (AIPL), prescribes that:

*Foreign law is not applied when the effects of its implementation are clearly contrary to public order or may bring consequences, which are obviously incompatible with the basic principles defined in the Constitution and Albanian law. In case of incompatibility, another appropriate provision, which belongs to the law of the foreign state, is applied and, when this is absent, the Albanian law is applied.*

Referring to the internal legislation, the AFC regulate respectively the establishment of maternity through: a) birth act based on the birth declaration (article 175); b) voluntary recognition of maternity (article 176); and c) judicial certification (article 177), if the child is registered as having unknown parents. Paternity is regulated by the AFC based on: a) the paternal legal presumption, according to which the father of the child born within the wedlock is the husband of the wife who gave birth to the child, if the child is born within 300 days from the end of the marriage (article 180); b) voluntary recognition of

<sup>6</sup> Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012.

paternity, on condition that the mother of the child gives her consent to that recognition (articles 181-182); and c) judicial certification (article 183).

With regard to the conflict of laws on parenthood, AIPL is based on the principle of unity of applicable law for both categories, children born within and out of wedlock (Jessel Holst, Ch. *et al.* 2018: 257). The Albanian Procedural Code (article 394/f) recalls the public order clause, in cases of recognition and execution of foreign decisions or in bilateral agreements. Limitations to the recognition and registration of parenthood of the child born abroad (such as those in case of same sex parenting), are related to the fact that Albanian Family Code restricts marriage and cohabitation to heterosexual couples and same sex parenting is not legally recognized. Thus, legal relationship between the parent and the child would be recognized only for one parent, remaining the other in a *de facto* relationship. The same restrictions are valid for the adoption as well. According to article 242 of the Albanian Family Code (AFC), *the minor cannot be adopted by many persons, except for when they are a married couple.* Law No. 9695 date 1.03.2007 “On Adoption Procedures and Albanian Committee for Adoption”, revised.

### III. 1. Same-sex parenting in Albania

Same-sex parenting has been recently on the centre of the experts’ debate in Albania. In 2021 was registered the first case of request and refusal to register in the Civil Registry a lesbian couple as parents of their twin babies. Amnesty International in Albania reported it as a violation of human rights. In its *Amicus Curia Opinion*, the Albanian Ombudsman (2022), notes that the office for the Civil Status refused the registration as mothers of the child for the same sex couple, motivating that: *children of same sex parents, cannot be registered as this is not expressly recognized by the law.* It is argued that:

*As far as the actual Albanian legislation on maternity registration does not provide for the establishment of maternity relationships as a result of the common will of the biological mother and her cohabitant, the court is asked to assess the examination of the case in the light of Article 145 of the Constitution, suspending the trial and sending the case to the Constitutional Court.*

“Surrogate adoption” is mentioned only in article 261 of the Albanian Family Code, according to which the same criteria and procedures apply as for traditional adoption. This means that for every surrogacy process, an adoption process and a court decision are necessary. However, same sex-parents are excluded by law in adoption procedures. Assisted reproduction techniques in Albania, regulated by Law No. 8876, dated 4.4.2002 “On reproductive health”, are not only practiced *de facto* by some private clinics (<https://surrogacy.care/surrogacy-in-albania/>), but are also promoted by them, despite the shortcomings in the internal normative framework on surrogacy. According to domestic legislation, the relationship between the children and his/her legal parents is established by mandatory provisions through voluntary declaration, court decision or through adoption procedures (where a court decision is required even in adoption cases through parents’ consent).

According to articles 5 and 6 of the Albanian Law No. 10385 date 24.02.2011 “On Organs Transplant”, donation of reproductive cells and surrogative agreements related to motherhood determination are permitted, on condition that free will of the donor and the intended parent is guaranteed, excluding financial remunerations and protecting anonymity<sup>7</sup>. (Jessel Holst, Ch. *et al.* 2018: 263). The need to revise and adapt the Albanian legislation on assisted Reproduction Techniques (ARTs) to International and European Standards is underlined by local doctrine, referring among others to the 2017-2021 National Strategic Document and Action Plan on Sexual and Reproductive Health. Zyberaj (2014) has criticized the Albanian legislation for legal vacuum in the determination of paternity and motherhood of a child born through surrogacy, while Kastrati (2019) recommends altruistic surrogacy arrangements to overcome the lack of regulation.

As pointed out in comparative studies (Hibbino, Y. 2022), in cases of surrogacy, the parent child relationship can be established even by a court order or registering intended (commissioning parents) immediately to the child’s birth certificate. The choice of the Albanian legislator to opt out for the first solution (court order), through adoption procedures, aims at guarantying the paramount interest of the child, in accordance with the fundamental principles of the Albanian legislation. In our opinion, surrogacy agreements, as part of private autonomy, are not sufficient to protect children’s right and the intervention through a specific legislation or a court order (like in the adoption procedure) is necessary. We agree with the choice of the Albanian legislator and of those other countries, which have opted out for to the prohibitionist solution on commercial surrogacy.

The ECtHR’s advisory opinion on surrogacy (Request No. P16-2018-001)<sup>8</sup>, includes adoption as a solution for the domestic laws:

*(...) domestic law would have to provide a possibility of recognition of a legal parent-child relationship with the intended mother, designated in the birth certificate legally established abroad as the “legal mother”.*

<sup>7</sup> Article 5 - c) donation of tissues, cells and organs is based on voluntary and unpaid donation preserving the anonymity of both the donor and the beneficiary, the altruism of the donor and solidarity between the donor and the beneficiary, and in respect of the life and health of donors.

<sup>8</sup> The ECtHR unanimously delivered the following opinion: 1. *The child’s right to respect for private life within the meaning of Article 8 of the European Convention on Human Rights requires that domestic law provide a possibility of recognition of a legal parent-child relationship with the intended mother, designated in the birth certificate legally established abroad as the “legal mother”;* 2. *the child’s right to respect for private life does not require such recognition to take the form of entry in the register of births, marriages and deaths of the details of the birth certificate legally established abroad; another means, such as adoption of the child by the intended mother, may be used.*

With this regard, Albanian legislation provides for surrogacy adoption, referring to the same procedure as per traditional adoption (mentioned above). The latter is limited to married couples or singles but excluded for same sex couples. Thus, the limitations of internal domestic order (prohibition of same sex marriages; adoption of children by a married couple or singles), would not permit the recognition of same sex parents to be both registered in Albania as parents of the child.

#### IV. Concluding remarks

Recognition of parenthood in cross-border family disputes needs, as any other decision-making process related to children's rights, a complex reaction to legal, administrative and social measures. Unlike parental establishment, it is considered an acquired right (referring to the attenuated public order theory), implying a more tolerant approach when applying the principles of internal public order. In fact, the margin of appreciation is reduced when it comes to the recognition of situations already created abroad. When applying the AIPL, the non-applicability of foreign law due to public order, is interpreted strictly, including only exceptional and absolutely intolerable cases.

Private agreements between parties seem not sufficient to resolve legal maternity/paternity establishment, as the child cannot be "handed over" to the intended parents without a specific legislation or a court order. Parenthood establishment or recognition has also relevant consequences on parental responsibility in case of separation and divorce, which are not addressed in this paper. Thus, establishing a complete legal framework is crucial for the protection of fundamental human rights, especially for children, whose interest is the paramount of every decision making in family issues. In the specific, the need for the national process of civil registration and birth registration in Albania to be simplified and all staff to be trained to carry out this procedure in a useful and non-discriminatory manner is identified as well in the National Agenda for Children's Rights 2021–2026.

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# Restriction of fundamental human rights and freedoms. The constitutionality of these restrictions within the jurisprudence of the Constitutional Court and the European Court of Human Rights

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**PhD. Sofjana VELIU**

Faculty of Law, Political Sciences and International Relations European University of Tirana  
sofjana.veliu@uet.edu.al

## Abstract

*At a time when the world is facing the new coronavirus (COVID-19) and the World Health Organization has declared a pandemic due to the alarming extent of its spread, states have been forced to restrict certain freedoms and fundamental rights to prevent the spread of this virus. Albania, in these conditions, has also foreseen a series of restrictions and measures, such as the restriction of the freedom of movement and economic of individuals and economic entities and the taking of administrative measures for the violation of these established restrictions. It is therefore important to address what are the rights recognized by the Constitution which are restricted, how these restrictions are made, and whether the administrative measures are proportionate.*

*Human rights are fundamental rights and freedoms without which people can not live as human beings with dignity. They form the basis of freedom, justice and peace and their observance enables the full progress of the individual and society. All persons are endowed with such rights simply because they are human beings. Established in a basic law of the country, fundamental rights and freedoms were placed in a special focus by the Constitution of the Republic of Albania. Material (substantive) and procedural guarantees were sanctioned, as well as domestic and international guarantees. In addition to listing fundamental rights and freedoms, the Constitution has established several guarantees for their implementation and observance. Thus it is foreseen that there will be no restrictions or violations, except by law (legal reservation), for the interests of the public or other fundamental rights (balance of rights) without affecting the essence of the law, and in compliance with the restrictions of the ECHR. (international guarantee)*

*Key words: Human rights, Constitution, Restriction, Albanian legislation, international guarantees*

## Introduction

Human rights are fundamental rights and freedoms without which people cannot live as human beings with dignity. They constitute the basis of freedom, justice and peace and their respect enables the full progress of the individual and society. All persons are endowed with such rights simply because they are human beings. Established in a fundamental law of the country, fundamental rights and freedoms were placed in a special focus by the Constitution of the Republic of Albania. Material (substantial) and procedural guarantees, as well as internal and international guarantees, were sanctioned. In addition to listing fundamental rights and freedoms, the Constitution has created several guarantees for their implementation and respect. Thus it is foreseen that there will be no restrictions or infringements, except by law (legal reserve), for public interests or other fundamental rights (balancing of rights) without affecting the essence of the right, and in compliance with the limitations of the ECHR (international guarantee)<sup>1</sup> On the other hand, affirming the principle that

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<sup>1</sup> See, Anastasi, A. (2009) *Comparative constitutional law (Cases from constitutional practice and lectures for law students)*, Tirana, pg. 80-81

fundamental rights and freedoms do not have an absolute character, implies that they may be subject to restrictions. The latter remain in the evaluation of the decision-making structures. In the Constitution of the Republic of Albania, Article 17, the constitutional standard of limitation of fundamental rights and freedoms is sanctioned, which establishes a series of cumulative criteria in the form of constitutional guarantees for the limitation of fundamental rights. Article 17 determines, inter alia, that the limitation of fundamental rights must be done for a public interest or for the protection of the rights of others<sup>2</sup>. So, even their limitation should be addressed according to the provisions that the Constitution itself has made for such fundamental rights and freedoms. Article 17 of the Constitution defines the test that must be respected in order for such restrictions to be constitutional. According to this article, restrictions can be made: only by law; for a public interest or to protect the rights of others; in proportion to the condition which dictated it; without violating the essence of freedoms and rights; and without exceeding the limitations provided for in the European Convention on Human Rights<sup>3</sup>. In reflection of these constitutional requirements, the Constitutional Court has reasoned that the violation of fundamental rights and freedoms cannot be done with bylaws such as the decisions of the Council of Ministers. Specifically, in Decision No. 20, dated 11.07.2006, the Constitutional Court stated that: “[...] Referring to the content of Article 17 of the Constitution, the Constitutional Court considers that this provision, in the way it was formulated, did not allow possibility of delegation to any body other than the Assembly as a representative body. The purpose of this article is that in the case of limitations, not only must the other criteria specified in it be respected, but in order for the guarantees to be as complete as possible, only one body should be competent, namely the highest body legislator. The phrase “only by law” means that if it is necessary to limit a right provided in the Constitution, then this assessment is at the discretion of the legislator only and not of other bodies, including the Council of Ministers. [...]”. Following this decision, the Constitutional Court has reasoned that the regulation provided for in Article 17 for the limitation of rights and freedoms only by law, is also related to the determination of the competence of a specific body, which in this case is only the Assembly. Such an expression refers to the competence of the legislative body, and issuing other acts to regulate such relations violates the competences of this body.

In reflection of these constitutional requirements, the Constitutional Court has reasoned that the violation of fundamental rights and freedoms cannot be done with bylaws such as the decisions of the Council of Ministers. Specifically, in Decision No. 20, dated 11.07.2006, the Constitutional Court stated that: “[...] Referring to the content of Article 17 of the Constitution, the Constitutional Court considers that this provision, in the way it was formulated, did not allow possibility of delegation to any public body other than the Assembly as a representative public body. The purpose of this article is that in the case of limitations, not only must the other criteria specified in it be respected, but in order for the guarantees to be as complete as possible, only one organ should be competent, namely the highest organ legislator. The phrase “only by law” means that if it is necessary to limit a right provided in the Constitution, then this assessment is at the discretion of the legislator only and not of other organs, including the Council of Ministers. [...]”. Following this decision, the Constitutional Court has reasoned that the regulation provided for in Article 17 for the limitation of rights and freedoms only by law, is also related to the determination of the competence of a specific body, which in this case is only the Assembly. Such an expression refers to the competence of the legislative body and the issuance of other acts to regulate such relations violates the competences of this public body.

The issue of the relationship between the legislature and the executive always remains a debatable issue. A very controversial moment in the relationship between the Assembly and the Government can be created in the process of drafting and approving laws. The Constitution has recognized the competence of the CM to issue normative acts in case of need and emergency. These acts have the force of law and serve to take temporary measures, for this reason this is the sphere where the “conflict” between the legislative and executive power is most clearly expressed. The Constitutional Court, in cases of reviewing the constitutionality of normative acts, has considered that the right of the CM to issue normative acts with the force of law, according to the provisions of Article 101 of the Constitution, constitutes an exception to the constitutional principle of recognition and concentration of power legislature in the hands of the Assembly of Albania, allowing the issuance of acts with the force of law also by other constitutional bodies<sup>4</sup>. The use of this legislative instrument remains in the assessment of the CM, but it is appreciated that the exercise of this competence broadly and not in the conditions provided by the Constitution violates the independence of the legislative power and the democratic character of the state. This right has a permissive and exceptional nature, therefore the Constitution, through its Article 101, has recognized the right of the CM to issue normative acts that have the force of law only when the case appears as exceptional and the need and urgency make it impossible to exercise the competence legislature from the Assembly. In this way, this would be the space of the CM in what the juridical-constitutional doctrine has called “the relative reserve of the law”<sup>5</sup>.

In this context, the question is raised for discussion: Can basic human rights and freedoms (such as the right of movement or economic freedom) be limited by a normative act with the power of law, in the conditions of an extraordinary situation, dictated by the spread of the infectious disease caused by the COVID-19 coronavirus, where the establishment of these limitations of fundamental rights and freedoms is aimed at protecting the fundamental right of the individual the right to life?

In order to answer this question, which is the basis of this article, I estimate that the concept of a normative act with the force of law must first be treated as a product of the law-making activity of the CM and its compliance with Article 17 of

<sup>2</sup> See Pirdeni, A. Merkuri, E. (2015) “Balancing Between Rights Through the Principle of Proportionality and the Approach of the Constitutional Court of the Republic of Albania,” *Juridical Studies Magazine*,

<sup>3</sup> See Zaganjori, Xh. Anastasi A., Çani E. (2011) *The Rule of Law in the Constitution of the Republic of Albania*, Adelprint Publishing House, Tirana, pg. 75-76.

<sup>4</sup> See decision no. 5, dated 05.02.2014 of the Constitutional Court

<sup>5</sup> See Zaganjori Xh. Anastasi A. Çani E. (2011), *The Rule of Law in the Constitution of the Republic of Albania*, Adelprint Publishing House, Tirana pg.128

Constitution, and then it is necessary to continue with the treatment of the constitutional balance of rights and fundamental freedoms in conflict in this situation.

## Some issues for discussion

The separation of powers constitutes the second principle of the rule of law in a free and modern constitution<sup>6</sup>9]. This principle has an organizational character and aims to guarantee that all powers are limited and subject to control. The Constitution of the Republic of Albania is clearly based on the principle of separation and balancing of powers. This principle is directly addressed in Article 7 of the Constitution, where it is expressly stated that: “The system of government in the Republic of Albania is based on the division and balance between the legislative, executive and judicial powers”. The Constitutional Court, in its jurisprudence, has emphasized that this principle, in democracy, as a form of government, mainly aims to avoid the risk of the concentration of power in the hands of a certain body or persons, which practically carries with it the risk of abuse his. For this purpose, regardless of the fact that the state power as a whole is one and indivisible, within it there are a number of overlaps and mutual relations that the Constitution creates between certain segments of it<sup>7</sup> The principle of separation of powers will not understand that every power is closed and not controlled by anyone. The separation of powers between the three branches of government is guaranteed only through the system of checks and balances

The Constitutional Court in Decision No. 11, dated 27.05.2004 stated that: “[...] In this way, according to the Constitution, as much as there is talk of separation, it is also about the balance of powers. The purpose of such a constitutional concept is to prevent any branch of government from exercising unlimited power. The checks and balances recognized by the Constitution give each branch powers that compensate or mitigate those of the other branches. [...]”<sup>8</sup>[11]. In this line of reasoning, it is concluded that there are tools or mechanisms that balance the powers, because in the final analysis, no power by itself is able to fulfill its mission, if its activity is not harmonized with the activity of other powers and if a balance, coordination and mutual control, which of course did not interfere to the extent of harming their constitutional missions.

The issue of the report and the relationship of the Assembly with the executive always remains a debatable issue. A very controversial moment in the relationship between the Assembly and the Government can be created in the process of drafting and approving laws. The executive power is not limited only to the performance of administrative functions and the activity of political leadership, but in accordance with the principle of separation of powers, the executive bodies can also issue normative acts, an integral part of the legal order of the state<sup>9</sup>.

In this context, it is important to mention that the Constitution, more specifically Article 101, provides that the Council of Ministers, in case of need and emergency, under its responsibility, can issue normative acts that have the force of law, for taking measures temporary and that these normative acts are immediately sent to the Assembly, which convenes within 5 days if it is not convened. According to this article, these acts lose their power from the beginning, if they are not approved by the Assembly within 45 days. These acts emerge in conditions of need and urgency, which are caused by various vital, natural, social factors<sup>10</sup>13], conditions in which it is necessary to take immediate measures by the authorities, including the legislature, in order to prevent the consequences of possible negative for the public interests or the basic rights of citizens, which is impossible to do by the existing legislation. In this context, it is important to mention that the Constitution, more specifically Article 101, provides that the Council of Ministers, in case of need and emergency, under its responsibility, can issue normative acts that have the force of law, for taking measures temporary and that these normative acts are immediately sent to the Assembly, which convenes within 5 days if it is not convened. According to this article, these acts lose their power from the beginning, if they are not approved by the Assembly within 45 days. These acts emerge in conditions of need and urgency, which are caused by various vital, natural, social factors<sup>11</sup> conditions in which it is necessary to take immediate measures by the authorities, including the legislature, in order to prevent the consequences of possible negative for the public interests or the basic rights of citizens, which is impossible to do by the existing legislation. According to the jurisprudence of the Constitutional Court, the normative act with the force of law is law in the material sense of the term, but not in its formal sense. Basically, it regulates important social relations that deserve to be treated by law by the Assembly, but when the presence of need and urgency is proven, the Constitution allows the legislative initiative, in this case, to be carried out by the Council of Ministers. The Assembly retains the right to final evaluation of this act and, if it approves it, turns it into law in the formal sense as well. The Constitutional Court in its jurisprudence has elaborated and reiterated that the legal force of the normative act with the force of the law is equal to the force of the law from the moment of its issuance, because this value of the norm is determined by the nature of the legal relationship it finds regulation in it and not by the body that approved it. Legal power is an inseparable element of the content of the norm<sup>12</sup>

<sup>6</sup> See Zaganjori Xh. Anastasi A. Çani E.(2011), *The Rule of Law in the Constitution of the Republic of Albania*, Adelprint Publishing House, Tirana pg.28

<sup>7</sup> See decision no. 5, dated 05.02.2014 of the Counstitution Court.

<sup>8</sup> See: Decision No. 11, dated 27.05.2004 of Constitution Court

<sup>9</sup> See Zaganjori,Xh. Anastasi ,Çani E.,(2011) *The Rule of Law in the Constitution of the Republic of Albania*, Adelprint Publishing House, Tirana pg.142.

<sup>10</sup> See Decision no. 24, dated 10.11.2006 of the Constitution Court..

<sup>11</sup> Balo (Pajo), V. (2014)”The topic of the dissertation for the defense of the degree “Doctor” “Constitutional control in Albania. The role of the Constitutional Court as guarantor of the State of Law and Fundamental Human Rights: Challenges, Achievements, Prospects”, Tirana; pg 219.

<sup>12</sup> See Decision no. 24, dated 10.11.2006 of the Constitution Court

Regarding the need and urgency provided for in Article 101 of the above-mentioned Constitution, the Constitutional Court has assessed that the need and urgency should be understood as necessary prerequisites, the absence of which would result in the invalidity of the normative act with the force of law. Their absence becomes a vice of the constitutional legitimacy of the government for issuing the normative act and, subsequently, a vice of the law that approved it. Being preconditions, the need and urgency must have been proven to exist before the moment of taking the initiative by the government to issue the normative act with the force of law. These two conditions must also be present, connected and interdependent at the moment when the normative act is issued with the force of law. If there is a need to issue a law, but without any apparent urgency, the government cannot take the initiative to issue a normative act with the force of law, as this would constitute a duty of the legislative power. Only when the created situation is considered impossible to wait as long as necessary for the issuance of the necessary law by the legislative body, even through accelerated procedures, the legislative initiative can be passed to the government. If this aspect were not evaluated, the government would take, without right, the legislative functions of the Assembly. The Constitution, through its article 101, has allowed the executive power to adopt acts that have the same force as laws only when the case appears to be extraordinary and the need and urgency make it impossible for the Assembly to exercise legislative competence<sup>13</sup>

The legislative competence delegated to the executive is not only a provision of our Constitution, but this constitutional regulation of the normative act with the force of law is also provided for in countries such as Italy or Spain<sup>14</sup>. More specifically, the Italian Constitution in its article 77 provides that: "The Government cannot, without the delegation of the Houses, issue decrees that have the value of common law. When, in exceptional cases of need and emergency, the Government, under its own responsibility, issues temporary acts that have the force of law, it must be presented to the Chambers on the same day to turn them into law, which, even if they are scattered, they are called individually and gathered within five days. Decrees lose their force from the beginning in case they are not returned to law within 60 days from their publication. However, the Chambers may regulate by law the legal relations arising on the basis of decrees not converted into law." Moreover, Article 72, paragraph 4 of the Italian Constitution provides that: "*The normal procedure of consideration and direct approval by the Parliament is always established for draft laws in the constitutional and electoral fields and for those of legislative delegation, authorization for ratification of international treaties approving budgets and final reports.*"

As for the Spanish Constitution, its article 86 provides that:

1. In exceptional and urgent cases of need, the Government can issue provisional legislative provisions, which take the form of decree-laws (decreto ley) and which cannot interfere/influence the legal order or the basic institutions of the state, rights, obligations and individual freedoms according to Title I, on the regime of autonomous communities and on the right to elections in general.
2. The decree-laws must be immediately submitted for discussion and voting to the Congress of Deputies, which in that case is convened if it is not convened, within 30 days of their publication. Congress must express explicitly, within this term, their approval or repeal, according to a special and accelerated procedure, determined by the regulation."

Regarding the interpretation of this legislative competence, the Constitutional Court of Spain, in its jurisprudence, profiles the decree law as a suitable instrument to cope with a series of situations that require an immediate normative intervention, but this instrument cannot be used when it is possible application of the normal legislative process<sup>15</sup>

The granting of the legislative power to the Government is exclusive to the power of the Assembly to approve the primary norms of law. Therefore, in various countries, the drafter of the Constitution is reserved in the delegation of legislative power to the government, respecting the principle of sovereignty, separation of powers and the hierarchy of sources of law. In this context of reasoning, referring to Decision No. 20, dated 11.07.2006 discussed above, in which the Constitutional Court has reasoned that the violation of fundamental rights and freedoms cannot be done with by-laws such as the decisions of the Council of Ministers, but only with "law", we come to the conclusion that, in conditions of need and emergency, as in the current situation of the spread of the Covid-19 pandemic, the limitation of some specific constitutional rights, with the aim of stopping the spread of the infection, by act normative with the force of law, for the sake of the special specificity that the latter presents, which is law in the material sense, is in accordance with Article 17 of the Constitution. The legal force of the normative act with the force of the law is equal to the force of the law from the moment of its issuance because this value of the norm is determined by the nature of the legal relationship that finds regulation in it and not by the body that approved it. Legal force is an inseparable element of the content of the norm. It is precisely for this reason that the drafters of the Constitution have added after the phrase "normative act", mentioned in Article 101, the other phrase "with the power of law", that is, it has to do with the difference that exists between different types of normative acts approved by the Council of Ministers. This difference lies in the fact that if the act referred to in Article 101 is essentially a legal act, an intervention in the legislative power, while the normative act of the Council of Ministers in general is indeed essentially as to the law, but this is only as far as the generality is concerned. his, because of the act with the force of law, other normative acts of the Council of Ministers do not have the similarity even in form with the law<sup>16</sup>

<sup>13</sup> See Decision no. 24, dated 10.11.2006 of the Constitution Court

<sup>14</sup> See decision no. 5, dated 05.02.2014 of the CJK, which refers to decisions no. 171/2007, no. 128/2008, no. 22/2012 and no. 34/2013, of the Italian Constitutional Court

<sup>15</sup> See decision no. 5, dated 05.02.2014 of the Albanian Constitutional Court

<sup>16</sup> See Zaganjori, Xh. Anastasi, Çani E., (2011) *The Rule of Law in the Constitution of the Republic of Albania*, Adelprint Publishing House, Tirana pg.145.

Following the above-mentioned conclusion, it is important to dwell on Normative Act No. 3, Date 15.3.2020 “On Taking Special Administrative Measures During the Period of Infection Caused by Covid-19”, the proportionality of the measures imposed with the situation dictated by the spread of the Covid-19 pandemic, as well as in the constitutional balance of fundamental rights and freedoms in conflict in this situation.<sup>17</sup>

## Proportionality of the administrative measures undertaken and the constitutional balance of conflicting rights

In the framework of the prevention of the spread of Covid-19, a series of administrative measures have been taken, with the aim of protecting health and, most importantly, protecting life, which, as we mentioned above, is one of the rights, without which they cannot derive other rights.

More specifically, with Normative Act No. 3, Date 15.3.2020 “On Taking Special Administrative Measures During the Duration of the Period of Infection Caused by Covid-19”, special measures have been defined that will be taken against physical/legal persons or individuals, Albanians or foreigners, regardless of their place of residence, who violate the rules, decisions, orders and instructions issued by the competent bodies, throughout the duration of the period of infection caused by COVID-19.

As above, following the restrictions undertaken regarding economic activity, it is important to dwell in advance on one of the fundamental principles recognized in the Constitution, which is the freedom of economic activity. More specifically in Article 11.3, which stipulates inter alia that restrictions on economic activity can only be imposed by law and only for important public reasons. In the framework of the prevention of the spread of Covid-19, a series of administrative measures have been taken, with the aim of protecting health and, most importantly, protecting life, which, as we mentioned above, is one of the rights, without which they cannot derive other rights<sup>18</sup>.

The Constitutional Court in its practice has assessed that the freedom of economic activity is directly related to the space left to the individual to act with the aim of free development of his personality where he sees himself as more productive. This freedom includes all rights related to the production, distribution or consumption of goods and services. Moreover, the Constitutional Court has stated that the highest form of economic freedom means the right to property, freedom of movement of labor, capital, and goods without any restrictions. In this sense, the individual has the right to work, produce, consume, and invest in any way he likes, and this freedom must be protected by the state. Based on the active role of the state, the drafter of the Constitution has provided the criteria based on which he can intervene to regulate the exercise of this right. Specifically, Article 11/3 of the Constitution provides that restrictions on the freedom of economic activity can only be established by law and only for important public reasons. It follows from the content of this provision that we are dealing with criteria that are directly related to a concrete freedom, such as that of economic activity. Based on the structure of the Constitution, the special feature of this provision is that it is not provided in the group of other rights and freedoms, but in the part where the basic principles on which the organization and state functioning of the country are based are provided. So, the drafter of the Constitution preferred to consider the freedom of economic activity first, as a basic principle of the economic system of the Republic of Albania and secondly, as part of the catalog of freedoms and rights of citizens<sup>19</sup>.

In its practice, the Constitutional Court has assessed that, since it has examined the violation or not of this freedom closely related to the sphere of the individual, it is obliged to refer to the content of Article 17/1 of the Constitution, which extends to all the rights and freedoms provided for in it. Specifically, the provision of Article 17/1 provides: “limitations of the rights and freedoms provided for in this Constitution can only be imposed by law, for a public interest or for the protection of the rights of others. The restriction must be proportionate to the situation that dictated it.” So, this provision, in addition to the public reason, which we also find in Article 11/3, contains the obligation to respect other criteria, such as: limitation by law and the existence of a fair relationship between the limitation and the situation that dictates it that. The well-known principle of proportionality means that the legislator’s intervention to limit a certain right should be done with appropriate means that respond to the goal that is intended to be achieved<sup>20</sup>

## Conclusions

Moreover, the Constitutional Court, referring to the limitation of the rights and freedoms provided for in this Constitution as well as the freedom of economic activity, stated that the duty of the Constitutional Court, when it exercises control over the interventions of the legislator in regulations that affect fundamental rights and freedoms, it is the assessment of whether this restriction was made according to the criteria expressly defined in the Constitution, i.e. by law, for a public interest

<sup>17</sup> The AIRE CENTRE and Civil Rights Defenders-(2020)-“Covid19 and the impact on human rights” GENERAL VIEW OF THE RELEVANT JURISPRUDENCE OF THE EUROPEAN COURT OF HUMAN RIGHTS

<sup>18</sup> See Article 11 of the Constitution of Albania, which stipulates that: “1. The economic system of the Republic of Albania is based on private and public property, as well as on the market economy and on the freedom of economic activity. 2. Private and public property are equally protected by law. 3. Restrictions on the freedom of economic activity may be imposed only by law and only for important public reasons”

<sup>19</sup> See decision no. 10, dated 19.03.2008 of the Court of Justice

<sup>20</sup> See decision no. 10, dated 19.03.2008 of the Court of Justice

or for the protection of the rights of others and in proportion to the situation that dictated it. Referring to the conditions of Article 17/1 in connection with Article 11/3 of the Constitution, the Constitutional Court has deemed it necessary to focus mainly on the analysis of two main criteria: the principle of public interest and the principle of proportionality of legislative intervention, which, as a rule, are coordinated and complemented by each other.

Regarding the constitutional concept of public interest, according to the Constitutional Court, it is quite broad and should be seen in the perspective of the concrete provision that is presented for control before it. It is difficult to list exhaustively the cases of public interest or public reason leading to the limitation of a fundamental right. They can only be ranked negatively, that is, in terms of concrete limitation. In constitutional practice, it has already been accepted that the legislator, in principle, is free to act within his normative space by clearly defining the goals he seeks to achieve on a case-by-case basis.

In conclusion, in the present case, the goal sought to be achieved by Normative Act No. 3, Date 15.3.2020 (amended by Normative Act No. 4, No. 5 and No. 8) "On Taking Special Administrative Measures During the Period of Infection Caused by Covid-19" is the protection of health and above all of life, which prevails over all other rights. The European Court of Human Rights has examined numerous requests relating to claims of the adequacy or failure of state bodies to take steps to protect the lives of persons within their jurisdiction. Of course, life is the essential condition for enjoying other rights provided by the Convention or any other act, but on the other hand, no law can guarantee someone's life absolutely. What should be protected by law "is not life, but the right to life"<sup>21</sup>

Finally, in this case, Article 17/2 of the Constitution of the Republic of Slovenia should also be taken into consideration, which stipulates that restrictions on basic human rights and freedoms cannot violate the essence of freedoms and rights and in no case can exceed the limitations provided for in the European Convention on Human Rights. In this light, it would be appropriate for the Albanian state to make a declaration of derogation to the Secretary General of the Council of Europe according to the provision made in Article 15 of the ECHR, which provides that:

- 1 In case of war or other public danger threatening the life of the nation, each High Contracting Party may take measures to avoid the obligations provided for in this Convention, only so far as the situation requires, provided that these measures are not incompatible with other obligations under international law.
2. The above provision does not allow any deviation from Article 2, except in the case of death resulting from lawful acts of war, as well as from Articles 3, 4 (paragraph 1) and 7.
3. Each Party the High Contracting Party that exercises this right of derogation is kept fully informed.

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<sup>21</sup> See, Bianku, L.; Kumbaro, O., "Jurisprudence of the Strasbourg Court", Fourth Edition, Tirana

# E-Commerce in Albania, Implementation of Legal and Regulatory Framework

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**Dr. Jonida GJIKA**

Faculty of Law, Political Science and International Relations,  
Department of Legal Sciences  
European University of Tirana  
jonida.gjika@uet.edu.al

## Abstract

*The legal framework in which e-commerce takes place in Albania, including the acts under the law for this purpose, reflect in their entirety the spirit of the EU Directives and to a considerable extent the regulatory norms addressed in this spirit. This analysis aims to reflect the current situation in the field of e-commerce in Albania, the interacting actors in the conditions and the continuous and dynamic changes of technology on which the development of e-commerce itself is based with a visible projection on the development of the economy in the near future.*

*Like any catalyst in economic development, e-commerce conditions a set of national laws and institutions which are intertwined in their activity in terms of postal services that represent an important element of e-commerce, but of course also aspects related to fiscal policy, tax, monetary, customs services, with consumer rights and obligations, as they affect different categories of doing business at the level of "business-business" but also "business-consumer".*

*An impact that brings not only national legislation but also cross-border legislation, as a result of transactions at the international level, as their services are in the framework of electronic commerce through the Internet.*

*Of particular importance in the development of e-commerce is the normative provision that should be considered by the Albanian legislation regarding aspects of distance contract handling, relevant conditions and guarantees as well as possible instruments for resolving disputes between the two categories of doing business through trade, electronic law, bringing the legal and regulatory framework of the EU in the most up-to-date and practical version of the development of electronic commerce, without violating the principles and rights of consumer protection. The COVID-19 pandemic, in addition to the negative impacts it brought on various aspects of the public and private spheres, also brought to light new opportunities.*

*The research methodology: The methodology used is in line with the goals of this study. To realize this work are used critical and comparative analytical methods using primary and secondary sources.*

**Keywords:** *E-commerce, challenges, regulatory framework, monitoring institutions.*

## Introduction

The COVID-19 pandemic, in addition to the negative impacts it brought on various aspects of the public and private spheres, also brought to light new opportunities which in the near future will increase attention to improvements in legislation and regulation of space. Doing business by adapting it to new conditions of technology development, innovation and adaptation of services that enable the growth and movement of the economy (Ronald G., Albright Jr., 1989). In the conditions when social distancing took precedence, conditioned by isolation in apartments, or suspensions of a category of services that need physical contact, this particular situation highlighted and positioned attention to finding possible ways to guarantee access and continuity of communications and services through on-line information for the consumer, with the final goal of access to the necessary products / services.

Such a situation is enough to bring to the attention of the policy of different sectors of the economy the need for coordination for functional interaction of many categories of services, but in this aspect also affect legal provisions which link the consumer-business-state links. This also affects the review of approaches to regulatory practices of various state entities and institutions, in coordination with international organizations in order to balance and increase a more focused focus on intensifying and accelerating the transition to digital society, developing the capacity of broadband and the implementation of new generation technologies, which otherwise translates into initiatives related to concrete actions for the National Digital Strategy and structuring the action plan in the shorter term that bring the spirit of the EU Directives in the framework of a unique digital market with all the necessary components of its operation.

## **E-commerce and the Impact of the Covid-19 Pandemic on Postal Services**

In the conditions when for the development of e-commerce, the main thing is to build and consolidate a functional, inclusive digital economy and society and with equal access opportunities for different categories of consumers and business, this will consequently translate into increased opportunities for exponential consumption of electronic communications services mainly internet with increase in capacity and speed (Louis E.F.,2021). In the chain of interaction and functioning of society, digital economy and electronic commerce, fundamental principles and rights of the consumer impact and require increased security and integrity of electronic communications networks, with the possibility of equal and functional access to electronic networks and services, with quality of service in direct proportion to the needs of the customer, with access to all categories in need of financial support for the consumption of access and service without compromising the market balance and the principles of free and fair competition, an interaction for networks and electronic communications services, network and postal services as well as possible legal and regulatory instruments that create the necessary space for the development of electronic commerce.

Expanding the possibilities for functional access for the final consumer, from the point of view of the sectoral policy is also considered in the goals set in the National Broadband Plan 2020-2025 in Albania, which support the digital agenda which aims at comprehensive access to broadband services and can be based on sustainable in their effectiveness through the planning of new technologies as well as the allocation and efficient use of frequencies, in order to achieve the national objective to have 100% broadband internet access to families in rural and remote areas and to have the opportunity of connection speeds of at least 100 Mbps. In this aspect is the forecast for strategic investments with 5G connection until the end of 2025.

The consumer has his behavior and habits built in time and in circumstances outside of “emergency situations”, as can be considered a pandemic situation, the development of e-commerce would be pressured for a longer time by consumer behavior and habits, as trade in normal situations encounters resistance from traditional methods of business development, in physical touch of the product, taste, eye-to-eye marketing, etc., all of these are factors that have a significant impact on consumer behavior and habits (Temes, 1997).

This is a positive impetus to consider the importance of e-commerce development, which will encourage sectoral policy and legislators, both nationally and internationally, to anticipate new norms and legal and regulatory instruments that serve the purpose of increasing and developing the size of e-commerce for all categories of business and consumers, as by the nature of how e-commerce is based on the Internet, serves as a basis for building all business practices and supporting its operation, expanding the boundaries where business interacts on a global scale, requiring cross-border interaction as a necessity.

E-commerce takes advantage of opportunities to participate in global markets, bringing a significant and advantageous difference over traditional methods of doing business (Matzai, 2008). So, e-commerce requires improvement and efficiency of doing business in an environment in which traditional rules must adapt to new ways of functioning, where based on them have the evolution of conducting transactions electronically. So in its essence, in addition to other rules and legal provisions, e-commerce relies on the development of on-line transactions, which brings the need to improve national legislation in terms of provisions for resolving disputes brought by this form of development. of trade and execution of transactions. Expanding borders and business access to the global market through e-commerce and online transactions, also affects different fiscal policies and taxation methods in different countries, and consequently different charging opportunities for the final consumer, which also creates evasiveness in terms of distance contracting enabled by e-commerce (Anderson, 2020).

## **National Legal and Regulatory Framework for E-commerce**

In the light of expanding opportunities for the development of e-commerce, the need to harmonize national inter-institutional legislation and verify potential obstacles that may bring cross-border relations to e-commerce, including aspects related to fiscal, tax, monetary policies, customs services, with consumer rights and obligations, etc., only on this basis and with this approach can be reviewed possible actions that will favor the positive development of the digital economy with a focus on online e-commerce, as an option that has the potential to be an important economic driver in digital market developments.

From this point of view, the approach of the current legal framework regarding e-commerce should be analyzed, as well as the existing inter-institutional rules that allow or not the normal functionality of e-commerce.

In Albania there is a legal basis that supports e-commerce, since 2009 and this law was amended in 2013 to approximate with the EU Directive<sup>1</sup> 2013, the basic material law which at various stages of time has undergone improvements and adaptations, including basic definitions related to e-commerce, information society and their application in practice.

The Law “On Electronic Commerce” needs to clarify a number of definitions and expand the scope of action, as in practice it turns out not to be flexible and clear enough. Extending the definition of “e-commerce”, considering a more complete approach to the freedom to do business online, selling goods and services which are offered with many different options for e-commerce “between businesses” or “between businesses and consumers”.

If the number of internet users in Albania would be estimated according to the statistics of INSTAT<sup>2</sup> or other institutions in the field such as AKEP<sup>3</sup>, it turns out that electronic commerce should be considered almost a necessity. It is estimated that there are about 90% of the population that will be able to use the Internet and with access to functional access, while the number of businesses that will use information technology for e-commerce will be about 50%. This tends to increase in its two components, in percentage of access as well as in access capacity, also for the purpose of meeting the goals of the digital agenda for Albania in the framework of the objectives and goals to become part of the EU market.

To illustrate the use of Information and Communication Technology<sup>4</sup>, and their weight in the development of electronic commerce, in itself for the segment of the business-business and business-consumer category, it is worth justifying the importance that is nowadays the development of trade electronics. The use of the website<sup>5</sup> for e-commerce has seen growth and focus in two categories as “business-business” and “business-consumer”.

Electronic communications, postal services, and information and internet technology in Albania are regulated by a series of laws, adopted mainly from 2009 onwards, but each of them has its own importance and also connects the functionality of the law “On e-commerce” amended in 2013<sup>6</sup>, as it limits its scope<sup>7</sup>, taking into account the definitions given to the “Information Society Service Provider” and obligations for consumer protection, categories of minors, consideration of public interest, etc. Understanding of information society services<sup>8</sup>, so at first glance, the Law “On Electronic Commerce” in Albania has more focus on the information society than on the broader concept of electronic commerce, as in terms of freedom of use of the Internet as and the need to operate the relevant filters for certain categories of consumers for information society products / services.

Despite the fact that the Law on Electronic Commerce can be considered that to a large extent it has approximated the Electronic Commerce Directive 2000/31 of the European Union, its applicability in practice creates abusive space on legal responsibilities for the illegality of publications, clarification of obligations for providers of information society etc. Extending the definitions for the consumer<sup>9</sup>, commercial communications, trade information, electronic commerce, etc. and adapting them to additional options to enable online commerce, would be a coherence of the legal basis in Albania. Considering the provisions referred to in the e-commerce directive if it is associated and interacts with other functional instruments at the national level, thus guaranteeing an institutional interaction, it would be possible to effectively address the challenges related to the proper development of e-commerce, as the growing factors of commercialization of human life and options to provide efficient solutions to their demand must be taken into account (Reynolds, 2004).

Specific legislative solutions and institutional actions should be oriented towards the elimination of barriers not only of a legal nature, but also of a structural nature that de-functionalize in practice the efficiency of electronic commerce. Therefore,

<sup>1</sup> Approximated with Directive 2000/31 / EC, “On Some legal aspects of Information Society services, especially on electronic commerce in domestic market (Directives on Electronic Commerce)”, with CELEX 32000L0031.

<sup>2</sup> **Institute of National Statistics in Albania.**

<sup>3</sup> Electronic and Postal Communications Authority in Albania

<sup>4</sup> According to INSTAT, companies in Tirana that use information and communication technology at the end of 2021: Enterprises with 10 or more employees who have used computers for business purposes during 2021, represent 98.5% of economic enterprises. Employees who have used a computer for work purposes make up 27.8% of the total employees of enterprises. The highest percentage of employees who use computers is observed in the information and communication activity with 75.2%, followed by professional, scientific and technical activities with 62.7%

<sup>5</sup> In 2021, the Website is used by 45.0% of companies that use computers with Internet access. 92.8% of enterprises, the website was used to display product catalogs or their prices, 38.3% used it to receive orders, reservations or online bookings and 42.2% of enterprises used it to reference to their social media profiles. Percentage of enterprises that have a website, by economic activity (%), In 2021, 13.3% of enterprises have sold products / services through a website, dedicated applications, e-commerce websites and applications used by various enterprises for the trade of products. The largest share of e-commerce is occupied by enterprises operating in the field of information and communication with 32.2%, followed by accommodation and food service activities with 29.0% and administrative and support services with 26.1%. In 2021, automatic sharing of information within the enterprise, which is used for planning and management of enterprise resources, dividing information between different functional areas is used by 35.8%.

<sup>6</sup> Law no. 135/2013 “On some additions and changes to law no. 10128, dated 11.5.2009 “On electronic commerce”, article 2, parag. 2.

<sup>7</sup> This law does not extend the effects on legal relations, which are created: a) in the field of taxes; b) for the protection of personal data; c) for issues related to practices and agreements, regulated by competition law. d) on issues related to intellectual and industrial property rights.

<sup>8</sup> “Information society services include, in particular, the sale of goods and services, access to information or Internet advertising services and access to public communications network services, the transmission of data or the storage of recipient data in the public communications network”. According to them, it is necessary to supplement with explanations according to the EU directive.

<sup>9</sup> “Consumer” is any natural person who buys or uses goods or services to meet personal needs, for purposes which are not related to commercial activity, business or profession. e) “Commercial communication” means any means of communication designed to promote, directly or indirectly, the goods, services or image of a trader or company, non-profit organization or person engaged in a commercial, industrial or craft activity or profession. arranged. There are no commercial communications, within the meaning of this law: i) information that allows direct access to the business of the company, organization or person, in particular the ownership of the domain or e-mail address. ii) communications relating to goods, services or the image of a trader or company, non-profit organization or person, independently collected, in cases where this is done at no financial cost. f) “Electronic commerce” is the performance by the subjects of this law of an activity, through the exchange of electronic documents, for the trade of goods and / or services.

it would be advisable in Albania to prepare new and unified rules with all institutions that are part of the interaction in the field of e-commerce, taking into account the fact that nowadays, the definition of e-commerce has a wider dimension than is currently embodied in national legislation, despite the approximation made to the 2003 EU Directive, due to the fact that the evolution of technology and services has brought an approach to trade-enabled products / services electronics and on-line sales.

To a satisfactory extent, the harmonization and approximation of the national legislation of electronic commerce in Albania has been realized, as well as in the entire legislation that is enabled for the provision and provision of electronic communications and postal services, including the legal framework and scope of NAIS<sup>10</sup>, as well as the legal basis<sup>11</sup> of scope and coordination with institutions and other regulatory entities in the field of electronic and postal communications, further development of electronic commerce, requires an institutional interaction and coordination of actions, in order to eliminate legal and structural inter-institutional barriers that inhibit the proper functioning of concrete actions in the effective development of electronic commerce.

## **Institutional Regulatory Interaction for the Development of E-commerce effectively**

In this context, the goals in the national agendas for increasing broadband internet access should be evaluated, considering both fixed and mobile networks on which the provision of electronic communications services and sectoral policy options are enabled to enable the extension of the offer. broadband Internet even in areas with limited population density, or in other words with investment incentives lacking from various private initiatives, building programs and investing projects that consider public funding for expanding broadband coverage in rural areas (Chris Ollington, 2004).

From the point of view of the development of network infrastructure that enables the provision of electronic communications services to make tangible and easier access to broadband Internet access, as the most important catalyst that supports the development of e-commerce. The steps taken to complete the preparation and approval of the 5G strategy with deadlines for the coverage and quality objectives aligned with the strategic directions of the EU, as well as the goals for the approximation of the regulatory framework for the extension of WiFi networks, serve this purpose. or development of networks which from the point of view of the development of postal services facilitate the process of tracking and identification of the real location of packages, packages or containers using very low cost equipment, in order to improve the provision of e-commerce services.

Postal services play a key role in the functioning and effective making of e-commerce, so the focus of sectoral policy in this perspective has chosen to respond to the demands for the evolution and innovation of postal services, considering the construction of official interconnection sites of postal services, provides access to the postal tariff matrix and the tracking of postal items for "business" category customers who conduct e-commerce domestically or abroad (Hudgins, 2001).

Real-time display on the web pages of businesses that perform e-commerce of the postage tariff matrix and tracking of postal objects in real time without the need to enter the web of Albanian Post a.s, thus aiming to create a platform dedicated to e-commerce, through which the sale and delivery of the product to the customer's address will be realized, as well as advertising options for sale through e-commerce can be offered. postal services play a key role in the development of e-commerce, so the improvement and innovation in these services not only as described above but also in other forms of facilitation related to the simplification of procedures for the completion of online transactions through functionalization and providing a dedicated e-commerce account, providing a simplified service for the return of postal goods domestically and later for international ones, including the establishment of bilateral agreements with several countries in the region or neighboring countries between the related Postal Authorities with the international option of payment-during-delivery, product, etc., which strengthens consumer confidence in the use of electronic commerce.

Another factor in terms of the development of postal services is related to logistics and express services which are completely dependent on the development of infrastructure for storage / distribution boxes of packages where it is possible to withdraw packages and parcels even after the post office hours.

Diversification of the manner of delivery of postal items in addition to delivery to the address and that of the post office by offering flexibility in the delivery schedule. This purpose is also served by the recognition and publication of tariffs on cross-border remittance services as well as all prices according to the services provided by them during distribution. Such practical actions that favor the effective functioning of e-commerce should be based on EU best practices, such as the e-commerce package of VAT, as well as more efficient and lower customs clearance of packages generated by electronic commerce.

Part of the interaction chain for the functioning and increase of the effectiveness of electronic commerce is the interaction with the customs structures, which are related and interdependent the aspect of data exchange between the Customs Administration and the Albanian Post for the successful completion of e-commerce and the finalization of online shopping. Institutional interaction to find efficient ways related to expanding access and use of digital payments, where among the most

<sup>10</sup> National Agency for Information Society.

<sup>11</sup> Law No. 9880, dated 25.2.2008, "On Electronic Signature", as amended.

Law no. 9887, dated 10.03.2008, "On the Protection of Personal Data", as amended.

Law No. 9918, dated 19.5.2008 "On Electronic Communications in the Republic of Albania", as amended.

Law No. 10 273, dated 29.4.2010 "On Electronic Document", as amended.

Law no. 10 325, dated 23.9.2010 "On State Databases".

Law no. 46, dated 7.05.2015 "On Postal Services in the Republic of Albania".

important in this regard are the expansion of the use of credit transfers, including e-commerce for both categories of business-business consumer and business -consumer. In this regard, mainly in recent years, stimulated by the special circumstances created by the Covid pandemic 19, there are significant improvements in the drafting of bylaws for the new Law on Payment Services, and the harmonization of the regulatory framework of Albania with the Directive of EU Payment Systems.

Establishing contacts with the main international e-commerce platforms to encourage them to facilitate the registration of Albanian e-sellers as well as getting acquainted with the problems of electronic payments to operate in Albania and the goals for promoting consumer interest.

An important interaction link in order to promote consumer interest are also state agencies in support of e-entrepreneurship, through which it becomes possible to create financing and training programs to support businesses in opening online sales channels through the use of existing government programs, or the creation of new programs in line with consumer demand for e-commerce. There are various options such as simplifying the grant application procedure, or for innovative projects and companies operating in the ICT sector. Increasing the number of grant applications with innovative projects, as well as supporting some new businesses in creating their on-line websites.

Another important aspect of increasing efficiency in the development of e-commerce has to do with the tax legal framework, fiscal policy, interactive technicalities, including the receipt of digital invoices, deductible expenses, transactions with foreign businesses, informality and counterfeiting, etc. , which would increase the provision of more public services to citizens and business; as well as approximation to EU standards in the spirit of directives relating to e-commerce directives, distance selling directive, electronic signature directive, digital market directive and directives aimed at consumer protection and data protection. Consideration of the cited factors would serve to encourage and support the effective development of e-commerce.

The Sectoral Policy that supports the development of e-commerce should, among other things, aim at promoting an environment conducive to the development of e-commerce, which is coordinated as the inclusion of technological education in the formal education system from primary school onwards, but in at the same time increasing and paying special attention to strengthening and attracting ICT skills, by expanding lifelong learning opportunities for ICT skills as well as reinforcing incentives for employers to provide on-the-job training.

## Conclusions

E-commerce creates its category of consumer, which not only needs to find legal and regulatory mechanisms that enable access to its products / services, but at the same time is a necessity and protection of the consumer in terms of purchase and contracting. on-line service or in other words as a form of distance contracting.

The expansion of the e-commerce customer base is currently a premise for further growth and expansion in the future, requires an institutional interaction between the institutions defined by the law on consumer protection, but also specific structures for resolving disputes that are created in the conditions of development of electronic commerce. Primary in this regard remains the drafting of specific information and its publication on the website of the cited institutions, of the rules provided in consumer protection legislation for distance shopping, including online.

In order to increase the efficiency of consumer protection, the relevant institutions defined in the Albanian national legislation, should take measures for consumer awareness, for the acquaintance with the relevant legal basis and rules, but also for specific organizations or events in the national dimension.

Promotional campaigns make it possible to publish messages for the protection of consumer rights on visual and social media, in order to create the necessary trust among Albanian consumers to participate in the digital economy and guarantee the active implementation of their rights.

By analogy with the consolidated practices of the field, including the field of electronic communications, the consumer of online shopping will have to be guaranteed protection resulting from the specific dispute resolution structure, which aims to review complaints about online purchases. The procedures for the functioning of the structures responsible for alternative dispute resolution will be national and cross-border (Rosen, 2000).

Efficient solutions based on professional and mandated structures for reviewing and resolving disputes related to online customer transactions, which enable alternative resolution of customer disputes in the field of online shopping. Through out-of-court settlement of their disputes with traders, consumers will have access to high-quality, transparent, effective and fair out-of-court mechanisms by offering them simple, fast and cost-free solutions.

From this point of view, the strengthening of institutional capacities related to consumer protection, in the effective implementation of legislation and improvement of the protection of consumers' economic interests, including during online shopping, should be evaluated, considering any necessary legal changes<sup>12</sup> in addition to EU directives aimed at coordinating the digital market and other directives on distance selling and e-commerce, which will cover all modes of sale, including online ones, including the improvement of legal provisions on product safety and supervision in relation to products offered online<sup>13</sup>, or through other means of distance selling. Transposing new European regulations, aimed at increasing the level of product safety and consumer protection in the full chain of online trading, by consolidate market surveillance and provisions in customs legislation enabling the exchange of digital information.

<sup>12</sup> Preparation of relevant legal changes in the law on consumer protection including transposition of Directives (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22 / EC, and repealing Directive 1999/44 / EC.

<sup>13</sup> Regulation (EU) 2019/1020 of the European Council.

In the entirety of consumer protection of electronic commerce, despite legal provisions, changes and other improvements in accordance with EU Directives, in essence they must be based on the basic principles related to the protection, identification, information and clarification of necessary, ease of access to information and clarity of information, confirmations and traces of confirmation between buyer and seller, methods of payment and its types, grievance procedures and settlement options including clear data and explanations of the settlement structure that disputes as well as principles related to consumer privacy and breach of trust in electronic commerce and its advantages for the consumer.

Consumer protection of E-commerce, must be subject to compliance with the basic principles set out in the first and second regulation, and the regulations of obligations regulated by the national regulatory authority.

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# New States in International Relations: Foreign Policy Analysis of North Macedonia and Kosovo

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**Abdula AZIZI<sup>1</sup>**

Faculty of Contemporary Social Sciences, SEE University, Tetovo, North Macedonia  
a.azizi@seeu.edu.mk

## Abstract

*Although states represent a category of subjects in international relations (IR), it is considered that the realization of their rights depends on the capacity of their power and the relations which they create in the international community. Usually, small states, in addition to being obliged to abide by the rules of international law, must also follow the path paved by the great powers in guaranteeing their peace and security. They are trying to position themselves on the side of a protectionist power, thus playing a role in balancing powers in international relations. Since many authors have analyzed the actions of small states in general, I consider it important to concretize the analysis of the foreign policies of the two new states - Northern Macedonia and Kosovo, the problems they're facing and the challenges at the regional level. Northern Macedonia is facing various disputes imposed by its neighbors - Greece and Bulgaria, while Kosovo, in addition to the problem with its neighbor - Serbia, is also facing the non-recognition of its subjectivity by some relevant world powers. In the framework of this paper, a SWOT analysis of official actions and attitudes in the above-mentioned countries from the period of their state formation until today will be carried out. The paper will also analyze interviews with foreign policy officials and diplomatic authorities. The paper tends to ascertain whether the actions of small states in the IR are influenced by large powers, and as a result don't remain without consequences in their involvement in regional and global circumstances. In no way can small states fully realize their interests in the international community, as a result of their position and the divisions between the great world powers. Thus, the paper aims at the general public and politicians-decision-makers in foreign policy, to suggest to them the most appropriate solution based on a comprehensive analysis in favor of national interests at the international level.*

**Keywords:** *Small States, International Relations, North Macedonia, Kosovo*

## Introduction

International law tends to treat all states as equal in international relations, regardless of whether they are newly established states or established states, large or small, democratic or socialist, etc. Usually, international law serves to protect small states, enabling them some equality with larger states, thus addressing the deficit of economic power, military, geographical, etc (Fazliu, 2015).

However, in order to realize the external goals and interests of a state, they have a key role; size by population, geographical position, economic and military power, as well as other factors that determine the importance and influence of states. Although ignored, small states make up the majority of the world's states, some 2/3 of the UN member states. Entities with small numbers are considered in terms of territory and population, consequently economic, political and military power.

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<sup>1</sup> Abdula AZIZI was born on January 15, 1978 in Tetovo. He has been teaching at SEEU since 2002, and held managerial positions since 2008 so far has performed the following positions: Director of CRPA at SEEU, Member of the SEEU Senate, Member of the Doctoral School, Faculty coordinator for the Erasmus +, Vice-Dean of the faculty and now Dean of the Faculty. He graduated from the Faculty of Law in Skopje in 2001 and in 2005 received the MA degree in the field of International Law and Politics; while in 2007 successfully defended his doctorate in the field of EU.

Considering these variables, in order to succeed a foreign policy of small and new states is a master in itself and requires great efforts to achieve success. However, they can find their place in the international arena by using skills to occupy a specific position that matches the interests of the state.

The goal of the new states with limited capacities is to achieve as much international recognition, membership in international organizations and to create a good image. This can be done through the drafting of a specific foreign policy that through a seasoned and professional diplomacy brings results for the state.

Due to scarce resources, small states account for the weak impact on international politics. Thus, they are more followers and with narrow diplomacy, as opposed to large states which have a wide focus of action and are leaders.

Asked on one occasion by Henry Kissinger, a US Secretary of State replied: "I have not conducted diplomacy at all; I have only acted from a position of strength. When a superpower like the US is behind me, hardly anyone can say no. "But for small and less powerful countries, it is necessary for them to conduct wise and rational diplomacy."

Usually, the naming of diplomats varies from country to country. Although political decisions are made by politicians, but very often in the way they are implemented, diplomats have a lot of influence. In France where often senior civil servants, including diplomats, can traditionally change with the appointment or election of a new government, or in the US in terms of ambassadors, e.g. the ambassador's seat in Moscow, or Paris, or London, are very often politically appointed. This would be unimaginable in Britain, where the ambassador is part of an appointment of a career diplomat.

The recent events with the inaction of the UN in the case of the Russian invasion of Ukraine, is not good news for small powers. Thus, the non-functioning of international organizations forces small countries, such as Kosovo, Macedonia and Albania to increase their attention to bilateral relations to deepen relations with other countries, in order to maintain their national security.

Bismarckian's well-known definition of diplomacy says it is working in a foreign country for its own interests. The diplomacy of a country continuously operates based on a preliminary state strategy, based on the power and capacities of the state.

It seems that the role of small state diplomacy in today's international relations is highly symbolic

## Literature review

Republic of North Macedonia (RNM) and Kosovo, although with different status, were part of the former Yugoslav federation. RNM became an independent state in 1991 even without war, while Kosovo did not have such a fate. The status of autonomy gained by the Yugoslav Constitution in 1974 was taken over by Serbia in 1989 and it was declared part of Serbia, while after the armed conflict and NATO intervention Kosovo was under a UN protectorate, and later in 2008 declared independence.

During the humanitarian crisis, Kosovo was in the spotlight of international actors, while RNM was also affected by the crisis, especially with the reception of refugees in Albanian families of RNM.

The RNM didn't have an official position on the "Kosovo" issue because it did not have to be decided between Albanians and Serbs. Albanian political representatives in the RMV stood behind Kosovo, while RNM political representatives were divided over the issue, as was the case with then-President Kiro Gligorov, who thought Kosovo should remain under Serbia (Gligorov, 2001), while a corridor should be opened for refugees to pass through RNM in Albania. He opposed the actions of the then Prime Minister Ljupco Georgievski, who during his visit to Pristina with Hashim Thaci expressed his intentions to open offices of the RNM mission in Kosovo. The "Macedonian political bloc" was not constant and did not have a divided stance on purely party lines. Thus, the government led by Prime Minister Vlado Buckovski announced a proactive policy of RNM towards Kosovo, which should bring internal stability, but also economic interest between the two countries.

After the declaration of independence, the RNM faced a situation where it would decide to recognize an independent Kosovo and would probably sever relations with Serbia, or it would not recognize Kosovo and would arouse the anger of the Albanians of the RNM (Mirćev, 2006, pp.55-62).

As always in the RNM government there was an Albanian party that was practically a big lobbyist for the recognition of Kosovo's independence. Following the US recognition of Kosovo, the RNM was expected to simply follow the international community. RNM recognized Kosovo in October 2008 with a single guarantee for the final demarcation of the border with Kosovo, according to Ahtisaari's plan, as it opened its embassy in Pristina in 2009 and Kosovo announced the opening of its embassy in Skopje (Marolov & Ivanova 2013, pp.259-264)

What will be the next trajectory of relations between Kosovo and RNM depends on several factors:

- first, the remnant of Serbia and RNM outside the EU, with Kosovo between them, could mean the opening of the possibility of instability in this part of the Balkans;
- second, if relations between Serbia and Kosovo are normalized, the future of Kosovo- RNM relations and the wider region will be very favorable;
- third, RMV has nothing to do but develop its relations with Kosovo as the most reliable way for a peaceful and prosperous coexistence.

## Republic of Kosovo

International developments also reflect on Kosovo. In the absence of universal recognition, Kosovo has so far developed a unique foreign policy compared to other small states, focused on increasing diplomatic recognition.

Some of the countries that have recognized Kosovo are expecting from the activities towards the formalization of the act of recognition through the increase of communication and mutual activities. There are other countries, which do not have the necessary information about Kosovo, and the situation requires that special steps be taken by the diplomatic service, ie cultivating relations with other countries.

The academic community and most of the citizens are convinced that the Kosovo Foreign Service was not established on the basis of merit and that political appointments have greatly damaged diplomacy. Especially in cases when diplomats who do not know foreign policy, foreign services and diplomacy are encountered.

This is due to the appointments in the diplomatic service, made based on the calculations of the partners of the various coalitions that have governed the country.

What would improve this situation, would be the granting of autonomy and independence of the diplomatic service, to be based on professionalism and not on daily politics, and to respect the career of the diplomat.

There are remarks about activities related to economic diplomacy, trade diplomacy, and economic cooperation with other countries, the promotion of foreign investment or the promotion of international economic cooperation.

The results of Kosovar diplomacy from a historical retrospective are unsatisfactory. Most of the results have been made thanks to the help and contribution of friendly countries, which have lobbied and influenced in direct and indirect ways for the interests of Kosovo.

What is causing internal problems, which reflect poor results in diplomacy, is the lack of coordination between state institutions whose work is related to the implementation of foreign policy. Also, multi-party coalitions have a negative impact, as they are sent as ambassadors and other personnel to diplomatic missions, people who do not even superficially know the foreign policy, diplomacy and rules and manners of the country in the international arena.

What is hurting Kosovo diplomacy is the lack of meritocracy, rationalism and professionalism in the service?

What Kosovo needs to do in the future is to use all mechanisms in a coordinated manner in order to lobby in countries that have not recognized Kosovo as a state, as well as to draft an action plan in economic diplomacy, encouraging foreign investment and use the soft power «Soft Power» in diplomacy. The latter can improve the country's image in the international arena.

The dialogue with Serbia should serve Kosovo as a means to secure recognition by the 5 EU member states (Spain, Greece, Slovakia, Romania and Cyprus), which have expressed reservations regarding recognition, without reaching a final agreement in the process of dialogue between Pristina and Belgrade.

Kosovo is often very slow in diplomatic activities, due to delays in internal consolidation. In the last 3 years, Kosovo has been recognized by only 2 countries: Barbados-2018 and Israel. Recognition by Israel angered other countries in the Middle East and consequently Arab and Latin American countries. They have not yet recognized Kosovo.

The interaction, unity and coordination of all institutions, depoliticization, meritocracy and professionalism of the Kosovar diplomatic corps will enable Kosovo to rise in the international arena.

## Obstacles from Serbia

A very serious problem for Kosovar diplomacy is the counteraction of foreign policy and Serbian diplomacy since 2017, the counter-recognition of Kosovo and the withdrawal of recognition.

The Serbs managed to return a considerable number of recognitions, it is said that 18 states had withdrawn the decision: Sao Tome and Principe, Suriname, Guinea-Bissau, Burundi, Liberia, Papua New Guinea, Lesotho, Commonwealth of Dominica, Grenada, Union of Comoros, Solomon Islands, Madagascar, Palau, Togo, Central African Republic, Ghana, Sierra Leone and Nauru.

Serbia has a well-prepared and consolidated diplomatic service which continuously maintains and develops bilateral relations with the countries of the region and beyond, using these relations as a very direct bridge to lobby against Kosovo in all aspects.

Also, the failure to join UNESCO, INTERPOL and other organizations has brought a lot of skepticism about the country's image.

Kosovo has to choose between two alternatives:

- reaching a potential peace agreement with Serbia or
- through lobbying to complete its recognition.

If it remains in the status quo, continuing to have serious difficulties accessing non-recognizing states and non-member organizations, then Kosovo would continue to be highly exposed to the diplomatic blows from Serbia and Russia.

## North Macedonia

From independence until today, RNM diplomacy has positive examples (dispute resolution with Greece) as well as negative examples (the case of the recognition of Taiwan).

Recognition of Taiwan put RNM on the list of countries that are not reliable and are in the gray area of international order. This big mistake, as well as the smaller ones, such as the replacement of the Austrian flag at Prime Minister Kurz's welcoming ceremony with the Latvian flag, are unacceptable and make us a frivolous subject in international relations.

RNM is also facing the same shortcomings as Kosovo. RNM diplomacy is a garden of ruling parties. They change every 3-4 years and a new series of "diplomats" who have nothing to do with diplomacy come to the forefront of diplomacy in embassies.

If the diplomatic service is not consolidated in accordance with contemporary rules, then we will be treated only as an object of international law. To be treated as a serious state, we must act as a serious state.

The political will for membership of FYROM in the EU hasn't proved effective in improving the situation in this country. For citizens, the determination of the date for the beginning of negotiation for accession to the EU is a hope to come out from the difficult social situation, economic and political situation. The FYROM citizens for over two decades are waiting for a better future which hasn't happened so far.

But, the state still continues to face with internal problems (inter-ethnic problems) and external problems (the dispute with Greece over the name of the state, and Bulgaria about the identity). Their solution is a prerequisite for getting the date for negotiation.

In annual progress reports for FYROM, the European Commission makes assessments about the fulfillment of Copenhagen criteria for EU membership, by specifying that some issues still remain a problem for the state and constantly repeated. It comes to some areas where there are delays and lack of political will to address them, such as the influence of local public administration and the judiciary; selective application of the law, internal political instability and fragile inter-ethnic relations, etc. In this regard, EU officials have criticized the leadership of the country under the leadership of VMRO-DPMNE, for policies against the Albanian community and the politicization of many state institutions, describing these problems can be an obstacle.

Besides internal challenges for EU membership, the country is faced with disputes and problems with its neighbors, as is the name issue the State (with Greece), then the identity of the nation (with Bulgaria), and the independence of the autocephalous church (with Serbia).

In a word, the next stage in the Euro-integration process requires genuine commitment and a more correct approach to real problems. Meanwhile, the development of negotiation would also require the commitment of all-available capacity and commitment to new human resources outside government institutions, which can contribute to this process.

Having regard to the current events on the name issue and the identity of the Macedonian nation is evident that Greece and Bulgaria have the advantage of the fact that they are members of the Euro-Atlantic structures, and from this position may hinder FYROM's membership in NATO and EU. This means that Macedonia will remain outside the Euro-Atlantic structures, while citizens appreciate that the dispute cannot extend to infinity, since maintaining such a situation as status quo, may adversely affect inter-ethnic relations, given differences between Macedonian and Albanian communities.

Unresolved issues in question are counter-productive and give the signal to a lack of willingness to resolve the dispute. In this regard neighbors were given strong argument that RNM doesn't want compromise, and it puts in the awkward position and increased international pressure on RNM. Therefore, RNM shouldn't be held hostage by history, but must decide between isolation and integration.

However, this didn't happen, because, political parties still continue to look for political reputation within the state, not for euro-Atlantic future of their citizens.

## Relations with Greece

Compared with other neighboring countries, Greece carries a more severe impact on RNM. Since the Greek civil war, the official policy of the Greek state has denied the existence of the Macedonian nation; however, differ from the Bulgarian positions as they do not deny the existence of Slavic people in the FYROM, but only the name of this nation.

From the Greek perspective, the name Macedonia has always been and will remain a constituent element of Greek heritage (Kofos, 2001: 232), while the existence of Macedonia as part of Greece holds an important place in Greek political psychology (Pettifer, 2001: 18)

Security Council of the UN in 1993 had adopted resolutions no. 817 and no. 845, with which the General Assembly had suggested, Macedonia's admission as a member of the UN, with the provisional reference "FYROM" unless a solution is found for the name differences with Greece. Then, the Macedonian government had strongly opposed the use of FYROM, saying that "under no condition" is not ready to accept the provisional name for the state. As a result of this, Greece made diplomatic pressure, political and economic embargo (in February 1994) which led heavily to economic situation in Macedonia.

To overcome this situation, were engaged to mediate U.S. diplomat Richard Holbrooke and UN Special Envoy Sairus WENS who obey the disputants to sign the Interim Agreement (13 September 1995), by which the disputed issues were temporarily closed, and the name dispute was set to be negotiated under the supervision of a representative of the UN Secretary General, the mediator Matthew Nimitz. Accordingly, Greece agreed to terminate the economic embargo, while RNM dropped 16 side sun (symbol of the first flag of independent Macedonia, which Greece considers that it has historic rights), as amended and Section 3 of the Constitution which added that “Macedonia has no territorial tendencies towards the neighboring states.”

According to Article 11 of the Interim Agreement ...“Greece had agreed not to obstruct Macedonia’s membership in international organizations, where Greece is a member.” This involves an obligation to Greece, not to hinder Macedonia accession to the EU and NATO. However, Greece did otherwise in the NATO Summit in Bucharest (2008), where had to be accepted FYROM. After that, it became clear that Greece will always hinder FYROM’s integration path into Euro-Atlantic structures, until it change the country’s name.

Overcoming the name dispute between RNM and Greece lasted since the country joined the United Nations in 1993. The resolution of this official issue was suspended due to major disagreements between the countries in dispute, until 2016 with the coming to power of SDSM with coalition partners, who took drastic steps in resolving the dispute over the name of the state to unlock the Euro-Atlantic perspective of the country.

The talks and the achievement of the Agreement itself had encountered numerous oppositions in the opposition of the two countries, accompanied by acts of violence and protests.

In June 2018, the Prespa Agreement was signed between Greece and the RNM, which was ratified by the parliaments of the two countries by the end of January 2019, while it entered into force in February 2019.

The agreement was signed at a high-level ceremony in the Greek border village of Psarades on Lake Prespa by two foreign ministers, Nikola Dimitrov and Nikos Kotzias, and in the presence of Prime Ministers Zoran Zaev and Alexis Tsipras. The solemn act of signing the agreement was attended by senior international representatives of the UN, the US and the EU.

It replaced the Interim Agreement (1995) and changed the name of the state in the “Republic of Northern Macedonia” to “erga omnes”. What characterizes it is that this Agreement cannot be replaced by any other agreement nor will it be revoked and its provisions are binding on both parties in terms of international law and will remain in force indefinitely.

## Relations with Bulgaria

Since the independence of RNM, Bulgaria was among the first countries that established diplomatic relations with Macedonia, but did not accept Macedonians as a separate nation from the Bulgarian nation. Bulgarian authorities had concluded that ‘Macedonian language shares many common features with the Bulgarian language, with which distinguishes it from other Slavic languages ‘ which simultaneously means that Macedonian language is a dialect of with the Bulgarian (Poulton, 2000: 116). As a result of this belief, in 1992 Bulgarian President Zheluy Zhelev said that “Bulgaria recognizes the Macedonian state but not the nation, and “Macedonia’ is only a geographical concept, and not a nation.”

In February 1999, the political leaders of the two countries signed a declaration to resolve the dispute in question, where the parties agreed to resolve the problem of language, according to the formula ‘Bulgarian language, according to the Constitution of Bulgaria, and the Macedonian language, according to the Macedonian Constitution’ (Williams, 2000: 29). In this way, any official document between the two countries should be written in both languages, without obligation for Bulgaria to recognize the Macedonian language separately, namely the nation. So, the language issue was addressed in a legal sense rather than ethno-national categories. Bulgarians deny the reality of the contemporary Macedonian nation and language (Drezov, 2001: 51).

Looking at the history of Bulgaria and RNM ‘Macedonian historical figures calculated by the Bulgarians, as Bulgarian hero’ (Poulton, 2000: 117), which suggests that RNM and Bulgaria have common history. Territories and historical figures also play a role in this problem. Thus, the city of Ohrid, is considered the cradle of culture (as the capital of Tsar Samoil), by Macedonians and Bulgarians also. Even when as a result of inter-ethnic conflict Macedonian-Albanian (2001), was damaged church in the village Leshok, Bulgarian media reported that it was the destruction of the ‘Bulgarian’ church. Even though Bulgaria has no territorial claims towards Macedonia, it continues to exercise pressure against Macedonian culture. Bulgarian claims are damaging the integrity of the territory and the Macedonian nation, such as the non-recognition of the existence of the Macedonian minority in Bulgaria.

Representatives of the Bulgarian state in July 2006 (the President G.Parvanov and the Foreign Minister I.Kalfin), had expressed the view ...to be support RNM’s EU membership wouldn’t be unconditional, expressing their concern about the negative approach and aggressive behavior against Bulgaria and Bulgarian history driven by Macedonian authorities. This position was confirmed at the end of 2012, when Bulgaria used its veto on the opening of negotiations between North Macedonia and EU coupled with the recommendation (October 2012) the European Commission on the opening of negotiations.

The progress of negotiations with Bulgaria improved significantly between Prime Ministers Petkov and Kovacevski in early 2022, despite opposition from opposition parties on both sides. The work of the working groups has intensified and the closure of the problem with Bulgaria is expected soon, which will probably open the negotiations with the EU.

## Relations with Serbia

RNM wasn't recognized by Serbia until 1996, as a result of the Greek influence (Engström, 2002: 3-17). The Serbian Orthodox Church has not recognized the "separate" Macedonian church since 1967, when the then socialist authorities supported the independence of the Macedonian Church "to strengthen the Macedonian identity in the historically controversial climate". In early 2001, it was resolved the demarcation of the border with Serbia, since the country became independent by former Yugoslav federation. Since the demarcation agreement was signed by Belgrade and Skopje, the same was contested by Kosovo on the border line with Kosovo. A part of the Serbian Radicals opposed the recognition of RNM, saying that there is no Macedonian nation and Vardar Macedonia is not anything else but 'South Serbia' (Williams, 2000: 27). Today, Serbia recognizes the Macedonian nation and state. Affected by Russia's military invasion of Ukraine, the Serbian Autocephalous Church on May 24, 2022 recognized the independence of the Macedonian church. With the recognition of the autocephaly of the Macedonian Orthodox Church, the dispute that has existed for more than five decades ended".

## The impact of the international factor on RNM

As the first country of the Western Balkans, it signed the SAA (2001), and received the status of a candidate country for EU membership in 2005 after a positive assessment by the European Commission. However, the dispute with Greece has prevented the EU Council from setting a date for the start of negotiations. However, RNM has cooperated with the EU and the latter has helped in the consolidation of democracy and institutions, support through IPA funds, etc.

The EU and the US were the main mediators during major crises (the 2001 Ohrid Framework Agreement, the 2015 Perzhino Agreement). The USA and Turkey are the only countries with which RNM has signed a Strategic Partnership Agreement. The US has been RNM's most influential partner since its independence in 1991. Much of US support for civil society is channeled through USAID. The US government's Agency for International Development funds projects related to democratic institutions, civil society, media, legal reform and economic development, NGO support. The main strategic objective of the USA is to ensure the stability of North Macedonia and the region and ensure the inviolability of the existing national borders. NATO expansion and preventing Russian influence are at the top of the US agenda. The United States invests in RNM mainly in the automotive and tobacco industries.

Russia did not play an active role in RNM domestic politics until 2015. During the "Colorful Revolution" protests organized by the "I Protest" alliance in response to revelations about a wiretapping scandal and supported by the SDSM and other parties, Moscow took the opportunity to accuse the West of wanting to overthrow the democratically elected government. Since then, Russia has repeatedly complained that the West is interfering in RNM's internal affairs. Russia's main objective is to polarize the population and weaken support for NATO and the EU by pointing out the mistakes of Western diplomats and their policies in the Balkans, especially by suggesting that the West supports the Greater Albania project. Russia's influence in the business sector is small, but it has influence in the field of religion. The Russian Orthodox Church is closer to the position of the Serbian Orthodox Church, which is prepared to grant autonomy to the Macedonian Orthodox Church, but not independence. In late 2017, the Macedonian Orthodox Church decided to adopt the Bulgarian Orthodox Church as the "Mother Church", setting it on a different course from that of Russian Orthodoxy.

In January 2018, the RNM nationalist party "United for Macedonia" was founded and presented as an ally of the ruling party of President Vladimir Putin. Russia is interested in controlling the southern arm of the planned Turkstream gas pipeline, which will connect the country to the EU gas market. The Balkans are usually seen as a buffer zone between Russia and NATO, with enclaves of Russian sympathizers such as Republika Srpska (to a greater extent) and Serbia (to a lesser extent; however, Russia maintains a "center for humanitarian aid" in Nis (which is a de facto intelligence center). Russian investments in RNM are mainly related to the oil and pharmaceutical industry (Lukoil and Protek Group), and Strojtransgaz was obliged to build a gas network in North Macedonia.

In RNM, Russia has the smallest influence, considering that the two countries have no significant military cooperation, no arms agreements and no intelligence exchange agreements. Russian financial support for development and civil society is used to shape public opinion. There are no Russian-owned media or banks in RNM. Russian media propaganda in RNM comes directly from Moscow or from Serbia, Greece or Bulgaria.

Turkey has traditionally been a strong partner of RNM since its independence in 1991 and was one of the first countries to recognize RNM's independence. The two countries cooperate closely on military and economic matters. In RNM, Turkey is not only investing in the economic sector, but also in education, culture and religion. Over the past 15 years, the Hizmet movement has found its way into educational institutions and the private sector.

Through the Turkish Cooperation and Coordination Agency (TIKA) in particular, Turkey takes care of the technical infrastructure for the preservation of the cultural heritage of the Ottoman Empire. During the last years, several mosques and cultural objects have been renovated as part of this program. North Macedonia has a significant ethnic Turkish minority, which through their parties are in the governing coalition and provide representatives at all levels, from MPs to ministers and mayors. In addition to numerous investments in the construction of residential and commercial buildings (Cevahir Sky

City, Limak Holding, Koç), the banking sector (Halk Bank) and the private health sector (Acibadem Sistina), the new Skopje airport was also built by a Turkish company. TAV Airports Holding was not only awarded the contract for the construction of this airport, but also for the one in Ohrid, which will be opened in the next twenty years.

China has traditionally maintained good bilateral relations with RNM and recognizes the country under its constitutional name. Beijing is working hard on its “One Belt, One Road” project which aims to create a modern version of the Silk Road. RNM is on the list of 16 Eastern and Central European countries that will benefit from transport and trade corridors in Europe. Unlike Serbia and Hungary, China has not yet established or taken over a company in RNM to serve as a hub. The activities of Chinese companies in RNM are managed either from Bonn, Belgrade or Athens.

Of the Gulf States, only Qatar has an embassy in RNM. Saudi Arabia coordinates its presence in RNM from Tirana and mainly supports the reconstruction of religious buildings and educational programs for Islamic officials. Saudi Arabia and Turkey are constantly competing for influence over the Macedonian Muslim community and for the supremacy of teaching in the mosque.

## Methodology

In this work, several research methods suitable for the research subject have been used for the countries that are the subject of this study:

- descriptive-historical of the events they went through;
- comparison of the circumstances and problems they are facing in the international arena;
- analysis of documentation, strategies and official reports of relevant institutions;
- SWOT analysis.

## Results from the discussion

In this part, the Advantages, Disadvantages, Risks and Challenges for the foreign policy of both countries are described in special columns. What characterizes both countries is that they: are still in the initial phase of establishing foreign policies; without sufficient human, material and infrastructural resources for a representative foreign policy; are influenced by geopolitical circumstances in the region; have not completed the membership process in the relevant international organizations (especially Kosovo); they are not attractive for foreign investments; they are the target of the appetites of the great powers as countries with geostrategic positions between the east and the west; they are fragile states and are still challenged by security issues.

**TABLE 1. SWOT analysis**

	R. of North Macedonia	Kosovo
Strength	Membership in the UN, the Council of Europe, NATO and regional organizations has paved the way for the country in guaranteeing security in the country and respect for human rights at a supranational level.	Membership in UN agencies will pave the way for the country's involvement in global circumstances
Weakness	A long-term foreign policy strategy has not yet been built Individual and group support of pro-Russian circles weakens the country's Euro-integration positions The influence of politics in the appointment of diplomats endangers the proper representation of the state Lack of transparency (most embassies, missions and consulates do not have data on the official website, especially for the EU, USA and NATO) Adoption of the new law on foreign affairs (establishing stricter criteria for the selection of diplomats and “0” influence of politics in the selection of staff) Complete deployment of information technology (virtual embassies and consulates) Engagement of quality staff in diplomatic missions Reduction of deadlines for the election of ambassadors (prolonged procedures mean that 19 of the ambassadors who were elected by decision of the Government in 2019 have not yet started their official duties).	The removal of recognition from the states that previously recognized Kosovo is weakening the state's credibility in the international arena. The lack of new recognitions means the weak capacity of Kosovar diplomacy Remaining outside international organizations endangers credibility and subjectivity in international relations Lack of real capacities of human resources The influence of politics in the appointment of diplomats endangers the proper representation of the state It has not yet opened embassies/consulates in the countries that have recognized it Bad relations with some of the most powerful countries (China, Russia, etc.) weaken the possibility of integration into relevant international organizations.

Opportunities	The definitive settlement of the dispute with Bulgaria will pave the way for negotiations with the EU	It is in the final stage of the draft Strategy for foreign policy Membership must be used in other UN Agencies which offer the possibility of membership there in addition to UN membership. The solution of open issues with Serbia will pave the way for the country to strengthen its international subjectivity.
Threats	<p>What is considered a risk in the implementation of all strategies of the Ministry of Foreign Affairs has to do with:</p> <p>Postponing the start of membership negotiations with the EU.</p> <p>Insufficient dynamic development of human resources in accordance with modern European trends</p> <p>Insufficient financial resources for the activity of the Ministry of Foreign Affairs</p> <p>Insufficient inter-institutional coordination</p> <p>Regional security issues causing instability</p> <p>Lack of concrete measures created in response to unexpected critical epidemiological conditions in the future</p> <p>Insufficient financial means for the continuous improvement of digital technical means of communication</p> <p>Dissatisfaction and impatience at the level of professional, collegial and interpersonal relationships</p> <p>The actions of the opposition endanger the European future of the country, especially those related to the mentoring of Russia for the destabilization of the Western Balkans</p> <p>The non-resolution of the dispute with Bulgaria hinders the further development of the country towards the EU.</p>	<p>Remaining outside the OPEN BALKANS partially isolates the country from regional economic interventions</p> <p>The failure to resolve the dispute with Serbia delays the country's path towards Euro-Atlantic integration</p> <p>Non-membership in the Council of Europe endangers the possibility of protecting citizens from unjust decisions of state institutions.</p> <p>The participation of a small group of citizens in the fight against ISIS weakens the country's credibility in the fight against international terrorism.</p> <p>The incomplete capacity of the diplomatic corps endangers the protection of the state's interests</p>

## Limitations

Like any other scientific work, this work also has its own time and geographical limitations.

First, the paper focuses geographically only on the RNM and Kosovo as two small states but with their own specifics for the Western Balkans region.

Second, the paper is limited in terms of time, only to the official reports after the declaration of independence of the two states. The paper does not tend to analyse the most distant history of the countries, but only the current policies after 1991 for RNM, namely after 2008 for Kosovo.

Third, the paper does not include the influence of states and great powers on the national policies of these two countries, but only on their capacity to build sustainable foreign policies and positioning in international relations.

## Conclusions

Both countries haven't been successful in their foreign policies, not only because of obstacles from neighboring countries but also because of weaknesses in consolidation and internal organization.

RMV failed to use the time in a wise way to be included in the Euro-Atlantic structures. She waited 3 decades to resolve the open issue regarding the name of the state with Greece, while there are still guesses in the resolution of the open historical issues with Bulgaria. In recent years, the support of nationalist currents in the North Macedonian community and the instrumentalization of the North Macedonian opposition by Russian circles inhibit the country's European integration process. In the first two decades of state formation, the North Macedonian political leadership saw the Albanian community as a destabilizing factor due to the demands for rights, while in the last decade the problem shifted to the North Macedonian community regarding the approach to solving the problems with Greece and Bulgaria, created by no one traitor and defense of the Macedonian nation. This social polarization results in being misused by Russia which tends to increase its influence in the Western Balkans. On the other hand, Kosovo as a new state in the second decade of independence is still encountering problems with state formation, recognition of its international subjectivity and membership in relevant international organizations. Serbia continues to remain the main obstacle for the establishment of the country in the international arena, while the political establishment in Kosovo continues to maintain uncoordinated positions around a unique foreign policy. In both countries must:

- use the wise power, to lock all the internal resources and to consolidate the foreign policy;
- combat negative phenomena in diplomatic services (corruption, nepotism, politicization, incompetence, etc.)

- build long-term strategies for cooperation with the USA and the EU as a guarantor of peace and security;
- coordinate the political subjects of the government and the opposition, science, business, civil society and the diaspora in the construction of foreign policy;
- establish cooperation between themselves or third countries for the mutual use of embassies/consulates in distant countries.

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PANEL III

**ROLE OF INDIVIDUAL  
IN DEVELOPMENT OF SOCIETY**

# Volunteering opportunities in higher education

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## **Mónika FODOR-GARAI Phd.habil.**

Obuda University Karoly Keleti Faculty of Business and Management, Budapest, Hungary  
fodor.monika@kgk.uni-obuda.hu

## **Janos VARGA Phd.**

Obuda University Karoly Keleti Faculty of Business and Management, Budapest, Hungary

## **Agnes CSISZARIK-KOCSIR PhD.habil.**

Obuda University Karoly Keleti Faculty of Business and Management, Budapest, Hungary

## **Abstract**

*In this paper I present the results of empirical research and practical pilot programmes carried out in the frame of an international project. The project was about the promotion of pro bono activities among university students, involving corporate experts and non-profit companies. The conclusions of the research and the pilot programmes implemented over two years, several of which were digitally implemented during the covid period, show that young people are open to volunteering and willing to participate in well-organised and prepared pro bono activities. For higher education institutions, integrating pro bono into the curricular portfolio is an excellent way to increase the practicality of education, strengthen business links and, last but not least, increase young people's social awareness. The particular value of the pro bono activities carried out digitally during the covid period is how the volunteer programme was able to adapt to the challenges of the virus situation and how it was able to successfully implement pro bono programmes in the online space, involving corporate professionals, non-profit grantees and academic experts. The conclusions could be useful for professionals in higher education as well as for non-profit organisations on how to make knowledge-sharing pro bono activities work to the benefit of all stakeholders.*

## **Introduction**

The international volunteering programme “Boosting Employability and Empowering Social Engagement in High Education through Pro Bono”, which is presented in the context of the study, is all about engaging students in higher education in volunteering.

This is a tripartite partnership between university, NGO and for-profit companies.

There were several reasons for the institution to join the programme: firstly, to motivate students to volunteer and to promote social responsibility.

At the same time, the university had human policy and employer branding reasons for participating in the programme: we place a strong emphasis on people-centred education in our institution. It is important for us that our students are sensitive and responsible people who are aware of social and environmental issues.

In the service of this objective, we have joined the international programme, which has given us the opportunity to involve students in CSR activities, thus strengthening their social awareness.

The programme has enabled us to open up the university's contacts with NGOs and to promote the educational institution among the players in the egg market.

Pro bono is a voluntary activity based on the sharing of professional knowledge. The students who joined the programme put the knowledge they had acquired at the university to good use by receiving professional guidance from their teachers and business professionals.

The programme has been beneficial for the students: it has allowed them to put their theoretical knowledge into practice while serving a socially beneficial purpose. It also helped to promote pro bono activities and the pro bono spirit among young people. Thus strengthening their social awareness.

The programme has also benefited the university by expanding its network of corporate and non-profit professional contacts. It has contributed to social values, strengthening its reputation and the commitment of its students to the university.

Other beneficiaries of the activity were the NGOs supported, as they received free professional support such as market research, website development and marketing communication campaigns.

The companies that provided the professional supervisors were also able to use their participation in the programme to enhance their reputation. In addition, all corporate partners confirmed that such pro bono, CSR activities play a huge role in increasing the loyalty of their employees. So from an HR point of view, the programme is also very beneficial for them. Last but not least, they also had an excellent opportunity to recruit by getting to know the work of the students involved in the programme. Selecting the most motivated and talented students.

## Literature review

In modern societies, volunteering is a form of civic activity. It can be considered effective when volunteering is organically linked to a local community or a wider area association and is widely represented by a range of organisations. (Mirsafian - Mohamedinejad, 2012). The International Labour Organization (ILO) has attempted to summarise the benefits of volunteering in a lengthy study. The ILO mentions that it can not only have economic effects, but can also bring significant benefits to society or to the volunteers themselves. It can provide access to the workforce and a framework for employment. Volunteering can contribute to development goals. It can also result in services in the form of employment that a paid worker would not be able to provide. It also enhances social solidarity, social capital, political legitimacy and quality of life in society. Volunteering can help to promote social inclusion and integration (ILO, 2011). In addition to the above, volunteering can also bring other benefits. According to a study by Owen and Celik (2018), activities such as volunteering can contribute to our mental health, thus strengthening the development of a healthy society (Owen - Celik, 2018). Mundle and co-authors echo the previous idea. Volunteering has been associated with positive health and well-being outcomes for those who undertake it (Mundle et al, 2012). Several other studies have demonstrated that many of those who volunteered experienced lower depression, higher mental wellbeing and satisfaction (Same et al, 2020). According to Morrow and co-authors (2003), older people who volunteer or are still working may have better mental health characteristics, demonstrating that volunteering has a positive impact on mental health (Morrow - Howell, 2003; Morrow - Howell, 2010). Stukas et al. argue that volunteering, social contribution and voluntary physical assistance improve quality of life. They argue that basic activities in people's lives would be disrupted if they were not volunteers.

And volunteering means giving pleasure not only to others, but also to oneself, as the volunteer derives satisfaction and pleasure from their work (Willems et al., 2020). Individuals can also volunteer in public or other roles to enhance their role in society. Juknevičius-Savicka (2003) also links volunteering to our role in society. It is an activity that we do for our environment without remuneration, but in return we receive moral recognition and appreciation (Wilson, 2000). The latter can motivate us to undertake such tasks (Paine et al., 2010).

Volunteering requires a certain level of human, cultural and social capital from the individual. (Wilson -Musick, 1997). According to this formulation, volunteering is indeed a measure of the state of society. Where there is no social capital, the level of volunteering cannot be high. However, it does not matter whether we look at the individual or the organisational level (Czike - Kuti, 2006; Perpák, 2017). Organisations tend to turn to volunteering more often, especially in their CSR projects. Steven Howlett mentions that businesses are also consciously turning towards volunteering. Organisations want to know which aspects of their work can be affected by volunteering (Howlett, 2004). More widely, organisations and companies are expected to do something for their immediate environment. Volunteering by individuals is mostly confined to the aforementioned giving. In the so-called World's Most Generous Countries Report published by Gallup, it is reported that although many people in Hungary give to charitable causes, our country still gives below average (Gallup, 2018).

## Methodology

One of the outputs of the BEESe pro bono Erasmus programme was an international survey among students from the universities participating in the KA2 project. We conducted an online survey with a structured questionnaire.

The research investigated the openness of young people to pro bono activities, what they know about this form of volunteering and how and to what extent they can be encouraged to engage in CSR activities.

The recruitment of the subjects in each sampling unit was done by a snowball sampling procedure, which resulted in 840 evaluable questionnaires in Hungary.

The research instrument was the same in all countries participating in the project for future comparability. The standardised questionnaire contained only closed questions, nominal measurement levels - single- and multiple-choice selective questions - and a ranking type of question, and a Likert scale was used to assess the respondents' attitudes and value orientation towards volunteering. Attitudes towards volunteering were analysed in a triple relation: cognitive, affective and conative phases, in order to get a more accurate picture of the homogeneity of the attitude components and of the possible cognitive dissonance. For the scaling questions, a scale from 1 to 7 was used in order to obtain more differentiated results and also because of the

international character of the research, as there were Portuguese, Spanish, French and Bulgarian participants, an internationally accepted scale had to be chosen. (Malhotra - Simon, 2017).

## Results, discussion

The results showed that the majority of subjects do not know what the term pro bono means. However, those who had heard of it showed a clearly positive attitude.

The results of the research showed that young people are absolutely open to pro bono activities, but they still need information, education and, last but not least, a mentor to encourage participation. An instructor or a company expert who can help them in their work and give them direction.

The main motivation for them to take part in pro bono activities is to belong to a community, to fulfil themselves and to develop themselves.

The research also looked at the most effective communication channels to get the message of a knowledge-based volunteering campaign across to young people. The results show that the main sources of information about the conditions for participating in a pro bono volunteering programme are, according to the respondents, recommendations and opinions of friends and family, shares on social media platforms they visit, and social media platforms of non-profit organisations promoting such programmes.

The highest proportion of the sample (42.2%) were those who had not yet participated in a volunteering programme but would like to try it. They were followed by young people (39.9%) who had already volunteered and would be happy to do so again.

The smallest group (17.%) had a negative attitude towards volunteering: they had never participated in a volunteering programme and would not like to join one.

Among those who had volunteered in their lifetime, the most popular were children's programmes (30.4%), programmes helping animals and programmes supporting people in need (homeless) (26%). This was followed in order by programmes targeting local, local problems (16.8%), programmes targeting global problems (8.4%) and others such as volunteering in student organisations and student councils (2%).

Based on the results, it was thought that a strategically well-constructed education campaign and emotional messages that reinforce motivation would be the most effective way to attract young people with immature values. Rather than being socially insensitive or self-centred, their lack of motivation can be explained by a lack of a mature value orientation.

There is a large body of literature suggesting that young people's value orientation is more easily influenced, that they are easily won over by a good reference person, if only because they are characterised by a relatively strong social networking loss and seek out communities to join. And such communities can strongly influence young people's value judgements. (Töröcsik, 2017; Tari, 2011)

## Limitation, Conclusion

As a continuation of the programme, the Eastern Faculty will continue to offer students the opportunity to carry out pro bono activities in the form of project work.

We would like to expand both the programme and the research in cooperation with other universities by involving international students.

We believe that one of the limitations of the research carried out on the Hungarian sample is the sample, as it focused on Hungarian students and Generation Z.

We think that it is worthwhile to extend the research to other generations, younger and older, and to include foreign students studying in our country among the sample. We believe that the perception of CR activities and pro bono activities is also culturally determined.

By broadening the scope of the research and including foreign students in the pro bono programme, we have the opportunity to promote the need and importance of social responsibility as widely as possible. We believe that it is important to orient students towards ethical behaviour and values and to strengthen their sense of community. In my experience, this kind of activity is a major contribution to graduates taking this ethos forward as employees and possibly as managers.

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# Using A Blueprint for Character Development for Evolution (ABCDE) to Build Relationships Through Talk to Mobilise Attachment Theory to Develop Children's Working Mental Models for Good Choices that Regulate Continued Good Lives

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*Supporting Children Through the Four Phases of Attachment Theory and Their Psychomotor Development Required To Self-Regulate and Determine their Homeostasis (continued life) with Good Faculty of Judgement*

**Dr. Ferit HYSA<sup>1</sup>**

Lecturing in The University College "Dardania" Prishtina, Kosova. ferithysa@gmail.com

**Dr. Alison TAYSUM<sup>2</sup>**

University of Birmingham, UK

## **Abstract**

*This study is a Ground Work Case in Albania which aims to reveal how adults talking with children can build relationships between the adult and the children to support the children's appropriate development through the four phases of Bowlby's attachment theory. If trauma is experienced which is not the fault of the child or the preferred caregiver, the child can become stuck and unable to develop the mental models required to become self-determining and live a good life with the conditions for homeostasis (continued life) with good faculty of judgement. This has implications for adults who may have experience trauma, through no fault of their own, who have not passed through the phases of attachment theory, and are expected to support children through the phases of attachment theory with no working mental model of what that looks like. A groundwork case was conducted in a city in Albania with kindergarten staff and revealed i) the curriculum of kindergarten*

<sup>1</sup> Dr. Ferit Hysa is a lecturer at the University College "Dardania" Prishtina. He lectures in the field of cognitive psychology and that of quantitative and qualitative scientific research in psychology. He has lectured at University "Aleksandër Xhuvani", Elbasan, Albania since 1999 in the field of teaching, scientific research and administration in education. He is also interested in management and leadership in education as well as leading the achievement of student outcomes. He holds a PhD in Psychology-Pedagogy from the European University of Tirana, Albania in 2016. He has a good experience in leadership and management in education from scientific collaboration with Leicester University, UK. He has published several scientific articles related to these fields and is a member of the Editorial Board of this journal and the Democracy in Education International Consortium 'EYSIER'. Email contact is: ferithysa@kolegjidardania.com

<sup>2</sup> Dr Alison Taysum is Associate Professor at University of Birmingham, approved European Commission Expert, expert for National Research Councils around the world, former school governor, and former plant manager with Cargill. She has delivered talks and leadership training on most continents focusing on democracy in education. She is Principal Investigator for The Democracy in Education International Consortium 'EYSIER' with partners from over thirty nations. Members of the Consortium include editorial board members of this Journal of Groundwork Cases and Faculty of Judgement and have developed a robust evidence base for redesigning curricula in support of democracy. Our toolkits with High Technology Readiness Level empower students' active participation and engagement in this process. Email; contact is: alisontaysum@yahoo.com

*staff's qualification did include attachment theory, ii) kindergarten staff were unaware of attachment theory. Findings reveal the Covid pandemic 19 has caused trauma that is preventing children from passing through the phases of attachment theory leading to poor working mental models and poor mental health. A Blueprint for Character Development for Evolution (ABCDE) is presented as an incremental model to enable staff, students and parents to evaluate progress through the phases of attachment theory and moving from fear to good faculty of judgement required for self-determining homeostasis.*

**Key words:** *relationship, attachment, kindergarten, ABCDE approach.*

## Introduction

Attachment and relationship give positive impact to outcomes in pupils. It is necessary to make an investigation to know and evidence how and in what ways theories of what works from the past are being practiced in Albania now and how this knowledge informs what needs to be done for future in Covid-19 Recovery. Caring for children has a special focus, especially at an early age. This caring is traditional and general and is based on good connections between parents and caregivers of children underpinning healthy growth to adolescence and children building narratives as discussed by Beutner (2022) in this journal which influenced an imagined self. The imagined self can identify, with the support of adults, the kinds of key performance indicators they need to meet that can be expressed as Competences or Intended Learning Outcomes. As Beutner (2022) discusses in this journal, we build on the ideas that lower order thinking focusing on learning facts of disciplinary knowledge to pass tests is important, but it is the higher order thinking that requires problem solving skills and good faculty of judgement that is crucial. These higher order thinking skills are reliant on good connections between the self and the other. For children the caring relationships between their care givers is vital. Evidence reveals that since the 1970s, across the globe, developing relationships, networks and higher order thinking skills are not part of education policy (Taysum et al 2021;2014;2017;2020), and not part of institutional education and awareness, and self-reflection (Beutner, 2022; Schön,1983).

In the early years children seek care from a responsive and sensitive adult which Bowlby (1969; 1980) identifies as offering them protection and security. Feeling safe is the bottom rung of Maslow's Hierarchy of Needs (Maslow, 2017) and feeling safe is the foundation for development of growth with the absence of fear (Taysum et al, 2020). Spruit et al (2019) argue that early attachments, or relationships with caregivers provide the child's grammar of thinking for their expectations about the self, the world and others. Whilst these expectations are generalized, they provide powerful blueprints for the development of the child. As Beutner (2022) in this journal identifies the internal working model as a blueprint can determine their educational achievement and their self-awareness that empowers children to build narratives of their imagined self and their duty bound self, or reduces their narratives to fear and learned helplessness (Taysum, 2020). Spruit et al (2019) continue that the caregiver who offers consistently sensitive responses to the child's proximity seeking behaviour provides a safe foundation from which the child's environment can be explored. At the other end of the continuum, caregivers who are inconsistently sensitive or frighten the child demonstrating no sensitivity puts the child at risk of developing insecure attachment relationships.

Ainsworth et al.1978; Main and Solomon, 1990) identify that children are at great risk if they do not receive consistently sensitive responses. Rajkumar (2020) agrees with this identifying that anxiety and depression are the most common responses to separation from attachment figures which correlate with the most common responses to the lock downs, lifelong learning, school and early years settings closures leading to isolation during Covid-19. Rajkumar (2020) identifies that attachment is not triggered only by separation from attachment figures, but also experienced by children and adults in emergency situations including hunger, exhaustion, pain, illness and angst personally and in the environment that are all associated with Covid 19 and its pragmatic consequences. Attachment anxiety that can be triggered can be related to those seen as 'outsiders' and a threat. Attachment insecurity can cause marginalisation of the outsiders and this distancing of the outsiders has been linked to prejudice. Rajkumar (2020) affirms that attachment security reduces the negative evaluations of the 'outsiders' (Mikulincer & Shaver 2001, Carnelley & Boag 2019). Attachment security offers authentic foundations on which to build regimes of social inclusion for peace and prosperity for all. Dalal (2006) identifies how crucial attachment security is to building democracies where all can fully and freely participate in the social contract (Taysum, 2020). Kurth (2014) develops this idea and identifies that political ideologies hallmarked by extremist attitudes to outsiders can, at their foundations, be based on insecure attachments. Evidence reveals the Covid-19 pandemic has seen xenophobia and stigmatization rise in the global arena (Marcinko et al. 2020). Rajkumar (2020) identifies this finding of fact makes the importance of attachment security in the development of psychologies of trust within and between communities absolutely critical.

Xiao et al. (2020) found that people with higher levels of trust, and a sense of belonging with high quality relationships, developed from a base of good attachments with others had an absence of fear. The trust enabled them to participate in their community and articulate what their needs were, and they knew how to get their needs met during the horrific challenges Covid 19 presented.

There were a large number of children who lack connections and relationships from an early age. This has consequences for their wellbeing in adolescence as well as negatively impacting their learning outcomes. Identifying knowledge of relationship theory in children's caregivers would help to determine future measures. Having identified how important attachment theory is in education policy we need to describe and deepen understandings of attachment theory.

## Attachment theory

Attachment is an emotional bond with another person. Bowlby (1969) believed early years children formed bonds with their caregivers and these have a tremendous impact that continues throughout life. He suggested that attachment also serves to keep the infant close to the mother, thus improving the child's chances of survival. Attachment is characterized by specific behaviours in children, such as seeking proximity to the attachment figure when upset or threatened (Bowlby, 1969). Whilst working with children behaviour difficulties in the 1930s, psychologist John Bowlby noticed that these children had trouble forming close relationships, or attachments with others. He looked into the children's family histories and noticed that many of them had endured disruptions in their home lives at an early age. Bowlby came to the conclusion that the early emotional bond established between a parent and their child is key to healthy development. As a result, challenges to that bond could have consequences that impact a child throughout their lifetime. Bowlby delved into a number of perspectives to develop his ideas, including psychodynamic theory, cognitive and developmental psychology, and ethology (the science of human and animal behaviour within the context of evolution).

Key work in this area was with Harlow (1965) who put baby monkeys into isolation from birth so they had no contact with other monkeys or each others. Some were kept in this isolation for one year, some for 9 months, some for 6 months and some for 3 months. Harlow observed they behaved bizarrely such as rocking compulsively and clutching their own bodies. He then put the monkeys that experienced isolation with other monkeys and observed the monkeys previously in isolation were scared of other monkeys and then were violent towards them. They were unable to socially interact with the other monkeys and unable to communicate. The other monkeys bullied the previously isolated monkeys. The previously isolated monkeys self harmed, bit and scratched themselves and tore their hair out. Harlow also created fear in female monkeys who became so neurotic that when they had babies of their own they smashed their babies faces on the floor and rubbed them back and forth. Harlow found that monkeys in isolation for three months could recover but monkeys in isolation for one year never recovered. Bowlby called never forming an attachment bond or relationship privation and this privation was focused on emotional needs being met in the affective domain and not because the caregiver fed the baby. This is because Harlow's monkeys were always fed.

Harlow's work informed Bowlby's work on attachment theory and challenged the widely held belief at the time that babies were attached to their caregivers because the caregiver fed them. Bowlby's empirical research moved beyond this ideological behaviourist perspective that was a sweeping generalised statement and identified that human development needed to be described and understood as 'Evolution.' Bowlby's (1969) research revealed babies survived throughout much of human history, from before the time of Plato, by ensuring they stayed in close proximity to adult caregivers. Children's attachment behaviours evolved to make sure the child could successfully remain under the protection of their caregivers and be safe.

Bowlby specified four phases during which children develop attachment to their caretakers.

### Phase 1: Birth to 3 Months

At this time Bowlby (1969) identifies babies seek proximity from an adult caregiver. In these first three months Bowlby's evidence suggests that babies cannot distinguish between caregivers, but do respond to human faces, showing a preference for them along with human voices. A baby will smile at human faces and Bowlby suggested this is social smiling that increases the chances of the caregiver responding sensitively that will promote attachment and positively affirm social smiling and further proximity and further attachment. Behaviours for attachment babies at this age demonstrate is babbling, crying, grasping and sucking that underpin further proximity and promote the caregiver's emotional investment in the baby that further promotes bonding. This sets the foundations for the next phase

### Phase 2: From 3 to 6 Months

At this phase babies begin to distinguish between people and demonstrate their behaviours for attachment for their preferred caregivers which are normally two or three people. They are highly likely to just stare at a stranger and normally only their preferred humans/caregivers can comfort them if they cry. Bowlby (1969) considered the preferred caregiver would be the baby's mother but it is the caregiver who responded sensitively and most successfully to the baby that positively affirmed the bond of attachment leading to more positive interactions with the baby.

### Phase 3: From 6 Months to 3 Years

The first two phases set the foundations for the third phase of proximity seeking which defines proper attachment (Bowlby, 1969). Bretherton (1985) identifies that the proximity seeking may be about physiological regulation as the infant seeks

to maintain homeostasis<sup>3</sup>. Homeostasis is sustaining human life. Hofer (1984) found that in lower animals ‘pre-attached organisms’ may emerge from the mother providing physiological regulation for life, or homeostasis. From the perspective of the organism involved in the behaviours proximity seeking represents a feeling of security when close to the caregiver. In the very young, “pre-attached” organisms’ feelings of security are optimised by the mother providing biological regulation, or homeostasis, or the conditions for sustainable life. Bowlby (1973) suggested that attachment theory saw the close proximity between the infant and the preferred caregiver as both an inner ring of proximity that sustains physiological homeostasis and an ‘outer ring’ which sustained life systems between the infant and the environment. Hofer suggested Bowlby’s concept of the inner ring was the outer ring too. Pipp and Harmon (1987) identity at about 6 months, babies’ preference for a specific individual becomes more intense, and when that individual leaves the room, the infants will have separation anxiety. When babies start to self-propel through crawling their independence influences their sensorimotor. This is where they sense something with their five senses and respond with action. If a baby senses their preferred caregiver has left the room, they will respond with the act of trying to follow their preferred caregiver to sustain the close proximity with the other. At this time, when reunited, the baby will greet the preferred caregiver with joy. At about seven or eight months old babies will start to fear strangers. In sensorimotor development at this age when a baby senses a stranger they will respond with the act of caution, avoidance or crying. Bowlby (1969) suggests by the time babies are a year old, they will have developed a grammar of thinking, or mental models of their preferred caregiver.

Pipp and Harmon (1987) suggest internal working models are defined as dynamic representations of the relationships between the infant and their caregivers, including their preferred caregiver. Their arguments agree with those of Bowlby (1969;1973; 1980; Bretherton, 1985; Main et al, 1985). The most basic mental model may concern homeostasis regulation and the infant is likely to develop an understanding that the universe does not cause harm and disruptions are calmly corrected. In human crises such as humans experiencing war, or becoming a refugee (Arar, 2020), the primary caregiver may not be able to mitigate for the disruption to the homeostatic regulations that sustains life. The impact of the primary caregiver not being able to mitigate for disruptions to the infant’s physiological homeostatic regulation required for life, may cause trauma to both infant and caregiver. This trauma may impact the infant’s and indeed the mother’s internal working model, or schema, or grammar of thinking for a long time, and possibly for life. Those humans not experiencing trauma out of their control at this critical time of developing proximity attachments, are highly likely to build fully functional attachments with significant caregivers, develop highly evolved mental schemas and be highly successful building relationships that perpetuate trust will be positively affirmed as the senses respond appropriately with acts using sensorimotor systems at a subconscious level and at a conscious level. For those who have damaged physiological inner and environmental outer rings of attachment bonds due to trauma beyond their control and beyond the control of the caregiver, require healing by taking the human back to the time of the trauma through reflection and carefully and slowly exploring the damaged rings of homeostasis and relayering healthy rings of homeostasis. This healing needs to be purposeful and adults who are caregivers of infants need to understand the psychologies of trust regarding attachment theory here presented, so that they can be part of the healing process. Clearly this will take humility and a deep appreciation that the adult caregiver for the child who has experienced the disruption to their homeostasis regulation by their preferred caregiver, did not experience such trauma. The kinds of compassion and empathy required may not be valued by policy makers, particularly those that seek to create trauma and crises in the rings of physiological and environmental homeostasis regulation, and seek to destroy the building of attachments and trust in organisations. This creation of fear and misery by the elite to prevent their elite status from being threatened by social mobility and democracy is explored in this issue of the Journal of Groundwork Cases and Faculty of Judgement by Taysum (2022) and explored in Taysum (2020).

#### **Phase 4: From 3 Years Until Childhood Ends**

The fourth stage of attachment focuses on the transition from immaturity to maturity and therefore examines the impact of attachment theory on people after childhood. Bowlby (1969) identified that at around 3 years old, children begin to recognise their caregivers have their own agendas and are not present purely to serve their needs. At this stage with healthy proximity bonds of attachment the child will be less concerned when the caregiver leaves for a period of time. Of interest at this fourth phase is the trajectory from being dependent on the primary caregiver for external physiological and environmental homeostasis regulation, to becoming self-determining in making good decision with good faculty of judgement about personal homeostasis regulation. Thus a young person might benefit from having a trajectory of human development that focuses on the stages required to move from fear of something new and new people, to problem solving in solidarity with others. Here making judgements about the self, using psychologies of trust with attachment theory, can be considered in relationship with the other drawing on philosophies of trust and the sensorimotor development that allows an individual to make good decisions about intentions and acts that consider the perspectives of the self and the other that do no harm. Thus beginning to trust the self and develop towards self-determination requires a healthy and

<sup>3</sup> Homeostasis is an interesting concept that Taysum (2022) explores in this issue of the Journal of Groundwork Cases and Faculty of Judgement, when theorising relationships between Middle Management and a Senior Management Team in a primary school related to the laws of physics. In the paper Bowlby’s attachment theory and humanity’s evolution to sustain life in homeostasis within human relationships and in relationship with the environment, or destroy it through rapid degradation of the moral fabric to create ‘de-stasis’ that liberates the world from homeostasis leading to extinction is examined.

appropriate shift from external homeostasis regulation for life, to internal homeostasis regulation for life that considers the needs of the self and the needs of the other using both psychologies of trust and philosophies of trust.

Here we draw on Imam and Taysum's paper in this Journal of Groundwork Cases and Faculty of Judgement that identifies that in systems thinking there must be moral inquiries into the ethical frameworks of the manifestos of those who seek election to represent the body of the whole of the people and to govern them and serve their best interests.

Having an awareness of the psychologies, philosophies and ethics of trust is explored in the handbook for the Horizon European Bid; Education Policy as a Road Map to Achieving the Sustainable Development Goals. The bid is developed by an international consortium. Members of the Consortium are on the editorial board of this journal and have authored papers in this special edition Journal of Groundwork Cases and Faculty of Judgement. The focus of the bid is 'Democracy in Education' and proposes the application of A Blueprint for Character Development for Evolution (ABCDE) as a progressive incremental model that teachers, students, parents, and communities can use to chart their evolution from fear of the other, to full and free participation in a social contract with good faculty of judgement. ABCDE offers interaction in human development and steers a pathway to achieving the sustainable development goals. On this path, the common people use ABCDE to gain the thinking tools they need to elect manifestos and a governance system responsible for implementing the manifestos in service to the people. The manifestos deliver democratic societies that protect homeostasis regulation by assuring health, economic and social wellbeing for all with a deep understanding of and for our grassroots up need and realisation of psychologies, philosophies and ethics of trust.

Rose and Parker (2014) identify traumas to the attachment bonds and where children do not successfully pass through the phases of attachment theory are demonstrated in the following behaviours of children:

- Unfocussed
- Disruptive
- Controlling
- Withdrawn
- Destructive

These children tend to underachieve in school and are often punished and even excluded. Little that schools do seems to work. As Freud (1955) states:

So long as we trace the development from its final outcome backwards, the chain of events appears continuous, and we feel we have gained an insight which is completely satisfactory or even exhaustive. But if we proceed in the reverse way, if we start from the premises inferred from the analysis and try to follow these up to the final results, then we no longer get the impression of an inevitable sequence of events which could not have otherwise been determined, (p. 167)

It is necessary to examine the predicates for trauma that impact healthy development of internal working models associated with close proximal bonds of affection between infant and preferred caregiver that provides homeostasis regulation by satisfying the infant's inner physiological and outer environmental rings. Predicates for trauma that will require mitigation/healing include:

- Poverty
- War
- Parental mental health difficulties.
- Exposure to neglect, domestic violence or other forms of abuse.
- Alcohol/drugs taking during pregnancy
- Multiple home and school placements
- Premature birth
- Abandonment
- Family bereavement

Vulnerable groups experiencing these traumas include:

- Children in areas of social and economic deprivation
- Refugees
- Children in care
- Adopted children whose early experiences of trauma continue to affect their lives
- Disabled children
- Children with medical conditions or illness
- Children who have moved home frequently during the early years e.g. forces families
- Refugees/children who have been traumatised by death particularly from the horrors of Covid 19.

As a result, these children may not fulfil their potential as adults, either in employment or in relationships. They may seek instant gratification by using or exploiting people (Bertaux and Bertaux Waime, 1981) to get their basic needs met as adults. Arguably this is because their working mental schemas, or working models have not developed since the trauma and their sensorimotor system is stuck in crisis with a nagging belief that their homeostasis regulation is compromised. This leads to a total break down in trust in others, the environment and even in themselves. Thinking about Harlow's monkeys discussed above, those who experienced long term isolation, when introduced to others were frightened, then aggressive and began to self harm. Preferred caregivers who experienced this kind of trauma, including periods of isolation harmed their babies/infants. The impact of the damage to the two rings of close proximal development due to trauma is due to damaged bonds of attachment in phases 1, 2 and 3 above. Further, those whose mental models are stuck at the time of the trauma that prevents them passing through the necessary phases of attachment required for becoming self-determining in sustaining their homeostasis regulation do not have the subconscious or conscious sensorimotor development for being caregivers for others. Worse, they may even be elected to govern the body of the common people and will use the people they have been elected to serve, to serve their own needs and have their own needs met because they do not recognise the value of others. Their ego is controlling all their sensorimotor subconscious and conscious behaviours that is stuck in phase 1 of seeking safety from a preferred caregiver. They have not had their own value or self worth affirmed because they did not experience safety and homeostasis regulation by another they were dependent on.

A programme of healing is necessary for people who may not have developed their mental models, or working models that develop because trauma prevented their incremental progress that can be charted through the four phases of Bowlby's (1969) attachment theory. The programme of healing may need to examine the trauma that impacted their personal growth of mental models, or grammar of thinking, with a clear understanding that the trauma was out of their control. The programme of healing needs to empower the traumatised to renew their mental models and move past the blockage caused by the trauma. The programme can support the traumatised to recognise that the world can be a dangerous place that causes intense fear. With successful development of faculty of judgement using a progressive tool to evaluate character development such as A Blueprint for Character Development for Evolution (ABCDE) safe choices and good decisions can be applied and reflected on, leading to good self-regulation of homeostasis in balance with the homeostasis of the body of the common whole in a social contract (Kant, 1785; Taysum, 2020). The programme of healing can help people recognise the beauty in the world and recognise that many are doing their best, but they do not have the psychologies, philosophies and ethics of trust they need to elect manifestos for democracy in education and elect governments who can implement the manifesto. This can be the paradigm shift required to develop the grass roots up Science with and for Society to achieve the Sustainable Development Goals and eradicate poverty, war, and suffering. This is particularly important in the Covid-19 recovery.

Drawing on Imam and Taysum's (2022) paper in this issue of the Journal of Groundwork Cases and Faculty of Judgement it is important to understand how the child is feeling connected to Bowlby's theory and the development of the emotional, social functioning, psychomotor development, working models and priority attachment. Thus 'Talk' uses vocabulary to describe and understand thoughts and acts with a view to increasing a person's vocabulary empowers them to describe and understand the pain of the self and the pain of the other. Using ABCDE allows teachers and students to Imam and Taysum (2022, p.227):

- A: Ask questions about how they are feeling and how this is affecting their relationships with others.
- B: Explore the best that has been thought and said about how feelings impact relationships with others using references and comparing and contrasting these different descriptions and understandings to develop terms of reference for how they might act in similar situations for a good outcome/happy ending.
- C: Develop methods in their contexts to test the new terms of reference they have developed at Stage B and collect data to understand how it develops Psychologies of Trust (Lindberg, 2021) Philosophies of Trust (Kant, 1785; Hobbes, 2010; Plato, 2017) and Ethics of Trust (Von Bertalanffy, 1968) to address questions at Stage A.
- D: Use the psychologies of trust (evidence), philosophies of trust (logic) and ethics of trust (ethos) to develop knowledge to action change strategies and gain proof of concept to develop confidence in faculty of judgement attached to management and regulation of emotions for continued good life with happy endings.
- E: Identify principles in these knowledge to action change strategies that can be transferred to other problems and share these with grassroots up 'Science with and for Society' (SwafS) (Horizon Europe, 2020) databases.

Rose and Parker (2014) identify the school cannot replace dysfunctional or insecure attachments, that we have argued are caused by trauma such as bereavement or periods of isolation and so forth. The school can offer a safe environment supported by safeguarding policies and mobilising ABCDE with a focus on how the child/individual is feeling. The adult will need to be critically self reflective of their responses to the child drawing on Figure 1; A Continuum of Adults From Insensitive Responses to Children/Individuals to Sensitive Responses By Mobilising A Blueprint for Character Development For Evolution in Safe Spaces. Thus the adult can focus on the priority of building relationships based on trust with good quality talk hallmarked by what Imam and Taysum (2022, p.) call 'rich vocabulary-emotional life capital'. They can regulate their responses to give what Imam and Taysum (2022) call: 'consistently sensitive responses to children/individuals with healthy attachments provides their safe foundation for incremental progress to good faculty of judgement with A Blueprint for Character Development for Evolution ABCDE'. Thus safe spaces are created that develop psychologies of trust moving using ABCDE that shape the child's/individual's mental working model. This is particularly important in light of Rose (2015) who identifies children who have experienced relationship trauma early in life have problems regulating inappropriate behaviour, being able to self-

reflect which Beutner (2022) identifies is vital for living a good life, and have problems planning ahead and often seek instant gratification rather than delaying gratification. Further Clarke et al (2002) reveal in their research that attachment insecurity is associated with Attention Deficit Hyperactivity Disorder. Rose (2015, pp.) argues evidence reveals 'an attachment aware' approach that considers how to describe and understand the delicate nuances of education will benefit all class members. As children develop their mental models they can move through ABCDE to problem solving starting from asking questions.

Adults offering such a programme of healing will need patience, kindness, empathy, compassion and care and a deep understanding of psychologies, philosophies and ethics of trust that Empower Young Societal Innovators for Equity and Renewal in Democracy for Education. Those adults who enjoyed success in school may find those requiring such a programme of healing hard to engage and motivate because they do not share their experiences of trauma. A lack of understanding of the root causes of their students' pain could be addressed if it was in taught in Initial Teacher Education courses that include a module on the psychology of education and children development with a focus on attachment theory and the other psychologies of trust explored in this issue of the journal.

Such learning can offer pre-service educators the chance to describe and understand their attachment-like relationship with their pupils, particularly with challenging and vulnerable pupils, in order to enhance learning opportunities for all.

In sum, nurturing adult attachments provide children with safe spaces to explore their own grammar of thinking and mental models that enable the child/individual to engage with others who are exploring their own working models. This is important in their classrooms where they are also exploring their environment as they explore their inner and outer rings (Bowlby, 1969; Bowlby 1980). Siegel (2012) identifies that Early care-giving has a long-lasting impact on development, the ability to learn, capacity to regulate emotions and form satisfying relationships. We have discussed above how describing and understanding attachment theory reveals the first phases of attachment may need to be revisited using ABCDE if the child has experienced trauma that has prevented development through each phase of the attachment theory.

The interaction between the teacher, the pupil and the learning task is a fluid dynamic whereby the task is a reflection of the teacher's awareness and understanding of the pupil as identified by Beutner (2022) in this issue of the Journal of Groundwork Cases and Faculty of Judgement. In turn, the pupil is able to seek reliable support from the teacher when challenged by the task. Each relates to the other in a way that fosters curiosity and supports the uncertainty that can be created by the challenges of 'not knowing' which is at the heart of all learning (Geddes 2005). Attachment relationships play an important role in supporting children developing their character and realising their potential (Colmer, Rutherford, & Murphy, 2011) and their passage through the phases of attachment theory (Bowlby, 1969) influences both future physiological and mental wellbeing (McCain et al., 2007).

Taysum and Collins-Ayanlaja (2021) have developed a Model of Participation and Community Empowerment designed to recognise the different kinds of capital in the classroom and in a step by step process map how bridging cultures between the home and the classroom, and between parents, students and staff might be mobilised for levelling up evidenced by smooth transitions to middle class benefits. Considering attachment theory it is possible to identify there are different categories of parents.

1. Parents may be interested in learning about attachment theory, but do not get the chance.
2. Parents may be very interested in helping their children develop their mental models and develop dialogues as discussed by Beutner (2022) and Imam and Taysum (2022) in this issue of Journal of Groundwork Cases and Faculty of Judgement, but they do not know how to, and they are unaware of the impact of attachment theory on the role of talk in supporting children passing through the phases of attachment theory.
3. Parents may come from a legacy of social problems, such as domestic violence, war, migration, ethnic cleansing or marginalization from institutionalised racism, and may have never recovered from the traumas their ancestors suffered. Ancestors traumas prevented them passing through the phases of attachment theory, and unknowingly the ancestors passed on through psychomotor programming their trauma such as slavery, human trafficking and Violence, Uncertainty, Chaos and Ambiguity (VUCA) to their future generations. These generations, through no fault of their own are highly likely to also get stuck at a phase of attachment theory their ancestors got stuck at, even without experiencing the trauma directly of slavery, human trafficking and VUCA. This is because their ancestors' trauma prevented them and any of their descendants having a mental model or grammar of thinking for what successfully passing through the phases of attachment theory looks like in this space. With no example of passing through phases of attachment theory, the ancestors suffered twice from their exploitation; first from being victims of the crime of human trafficking, being enslaved and subject to VUCA and second by not being given access to an education that could empower them to tell their stories and reflect on their traumas and gain the powerful knowledge required to liberate themselves from the mental models that are preventing them becoming fully human (Pring, 2021). An education that focuses on the narrow subjects tested by PISA and does not examine the psychologies of trust related to attachment theory will condemn the victims of these traumas to being stuck in cycles that perpetuate social problems, such as domestic violence, war, migration, ethnic cleansing or marginalization from institutionalised racism or paternalism.

From this review of the literature we can see that adults, who have suffered trauma through no fault of their own, are stuck at the phase of attachment theory of a young child in their psychomotor subconscious and conscious mental models. Interesting this aligns to what Plato (2017) some 2000 years ago in Timaeus in p. 16376 states: 'You Hellenes are never anything but children, and there is not an old man among you.' This may be because the homeostasis regulation is stuck at the

fear of others and the environment leading to the ego seeking immediate satiation that is incompatible with the conditions required for a democratic society with a fully participative social contract. The following questions emerge from the literature review to be addressed by the Albanian Groundwork Case:

1. How and in what ways do curriculum qualifications for kindergarten staff working with young children (0-2 years) include Intended Learning Outcomes to describe, understand and apply attachment theory for child development?
2. How and in what ways do kindergarten staff working with young children (0-2 years) describe, understand and apply attachment theory to build relationships through talk to develop children's working mental models to live good lives?
3. How can the findings be theorised?

## Stage C Methods

The Groundwork case is from Albania and took a mixed methods approach gathering both qualitative and quantitative methods to generate grassroot data. The data included secondary data focusing on the criteria for hiring kindergarten educators and the level of education they required to be hired and their classification of criteria. The data was analysed using documentary analysis.

Online questionnaires were distributed to a population of 46,000 teachers from across Albania. The sample size was 863 and the response rate was 78% the quantitative data focused on participants' understanding of attachment theory.

Qualitative data was collected by focus groups from three kindergartens from a total of thirty kindergartens in the City of Tirana, Albania.

Some research questions are answered by studying the literature and previous experiences of educational institutions.

The data collected through the questionnaires aim to obtain the basic data related to the knowledge that kindergarten and kindergarten educators have as teachers in general about the theory of connection and the practices applied for establishing relationships with children. the questionnaire is developed online with networks of different educators and teachers. The data collected through focus groups are more specific and are realized in the staff of the three kindergartens separately in the City of Tirana. out of 30 kindergartens, three kindergartens are selected by lot in which three focus groups are held separately in each educational institution. This is the base and lower level that applied the knowledge and care for children.

All participants gave informed consent, had the right to withdraw from the research to the point of publication and were assured anonymity and confidentiality (British Educational Research Association, 2018).

## Stage D Findings and discussion

Staff and education of nursery and kindergarten educators in Albania.

From the study of the Albanian documentation related to the staff of the educational staff of the nursery that includes children aged 0-3 years, it was found that their qualifications are required to be: with bachelor qualification for preparatory education, with bachelor education for nursing, with bachelor education for social work as well as with a bachelor's degree in psychology. Most of the employees as educators in nursery have secondary education of various types. The preparation of nursery educators for children age 0-2 years, started in the last four years in universities. Their qualification is a two-year program that continues after the completion of high school and is attended mainly by those students who do not meet the threshold criteria to access University Undergraduate degrees. Only general knowledge is required about the upbringing of children for those seeking to work in early years institutions/nurseries. There are no Intended Learning Outcomes of a curriculum that the nursery educator must meet regarding attachment theory, rather the requirement is to have experience in raising children, to enjoy working with children and to implement the requirements of the educational institution.

From the questionnaire developed online with kindergarten teachers and teachers of different school levels, it was found that none had knowledge of attachment theory.

The focus groups revealed there was no formal training in attachment theory and how children in the early years develop through the phases of attachment theory. The focus groups identified this is left to the parents who have had no formal training in attachment theory and may have experienced trauma impacting their own transition through the phases of attachment theory, or they may have transitioned successfully through attachment theory.

There are different categories of parents.

Parents may be interested in learning about attachment theory, but do not get the chance.

Parents may be very interested in helping their children develop their mental models and develop dialogues as discussed by Beutner (2022) and Imam and Taysum (2022) in this issue of Journal of Groundwork Cases and Faculty of Judgement, but they do not know how to, and they are unaware of the impact of attachment theory on the role of talk in supporting children passing through the phases of attachment theory.

Parents may come from a legacy of social problems, such as domestic violence, war, migration, ethnic cleansing or marginalization from institutionalised racism, and may have never recovered from the traumas their ancestors suffered. Their ancestors traumas prevented them passing through the phases of attachment theory, and unknowingly passed on, almost in a

psychomotor programming, the trauma to their future generations who will also get stuck at a phase of attachment theory, even without experiencing the trauma. This is because the ancestors' trauma prevents anyone in their family successfully passing through the phases of attachment theory because there is no example of what passing through the phases of attachment theory looks like. So with so many people who have suffered trauma and not passing through the phases of attachment theory, they may be stuck in perpetuating social problems, such as domestic violence, war, migration, ethnic cleansing or marginalization from institutionalised racism. At the same time, education systems are not addressing this issue because evidence reveals kindergarten staff do not know what attachment theory is.

Further, in the Covid 19 recovery there is funding for 'catch up' but this is used for therapeutic nurture groups using strategies such as art lessons that the Intended Learning Outcomes of the mainstream lesson can still be met. This builds the steps towards passing successfully through stages of attachment children need to pass to move from immaturity to maturity. Perspective of psychologist, if behaviourist they remove the notion of spiritual so epistemology of the curriculum and policy needs to be described and understood by teachers.

Respondents identifies that in their contexts in Albania psychological treatment is an effective way of treating problematic children. Therapeutic psychological treatment is a way of treating problematic children and ensuring their improvement. For this purpose, psychological service networks are set up that serve as a service institution at educational institutions. The psychologist in charge of the psychological service withdraws the students from the classroom. Usually in a class of 31 students, about 6 students have access to psychological treatment. For each class, counseling groups are set up in which the psychologist develops therapy for their improvement. The number of groups is equal to the number of classes that the educational institution has. Psychological service networks require a considerable number of psychologists.

Participants also identifies the psychological services are not working properly in the wake of the Covid 19 pandemic. This is due to the financial and economic situation which has caused extreme deterioration. Financial assistance and economic support to educational institutions has deteriorated even more. Under these conditions, the improvement of students with behaviours that indicate they have experienced trauma, and or have not passed through the four attachment phases continues to be a concern for educational institutions and Albanian society. This is negatively impacting their ability to become self-determining problem solvers with developed psychomotor skills and mental models that inform continuation of good life. This in turn impacts on their engage with the labour market which is negatively impacting their sustainable health, economic, social and ecological wellbeing which prevents them from having a home, a family and paying into a pension pot for their continued good life into old age.

## **Stage E Conclusions and emergent prime principles that optimise faculty of judgement**

Attachment theory is a deep and emotional connection between two people. This connection is built from an early age and almost to the end of childhood and greatly influences learning outcomes as well as facing challenges throughout life. Going through these stages makes it possible for children to pass from immaturity to mature with good mental models for self-determining homeostasis. The application of practical measures of attachment theory makes possible a normal development of the child/individual and successful regulation for continued good life hallmarked by resilience when faced with life challenges. Failure to pass through all four phases of attachment theory, causes the child/individual to have problems and difficulties in achieving high results in school, in social adjustment, in their career and for homeostasis regulation that shapes healthy mental models and psychomotor development.

In this case, the ABCDE instrument helps us, which can be mobilised by the teacher/adults in the classroom through the learning situations. According to the study, in Albania, it was found that the theory of attachments is not known and is not applied. Building children's relationships with educators is done spontaneously without referring to any specific theory or guidelines. In conditions of economic hardship, as well as the Covid Pandemic 19, the difficulty of financial support for the application of attachment theory as well as for the establishment of therapeutic groups is even greater.

## **Recommendations**

To solve this problem we recommend implementing the ABCDE instrument which should be applied in Albania both in the offer of curricula to students to meet Intended Learning outcomes and for training of current educators and teachers to i) be able to describe, understand and apply attachment theory using ABCDE to optimise learning and wellbeing, ii) to build relationships through talk to mobilise attachment theory to develop children's working mental models for good choices that regulate continued good lives. Critical evaluation of the implementation of ABCDE and the critical evaluation of children/individuals incremental progress through the five stages as Key Performance Indicators, will reveal the impact of supporting children through the four phases of attachment theory on i) their psychomotor development required to self-regulate and move to self-determine their Homeostasis (continued life) with good faculty of Judgement.

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# Body image and self-esteem in teenagers

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**PhD. Elsida SINAJ**

elsida.sinaj@uet.edu.al

**MsC. Xhesiana MECA**

xhesianameca@hotmail.com

## Abstract

*The image of the body is the dynamic perception of the body as it looks, feels, and moves. It is formed by perception, emotions, and physical sensations and is not static, but can change in terms of mood and physical ways. In terms of self-esteem, which is a positive and negative orientation towards itself, a general assessment of values or qualities. His study is analyzing the relationship between self-esteem levels in relation to perceptions adolescents have of body image. The study was conducted as a champion of 120 students in Maminas high school. The selection of the champion was in a casual way. The ages of the students ranged from the age 13 to the age 18. The measuring instruments used for this study are 2 questionnaires. The body image avoidance questionnaire [Body Image Avoidance Questionnaire (BIAQ)], consists of 19 questions about image avoidance for the body. The second questionnaire is that of self-esteem (SES, Rosenberg, 1965), which was used to measure the degree of self-esteem. In line with the study's objectives, results showed that there is an important link between the image of the body and the level of self-worth in adolescents and that there are significant gender differences in the image of the body in adolescents. Four were hypotheses raised in this study, whereof these hypotheses, 3 were proven and only one of the hypotheses collapsed. The results achieved were supported by similar field studies.*

**Key words:** *Body image, evaluation, adolescent, study, differences.*

## Literature review

Interest in psychology and sociology of image for the body came in Paul Schilder's work in the 1920s. He was the first researcher to look at the body's experience within the psychological and sociological framework. Prior to Schilder's work, body image research was limited to studying deformed perceptions of the body caused by brain damage. Schilder developed this work to examine the broader psychological and sociological framework within which perceptions and experiences of body image developed. In the *Image and Presentation of the Human Body* (1950), he argues that body image is not only a cognitive concept but also a reflection of attitudes and interactions with others. He was interested in the 'elasticity' of body image, reasons for fluctuations in perceived body size, feelings of sensitivity, gravity, and the effects of body image on interactions with others. The appearance of the body that forms in the person's own mind, that is, the way in which the body appears in itself. (Schilder, 1950: 11) Since 1950, researchers have taken 'body image' to understand many different things, including the perception of body attractiveness, body size, perception of body boundaries, and accuracy of perception of bodily sensations (Fisher, 1990). The definition of body image to be taken on the subject is a person's perceptions, thoughts, and feelings about his or her body. This definition includes all elements of body image initially identified by Schilder: body size assessment (perceptions), body assessment, attractiveness (thoughts), and emotions related to body shape and size (feelings); and is adapted from a definition produced by Thomas Puzinsky and Thomas Cash (1990). Body discontent is defined as negative thoughts and feelings that a person has about his or her body. Paul Schilder (1950), defined the image of the body as "the view of our body that we form in our minds, i.e. The way in which the body appears in itself." This definition was later criticized and researchers have argued that body image construction is more multiplied than

can be distinguished in this early definition (Pruzinsky & Cash, 2002). Today, a common way to think of body image is to divide it into two components: a perceptual one, which refers to assessing a person's size and appearance, and another attitude related to feelings and attitudes towards one's body (Gardner, 2011). Both of these components are included in Grogan's definition (1999), referring to body image as "a person's perceptions, thoughts, and feelings about his body". A person's image can be positive or negative. Body image can vary depending on contexts and over the course of life, although it seems to be quite stable during adolescents and adult life (Tiggemann, 2004; Wertheim - Paxton, 2012). Body image concerns can be manifested in many ways, ranging from a mild preference for other body characteristics to pathological body image disorders such as eating disorders or muscle morphology (pathological preoccupation with muscularity, Pope et al., 2005). In addition, body image concerns may be related to the appearance of the general body (p.sh., shape, muscle, weight, or size) or, otherwise, specific characteristics or body parts (p.sh., facial characteristics, hair, gym and strength, Wertheim & Paxton, 2018). A common way to measure a person's body image is to measure his body level, which can be understood as body-related self-esteem. Mendelson and White (2001) have suggested that honoring a person's body includes three areas: feelings about weight, feelings about appearance, and beliefs about how others view one's body and appearance. The idea is that individuals can be placed somewhere in the count between low body assessment (or body dissatisfaction) and high body assessment (or body satisfaction) in the three dimensions of body value.

In studies conducted within this thesis, we used the concept of body evaluation as a measure of adolescent body image. While a person with high body appreciation may be considered to have a positive body image, there is reason to believe that the concept of the body cannot capture the whole essence of a positive body image. Although it is clearly the negative component of body image that is usually the focus of attention in body image research (Tylka, 2011), positive body image research has taken some initial steps. With the growth of this field of research, the concept of body evaluation has been introduced, a term that includes the evaluation, acceptance, respect, and protection of the body (Avalos et al. 2005). As discussed in the section about adolescent positive body image, there may be positive body image characteristics that include aspects other than body weight and appearance as defined in the concept of self-esteem. The concept of self-esteem includes a variety of interconnected concepts. According to Rogers and Mondrea (2006), self-worth is "our image for who we are, what we want to be and what we should be" (p.89). "Another way declares that there are three images: how we see ourselves, how others see us, and how we want others to see us. Chelcea (2006) explains that self-confidence is the result of all people's positive and negative assessments of themselves. According to Andre and Lelord (1999), the components of self-esteem are love, the concept itself, and self-confidence. Love itself stems from the quality and sustainability of emotional support offered by parents. It benefits emotional stability and resistance to criticism and rejection. As a result, there may be doubts about the ability to be evaluated by others. Strickland apud Scarneci (2009) defines self-worth as a product of self-confidence (positive assessment of the effectiveness of duty) and self-respect (the individual's sense of value). Self-confidence is the product of accumulated judgments (coming from us or others) to be good or bad, valid or not. It emphasizes an educational result, a possible job, good relations with friends or partners, or a way of life that is consistent with our values and personal interests. Social comparison has a final goal: to assess ourselves properly.

If the people we compare to are far from a psychological point of view (we do not know them personally, we have different social status or any other ethnic position), success does not affect our self-esteem. When someone close to us has higher performance compared to our achievements in a respective dimension to ourselves (a close friend, relative), we pay more attention and this poses a threat to us. 2001). Erickson's (1968) psychosexual theory says that self-identity is formed by passing a developmental crisis of adolescence and that it contains two boundaries: identity and confusion of the role. When there is a supportive environment that will develop the potential of the teenager, according to his desires and intentions, the identity of the role is formed. If the association (family, friends) does not provide a supportive measure according to adolescent expectations, confusion about the role arises. Two concepts of yourself that accompany self-esteem, are the complex of inferiority and superiority. The inferiority complex is a savage deformity of a self and occurs because of the dissatisfaction. This happens in childhood when the subject becomes aware of his weakness. Sometimes it is formed around a language disorder, physical ugliness, or personal characteristics that are considered indecent, and unpleasant. Attitudes such as depression, exaggeration, and desire to be in the spotlight can lead to symptoms of the inferiority complex (Larousse, 1999). The superiority complex is a group of traits and behaviors based on the person's conviction, more or less true, that there are positive traits before colleagues and friends. It is characterized by: arrogance, tyranny, tendencies of depreciation, vanity, eccentricity, close relations with important people, and manipulation of weak ones (Larousse, 1999). Both complexes are based on a miseducation created by protective parents, who can lead to a fictitious vision of reality in the spoiled child (Adler, 1995). Researchers show that young people rely on friendly references and feelings for aesthetic plans and social and relational plans. Studies also show that self-esteem is associated with young girls with body image more than in boys. One explanation may be for girls to evaluate physically much faster than boys. Girls who drink faster are more likely to consume alcohol, and drugs, start sex life first, or have problems at school in relation to a group of friends. Also, people who know them have higher expectations due to physical maturity and appearance, not psychological, which can be very stressful for them (Silbereisen & Adams, 2009). There may be derogatory thoughts regarding weight (small or large); height (long or short); Pimples in the face or body, large nose, elongated ears, small or very large genders in oil, excessive fatigue in different parts of the body, lack of breast in boys and other characteristics that in their eyes turn into deficiencies. Self-esteem is a part of our personality and to regulate or elevate it we must have a sense of personal value that comes from those vital challenges that demonstrate our success. Self-esteem has consciousness as the main element. It includes the individual's perceptions of their strengths and weaknesses, abilities, attitudes, and values. Its development begins from birth and is constantly developing under the

influence of experience. During different periods of human age, the child realizes one or the other side of himself. The child becomes aware of their practical skills first - motor skills, artistic skills, and performing skills. Children begin to know about their personal traits at a significant later stage in life. The process begins when all moral and social standards for evaluation are gained. This can be explained by the complexity and ambiguity of the results from the manifestation of personal qualities. Children are aware of their particularities and personal traits in the process of communicating with adults and peers. This process of consciousness is the most active in adolescence. Adolescence is an important period, critical in the development of the individual, a period of transition between childhood and adulthood in a particular cultural environment. Self-esteem plays a very important role in development during this period. In the wide range of critical factors that determine self-esteem is physical appearance considered one of the most important factors during adolescence. High self-esteem has been shown by many studies conducted to be a factor that protects from bodily dissatisfaction (e.g., Tiggemann & Eilliamson, 2000) and eating disorders (e.g, Geller, Zaitsoff, & Srikamesaran, 2002). Feeling good about yourself is very important, because it gives you a sense of control over life, helps you feel satisfied in taking moons with others, and gives you confidence and strength over the actions and behaviors performed. Self-esteem can affect how a teenager will create relationships with others. An important pillar in creating self-esteem is the body image we have of ourselves. Body image for ourselves is mainly about how we see ourselves in relation to others, in terms of external physical appearance. For many individuals, especially those in their early teens, the image of the body is closely related to self-esteem. This is because children, turn into teenagers and care more about how others see them. Many teenagers “struggle” with their self-esteem and when they start puberty because their bodies go through many changes. These changes, combined with a desire to be accepted by others, are often associated with comparisons of themselves with people around them or with well-known actors or singers they see in magazines, films, etc. But is impossible to measure oneself against others because the changes that come with the age of maturity are different for all.

Some may have a rapid and earlier physical development, while some may have a later development. During adolescence, the concept of oneself is formed by the reactions and responses they receive from their parents, from the society where they perform, who help them increase self-esteem when offering care to be unconditional and serve, regardless of the behavior they display. Various studies on self-esteem and body image indicate that self-esteem correlates with body image. Many researchers have directed various factors of concern for body image, p.sh. gender, current body weight, puberty, and age (Kastanki & Gullone, 1998). In all studies involving gender, female teenagers have been found to have more body image concerns than male teenagers. Frost & Mc Kelvie (2005) describe bodily pleasure as having two separate components: body image and pleasure with weight. Body image is about how close or far the current image of persuasion is to the ideal they can have for themselves. Weight satisfaction is about how much their current weight approaches that ideal, someone’s body image or bodily pleasure is not always high. There are different theories that describe possible reasons why someone’s body image may be low. Heinberg (1996) suggests that there are two classes of theories for corporal image: perceptual and subjective. Perceptual theories are based on a person’s perceptual clarity about themselves. In this theory, it is said that overestimation of mass occurs because the perception of body mass does not change with the same ratio as the current weight. Subjective theories are based on the pleasure that an individual has with a specific part of the body. Self-esteem can be defined as a general extension of oneself (Frost & McKelvie, 2005) or as an emotional attitude towards himself (Robin, Tracy & Trzesnieqski, 2001). Research involving both body image and self-esteem is quite limited with all studies that have been conducted, which give evidence of a complex behavior or connection between two variables (Kastanski & Gulone, 1998). Self-esteem and bodily dissatisfaction are strongly corrected, in fact, more than one study has found that the more dissatisfaction with body image increases, the lower the self-esteem, especially in females (Kostanski & Gullone, 1998; Thomson - Altabe, 1991). Frost & McKelvie (2005) also found correlation levels between self-esteem and body image.

## Metodologjia

The study is conceived as a quantitative analytical study. The purpose of this study was to analyze the relationship of self-esteem levels in relation to perceptions adolescents have of body image and self-esteem.

## Hypotheses

**Hypothesis 1:** There is an important relationship between body image and the level of self-esteem in adolescents.

**Hypothesis 2:** There are differences between gender for body imaging teenagers.

**Hypothesis 3:** There are differences between gender and self-worth in adolescents.

**Hypothesis 4:** There is an important link between body image and age in adolescents. Kampionimi

The population of interest in the study in question includes students in Maminas Schools. More specifically, the population included in the study will consist of pre-adolescent and adolescent students. For the planned population of 418 students, the minimum number of students participating in the study could be 120. The results derived from the statistical analysis become more reliable when the size of the champion used in the study is estimated in advance so that other analyses can be carried out in aid of the study.

## The instruments used:

*Body image avoidance questionnaire* [Body Image Avoidance Questionnaire (BIAQ)]. The BIAQ is designed to measure the image avoidance of an individual (Rosen et al., 1991). The second questionnaire used in this study is Rosenberg Self-Esteem Scale (SES) questionnaire, self-esteem was assessed using Rosenberg's self-assessment scale (Rosenberg, 1965; ). SES is a 10-point scale that measures global self-esteem with statements related to feelings of self-esteem and self-acceptance (Hillebrand & Burkhart, 2006).

## Analysis and study results

### Correlational analysis between body image factors and self-esteem

From the table below we see that there are statistically important links between them ( $p \leq .01$ ,  $p \leq .05$ ). (Look at table 1)

**TAB 1.** Korrelacioni Pearson ndërmjet faktorëve të imazhit të trupit dhe vetëvlerësimit

		Self-esteem
Weight problem	Pearson Correlation	-.259**
	Sig. (2-tailed)	.004
	N	120
Coverage of the look with clothing	Pearson Correlation	-.222*
	Sig. (2-tailed)	.015
	N	120
Limiting eating	Pearson Correlation	.058
	Sig. (2-tailed)	.528
	N	120
Avoiding social activity	Pearson Correlation	-.226*
	Sig. (2-tailed)	.013
	N	120
Avoiding Body Image	Pearson Correlation	-.237*
	Sig. (2-tailed)	.006
	N	120

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

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

There is an important negative link between the weight problem to self-esteem ( $r_{(n=120)} = -.259$ ,  $p \leq .01$ ) wherewith increased weight concern also decreases self-esteem in adolescents. There is an important negative link between the coverage of the look with self-esteem ( $r_{(n=120)} = -.222$ ,  $p \leq .05$ ) wherewith increased appearance coverage also decreases self-esteem in adolescents. There is an important negative link between Avoiding social activity with self-esteem ( $r_{(n=120)} = -.226$ ,  $p \leq .05$ ) wherewith increased avoidance of social activity also decreases self-esteem in adolescents. There is an important negative link between Avoiding body image with self-esteem ( $r_{(n=120)} = -.237$ ,  $p \leq .05$ ) wherewith increased body image avoidance, self-esteem in adolescents also decreases.

### Analysis on gender differences according to T Test

**TAB 2.** Test of mean differences between the sexes in terms of body image

	Gender	N	Average	Standard Deviation	t	p
Weight problem	Female	82	3.44	0.98	2.339	.021
	Male	38	2.99	0.99		

Coverage of the look with clothing	Female	82	1.84	0.71	3.573	.001
	Male	38	1.34	0.73		
Limiting eating	Female	82	2.61	1.14	1.014	.313
	Male	38	2.37	1.35		
Avoiding social activity	Female	82	1.03	1.22	-.108	.914
	Male	38	1.05	1.11		
Avoiding Body Image	Female	82	2.04	0.56	2.960	.004
	Male	38	1.70	0.64		

The result shows that the weight problem is higher in women with the average ( $M=3.44$ ,  $ds=0.98$ ) compared to boys ( $M=2.99$ ,  $ds=0.99$ ). Dress coverage is higher in women with an average ( $M=1.84$ ,  $ds=0.71$ ) compared to boys ( $M=1.34$ ,  $ds=0.73$ ). Body image avoidance is higher in women with an average ( $M=2.04$ ,  $ds=0.56$ ) compared to boys ( $M=1.70$ ,  $ds=0.64$ ).

### Analysis of gender differences at the level of self-esteem

**TAB 3.** Crosstbulation Gjinia \* Level of self-esteem

			Level of self-esteem			Total
			low	medium	high	
Gender	Female	n	3	59	20	82
		%	3.7%	72.0%	24.4%	100.0%
	Male	n	1	28	9	38
		%	2.6%	73.7%	23.7%	100.0%
Total	n	4	87	29	120	
%	3.3%	72.5%	24.2%	100.0%		

To see if we have significant differences between gender in terms of adolescents in evaluation, we have used the T-test. Self-esteem is shown in both men and women.

**TABLE 4.** Test T of differences in average between gender in terms of self-esteem\

	Gjinia	N	Average	Devijimi Standard	t	p
Self-esteem	Femër	82	22.01	4.259	-.049	.961
	Mashkull	38	22.05	4.040		

### Correlational analysis between age and self-esteem

To see if there are important links between self-esteem and age in adolescents, we have used Pearson correlation. From the table below we see that there is no statistically important link between them as p is greater than 0.05.

**TABLE 5.** Pearson correlation between age and self-esteem

		Age	Vetëvlerësimi
Age	Pearson Correlation	1	-.001
	Sig. (2-tailed)		.994
	N	120	120
Self-esteem	Pearson Correlation	-.001	1
	Sig. (2-tailed)	.994	
	N	120	120

To see if there are important links between body image and age in adolescents, we have used Pearson correlation. From the table below we see that there are statistically important links between them ( $p \leq .01$ ).

		Age
Weight problem	Pearson Correlation	.157
	Sig. (2-tailed)	.088
	N	120
Coverage of the look with clothing	Pearson Correlation	.100
	Sig. (2-tailed)	.276
	N	120
Limiting eating	Pearson Correlation	.084
	Sig. (2-tailed)	.359
	N	120
Avoiding social activity	Pearson Correlation	.201*
	Sig. (2-tailed)	.028
	N	120
Avoiding Body Image	Pearson Correlation	.208*
	Sig. (2-tailed)	.022
	N	120

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

There is an important positive link between Avoiding social activity with age ( $r_{(n=120)}=.201$ ,  $p\leq.05$ ) whereas the age increases, the avoidance of social activity in adolescents increases. It also has an important positive link of avoiding body image with age ( $r_{(n=120)}=.208$ ,  $p\leq.05$ ) whereas age increases, avoidance of body image in adolescents increases.

## Conclusions

The image of the body is the dynamic perception of the body as it looks, feels, and moves. It is formed by perception, emotions, and physical sensations. It is not static but can change in mood and physical ways. In terms of self-esteem, which is a positive and negative orientation towards itself, a general assessment of values or qualities. Gender differences are well-established in body image research, with females generally experiencing more body image concerns than boys. Although appearance culture tries to focus more on the female body, the social focus on male appearance has intensified. Body image concerns can be manifested in many ways, ranging from a mild preference for other body characteristics, to pathological body image disorders such as eating disorders or muscle morphology. In addition, body image concerns may be related to the appearance of the general body (shape, muscle, weight or size) or, otherwise, specific characteristics or body parts (facial characteristics, hair, gym and strength). A common way to measure a person's body image is to measure his body level, which can be understood as body-related self-esteem. Biological changes that occur during adolescence include body changes related to puberty. These changes consist of dramatic internal and external transformations of the adolescent body, including developmental changes in physical appearance and the development of the ability to conceive children. Physical changes include body growth, discarding stature, hair growth, and acne appearance. Boys experience increased testicles, penises, and facial hairs, as well as a deepening voice, while girls grow breasts and have their first menstruation. One of the most visible biological changes is the extent of height and rapid increase in body weight resulting from an increase in both, muscles and fat. However, girls gain more fat than boys, and on a faster scale. Consequently, girls end the age of maturity with a muscle-fat ratio of about 5 to 4 and boys with a ratio of about 3 to 1. An important pillar in creating self-esteem is the body image we have of ourselves. Body image for ourselves is mainly about how we see ourselves in relation to others, in terms of external physical appearance. For many individuals, especially those in their early teens, the image of the body is closely related to self-esteem. Many teenagers "struggle" with their self-esteem when they start puberty because their bodies go through many changes. These changes, combined with a desire to be accepted by others, are often associated with comparisons of themselves with people around them or with well-known actors or singers they see in magazines, films, etc. But it is impossible to measure oneself against others because the changes that come with the age of maturity are different for all. Some may have a rapid and earlier physical development, while some may have a later development. During adolescence, the concept of oneself is formed by the reactions and responses they receive from their parents, from the society where they perform, who help them increase self-esteem when they offer unconditional care and serve them, regardless of the behavior they display. Dissatisfaction with the body figure is more important than the current weight in predicting depressive symptoms. The link between depressive symptoms and body image is similar in overweight and non-overweight teenagers, but the association is stronger in overweight teenagers.

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# Education on Early Parent-Child Relationship and Substance Use Disorder in Adulthood

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## **Mariela EMIRI (MSc)**

Action Plus, Tirana, Albania

to whom correspondence should be addressed

brunilda.hoxhaj@uet.edu.al

## **Brunilda HOXHAI (PhD)**

European University of Tirana, Faculty of Human Sciences, Education and Liberal Arts

Department of Psychology, Education and Sports

## **Abstract**

*Over the years studies have shown that early experiences have a significant impact on a child's subsequent cognitive, emotional, and social development, affecting individual health in adulthood. In addition, it is believed that there is a link between early parent-child relationship and the externalization of maladaptive behaviours later. This might be manifested in high-risk behaviours in adolescence and adulthood including drug addiction.*

*This study was conducted to better understand the early parent-child relationships among heroin addicts. To explore this, 30 subjects (4 females and 26 males) that are receiving methadone maintenance treatment at the Action Plus Center in Tirana were selected. Qualitative research was conducted through personal interviews and self-report questionnaires.*

*Findings shows that early child-parent relationship in heroin addicts is mostly characterized by a negligent father and a closer relationship with the mother. Results indicate that mother figure often appears to be the abusive and critical parent and there is a lack of father figure in child's life. Other interesting findings in this study suggest that heroin addicts may be use drugs to fulfil or stay in balance with unmet needs related lack of parental love and warmth, emotional and psychological support, emotional stability, lack of open communication, low self-esteem, and self-confidence. These findings are relevant cause there is a practical application in substance use disorders treatment.*

**Keywords:** *early childhood experiences, early parent-child relationship, heroin addiction, substance use disorder, enmeshment, parent enmeshment*

## **Introduction**

Addiction as a behaviour but also addiction to narcotic substances, is a very complex phenomenon that involves physiological processes, psychological mechanisms, and individual-environmental experience. For many decades, researchers have focused on triggering and common causes of drug experimentation and drug abuse.

The data show that 80-90% of heroin addicts relapse (NIDA, 2018). Addiction is a chronic disease which is characterized by compulsive behaviour, constant loss of control and constant use of the substance, despite the negative consequences (Coombs, 1997; Smith & Seymour, 2001). Furthermore, studies that show that after many years of successful bariatric surgery (weight loss), doctors report that patients are substituting compulsive overeating with a new acquired disorder such gambling or alcoholism (Blum, 2013) or heroin addicts replace heroin with alcohol (Anglin, Almog, Fisher & Peters, 1989; Hser, Anglin & Powers, 1990). This can raise other questions about the roots of this disorder.

In fact, previous studies focused on understanding genetic, personality, environmental factors such as trauma, childhood abuse, social / peer pressure or culture, family conflicts, health problems, attachment, and parenting styles, but there is gap in the literature concerning enmeshment. Since many studies emphasize the importance of early experiences in people who develop addiction disorders in the future, this research framework is designed to explore the early relationships in the family of origin and heroin addiction.

## Purpose of the study

This study aims to explore the early parent-child relationship and enmeshment in heroin-addicts to better understand its impact on later adulthood. For this purpose, a sample of 30 subjects who are on Methadone Maintenance Treatment in Action Plus Tirana center was chosen to participate in this study.

Objectives of the study

1. To understand how parental enmeshment in heroin addicts looks like.
2. To investigate the causes and reasons for experimenting with heroin.
3. To describe the origin of addiction from the addict's perception.
4. To explore the interaction between unmet needs, drug/heroin use and enmeshment.

## Hypotheses and research questions

Hypothesis: People with parental enmeshment tend to become addicted to heroin and have more difficulty than others of overcoming addiction. This study will attempt to address the following research questions:

1. How does enmeshment in heroin addicts look like?
2. What are the reasons for experimenting with heroin?
3. What is the perception that heroin addicts have about drug addiction problem origin?
4. If enmeshment is closely related to addiction, what does the drug compensate in heroin addicts related to unmet needs?

## Relevance of the study

This clinical population is one of the less studied populations in our country. It was decided to conduct a qualitative study on heroin addiction and early parental-child relationship. The problem with heroin addiction can be the tip of the iceberg itself and a maladaptive behavior that comes because of untreated problems early on.

## Literature review

### Characteristics of opioid abuse and heroin addiction

Heroin is 2-3 times stronger than morphine, it's an opioid drug categorized as depressants a drug that creates addiction faster than any other type of substance. Substance use in women tends to develop into addiction faster than in men. (NIDA, 2021). Long-term heroin abuse can affect decision-making, control behaviour, the ability to cope with stressful situations (Liu, Qin, Yuan, Li, Wang, Lii & Tian, 2011 Cicero, Ellis, Surratt & Kurtz, 2014). High doses increase social interaction but decreases it during abstinence (García Pardo, Roger Sánchez, De la Rubia, & Aguilar Calpe, 2017) and long-term heroin abuse can also lead to mental disorders such as depression and antisocial personality disorder (NIDA, 2021).

### Biological perspective (Genetic vulnerability to drug addiction)

According to many studies, drug addiction is attributed to genetic factors at the rate of 50% to 60% of the tendency to become addicted and ability to quit (Heath, Bucholz, Madden, Dinwiddie, Slutske, Bierut, Statham, Dunne, Whitfield & Martin, 1997; Tsuang, Lyons, Meyer, Doyle, Eisen, Goldberg, True, Lin, Toomey & Eaves, 1998; Kendler, Prescott, Myers & Neale, 2003). It is believed that environmental factors play an important role in drug experimentation, while genetic factors play a greater role in the transition from regular use, abuse and developing addiction (Vink, Willemsen & Boomsma, 2005). Biological theory explains that repeated long-time exposure to drugs can cause chemical imbalance changing brain structure (Nestler, 2013).

### General theory of opioid addiction

This theory arose as a need to find an explanation for addiction that could be generalized to all those who use opioid drugs, regardless of whether user is a physicist, a homeless, a patient, etc. The general theory of opioid use emphasizes the dominant and fundamental characteristics of addiction and the cause-and-effect process that results from opioid use. The drug produces such a powerful effect in anyone who assumes it, giving craving for more and creating so physical dependence. The person is going to use drug again, to avoid withdrawal symptoms (Lindesmith, 1968).

## **The ego / self-theory of substance dependence**

A contemporary psychoanalytic approach explain addiction based on interaction between person's ego, sense of self and drug effect. According to ego / self-theory, drug users are individuals with ego function deficits. Consequently, the choice of narcotic substance is not something random, but responds to specific psychological protective needs and ego compensation. Substance selection is determined by the interaction between disturbing affective states, individual experiences, and efforts to alleviate this condition through drug pharmacological effect. (Khantzian, 1978).

## **Theory of Cognitive-Affective-Pharmacogenic Control**

The Cognitive-Affective-Pharmacogenic Control theory underline the interaction of cognitive-affective-pharmacogenic effects of substance taking (Coghlan, Gold, Dohrenwend & Zimmerman, 1973) suggesting that drug abuse starts with an inner conflict which is the influencing factor. People who have difficulty fulfilling demands and expectations placed upon them by society or by themselves, may experience internal conflict. That cause stress, anxiety, and a sense of powerlessness to react, where the level of anxiety is different in each person, depending on the personal experience and perception. This theory explains that it is not the experience of anxiety itself, but the belief that the person is unable to change or control a certain situation and feeling helplessness to cope with stress. This could lower self-esteem, which is very common among drug users and abusers (Krystal & Raskin 1970).

## **Early maladaptive schemes and opioid abuse**

Maladaptive schemes refer to long-term patterns of emotional and cognitive self defense that develop during the first years of life. The individual filters and processes information through these cognitive structures and this process guides the individual's behaviour. The more dysfunctional the scheme used to interpret reality, the more dysfunctional is the person's behaviour. It is thought that these maladaptive schemes formed in childhood, may lead to psychological distress directly or indirectly in the future such as anxiety, depression, eating disorders, etc. (Nicol, Mark & Murray, 2020). Additionally, maladaptive schemes develop when essential universal psychological needs such as (secure attachment, autonomy, and freedom to express needs and emotions, setting boundaries on reality) are not met (ibid). These unmet needs usually act subconsciously by making the person psychologically vulnerable to depression, anxiety, dysfunctional relationships, psychosomatic disorders, or addiction (Young, 1999).

## **Parenting style and substance use disorder**

Some research findings show that there is a link between parenting style and adolescent high-risk behaviors based on children's perception of parenting style (Schweitzer, & Lawton, 1989) Additionally, a study among heroin users in prison, participants reported their parents as very tolerant, very permissive, lack of father figure and over-protective moms (Kokkevi & Stefanis, 1988). Overprotective parenting is highly associated with heroin addiction and is considered a high-risk factor (Durjava, 2018).

Other studies showed that adolescents whose parents had a negligent or authoritarian parenting style had a higher risk of smoking and / or drug use (Radziszewska, Richardson, Dent & Flay, 1996; Myers, Newcomb, Richardson & Alvy, 1997; Stephenson, Quick, Atkinson & Tschida, 2005; Patock-Peckham & Morgan-Lopez, 2006). Moreover, a study on heroin-dependent individuals receiving methadone maintenance therapy and a group of healthy subjects, the results regarding participant's parents, showed that there was a high prevalence of emotionally cold fathers and over-protective mothers (Anderson & Eisemann, 2003). Also, heroin-dependent individuals reported higher levels of maternal and paternal protection when compared to the control group and alcohol dependence group (Bernardi, Jones, & Tennant, 1989). Indifferent and coldness or interfering in child's life trying to control it, there is a high for their kids to develop addiction (Schweitzer et al., 1989). Additionally, there is a correlation between drug-addicts mother's, emotional attachments, and overprotectiveness (Baron, AbolMagd, & El Rakhawy, 2010). Additionally, study conducted last year in heroin addicts, showed that most of them had overprotective mothers and absent father-child relationship during childhood age. According to this study, heroin addicts were characterized by ego damage, a narcissistic mother, lack of father figure, family dissatisfaction and communication problems (Hoxha, 2020).

## **Enmeshment**

Enmeshment is concept introduced by Salvador Minuchin in 1974, to describe lack of bounders between family members interrupting so personality development and slowing down maturation process. It is a model model that leads to psychological and emotional fusion between family members. It is suggested a moderate level of closeness and a moderate level of separation from family members, allows the child in adulthood to feel both free to leave the family without feeling guilty or excessive responsible to the parent, as well returning to the family to provide and receive support. This level of

closeness allows the individual to develop his own personality. In enmeshment, the child's personality is "swallowed" by the parent's personality and the end-result of this process. is a child who develops fear of experimentation, fear of failure and fear of success (Barber and Buehler, 1996).

## Methodology

Choosing a Qualitative Research Approach is very useful to study this clinical population, allowing to obtain complete information and providing a better understand and explain the research problem. Closed and open-ended questions were used to obtain descriptive but also explanatory information. which is very necessary to understand how drug users perceive themselves and surrounding environment, making so possible the interpreted of their behaviour. Qualitative research facilitates this process, enabling researchers to understand addiction from the perspectives of participants (Neale, Allen, & Coombes, 2005).

## Participants

Sampling this clinical population was intentional and criteria for the selecting sample are (1) Having a history of heroin addiction (2). Being on methadone maintenance treatment therapy, (3) Having not less than three months in methadone therapy. These criteria were determined in accordance with the research purpose. Regarding the third criterion, it was established to maximize as much as possible validity and reliability of the research, since 3 months is relatively enough time to be physically, psychologically, and emotionally stable. Thirty participants attended the study (26 males and 4 females) from 20 years to 57 years old. A sample of 30 subjects was selected because the 15-30 interval is considered an appropriate number to reach thematic saturation in qualitative data analysis (Creswell, 1998; Safman & Sobal, 2004). From 30 participants 3 of them (2 female and 1 male) were selected for extended interviews. The selection was made based on parent enmeshment checklist results. First participant was highly enmeshed with the mother, the second one was highly enmeshed with his father, and the third subject was not enmeshment with any parent. This selection was made to provide an overview of the three-enmeshment pattern emerged from this study, to further explore the interaction of this phenomenon with drug addiction and better understanding similarities and differences between them.

## Instruments

There were used 3 instruments to collect data in this study. The Parent Enmeshment Checklist and The Addiction Questionnaire designed by the researcher himself was used to answer research questions 1, 2 and 3. Both above-mentioned questionnaires were applied to the whole sample, while to answer research question 4, The Life Course Perspective on Drug Use was used. The instruments were piloted first, and the relevant adjustments were made before the data collection.

The Drug Addiction Questionnaire designed by the researcher contains questions about the early experiences in childhood, adolescence, drug experimentation, perception on the origin of the problem of dependence from the interviewee's perspective, etc. The Parent Enmeshment Checklist which is a non-standardized instrument which is used to obtain qualitative data about parental enmeshment. It is a checklist, completed from a historical perspective, to see how the individual felt during childhood. This questionnaire includes three sections: a) Indication of an Overly Close Parent-Child Bond which includes 15 statements; b) Indication of Unmet Adult Need's which consists of 10 statements and c) Indication of Parental Neglect or Abuse which consists of 10 statements. The subject must respond from a historical perspective and d) put a checkmark one of the words (mother, father, stepmother, stepfather, nanny carer) and add an additional comment.

The third instrument is the format of the Assessment Interview on Heroin Addiction, starting from the perspective of the course of life, consists of two parts: a) demographic questions b) life course and questions about addiction. The second part of the interview considers: family of origin, school experience, relationship with other family members, first exposure to drugs, experiences that the individual considers as important to the development of addiction and the treatment process, giving thus a complete overview of the phenomenon and its contexts (Connidis, 2011)

## Procedure

Data collection was divided in two parts and lasted 1 month. First part was conducted through questionnaires with the entire sample, after that the data entered to excel was done by diving into categories. The second part includes extended semi-structured interviews was conducted with 3 subjects selected from this sample and thematic analysis was used to analyse the data obtained from the interview.

## Ethical consideration

For the realization of the questionnaires, the anonymity of the participants was strictly guaranteed and the oral informed approval. During the study, given that we are dealing with individuals particularly vulnerable and data information can

affect many sensitive issues were considered ethical issues for the participants as follows: It has been explained every step of the procedure, anonymity was guaranteed, it has been explained them the right to refuse answering and sharing as much as they feel to, and participants have been informed that they can access the results of the study. Before starting data collection, the verbal informed consent has been obtained. During the process, interviewer tried to maintain an encouraging attitude during the interview.

## Results

This study investigated enmeshment and heroin dependence in adulthood where the focus was early parental relationships in the family of origin. Regarding to enmeshment in heroin addicts, results showed that 23 of the participants in this study have enmeshment at least one parent and 7 others do not have enmeshment (fig.1). It was noticed that enmeshment with the mother, is expressed not only as a closer relationship, but mother figure appears to be also the critical and abusive parent (fig.2), while the father mostly appears to be the negligent parent and not present figure in child's life (fig.3).

Concerning the experimentation reason with heroin, results are as follows: 19 participants said it was curiosity, 4 to fit into society, 3 said family problems, 1 social problems, 1 to escape from reality, 1 to relieve physical pain, 1 monotony, 2 to calm down from cocaine and 1 many reasons together.

Additionally, nearly half of the participants think that childhood has sufficiently or greatly influenced the development of heroin addiction. The rest associate the problem of addiction with adolescence and only a small part associates this problem with adulthood by giving contradictory or inconsistent answers. Most of them fail to identify the origin of the problem, which was expected, considering the complexity of drug addiction cycle, and overlapping maladaptive behaviours.

Regarding the results of the three extended interviews, subject 1 (K.A) and 3 (D.M) that are enmeshed with one parent showed low self-confidence and self-esteem, not being able to communicate their thoughts and feelings to the parents, and they reported that they didn't feel loved.

### Some retrieved statements from interviews regarding unmet needs

*"He never knew how to express his love...I guess he thinks that this is for weak people"*  
*"I just wanted to leave home forever..."*  
*"...my father's behaviour ... he was very violent and full of anger."*  
*"My mother and I could never say how we felt in my father presence"*  
*"I often acted accordingly, just to ... avoid his irony and criticism"*  
*"He (the father) uses to hurt my feelings since forever...never said a sweet word to me"*  
*"I almost always asked for his approval before doing something... and I was afraid of his disapproval and criticism..."*  
*"Nothing I use to do ok for my father, I was never good enough."*  
*"I do not know but I never open up myself to him because of the wall raised between us."*  
*I have never heard my mom saying that she loves me ...never..."*  
*"My father use to be very strict and we could never do jokes or freely talk when he was home..."*  
*"My mother use to be very critical to me, yelling and offending...I guess she was just tired taking care of us and working so much, my father was never home"*  
*"My mother use to be afraid of my father reaction..."*  
*"My parents use to fight each-other all the time, I could' wait to leave..."*

Regarding subject 2, ( A.L) he is not enmeshed with any parent, and did not show or report any of these problems, on the contrary, he reported a very happy family environment, almost perfect. Although, all interviewed reported that using heroin make them feel free from worries, like they could do or achieve everything they want, by seeing world as a better place and feeling inner peace.

## Discussion

These results are consistent with other studies suggesting that there is a link between drug addicts in strong emotional attachments to the mother and maternal overprotectiveness (Bernard et al. 1989; Baron et al. 2010; Hoxha,2020). Also, the predominance of father figure negligence resulted in this study is in a similar line of argument with other studies with heroin addicts (Kokkevi et al. 1988; Hoxha,2020). Although, this might be explained Albanian culture context and the difficult economic situation, when the father is mostly working or emigrating to provide the economic security to the family and mother must deal with children education, and this might lead her to criticism and overprotection in parent-child relationship.

Although the results cannot be generalized, findings can suggest that when parent enmeshment is present, the unmet needs of the child are present more than in cases where parent enmeshment does not exist, and the risk of becoming addicted

to narcotics may increase when these conditions coexist. This can be explained by the fact that enmeshment can lead to communication breakdown, hindering the self-differentiation process. Additionally, the child represses his needs, desires, and aspirations, trying to satisfy the parent, and the parent unconsciously tries to fulfil his unmet needs through the child. The parent thinks that he is helping the child making the right choices, by not letting him / her to freely explore and interact with the surrounding environment. The more the parent intervenes in this process, the more the self-differentiation and maturation of the child's personality is hindered.

It can be speculated that this can later lead to unmet childhood needs which in some cases, can be externalized into maladaptive behaviours in adulthood, such as substance use disorders. Literature also suggests, unmet needs subconsciously act by making the person psychologically vulnerable to anxiety, dysfunctional relationships, depression, psychosomatic disorders, or addiction (Young, 1999). Moreover, parental enmeshment and the unmet needs of the individual do not facilitate overcoming addiction, because the child may continue to operate in adult age, with the same maladaptive schema that was consolidated during early parent-child relationship.

Besides, addiction is a very complex phenomena, and someone does not become addicted randomly (Khantzian, 1978). From the data obtained from the interviews, the individual-environment maladaptive schema, is obvious, and under certain assumptions, this can be construed as persons who develop a strong ego can be well-adapted to the environment while those who have ego disturbance using non-flexible schemes. If referring to parental love and warmth and parental encouragement of self-confidence and self-esteem to his child, it should be noted that these factors play a key role in strengthening the ego of the child. Drug use in these individuals (as the ego/ self-theory of substance abuse explains) responds to specific psychic defences and ego compensation needs: Instead of being able to identify their unmet needs, they repress them, and this makes them even more vulnerable.

Furthermore, heroin effect gives an exaggerated sense of power and boosts of self-confidence. The individual thinks that he can do everything he could not do before, replacing the feeling of helplessness with the feeling of euphoria. This is also noticed by the reports of the interviewees follow the same line of argument of Cognitive-Affective-Pharmacogenic control theory, which explains that the substance relieves anxiety and makes them feel good about themselves by giving the user the feeling that he already has the power and competence to control the surrounding environment (Krystal et al.1970).

The coexistence of enmeshment-unmet needs - drug use - maladaptive behaviour, needs further exploration in future studies, to better understand whether these individuals tend to develop drug addiction and have more difficulty to overcome addict the cycle of dependence rather than individuals who do not have parental enmeshment.

## Limitation

Dealing with a target group that is often stigmatized and marginalized might lead to incomplete or manipulative responses and in some cases, idealization of family of origin was noticed. Also, some of them might be using other drugs or may have comorbid conditions. Another limit to consider are the non-standardized instruments and one of them is designed by the researcher himself and not by a group of experts. Also, in qualitative method, subjectivity of the researcher might be considered as well. Another limit of this study is that results cannot be generalized in this clinical population and cause of the gap in literature, it is not possible to compare this study with the data of other studies.

## Conclusion

This study aims to explore the early parent-child relationship and enmeshment in heroin-addicts to better understand its impact on later adulthood. The hypothesis of this study was: People with parental enmeshment tend to become addicted to heroin and have more difficulty than others to rehab.

The findings of this study showed that: 23 heroin-dependent individuals who participated in this study results having enmeshment with at least one parent, while 7 of them did not have parental enmeshment. Depth semi-structured interviews results, suggest that they use drugs to compensate for some unmet needs, which include psychological and emotional support, parental love and warmth, emotional stability, open communication, and encouragement. self-confidence and self-esteem of the child by the parent.

Additionally, most of the heroin-dependent individuals surveyed are unaware of the origin of the problem attributing to other factors and overlapping problems that come as result of the individual – drug – environment interaction.

The findings of this study have practical application in substance use disorders treatment. Focusing on the early parent-child relationship, enmeshment and bringing to attention unmet needs, is of particular importance for the treatment of individuals surveyed. Since these individuals might be unaware of their needs, might develop rigid defence mechanisms that allow them to stay in psychological balance with their inner needs and addiction. By bringing these needs into conscious awareness and exploring parental enmeshment in drug / heroin addicts, is important in the process of psychotherapeutic treatment and drug rehabilitation. This research can be helpful to participants, to the drug rehab center where it was conducted, to people struggling with heroin addiction and their families, as well as addiction experts.

## Suggestions

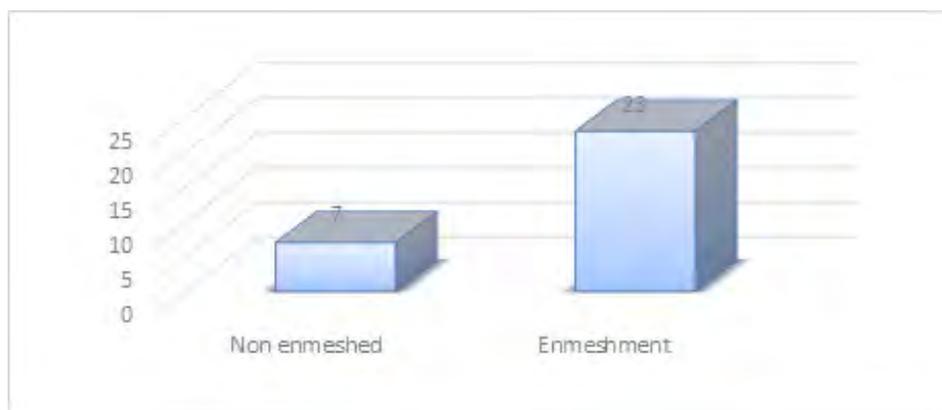
Regarding parents, It is recommended that patient and parents get well- informed and educated on enmeshment and its consequences it may have on the child’s personality. It also very important to maintain a consistent family environment concerning psycho-emotional needs of the child and emotional stability.

It is recommended that therapist help the patient exploring and identifying unmet needs and understanding the origin of the problem by repairing ego damage, developing effective defense mechanisms and using adaptive schemas. Furthermore, family involvement in therapy, is recommended, because parental enmeshment occurs in certain context which is the family environment and individual therapy, and family therapy is needed. It is important to include the parent with whom the child has enmeshment, to gradually define individual personal boundaries of the person suffering from addiction and create gradual separation from the family of origin while maintaining proper psycho-emotional closeness to him. Psychodynamic therapy approach might be used in enmeshment cases and behavioural cognitive may be appropriate in cases with no enmeshment but mostly maladaptation.

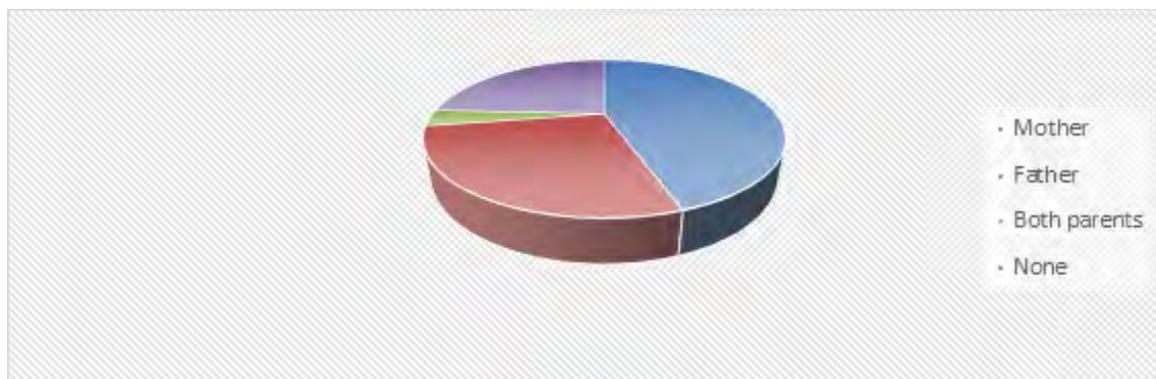
Regarding drug rehab systems and services, Increase the number of drug rehabilitation centers, both public and private and when it is possible to build up residential community drug centers that enable the treatment of drug addiction even for people who cannot afford other rehabilitation programs. Additionally, increase the number of well-trained psychotherapists and including community psychologist in academic profiles It is also very important to organize mini parent training for free by the state (since not everyone can afford to pay for trainings) to better inform and educate parents on this phenomenon. Inserting drug addiction profile in academic curriculum program

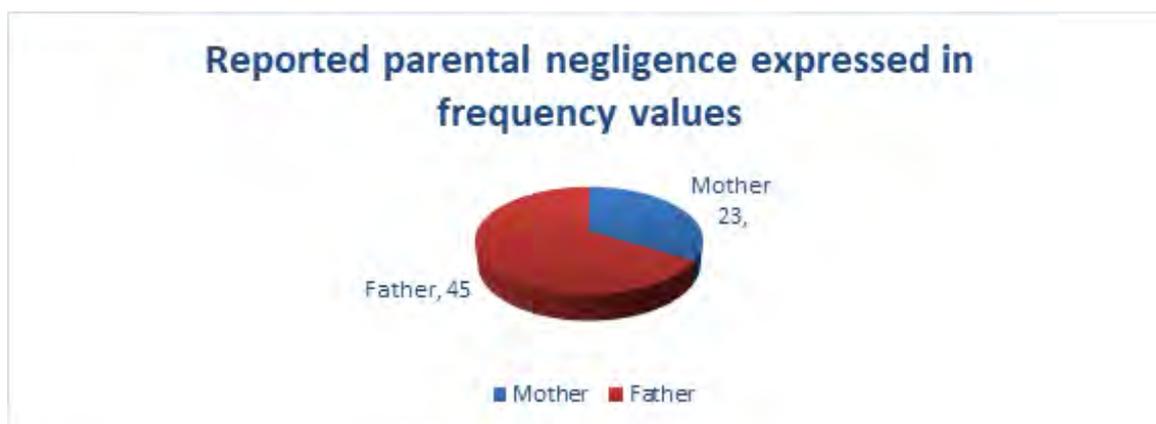
Suggestions for Future Research; Quantitative studies can be conducted to further explore drug addiction, enmeshment, and unmet childhood needs. Also, qualitative, or quantitative studies can be designed to better understand enmeshment and other addictive behaviours. It is also important to consider the opposite of enmeshment phenomena called disengagement, can be further explored, and studied since this phenomenon is just as problematic (perhaps even more) than enmeshment.

**FIGURE 1.** General enmeshment overview



**FIGURE 2.** Critical and abusive parent



**FIGURE 3.** Parental negligence

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# Rise of the Acrobat Teacher

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**Klementin MILE, PhD<sup>1</sup>**

European University of Tirana, Albania

klementin.mile@uet.edu.al

## Abstract

*It is usually thought that most Albanian youth do not read at all. And yet, Albanian youth today read much more than yesterday, today's youth is an animal lectorem, an animal that reads. This relationship with reading is also manifested in the education system, where it is deeply influenced by the principles of modernity, where the degree has a relative and conditional value. In these conditions, when on the one hand the differentiation produced by the education system does not absolutely guarantee the career of the young person in the labour market and when on the other hand young people massively prefer informative reading to the meaningful one, the teacher is under tremendous pressure to become "acrobat". This is a metaphor that conveys the reality of today's teacher in postmodernism, which we must use to compensate the lack of due reflection and conceptualisation on this phenomenon. But how and why did we get to this point when teachers are asked to be acrobats?*

**Keywords:** *meaning / information / modernity / postmodernism / integration*

## Do our young people read?

The idea has been created that most Albanian youth do not read at all. In fact, it is common not to find any books in Albanian homes. It is just as common to see that libraries are empty. And yet, Albanian youth read much more today than yesterday. The usual look of today's teenager is that of a man haunted on his cellphone or computer, reading endless statuses, comments, news, articles and blogs. If we add to these the TV subtitles that catch the attention of Albanians during the 24 hours, we must necessarily come to the conclusion that today's young man is an *animal lectorem*, an animal that reads.

But this young reader is no cause for rejoicing. Rather, it reveals a tragedy of our existence. This tragedy is outlined as soon as we ask questions about the character of the writings that are read mostly by Albanians. And these are informative writings, not meaningful ones. The order behind informative writings cannot be explained only by their simplicity, by the fact that even a person uncultured or untrained in abstract things manages to read them without difficulty. Of course, as a rule man seems to prefer the easy over the difficult. But the preference for informative writing and the rejection of meaningful writing has reasons deeply rooted in human psychic structures.

Information and meaning are not just different things - they are opposite things. Information is a selection between the alternatives contained in reality (Luhmann 1995). In this way information reduces the complexity of reality, eliminating all other alternatives. For example, being informed about the weather means getting the message that "tomorrow will be sunny weather". This information has eliminated other alternatives, which are just as real: rain, snow, wind, eclipses, etc.

Meaning, in spite of information, preserves all alternatives to reality. Meaning expresses not only what happens, but also what could have happened. Thus, reading meaningful writing means reading about something that happened in the context

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<sup>1</sup> **Klementin Mile** is a lecturer at the Department of Humanities and Communication at the European University of Tirana. He holds a doctoral degree in Political Science and his teaching and research interests are focused on Political Philosophy, European Studies and Political Theory.

of other alternatives that did not happen but could have happened. Therefore a meaningful writing about the weather would mention the sun, and the rain, and the snow, and the wind, and the eclipses.

The difference between information and meaning clearly exposes the Albanian reader to the informative writings. Information, by reducing the alternatives of reality to only one, at the same time reduces man's uncertainty about the reality where he is. Reality becomes clear, simple and predictable. The young Albanian appears as the man who wants clarity, simplicity and predictability.

But with them come some negative elements, which characterize the tragic situation of the Albanian youth. The point is, clarity, simplicity, and predictability come at a high cost - they pay for themselves by sacrificing freedom and activity. Informative writing creates the idea that there is no alternative: what happened could not have happened otherwise, what happened could only happen to that kind of person, but not us. For example, as we learn about the purchase of a castle by a VIP from the world of spectacle, we conclude that this is another world, "Martian", with no connection to people like us today or the weather. We may be upset or irritated by the injustice of fate, but it only makes us feel powerless to change the situation and pushes us towards deterministic thoughts.

The resulting apathy is the phenomenon fueled by passivity and deterministic conception of the world. But the reality is complex (Qvortrup 2003) - it carries far more alternatives than what we have chosen, it has within itself much more life than what we live. The trap of informative writing is to blind us so that we do not see alternatives. Today's young man, the one who does not read meaningful writings, is the passive and fatalistic man, the man willing to sacrifice freedom of decision-making according to the motto "after all, things do not change!"

## How much is a university degree worth?

This relationship with reading is also manifested in the education system, where it is deeply influenced by the principles of modernity, where the degree has a relative and conditional value. The German theorist Niklas Luhmann says that for man, to live in modern society, means to participate in it only through the roles he plays, that is, using only a part of his physical and intellectual capacity, only that part which helps perform the role (Luhmann 1982). And this means that in modern society precious things like money, power and prestige of man are determined by the roles he plays in the systems of society. The systems of modern society are politics, economics, justice, religion, art, science, education, health, mass media, family, sports, and intimacy. In each of them, a person can play a role, important or not, that brings him money or not, that increases his prestige or reduces it.

For graduates, this means that the prestige given to them by university degrees in the education system translates into money in the economic system, ie in a well-paid job. But why does this not always happen and, in some countries, such as Albania, it rarely happens? Should we go back to the idea that a university degree has no value at all? This issue is related to the integration of modern society. Luhmann tells us that this society is characterized by low positive integration and high negative integration (Luhmann 2004). So, in modern society, having an important role in one of its systems does not necessarily mean that you will have an important role in other systems. This is what low positive integration of society says: having a university degree (important role in education, academic merit) does not necessarily lead to a good job (important role in the economy, economic well-being). The opposite is said by the high negative integration of society: not having brings not having. Not having a university degree almost necessarily means that you will not have a well-paid job, you will not have power and you will not have prestige.

There are times, however, when not having brings brings. There are times when people who are not educated enough, or with poor academic results, manage to have power, money and prestige. In these cases, the shore of non-possession and the shore of possession are joined by the bridge of corruption, and other times the bridge of crime. Only through corruption and crime does the low positive integration of society become high. This is frustrating for graduates who do not have these tools, as they have to compete in an unfair environment and see their chances diminish. However, the value of a university degree is not zero. It lies in the distinction between positive and negative integration of society. Having a university degree does not necessarily ensure a good living in economic and social terms; but it gives you the chance to have it. On the other hand, not having a university degree (and not even having corrupt and criminal means) guarantees a poor economic and social life and gives you no chance to improve it.

## The acrobat teacher

In these conditions, when on the one hand the differentiation produced by the education system does not absolutely guarantee the career of the young person in the labor market and when on the other hand young people massively prefer informative reading to the meaningful one, the teacher is under tremendous pressure to become "acrobat". The term 'acrobat' has come to Albanian and other European languages from ancient Greek. *Acrobatos* means to walk on tiptoe and climb up. The teacher (and pedagogue) today stands for hours teaching, but not because he fails to get inspired when he is sitting; in fact, it does so to capture the attention of pupils and students and to maintain order in the classroom. Teachers today are required to use interactive methods, Powerpoint, movies, metaphors, anecdotes, humor and illustrations as

much as possible. In other words it is required to please the audience of pupils and students, just as acrobats delight their audience by walking on a rope at their fingertips. The assumption is that the satisfied audience manages to extract more. But in fact, as happened to me when I explained the concept of the essential self in the subject of Philosophy and used the metaphor of the onion, to show that the self has no essence, when I asked the students in the exam about the concept of the essential self, they only gave me the answer the metaphor used and no definition or analysis. Quite satisfied and not at all learning.

But how and why did we get to this point when teachers are asked to be acrobats? Of course, acrobatics as a solution comes from the way the problem is formulated. Thus, the French philosopher Finkielkraut, in his book *The Undoing of Thought* (Finkielkraut 1988), formulates the problem of pedagogy by contrasting school with student. According to him, the school is a modern institution, while the student is post-modern. In other words, the school does the homework, says 'should', while the student is driven by desire, says 'I want.' Formulated as a conflict, the pedagogical problem of passing on knowledge from one generation to another has only two potential solutions: either the school will become extremely authoritarian, strict and violent to teach the student what it needs, or the school will become acrobatic by submitting to the latter's wishes. Both solutions are used, but the latter is much more widespread.

The point is, both of these solutions are dysfunctional. The first violates, but does not teach, while the second pleases, but it also does not teach. Violence makes triumph a school without students and acrobatics make triumph students without school. This problem is unsolvable if it continues to be formulated as proposed by Finkielkraut. Among other things, the thesis that the school is modern and the student is postmodern, does not even stand by its terms. Thus, has not the school always been modern, has it not always tended to teach the task, what should be taught? And on the other hand, has not the student always been post-modern, inclined to place desire over the task? This conflict, then, is not today, but has always been and will continue to be. The fact that in the past this conflict was successfully resolved should make us think about where we are going wrong. Maybe we should reformulate the problem of pedagogy, no longer as a conflict between the school and the student, but as a problem related to the concept we have of the teacher and teaching?

The German philosopher Heidegger says that teaching is a giving, a offering (Heidegger 1995). But what is offered in teaching is not the thing to be learned, as the student is simply instructed to learn what he already has. In case the student gets something that is offered to him, he does not learn. He learns only when he experiences what he takes as something that he has within himself. Therefore, teaching means nothing more than letting others learn, bringing each other to learning. Teaching, says Heidegger, is more difficult than learning. This is because only he who can truly learn - and as long as he can do so - is the only one capable of teaching. The real teacher differs from the student only in the fact that the teacher can learn better and wants to learn more sincerely. When teaching, it is the teacher who learns the most.

Today we are far from Heidegger's concept. The teacher is seen as omniscient and so sees himself. The arrogance of the omniscient is then conveyed in communication with pupils and students, who are treated as tabula rasa, like plasticine that passively waits to be shaped according to interest, agenda and objectives. Of course, this does not go unnoticed by students and the consequence is known: they refuse to learn. And in these conditions, when he does not let others learn, acrobatics is not a solution either. It resembles that story that tells of Socrates, the eminent Greek philosopher, who one day meets a sophist. The Sophist asks, 'Are you still standing there on the street, saying the same thing about the same thing?' Socrates replies, 'Yes, this I'm doing. And you, who are so smart, how is it possible that you never say the same thing about the same thing?'

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# The present challenges of new media and the influence of political “tycoons”

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Phd. Miranda PRIFTI  
Msc. Dritan IDRIZI

## Abstract

*We can see the current world situation as the result of a silent, dual revolution of cultural norms: the post-materialist revolution and the digital revolution. The means of communication are still looking for the “end of the world” by sufficiently weakening the spatial barriers. The environment of new media in the world today is very dynamic and continues to develop in unpredictable ways and this has serious consequences for governments and democratic governance. The new media have radically changed the way government institutions operate, and the way heads of state communicate. They have redefined the way elections are conducted, and how citizens engage in politics. The new media have implications in many dimensions for democratic governance and political practices. They have transformed the political-media system and redefined the role of journalism and journalists.*

## Introduction

We can see the current world situation as the result of a silent, dual revolution of cultural norms. The post-materialist revolution, described by Inglehart (1977: p. 3), linked to the digital revolution, influenced by the openness, collaboration, sharing and informality of information. Digital media today allows the citizen to live his citizenship in a more independent, fuller and richer civic engagement, away from traditional political attitudes. Such media hybridization has made individuals on social networks express themselves freely in a personal and independent way. Of course, social networks facilitate “click-through”, ie virtual engagement, which involves very little of the individual approach. So if we will express it in a more general way: the desire to follow someone, the likes, the distribution of texts or images related to politics, the signing in favor of a digital campaign are small acts, previously unseen in the pre-digital era ...

They have allowed ordinary people around the world, with only a mobile phone in hand, to oppose, fight for political change or against a regime, and expose corruption and the inefficiency of public life. (Margetts, 2019, n.90 (S1)).

The growth of new media has brought the world into a new era of political communication defined as hypermedia campaigns (Howard, 2016), in which communication is present in all media available immediately and, for this reason, is able to meet the needs of a global audience at any time. Such a definition embraces the hybrid media environment (Chadwick, 2013), characterized by the intertwined and interconnected use of new media with traditional media to deliver a coherent and unified message across all platforms. This hybridization serves to create a single stream of the agenda. New media can transmit information directly to individuals without the institutional intervention that is part of traditional media. Thus, the new media have presented a higher level of instability and unpredictability in the political communication process.

The relationship between traditional media and new media is symbiotic. Traditional media have incorporated new media into their reporting strategies. They distribute materials across a range of old and new communication platforms. They rely on new media sources to meet the ever-increasing demand for content. But even though competition for new media exists, traditional media remain strong, even if not as much as in the past. Consequently, new media rely on their traditional counterparts to gain legitimacy and popularize their content.

Ideally, the media plays and provides several essential roles in a democratic society. Their main purpose is to inform the public, providing citizens with the information they need to make clear leadership and policy decisions. The media acts as a watchdog that controls governments' actions. They set the agenda for public discussion of different issues, and provide a forum for political expression. They also enable the creation of a more conscious community by helping people find common causes and work towards solutions to social problems. But, on the other hand, the new media explicitly seek to engage the public directly in political activities, such as voting, contacting public officials, volunteering in their communities, and participating in protests. At the same time, the age of new media has ignited tendencies that underestimate the ideal goals of a democratic press. The media distributes a large amount of political content, but many of the materials are irrelevant, unreliable and polarising. The oversight role of the media, before the new media appeared on the stage, was performed mainly by trained journalists who focused on uncovering the facts that revealed the serious violations of laws by politicians. Much of the news in the new media age is determined by the coverage of an endless barrage of sensational scandals, whether real, exaggerated or completely fabricated, that are often related only to governance.

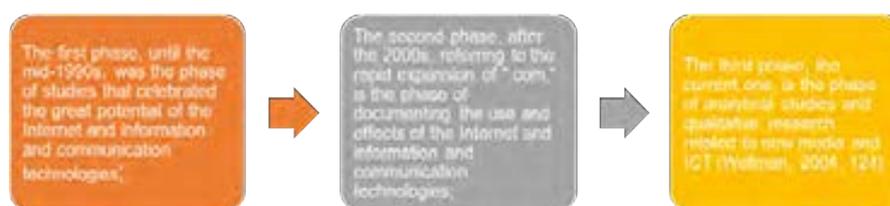
## The evolution of new media

The three phases of new media research

The first phase, until the mid-1990s, was the phase of studies that celebrated the great potential of the Internet and information and communication technologies;

The second phase, after the 2000s, referring to the rapid expansion of “.com,” is the phase of documenting the use and effects of the Internet and information and communication technologies.

The third phase, the current one, is the phase of analytical studies and qualitative research related to new media and ICT (Wellman, 2004: 124).



The Internet appeared in the mid-'90s, and its progress was unpredictable. A time when platforms like radio, TV shows and tabloids took on prominent political roles and created the informative-entertainment genre. This genre blurred the lines between news and entertainment, and privileged sensational stories, fueled by scandals over strong news (Jebri, 2013). Politicians turned to the new media to bypass the mainstream press's control over the news agenda. The emphasis on informing and entertaining new media at this early stage offered political leaders and candidates a friendlier place to present themselves to the public than the news media (Patricia, 2009).

The next stage in the development of new media was the application of new digital communication technologies in politics, which enabled entirely new platforms and systems for the dissemination of information content. The public became more involved in creating materials and disseminating news content with political content. “Citizen journalists” were eyewitnesses to events that professional journalists could not cover. These casual journalists offered their perspectives on political issues, politicians and their colleagues. The public was also responsible for recording and submitting videos that could affect the course of events (Wallsten, 2010). In 2006, for example, Republican Sen. George Allen's re-election campaign was ruined by a viral video in which he used the term “Macaca,” a racial term referring to a young man of Indian descent attending a rally during his campaign (Craig, 2006).

From the mid-2000s, a new digital environment emerges, a typical example of which is the Barack Obama campaign in 2008. The Obama team revolutionized the use of social media: personalized cell phone messages, Youtube videos, networks social media like Facebook or Twitter complemented the repertoire of blogs, forums and emails, in elections they thought were impossible to win using traditional techniques. The campaign was built using the advanced features of digital media that were put into practice by networking, collaboration and the potential of community engagement to create a political movement.

Studies show that people's access to social media networks has a positive effect on their sense of political efficiency and tendency to participate in politics (Gil de Zuniga, et al 2010). However, there have been harsh reactions when social media discourse has become too bad and users have blocked content or left their social networks (Linder, 2016).

## Political Information

The complexity of the new media system is reflected in the variety of content available. In the age of new media, the boundaries that separate the different types of information have increased more and more. Professional media editors who regulate the flow of information by applying news principles and standards related to the public good are the fewest

in number (Willis, 1987). They have been replaced by social media and editors, whose main motivation is to attract users regardless of the value of the news. Audiences have to work hard to distinguish fact from fiction and to distinguish what matters from what is irrelevant.

The word for new media reflects these harsh political divisions and often goes to expressions of hostility and emotional attacks. The Prime Minister of Albania, Edi Rama, often uses social networks to stir up controversy. During the 2018 student protest, the Prime Minister of the country called the students protesting “lagging behind students” while attacking the media for misinformation (Express, 2018). And if we refer to the current protest against the price increase, the strong statement of the Prime Minister that: “The price increase protests serve Russia”, also creates dissatisfaction and a significant impact of the new media on the organization and mobilization of citizens, because such communication of Prime Minister Rama cannot be taken easy when he declares that it is a protest that disfigures Albania and shames the Albanians during this untypical times.

Political divisions are reflected in the way people choose their news and information sources based on their affinity for other users’ policies.

### **Who needs the facts? Post-truth Media**

American author Ralph Keyes (Keyes, 2004) notes that society has entered a post-truth era. Fraud has become a defining feature of modern life and is so prevalent that people are insensitive to its implications. He complains about ambiguous statements that contain a bit of authenticity but have nothing to do with the truth, and have become the currency of politicians, reporters, corporate executives and other agents of power.

### **The power of “Fake News”**

Excessive dependence on a personal social network as a source of information can create “filtering bubbles” (Pariser, 2011) characterized by highly homogeneous political opinions, colonized by fake news (Egelhofer, Lecheler; 2019, 1-20) or commanded by algorithms controlled by powerful companies.

It is therefore very difficult to claim an authentic discussion on social media and have expectations about ideal communication, in the Habermasian sense of the public exercise of reason.

The most extreme illustration of the concept of “post-truth” reporting, is the increase in the spread of fake news. The definition of fake news has changed over time and continues to be like a free electron, as the latter is very fluid. Initially, the term “fake news” referred to television formats with parody or satirical notes, such as “Fiks Fare” in Albania, “The daily show with Jay Leno”, “The Colbert Report” in America, Odnazhdy v Rossii, ( Once upon a time in Russia), or “The last Leg” in England, to name a few.

The popularization of the term “Fake news” started in 2016. The definitions on it were numerous, describing them as: intentionally false information or as intentionally false and misleading content, published as genuine articles to lead the audience towards wrong evaluations.

During the US presidential election campaign in 2016, they attached the concept of fake news to fictitious articles made to appear as if they were genuine news items. These were distributed on websites that looked like legitimate news platforms or blogs.

But unlike the ideas created, the exposure of Americans to fake news in the 2016 campaign had a weak impact. However, the strong media coverage of the phenomenon, since this year, only undermines the credibility of the information presented on social media.

The authors of such news/articles are paid thousands of dollars to write false information. They use social media algorithms to distribute content in specific constituencies. Fabricated stories are officially spread by “social bots”, automated software that repeats messages disguised as a person (arXiv, 2017)

Fake news articles play with people’s existing beliefs about political leaders, parties, organizations, and mainstream news media. While some fake news are “fair” fabrications, others contain elements of truth that make them seem credible to the audience. And so, through conspiracy theories, scams and lies, news affecting millions of voters in the 2016 elections was effectively disseminated via Facebook, Snapchat and other social media (Oremus, 2016). For example, a fabricated story claimed that Pope Francis had backed Donald Trump and that Hillary Clinton had sold weapons to ISIS. (Rogers, 2016). The fake news widely spreads through social media, especially Facebook and Twitter. Audiences are deceived and confused by fake news, which intentionally confuses the basic facts about politics and government with fiction.

An alternative approach of fake news emerged after the presidential election. In his first press conference as President-elect, Donald Trump shared the term “fake news” as a derogatory reference to the mainstream press. Addressing CNN reporter Jim Acosta, who was trying to ask a question, Trump shouted, “You’re fake news!” Trump and his associates often use the term “fake news” when trying to delegitimize traditional media, including The New York Times, and Washington Post, for reporting that they consider unfavorable (Carson, 2017). The same situation occurs in other countries, for example Albania, where the synonym of “fake news” is “garbage bin”. The Prime Minister of Albania, Edi Rama, in “Zone e Lire” TV show, described the media as a garbage bin (Tema, 2017). Or the case when former Prime Minister Berisha, during his first term, immediately after the explosion of the ammunition factory in Gerdec, while speaking on the rostrum of the parliament, called the investigation

and the facts made public by one of the most famous and serious newspapers in the world, “The New York Times” as a “toilet paper.” Syrian President Bashar al-Assad also described the era we live in now as a fake news era in an interview with Yahoo News in 2017. Venezuelan President Nicolás Maduro is also critical. This is after President Trump in one of his statements said that “every option is on the table regarding Venezuela”, while the country was involved in political and economic unrest in which the US blamed its socialist leadership. Venezuelan President Nicolás Maduro in an interview for RT in July 2017, stated that the country was “being exposed to harassment by the world media”, and said that the foreign media “spreads many false versions, many lies” and that “this is what we call it fake news today, don’t we?” (O’Connor, 2018)

## Watchdogs or politicians’ soldiers?

The notion of the press as a political watchdog frames the media as guardians of the public interest. It provides control over government abuses by confronting citizens with important information and forcing the government to be transparent.

New media have increased the capacity of journalists to fulfill their investigation role, even in an era of scarce resources for investigative journalism. Information can be easily shared through official media sources. News can also be documented and shared by citizens through social networks. However, there are aspects of the watchdog that have become more difficult to accomplish. The complete refutation of lies by public officials has become a separate news category. The Washington Post’s “Fact Checker” identified nearly 1,500 false allegations made by President Trump in just over 250 days in office. (Kessler, 2019). Fact-finding sites like PolitiFact, Snopes, and Fact Check can barely afford the amount of material that needs verification. Despite these efforts, false information has multiplied.

There is evidence to suggest that the new media has turned into politicians; soldiers. In some ways, the press has moved from being a watchdog to a spokesperson for politicians. This tendency is exacerbated by the fact that there is a back door where journalists can move between positions in the media and those in government. Some scholars claim that this door compromises the objectivity of journalists who see a government job as a source of their future salary (Shepard, 1997).

The media act as spokespersons for political leaders by publishing their words and actions even when their value as news is questionable. President Donald Trump uses Twitter as a mechanism for sharing messages with his followers, and many of his tweets have controversial veracity, in addition to the fact that they stem from the president’s account. However, the press acts like a spokesperson promoting his tweets. A negative tweet can dominate several news cycles e.g. In an interview with Fox Business Network Maria Bartiromo, President Trump gave his reasoning for using social media to communicate with the public and the press that supports the notion of media as a spokesman:

“Tweeting is like a typewriter - when I post, you put it on your site right away. I mean, the next day, I posted something, two seconds later while I was watching your show, I saw it ... You know, you have to keep people interested. But without social media, I’m not sure we would be here talking, I probably would not be here talking (Tatum, 2017)

Successful news outlets like The New York Times or The Washington Post are often accused of publishing fake news when this information is not in the interest of some elites. When rumors and conspiracy theories are believed, they can have serious consequences. This point is illustrated by the “PizzaGate” conspiracy theory, which spread on social media during the 2016 presidential election. Democratic presidential candidate Hillary Clinton and her campaign chairman John Podesta were accused of involvement in satanic rituals where they personally “chopped and raped” children. Wikileaks on the other hand published personal emails from Podesta’s account indicating that he liked to eat at a pizzeria in Washington, D.C. The hashtag on Twitter #pizzagate started to convert to a trend in very few minutes. Rumors claiming the restaurant owner was running a child sex network started circulating. Believing the rumors to be true, a man left North Carolina to rescue “children held as sex slaves.” He opened fire inside the pizzeria as staff and customers fled. He is currently serving a four-year prison sentence (Aisch, 2016).

## Conclusion

We need to be clear about the democratic role of the media in being an instrument of critical education, and recognize the importance of television in political life by encouraging and urging information actors to become more aware of freeing themselves from the structural constraints of positioning themselves as true democratic agents. The journalist encounters processes that affect him, but that he can simultaneously influence towards a freer direction from the power relations of different political camps, embracing the task of investigator not reproduce without analysis, coming out of the cynical emptiness of circular information circulation.

We must also reflect on the consequences of the relationship between the fields of information and politics in the increasingly regulated democratic life of the media, and discuss the many issues that legitimize the audience as a truly democratic criterion for content selection and news broadcasting.

Also, the rise of new media and post-truth society has created a precarious situation that undermines their useful aspects. Currently, it seems that there are few effective controls to increase the wave of false information. The ambiguous position of the media as a spokesperson for politicians makes journalists unite in spreading misinformation and facts. It is important to understand that journalism has never experienced a “golden age” where facts always prevailed and accountable reporting was absolute. However, the present era can fearlessly be regarded as the lowest level for the democratic need for a free press.

Platforms such as Facebook, Twitter, YouTube have become arenas of public debate and at the same time have facilitated the dissemination of false information, leading to a brutalization of public debate if we refer to Badouard (2017), because manipulation increases the level not only of hatred but also of violence in society.

And while the Internet was expected to be an instrument of 'empowerment', with the ability to nurture political life and facilitate political mobilization, today we are aware that this digital divide has brought inequality to political life.

If the Internet did not equalize the political race, as Dahlgren pointed out in 2001, it has unquestionably raised the level of insecurity for political elites and beyond.

*Is the "cyber-party" model constituting a new model of political organization highly connected to digital technology?!*

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# Close Up Theater - An Innovation in Stage Art Studies

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**Dritan BORIÇI**

Lecturer in the Department of Applied Arts UET

For anyone who thinks that theater is just that magical world that appears after the opening of a stage, under the spotlight, the display of decor, accommodated in the armchairs of a theater hall in the dark, is wrong. It has not been, is not and will not be just that.

Shakespeare - as the best known of the playwrights would write in his comedy "As you like it":

"Everything the world has, a stage

All men and women, just actors"<sup>1</sup>

These lines are enough to liberate our perspective on theater, to attempt to discover theater in much wider spaces, and to create artistic value with everything, including digital technology.

Since its inception, the theatrical space has been a place to see, to watch, to present, to perceive, to understand. So in a basic sense theater has been and is a first way. At the heart of the theatrical experience - as Peter Brook suggests - is the act of watching and being watched. Places for theater to happen have been created in all societies, ancient and modern. Throughout history, the theatrical space has been prepared in such a way that the audience has the opportunity to watch and the performer can be watched. The ancient Greeks called this special place where the public sat to watch the plays "THEATRON" or "Place to watch". At one time or another in the history of Western culture, this place has been a primitive dance circle, a Greek amphitheater, a church, an Elizabethan stage, a market square, a garage, a street, a pre-stage theater, a theater Broadway, a university theater house, a restored warehouse or, more recently, a digital platform on our laptop, computer or mobile phone<sup>2</sup>.

In his article "Weak Universalization", the essayist, art critic, media theorist and key contemporary German philosopher Boris Groys writes:

"The tradition in which our contemporary art world operates - including our current art institutions - was formed after World War II. This tradition is based on the practices of the historical avant-garde art - and their renewal and codification during the 1950s and 1960s. Now, no one has the impression that this tradition has changed much since then. On the contrary, over time it has become more and more powerful."<sup>3</sup>

Close up theater is a continuation of the conceptual changes that occurred with theatrical spaces - and consequently - with the way theater was viewed precisely in the years to which Groys refers. Over the past decades Jerzy Grotowski in Poland, Ariane Mnouchkin in Paris, Peter Schuman in Vermont and Peter Brook from Africa in Avignon, France, have organized theatrical space in various ways to bring audiences and actors closer together. At a time when the theatrical experience was "calcified" inside theater halls, with a spectator specially engaged for the theater, they developed a way of thinking about non-traditional theatrical spaces. One of the greatest directors and explorers of theater, Peter Brook, would discover one of the most significant axioms of theatrical development in the future. In his book "Empty Space" he concludes:

"I can take any empty space and call it a naked stage. "One person walks through this empty space while someone else is watching it, and that's all it takes to be the starting point for a theatrical act."<sup>4</sup> Is not our computer screen an empty space where in front of us at a predetermined moment a man (actor) appears and we are seeing him, a starting point for a theatrical act - recently labeled close-up theater?

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<sup>1</sup> Shakespeare. As you like it. Folger Shakespeare Library, f. 37

<sup>2</sup> Barranger, Milly S. Theatre : A way of seeing. - Wadsworth Publishing Company, Belmont, California, 1991, f. 4

<sup>3</sup> Groys, Boris. Politika e instalacionit. - Tiranë : Botimet Princi, 2015, f. 99

<sup>4</sup> Barranger, Milly S. Theatre : A way of seeing. - Wadsworth Publishing Company : Belmont, California, 1991, f. 2.

While the great revolutionary of the theater Jerzy Grotovski would “strip” the theater of many elements that for him were superfluous and obscured the creative force of the theater. In his book “For a poor theater” he states:

“Gradually eliminating everything that was superfluous, we realized that the theater could exist without makeup, without costumes and without decorative scenography, without a line that separates the hall from the stage, without sound effects and without light effects, etc ... Accepting poverty in the theater, giving up everything parasitic, has rediscovered not only the essence of this instrument, but also the unexplored wealth that lies in the most intimate depths of the artistic form”<sup>5</sup>

The beginnings of close-up theater can be traced back to those theatrical productions when, in collaboration with digital directing technology or various scenographers, they realized artistic communication in theaters. There are many examples in the world, but the most significant are those developed during the 70s and which were called THEATER OF VISION with main representatives Robert Willson (playwright and producer) and Lee Breuer (director). In their parts we find actors who face, among other things, holographic forms. They realized a new mix of creative resources including technology. Robert Willson creates life-size paintings on stage with sounds, sculptural forms, music, and visual images. In his work A LETTER TO QUEEN VICTORIA which appeared in the abbreviated version on Broadway in 1974 he also introduced television images and film clips. One theme of the piece was American imperialism, but instead of discussing the subject, Willson simply projected his IMAGE.

LEE BREUER in his play HAJJ written and performed by him in 1983 at the Public Theater, is a long “interpretive poem” in which a woman (Ruth Maleczek) sits at a table, is seen in a multi-plane mirror, and looks not only at her reflex but also at her past, projected onto large screens from a circle of camcorders and pre-recorded tapes. This pilgrimage within the brain reveals how art is produced from reflections of the present and memories of the past. His company MINERAL MABOU is the leader of the avant-garde, it is a model of experimentalism in writing, acting, directing, production, technology. Their work mixes a strong thread of high-tech narrative. However, there are many examples in the late twentieth century and early twentieth century, but we must note what is really called close up theater.

Theater is an art that is created the moment we see it. For theater to happen, two groups of people, actors and spectators, must come together at the same time and in the same place. There, the actors introduce themselves in front of the audience in a story that usually contains some aspects of being human. It is very important for anyone trying to highlight the close up theater from the variety of performances, videos or other digital art forms this quality of theater immediacy. Close up theater, like contemporary art, deserves its name to the extent that it manifests its contemporaneity. Being contemporary can be understood as being present at the same time, as being here and now. In this sense, art in general and close up theater in particular seem to be truly contemporary if it is perceived as capable of capturing and expressing the presence of the present in a way that is radically uncorrupted by past traditions.

In the Albanian theater, a fragment of the close-up theater can be found in the TAG play of the National Theater, realized in 2019, where at one point in the play, the character played by the actor Artan Imami, communicated with other actors on stage through a relatively large screen. The actor was performing at that moment in an environment next to the theater in front of a camera and responding to the dialogue that took place on stage. In this form the condition of the quality of the immediateness of the theater was realized.

Signs of close-up theater can be found in other performances, on the Albanian and world stage, but this way of doing theater had its rapid development during the time of the Chinese Virus, and especially during the global quarantine imposed by COVID 19. Theaters around the world interrupted the repertoire with their premieres. Every stage of the live theater was locked up and the public and the theater makers were isolated in their homes, breaking away from their traditional communication in theaters, whether classical or alternative, indoors or outdoors. Up to that point digital technology had greatly contributed to the show’s advertising process being an important part of publicity. Facebook, Youtube, etc. distributed posters, the processes of preparing a play, or interviews with theatergoers, critical articles, various information, to stimulate the interest of the spectator. Quarantine interrupted the “heart” of the entire production process of a theater - the play. Many theaters around the world lost their subscribers and many contracts were broken due to this global disaster. To rekindle communication with the spectator theaters sought the help of technology. Of course the emergence of communication and artistic existence made many theaters around the world display on their personalized social networks, free of charge, some of the recently masterpieces of their repertoire. In those early days of existential psychological shock for the theater genre, just a simple internet search was enough and you could endlessly see masterpieces by the world’s greatest authors performed by theatrical troupes that today are at the forefront of theatrical developments where sometimes their perfection seems unattainable. Zero-budgeted troupes that were already forced to showcase their professional achievements to every spectator in the world, despite the fact that most of them could not buy a ticket and see the stage live.

A keen eye, however, realized that theaters around the world were strengthening their technological structures to enter the close up theater experiment. The Albanian National Theater - as the leading theater in the Albanian territories, initially established on the Whatsapp network a communication line with all its artistic and technical staff entitled “Communication, ideas and debates” where every evening, at a certain hour, dialogue took place through messages and sometimes in the Zoom network for artistic forms that had to be used in order not to lose contact with the gender of the theater and the spectator. On April 2, 2020, the director of the National Theater Hervin Çuli sends an open letter to the Prime Minister of the country about the urgent need of the theater for investments in digital technology to be able to perform its function in these extreme conditions like many theaters in the world. Among other things he wrote:

<sup>5</sup> Grotovski, Jerzhi. Për një teatër të varfër. – Universiteti AAB – Riinvest, Prishtinë, 2010, f. 101

“We need to rediscover new artistic forms to nurture and educate repressed souls. With the actors of the National Theater... we are working to offer our virtual creativity... in the absence of a stage they are adapting the kitchen, hallway, bedroom, sometimes even the balcony as work and artistic production... actors besides the phone and charger (sometimes even laptop) do not have no other means. We will do the show (online program) anyway, but it will be very depressing for the quality to be questioned, because we have no support for such productions. The National Theater, unlike any serious theater in Europe, has no technical ability to facilitate production. We lack post-production studios that deal with high artistic quality editing of images, subtitles, etc.’

And so began the first online production in Albania “The Show must go on” - from Thursday to Sunday on social networks - 25 - 30 min. with readings of poems, prose, interviews etc. After this panorama it should be said that “The show must go on” was not yet a close up theater, because as I predicted for the theater to exist, it must have the element of immediacy. “The show must go on” was a program that did not take place at the time the viewer was watching. He was previously recorded by each actor in one of the premises of his house, then sent with Wettransfer to a base point where the music was edited and mixed, and then broadcast on the day called to the spectators who followed him on Facebook. un of the National Theater. So something pre-prepared like the repertoire shows of a theater that were already appearing endlessly on social media. The reason I analyze it is because there we find many of the elements of a close-up theater:

- 1 - Demand for investment in digital technology
- 2 - The necessity to rediscover virtual artistic forms.
- 3 - Adaptation of home environments to work environments for artistic production.
- 4 - Elements such as mobile phone, computer, laptop, - internet for the realization of production.

After the National Theater, there were other theaters in Albania that showed the performances of their troupe online. The most active were: the initiatives of the director Driada Dervishi with the troupe of the Theater “Aleksandër Mojsiu” Durrës and not only, the interpretation of Chekhov’s stories and “Evening Letters”, as well as “Monologue” by the Metropolitan Theater. But these performances were pre-recorded and tended to rush towards the genre of film rather than theater. So we have more of an art documentation than an instant art that is the basis of theater.

The film from its inception claimed to be able to document and represent life in a way that was inaccessible to the traditional arts, while theater as other time-based arts realizes and represents life the moment they take place in their immediacy. According to Groys “at the beginning of the 21st century, art entered a new era - mass artistic production, and not just mass consumption of art. Making a video and showing it via the internet became an easy operation, open to almost anyone. The practice of self-documentation has become a massive practice and even a massive obsession. Contemporary communications tools and networks like Facebook, MySpace, YouTube, Second Life, and Twitter give global populations the opportunity to present their photos, videos, and texts in a way that is indistinguishable from any post-conceptual work of art, including time-based works of art”<sup>6</sup>

However, from the online productions of the Aleksandër Moisiu Theater and that of the Metropolis Theater, it is valid for the Close up Theater:

- 5 - The movement of the actor in different environments for the development of dramatic action

During the work with the students for the development of the subjects “Introduction to Acting” and “Scenic Speaking” during the quarantine, the European University of Tirana made available to its professors and students the Teams network. A perfect network for pedagogical work. During the preparation of materials that would be interpreted by students in the exams between and the end of semester we encounter important elements of close-up theater. During the individual rehearsals, the teacher-student (director-actor) relationship was immediate. The lecturer and the student (director and actor) fulfilled all the requirements of the functioning of the rehearsals in a traditional theater - text analysis, division of actions, goals, obstacles, objects to be used during the interpretation and everything used for professional interpretation. The general rehearsals where the student-actor performed and the lecturer (in this case the spectator together with the other students) function perfectly. There were students who, having the ability to sing or perform musical instruments, introduced the element of improvisation as an added value in their performance.

So we can add:

- 6 - The whole evidence process is feasible including individual and collective evidence.
- 7 - The process of improvisation and mixing with live music is realized.

A very ambitious project in the international space is the one directed by the director, Phd. John Blondell (Professor of Theatrical Arts and Head of the Department of Theatrical Arts at Westmont Cillege in Santa Barbara USA). As co-founder and director of the Lit Moon Theater Company in early May 2020 he created an international online troupe of actors, composers and technicians from around the globe:

Vardan Mirtchyan (Yerevan) Armenia, Ognen Drangovski (Bitola) Macedonia, Evdokimos Tsolakidis (Athens) Greece, Nina Sallinen (Los Angeles via Helsinki) Finland, Sergej Mardar (San Petersburg) Russia, Ramona Shah (Tehran) Iran, Elena Kalinina (San Petersburg) Russia, Paige Tautz (Santa Barbara) USA, Dritan Boriçi (Tirana) Albania.

Costumes: Blagoj Micevski (Bitola) Macedonia, Music: James Connelly (Santa Barbara) USA and Vache Sharafyan, (Yerevan) Armenia. Assistant Director Cierra Denning (Parker) Colorado USA. Adaptation: Libby Appel (Santa Barbara) USA.

Their first project was “Uncle Vanya” Anton Chekhov entitled “Vanja in quarantine”.

<sup>6</sup> Groys, Boris. *Politika e Instalacionit*. – Botimet Princi : Tiranë, 2015, f. 114

Some notes by John Blondell about the actors during this project:

“Keep composing, inventing, and developing what you are doing: expressiveness, exposure, intimacy is soooooo magnificent. Keep working with the camera as with your partner, keep developing these practices that we are working on.”

8 - Work with the camera as with your partner,

The second project was Anton Chekhov’s “Ivanov” entitled “Ivanov in quarantine”.

Some notes by John Blondell about the actors during this project.)

“Notes for Tuesday.

22 September

I look forward to seeing you tomorrow! We will do Act I and II, so please be prepared with ideas, things you want to try, or things we have worked on for both acts. If you are in both acts, please come up with some sort of change in costume - it may be small, but just something to show that time has passed between these acts.

Remember: invent, invent, invent. Play, create small atmospheres for yourself, travel between spaces, bring things to eat and drink....

When we were making Vanja, Elena said that she enjoyed “making her small theater one meter” that we have to imagine, to invent. Come prepared to try things out - we’ll just have one more rehearsal for this part of the show, the Sunday before we perform.

Tell the Story! Make the story and work with the MOST COMPACT text. I want to increase the tempo-rhythm a little more, make the story vibrant, vital, and compact.

And suddenly....

I am thinking somewhat about the nature of time, how things happen, when things happen, why things happen, when things happen in their own way and time. Some things bubble right away and BUM!

Something changes. Other things bubble and gurgle and are barely there... They just lie beneath the surface, and something happens to bring them up and out, in daylight, and then they change...

Occasionally change is planned and never fulfilled. Sometimes change happens without him mindful, sometimes life just seems to go on forever, and then BAM, the change happens.

Maybe the whole drama is built on the Unexpected! Suddenly something happens that no one expected... Nora tells Torvald that they should talk, Laert cuts Hamlet with a sword, Antigona chooses to bury the tup again. Chekhov is interesting, because it happens that his SURPRISE comes too late, long periods of this and that and tweets and chats and quarrels about this and that and then UAU !!! Something is happening. In this part, they talk a lot and we then suddenly are at the end of Act II where people decide to start a new life, kiss, and then... BAM! Suddenly !!!

Look for surprises you may have... when something changes, something changes, when something dawns on you, when something bubbles and bubbles and something new comes out and shines or catches you or catches you or pushes you and makes you scream or to jump upwards.

Suddenly! That’s life...

9 - Changing costumes between acts to show the passage of time

10 - Dealing with new objects when you do not have text.

11 - Work on a stage of no more than 1 square meter.

This project is a continuation of it.

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1. Shakespeare. As you like it. Folger Shakespeare Library, f. 37
2. Barranger, Milly S. Theatre : A way of seeing. – Wadsworth Publishing Company, Belmont, California, 1991, f. 4
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# The Albanian Film Industry After the Fall of the Communist System and the Challenges it Faces in the International Market

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Dr. Ermir NIKA

## Abstract

*With the major paradigm shift of Albanian society at the debut of 90-ies, the film makers were undoubtedly the first to seriously think and invest in changing the system of the operation of the cinematographic activity and culture in Albania. "Convinced that even some of the major relying principles of the operation of this activity have fallen short, both as an instrument and institution in assisting the political education of the masses, they started the switch to the new system and philosophy, whereby the individual, competition of values, the market of ideas and products, European integration and the product commercialization constituted its mainstays"*<sup>1</sup>.

"Thus, in 1993, the process of drafting the Law " On the Cinematography" started, which was adopted in the Parliament and was decreed by the President of the Republic by mid – 1996. This Law prescribed the political, economic and commercial reform of the structure and functions of cinematographic activity, which has been realized through the former Kinostudio " Shqiperia e Re "( Albfim Studio )" <sup>2</sup>. Regarded and admitted by all that the reform provided in this Law and the actions for its enforcement present the best pattern for the restructure of cultural activities and institutions at home, albeit the high enthusiasm and dynamics of its implementation, it turned out to be a fragmented and ununified process, both in terms of time and its process.

Based on the data available to the National Center of Cinematography and the Statistics Sector in the Ministry of Culture, it results that, hence, April 1997 marks the founding of the National Cinematographic Center ( NCC), as the institution responsible for the administration of public policies and funding, supportive of the independent cinematographic production, completed in 2005 even with the function of administering the cinematographic production prior to 90ies.

The NCC has scored admirable results in recycling the new cinematographic production in the reformed system, not only in maintaining the continuity of the film culture, not only in international promotion of the artistic product, but also with the growth of the total budget allocated to domestic films, thanks to steadily getting foreign co-producers, whose participation on one hand helped to recover the weak state budget, but on the other hand, it introduced a qualitative gigantic stride forward, in terms of the technic services and an unprecedented dimension of the international product distribution.

Apart from innumerable direct participations by our film makers and their movies to the international film festivals and the numerous prizes awarded even in Cannes, Venice, Thesalonikki, Kairo, and elsewhere, only in 2007, the NCC has also conducted several state promotion events of Albanian movies abroad, as in Prague, London, Athens, Paris and Rome.

Although the most recent accomplishments of Albanian cinema are strengthening the film making culture in Albania, still the Albanian film is suffering from fixed artistic forms and schematism, on the account of an alleged modernization of expressive means. The producers attach little attention to scripts and its cultivation.

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<sup>1</sup> Ermir Nika: The Transition of Albanian Art and Culture Facing the Future Challenges, Polis / No. 18, 2019.f. 142.

<sup>2</sup> Ermir Nika: The Transition of Albanian Art and Culture Facing the Future Challenges, Polis / No. 18, 2019.f. 142.

<sup>\*</sup> Ministry of Culture: National Strategy for Art and Culture 2007 - 2013.

Whereas in USA, the production cost for the script accounts for 10 % of the film budget and in Europe 2 %, in Albania this amounts only to almost 0,5 %.

While most of the budgets allocated to the overall NCC activity for the season 2006 - 2007 amounted only to 142.000.000 leke, the approved budget for project financing in 2007 is only 72.000.000 leke. The opposite has occurred in regard to long films with an amount of around 3.5 million Euro being allocated to this sort of film making in 2007. Let us underscore that this relationship, whereby for each financial unit from Albanian public funding there are about two units allocated by foreign funding sources indicates on one hand the success of the integration of our own producers into the international co-production market, placing Albania first in the region, but on the other hand, it marks a much higher effectiveness in terms of public funding use.

The above overview clearly indicates that while the number of ready made projects and those in process, the capitals ensured by alternative sources of financing are considerable and successful, the NCC budget available to their support is extremely low, endangering in this way not only their fulfillment, but also the loss of developing pace of Albanian cinematography, the loss of co-producers and large financial amounts already ensured through the foreign financial sources.

Meanwhile, due to the inaccurate prediction of developments, the terms of the said law, but also due to the lack of attention and interest on the part of responsible institutions, not only are we far away from having the same pace, but the distribution structure and the network of auditoriums for film projection is being seriously damaged, reducing drastically the number and quality of cinema services at home. This is the reason that Albania is still among the few European countries not still member of one of the most power centers of supporting the cinematographic activity, i.e. "Euroimazh."

The appearance in the projection market of the network of Millennium cinemas marks undoubtedly a momentum of enthusiasm; however, it is not sufficient and almost monopolistic. Distortion in favor of other economically profit-making events from inherited halls, lack of facilitation fiscal policies in this field have produced the rapid collapse of some other private and alternative enterprises, at some major country's cities.

On the other hand, the boom of televizive operators into the market, product trading for family consumption formats, the unlimited piracy of domestic and foreign movie production and the major electronic consumption of film works have struck sharply the culture of movie - viewing at large cinema screen; it has equally demotivated the world of free enterprise in this area. Besides, there is no initiative in the field of public cultural education over the necessity of a selective knowledge and consumption of the cinematographic product.

The newly- signed Memorandum between the NCC and the National Council of Radio&Television and the setting up of the Albanian Copyright Office are only the first steps towards disciplining and gradual eliminating this badly enrooted phenomenon. Linking this initiative with other interested entities is expected to produce the proper spirit and network for a better organization and results.

"While the said law does not provide for any significant change or reform concerning the functions of the *National Film Archives( NFA)*, the period in -between was not associated with substantial changes of this institution, apart from the continued funding, conservation and maintenance. Even some initiatives on fund digitalization or involvement of Archives into commercial operations now are either blocked, solid or frozen, pending the drafting and adoption of sub-legal and administrative acts. The low investment level for the NFA, the non-permission of utilisation of the revenues for technological renewal and enrichment of archive funds have overshadowed considerably the activity and factorization of this Archive into the country's cinematographic activity"<sup>3</sup>.

The stored distribution fund of domestic movies and those imported prior to 1997 is in almost an obsolete state. Recycling this fund, even in electronic format has no economic viability, it does not guarantee any quality of the recycled product on the account of the fund's physical state, it cannot be distributed on the same ground and it would sound absurd, at least for the domestic production as long as there are found valid and well-preserved copies in the Archives. Following the amendments of the year 2005 to the Law "On the Cinematography", the NCC is ordered to administer this fund, while the disciplined access to the commercial copy of the fund turns out to be confusing, full of obstacles and improbabilities, chiefly on the part of Archives.

Under the said Law, the former Film Studio "Shqipëria e Re" (Alba Film Studio), the physical capital and its cinematographic services would be transformed into a joint stock company, whereby the state would control originally 51 % of the shares and under the 2005 amendments, 100 % of the package. While NCC had already dynamized its own activity for the period 1996 -2005, no other by - law or other initiative was unveiled for transforming the administration form of this capital and its revitalization. Meanwhile, in an unlawful and abusive way, the state political authorities started the process of fragmenting the physical capital in parts, changing the administrators of these parts, the transformation of the constructions, services and the physical inventory, architecture and their functions in favour of private entities, as TV operators, schools, manufacturing and trading companies, permitting in this way the total amortization and afterwards the disappearance of cinematographic means and services to the extent that today it maybe openly said that this institution, this public capital, apart from the inherited name has not any other sign of its cinematographic affiliation.

On the other hand, due to the major amortization, to the high costs involved for the renewal of the technology of cinematographic services, the limited dimension of domestic cinematographic production and market, there is and there can be found no motif or investor, both private and state - owned to restore the remaining capital to its original state and functions.

Cinematographic education has left no heritage, structure or sustainable programs. Apart from a limited number of movie - makers trained in some schools of the former eastern countries and some of them in western schools, we can mention for

<sup>3</sup> Ermir Nika: The Transition of Albanian Art and Culture Facing the Future Challenges, Polis / No. 18, 2019.f. 144.

the past only some provisional and short-term postuniversity courses. The establishment of the Public Film School attached to the Academy of Fine Arts and the Private School “Marubi” attached to “Alba Film Studio”, although praiseworthy initiatives have not as yet put into the market of cinematographic production the first contingents of their graduates; the latter would on one hand redimension the relationship among ages, experiences and new aesthetic flows in the Albanian movie and on the other hand this would be a direct reference to the success and development of these schools in the future. There is evidence on a considerable number of Albanian students already privately trained or underway at foreign cinematographic schools. Depending on these developments, NCC has adopted administrative policies and structures and specific programs designed to attract, test and promote the aspiring film producers.

Currently, we have a fragmentation, a lack of legal and structural synchronization of private and public cinematographic institutions and entities.

Thus, while *Alba Film Studio*, a joint stock company under the administration of a board composed of the Ministry of Economy and the Ministry of Culture conducts the function of administering the lease of parts of the building of the former Film Studio and self-financed by a small part of these revenues, it does not have legal, financial, or human capacities to make even the maintenance and conservation of the situation at hand.

It employs a total number of 10 persons.

Being properly defined by law and already in full legal, sub-legal and structural capacity and function, the *National Center of Cinematography (NCC)*, a budgetary institution responsible to the Minister and not to the Ministry of Culture receives its budget by the Assembly of Albania, it is administered by the Chairman and appointed by the Prime Minister; the major decision-maker is the Council of Approval of the projects, elected by the film-producing associations. NCC drafts and executes the state policies in the cinematographic area, including the education, production, integration, promotion and the distribution of the new products and the cinematographic activity as a whole; it distributes and handles the public support funding for their activities by private entities, it oversees and licenses the domestic and foreign film production and distribution entities all over the country's territory; it ensures the archiving of the new cinematographic products, as part of cultural heritage; further, it administers the state-owned cinematographic production prior to 90ies. Hence, it may be clearly seen that NCC remains the only single house for today's and future film makers. Despite achievements, NCC has not still succeeded in accomplishing its own functions. While it needs a re-accommodation of relationships, relations with the entities, partners, clients, financing, revenues and others concerned, it has to provide even its own residence, which is yet undefined. Currently, it is located and sheltered in a part of Alba Film Studio. Although it is also taskew by law, among others, to administer the cinematographic production prior to the 90ies, it does not possess and it cannot obtain them from the Central State Film Archive, the only source of getting this capital; while it is the legal caretaker for the depositing of the new production in favour of cultural heritage, it cannot practically control it, since it is the Archive that makes such a depositing.

NCC is a well-performed example of political commitment of the current government for a small and inexpensive administration, while performing simple but qualitative services. The relationship between the administrative expenditures with those of the direct financing of the production projects is 5 to 95 per cent, the overall number of employees 10, with 5 Board members.

Therefore, NCC is practically and legally the most important political institution of this area, legally defined and publically financed, it is the most significant gate opened to the interest on the part of film entities and individuals, it is the most successful of its kind.

There is no doubt that the institution expressing at best the philosophy of the time and being the key to the partial reform success in cinematography is the individual, its own initiative, classification of values through competition, motivation through the mechanism of property and ownership, promotion and economic advantage and others, in what is already defined and embodied as the producer and distributor.

While it is the juridical persons or those who assume the juridical and economic accountability for the production, promotion and distribution of the film works that enjoy the right to gain, in compliance with the pre-described rules, a partial financial support by public funding; while they contribute to maintaining and promoting the domestic cinematographic culture and its integration to Europe, they obtain a considerable part of revenues from the product turn-over; while they deposit a copy of first quality in favour of the national cinematographic heritage to the Central State Film Archives, they have the economic ownership over the work. Their recent years records, exceeding at times even the most enthusiastic predictions, have equally brought to evidence the problems to be rectified. Distribution is not still able to finance production, whereas the banks consider film financing as a risky investment. The Strategy pursues the following goals:

1. Focusing not in gaining sponsorship for film production but on building up the basic infrastructure.
2. Stimulating the producing institution and the private distribution, which remain the exemplary model and achievement, the underlying foundation for the reform intensification in the cinematographic field.

The Central State Film Archive faces the market pressure for a profit-making commercial fund utilisation; this pressure has not seldom and abusively victimized this fund; therefore, the Archive continues to have and perform only the function of maintaining and conserving the fund.

3. Reconception of Archive's functions, or the reconception of the fund utilisation under the new conditions would be the focus of its own reform.

The film-making associations, their copyright protection fora, the National Council of Radio-Television, the State Office of the Copyright and the tax authorities, albeit dhe considerable legal space available, they should reformulate their policies, not only and merely in the spirit of trade unionism or bureaucracy, but also with direct contributions, expertize and policy – making into the relevant field. The full support for the network coordination of interested institutions and entities and a larger dynamism on the part of the Copyright State Office, accompanying its activity also with legal and sub -legal additions by other subjects and institutions of this field would provide the required spirit, in a unified system and philosophy, without affecting but stimulating the creative and productive individual's initiatives, in the conditions of a society based on free market principles development and the public subsidies for values, as classified through their competition.

4. The piracy of imported domestic and foreign film products remains the major cause for the damages inflicted in the said domain and the combat for its eradication, and the priority challenge for the society and state.

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PANEL IV

**INFLUENCE OF TECHNOLOGICAL  
INNOVATIONS ON INDUSTRY  
AND SERVICES**

# Backup & Data Recovery in Cloud Computing: A Systematic Mapping Study

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Msc. Roland PLAKA

## Abstract

### Context

Digital data is being stored in large quantities in Cloud, requiring data backup and recovery services. Due to many factors such as disasters and other disruptive events, the risk of data loss is huge. Therefore, backup and data recovery are essential and effective in improvement of system availability and maintaining Business Continuity. Nevertheless, the process to achieve the goal of business uninterrupted faces many challenges regarding data security, integrity and failure prediction.

### Objective

This paper has the following goals: analyzing systematically the current published research and presenting the most common factors leading to the need of Disaster Recovery and backup plan; investigating and identifying the adopted solutions and techniques to prevent data loss; and lastly, investigating the influence Data Recovery and Backup has in terms of business continuity and identifying the privacy and security issues regarding disaster recovery process. Method: A systematic mapping study was conducted, in which 45 papers, dated from 2010 to 2020 were evaluated. Results: A set of 45 papers is selected from an initial search of 250 papers, including 10 papers from snowball sampling, following the references from some paper of interest. These results are categorized based on the relevant research questions, such as causes of disasters, data loss, business continuity, and security and privacy issues. Conclusion: An overview of the topic is presented by investigating and identifying the following features: challenges, issues, solutions, techniques, factors, and effects regarding the backup and recovery process.

**Keywords**—Cloud Computing, Backup, Data Recovery, Disaster Recovery, Data loss, Business Continuity, Data Security, Data Privacy.

## I. Introduction

In today's globalized world, the notion of Cloud Computing is becoming a remarkably familiar approach in terms of scope and services to be provided. As we know, most of the data and applications are found and stored digitally, all over the world, on-premise hardware, or off-premise computing. This means, that the possibilities of data storage in the cloud can be endless, but so are also the data. The amount of data is heavily increasing day by day, and the necessity to store these data in the cloud comes in a straight proportion to it. Therefore, Cloud Computing services varies in different types based on demand and requirements.

In this paper, our focus will be to investigate Backup and Data Recovery, as they play an essential and significant role when it comes to Cloud Computing and the offered services. Since most of the data are sensitive and incredibly important in various domains, the need for a Backup and Recovery plan is vital. And no matter in what perspective or level we start to analyze, (e.g. personal data, sensitive data public data, confidential data, etc.) whether they are translated as qualitative or quantitative, at some point, the need for the backup will be crucial. Especially when it comes to big companies and organizations where data is "life-and-death" to their existence.

The risk of data loss is relatively high regardless of the cloud environment, provider, services, or architecture. No matter if the data are stored in a Public or Private Cloud, data can still be corrupted at any stage. Therefore, to maintain the data safety, control, and accessibility it is required a strategy, including a backup and disaster recovery plan.

A disaster recovery plan can be the best solution for a disaster event, whether it is man-made or natural type. Since these disasters can lead to hazards and devastating damage to a system, as a result, data availability and accessibility can be compromised. We have identified 4 types of disasters based on their nature: Climate Disaster; Intended Disruption; Loss of Utilities and Services; Equipment or system failure. Besides, if one of these disasters happens and data gets corrupted or damaged, it can lead to a full data loss.

Therefore, the need for some mechanisms and methods of backup and data recovery is a priority for many customers who have trusted the data on the cloud. And the purpose of these recovery techniques is to ensure the customers and businesses to collect the information from any backup server, when server fails to provide the data to the user.

In recent years, there has been an increased interest in Backup and Data Recovery, however, when we get to look at the literature there is relatively a low amount of research and papers regarding the topic. Hence, in this paper, we will focus on highlighting and discussing the found research, done on backup and disaster recovery in cloud computing. The main issue that we have encountered related to disaster recovery in cloud computing is the concern to provide an effective plan that ensures high data reliability and security. Nevertheless, an overview of the most important key factors regarding the topic, will be discussed and be found in this paper.

For a wide overview of the Backup and Data Recovery in Cloud Computing research area, we have used the systematic mapping study approach [1] to collect data, analyze and interpret results, regarding the scope of interest and the evidence collected in the papers.

This paper is organized as follows: in Section II is shown related work; Section III presents background and motivation for the study; In Section IV we describe the systematic mapping study approach from the selection of the papers to classifying and lastly analyzing the results for each research question; in Section V we show the results we gathered for answering research questions; and finally, Section VI draws conclusions and outlines related to our systematic mapping study.

## II. Related Work

Our work attempts to conduct a systematic mapping study on backup and data recovery in cloud computing. In correspondence with [2] we identified the main factors and challenges of DR in cloud computing. It concludes that data DR services must ensure high data reliability and flexibility through an effective and practical DR plan that sustains growth for any organization. According to the authors, the most critical issues relevant to DR in cloud computing focus on cloud data storage, cost, security, lack of latency and redundancy. Different strategies attempt to manage the data recovery process. They also highlighted that natural and man-made disasters can result in costly service interruptions.

In the literature survey of [3] they found many techniques that have their unique ways to create backup and recovery. We illustrated these techniques in Tab 4. The experimental results, done by [4] shows that many organizations and companies have utilized disaster recovery solutions to minimize the downtime and data loss incurred when catastrophes take place. All these approaches aim to provide the best performance.

Organizations are subjected to hazards that might interrupt options. From the point of Service Provider, client satisfaction is among the major objective, while from the business aspect, recovery means being able to perform business functions without affecting continuity. DR services should assist business continuity, enabling applications to quickly come back online after a disaster happens (Alshammari et al., 2016).

## III. Background and Motivation

In this section we emphasize the importance of data backup and recovery in cloud computing.

Data are valuable nowadays and if are lost, may cause a negative impact on the organization financial costs and time to regain it, so protecting important data, are required efficient countermeasures. During this decade cloud computing has become a new technological option to provide services and cloud providers are gaining even more popularity due to the increasing amount of data. The expanded usage of cloud computing services increments the need of more storage, backup and recovery.

Backup is defined as a duplication of any data, file, application and operating system that can be used in case of a data loss or restoration, while recovery is the set of techniques used to collect data from any backup server, when data are previously lost from the server or invalid to use.

Disasters effect both the client and the cloud side, hence it is crucial to have a disaster recovery plan. As it is mentioned by (A. Arul Mary, K. Chitra) when “disaster happens in customerside means backup will be stored in the cloud, but disaster happens in the cloud means data will be lost. So, disaster recovery process is urgently needed. But quality and security are the key issues in the information recovery process” [5].

Even though there are still many technological gaps, for many organizations, cloud computing is a flexible, cost- effectively, reliable and scalable solution to provide a safe data backup and recovery. The organizations must identify the major probable failures that can cause a disaster for them, then prepare a disaster recovery plan (DRP) and data backup.

DRP is a document that prepares and helps organizations to protect and prevent damages from a disaster. This plan usually addresses any type of disaster, however, it is customized based on the needs of the organization where the most important elements included are related to identifying and assessing disaster risks and determine the critical applications and resources.

This is crucial for their continuity, in order to protect themselves and employees from natural and man-made errors. Various techniques are proposed for this purpose, i.e. moving from single cloud to multi-cloud environment is considered as an empirical solution, however it has some legal issues to implement because of data security, privacy and authorization.

## IV. Systematic Mapping Study

In this paper we present a systematic mapping approach adopted by [6]. Our study will be an overview in terms of solution, challenges, factors, security, and privacy, based in backup and data recovery literature. The methodology we embraced consists in four essential steps, however, Fig 1. describes best our process steps and outcomes.

- Identifying RQs.
- Searching for primary studies.
- Classification scheme of the relevant papers.
- Analyzing data and answering RQs.

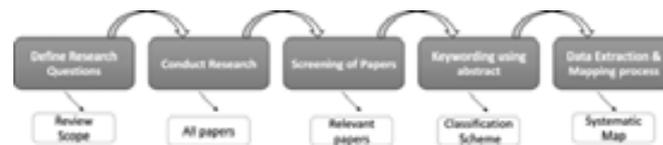


FIG. 1. Systematic mapping process adopted by Peterson et al (2008).

### A. Identifying research questions

The first step, and probably the most significant, is identifying and defining research questions [7]. As we mentioned earlier, our purpose is to have an overview of backup and data recovery, to understand its importance, to identify some challenges and solutions and how it affects different environments and domains in the context of cloud computing.

After we have discussed and evaluated some issues, we were able to formulate and define four research questions.

**RQ1.** What are the most common factors that can lead to the need of a Disaster Recovery and Backup plan?

- There are many factors that negatively influence a cloud environment and therefore they can lead to the necessity of a backup and data recovery. However, our focus is to present the most common factors that usually are identified, leading to such situation and needs.

**RQ2.** What are the methods and solutions used to prevent a full data loss?

- Various methods and solutions are presented nowadays to prevent data loss and avoid further damage for the data in the cloud. Our aim of the question is to investigate the most used solutions adopted for the backup and disaster recovery in order to identify some strategies that in many domains are needed.

**RQ3.** How will the Backup and Recovery process influence the business continuity?

- Since businesses are the most affected environments in a case of disaster and data loss in cloud, our objective is to investigate the influence these factors have in terms of business continuity.

**RQ4.** Which are the security and privacy measures in the data recovery?

- Our purpose of the last question is to investigate the finished process of data recovery in terms of security and privacy. How these aspects are covered and identifying the provided solutions are for this case.

**TAB 1.** The conducted search strings.

<p><b>IEEE Xplore</b></p> <p>("Backup" AND "Data Recovery") AND ("Cloud")</p>
<p><b>Scopus</b></p> <p>(("Backup" AND "Data AND Recovery") AND ("Cloud"))</p>

**B. Searching for primary studie**

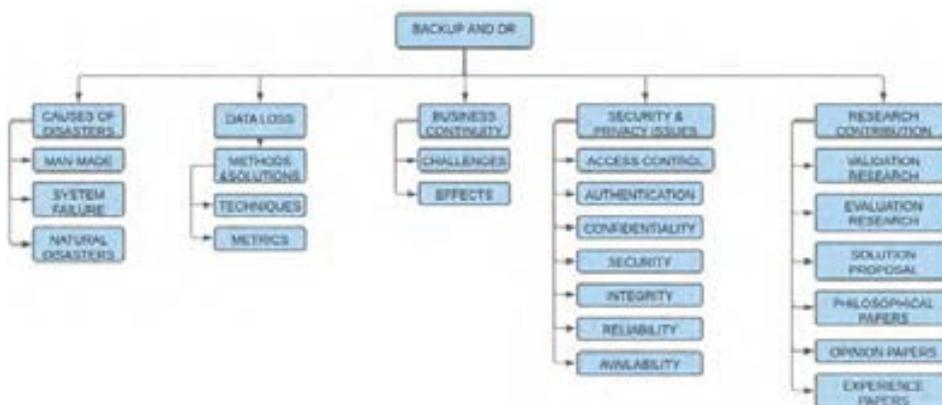
The goal of this step is to create and conduct a search sting into the digital databases. The following digital databases were used in the search: IEEE Xplore and Scopus. After adopting many different strings we ended by evaluating the above mentioned. The same string that is used in IEEE database is used also for Scopus, however, a slightly automatic change has been made by the database. Since both strings work perfectly on their respective database, and the results are suitable, the final result of the strings is conducted, and shown in Table 1.

- a) Inclusion Criteria:
  - The study must address an overview on Backup and Data Recovery in Cloud Computing.
  - The study must have been published in the last 10 years, (i.e. 2010-2020).
  - The study must have been published as a full document, in English (conference paper, journal paper, article).
- b) Exclusion Criteria:
  - Papers which are outside the context of cloud computing.
  - Papers which have not enough data/information to provide an understanding of the case.
  - Papers which evaluate the topic on a non-related perspective.

Digital Database	Stage 1.	Stage 2.	Stage 3.
Scopus	156 papers	30 papers	16 papers
IEEE Xplore	94 papers	28 papers	19 papers
<b>Total</b>	<b>250 papers</b>	<b>58 papers</b>	<b>35 papers</b>

Added 10 papers following the references from some paper of interest  
In total we had **45 papers**

**TAB 2.** Databases and initial papers.



**FIG 2.** Classification Scheme



GRAPH 1. Published papers in 2011 - 2020 timeline.

As it can be seen by the Graph 1. our selected papers are divided between 2011 to 2020 as per year 2010 there were no papers that interested us, related to the topic and content.

Most of the literature is published this year, 2020, and we must say that based on the classification by research type, our selected primary studies are published as a Solution Proposal with a total of 24 papers. In Tab 3. is shown the detailed classification based on the category and with their respective number of papers.

Category	Paper Index	Nr. of Papers
Validation Research	e1,e7,p14,p14,p28,p31,p34,p45	9
Evaluation Research	e3,e5,e6,e7,e9,p17,p21,p26,p27,p35	10
Solution Proposal	e2,e4,e8,e10,p2,p3,p4,p5,p8,p9,p10,p12,p13,p15,p24,p32,p34,p37,p38,p42,p44,p45,p46,p47	24
Philosophical Papers	e8,p18,p29,p30,p38,p41	6
Opinion Papers	p30,p39	2
Experience Papers	p29	1

Tab 3. Primary studies classification by research type

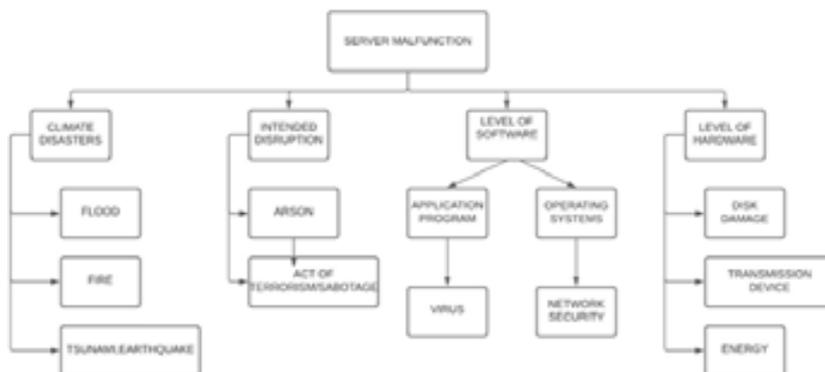
### C. Screening

- **Stage 1:** The definition of search string in both databases gave us in total 250 papers.
- **Stage 2:** Applying inclusion and exclusion criteria in title, abstract and keywords we reduced the number of papers into 58 papers. Duplicated papers were avoided also.
- **Stage 3:** Next, we selected the remaining papers based on conclusion and often other sections as we found important to our study. In total we have 35 papers to read as a full text.

Lastly, we found and added 10 papers to our list, following the references from some paper of interest. At the end, each paper has been indexed with a "random name" as a matter of ease. i.e., p1, p2... for primary studies papers (selected by the two databases) and e1, e2... for the snowball sampling (selected by following the references of the previous papers).

### D. Classification scheme for the relevant papers

In order to create the classification scheme (shown in Fig2.) we have categorized different "sections/topics", based on their similarities. However, a category is created as a result of the key focus related to our RQs. The top level, which is the root, is our main topic. And the other categories are influenced by our analysis and the need to answer our research questions. The first thing we applied was keywording. It was applied to titles, keywords and abstracts, however, most of the time some of these sections had poor quality leading us moving to the next sections of the papers. So this process was done in the full text of every relevant paper. After we finished this process we started to evaluate and define the contribution for paper regarding our study. About the research contributions, we have previously shown in tab 3. For RQ1,



**FIG 3.** Factors that lead to a Disaster Recovery and Backup plan.

which shows the causes of disasters, three categories were identified: Man-made disasters, Natural disasters, and System failure. Then, for RQ2, related to data loss we have identified some methods and solutions and two sub-categories were created: techniques and metrics. Next, for RQ3 regarding business continuity we have identified and discussed about challenges, solutions, techniques and the effects they have in BC. Lastly, for RQ4 we have listed some security and privacy issues based on the risks.

## V. Results

The selected papers for this study are 45 papers. From which 35 papers have been selected as a result of our screening procedure and applying inclusion and exclusion criteria, and 10 papers are added following the reference of our papers of interest. The distribution by year is shown in Graph 1.

### A. Results of RQ1

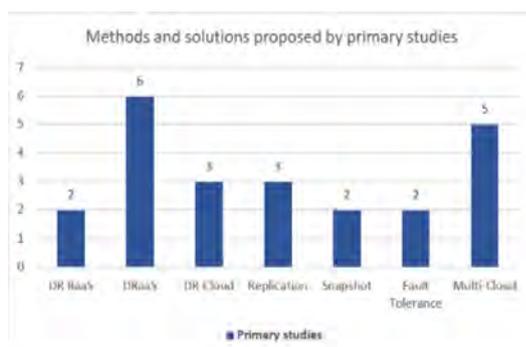
**RQ1:** What are the most common factors that can lead to the need of a Disaster Recovery and Backup plan?

Disaster Recovery plans are a set of procedures and policies used to restore the high priority processes of a system after a disaster. In addition, DRP is vital to define and ensure all the responsibilities that everyone should follow when a disaster happens, to enable the restoration of these processes and data. This process helps to minimize impact and damages and recover data when a loss occurs, by responding on time. A well-trained staff, necessary resources and assets makes the perfect combination to withstand and prevent a catastrophic failure of the system.

Above all, organizations should apply routine controls to prevent these factors before they occur unexpectedly. Disaster Recovery and backup still are not on effortless way of backing up cloud data into devices, due to lack of control over cloud assets. Generally, customers store sensitive data on single clouds, but recovery and data backup consume huge storage by replicating data to multiple data centers. For this reason, depending on single clouds contains the above-mentioned risks. These factors are shown in Fig 3. and can lead to disruption of the services, data loss even can cause a collapse of the entire system [8]. Fig 3. has been created as a result of analysing the following papers: [p1], [p3], [p4], [p9], [p13], [p21], [p29], [p35], [p41].

### B. Results of RQ2

**RQ2:** What are the methods and solutions used to prevent a full data loss?



**GRAPH 2.** Adopted solutions and methods to prevent data loss.

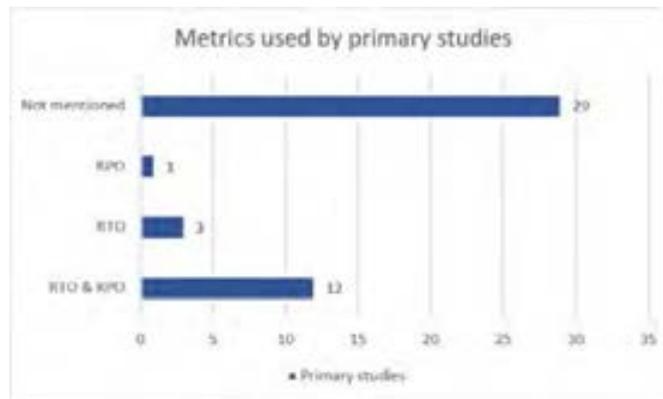
During our study we have noticed many solutions that have been discussed and proposed as a method or a strategy that will ensure zero data loss and a quick recovery process

[9]. However, we came in the conclusion that none of these methods/solutions will be 100% efficient in every aspect, especially when it comes to reliability and security of data after a recovery process.

Recovery mechanisms	Studies						
	a3	a5	a6	a8	p16	p30	p39
RAID	x						x
HAIL		x		x			
HSDRT			x		x	x	x
ERGOT			x		x	x	x
LINUX BOX			x		x	x	x
PCS			x		x	x	
RACS		x		x			
Cold and Hot backup	x				x	x	x
DeepSky		x		x			

**TAB 4.** Existing techniques to backup data

An important recommendation to prevent data loss and meeta variety of needs such as availability, business continuity and disaster recovery is to engage in a Multi-Cloud strategy. But, if we must mention some used strategies in our analysis, we can also highlight replication and snapshot in different environments. However, as we can see from Graph 2, the most discussed solution in terms of disaster recovery as away to prevent data loss is the introduction and adoption of a service model known as Disaster-Recovery-as-a-Service (DRaaS) [10]. The rest of the solutions are shown in the graph3.



**GRAPH 3.** RTO & RPO metrics used in the studies

When it comes to techniques, the most common one is plain backup. As it is one of our focuses, we must say that some papers have described it as a not convenient technique due to security and reliability problems. And in order to overcome these problems, there are addressed data backup and recovery mechanisms and techniques in a more safe and effective system [11]. These techniques are shown in tab 4.

Disaster Recovery and Backup plan consists of some parameters, but the fundamentals are defined as metrics, and the most common are RTO and RPO. These metrics are used to measure the recovery level which should be a focus when describing a disaster recovery plan in terms of tiers.

- **RTO – Recovery time object;** The time of the physical system recovery after a disaster happened.
- **RPO – Recovery point object;** The latest backup before the disaster. Meaning the quantity of data loss [12].

**C. Results of RQ3**

**RQ3:** How will the Backup and Recovery process influence the business continuity?

Business Continuity (BC) is a methodology and concept to manage elements that allow a business to function normally during and after a disaster [8]. In order to have maintain business continuity it is necessary to have a clear plan and strategy regarding a disaster event and data recovery. The plan must allow the organization to achieve the following services [8].

- Immediate & Proper response to disruptive events
- Reduce business impact
- Ensure business continuity services
- Reduce business impact

As we already can understand that BC is a very important requirement for any organization whose data are stored in cloud, we also must mention that it has its challenges. And often these challenges can be fatal for a business if a proper solution and technique is not immediately found and adopted.

Challenges	Papers									
	p2	p4	p8	p1	p18	p21	p29	p19	p11	
Dependency		x			x	x	x			x
Cost		x				x	x	x	x	x
Failure Detection	x	x			x	x	x	x	x	x
Security Detection	x				x	x	x	x		x
Replication Latency	x					x	x	x		x
Data Storage	x					x	x	x		x
Lack of Redundancy		x	x			x	x	x		x

**TAB 5.** Challenges in Disaster Recovery that influence BC

After reviewing 13 papers related and discussing about Business Continuity in terms of Cloud Computing, we found the following challenges in Disaster Recovery that can influence negatively in BC. These challenges are shown in tab 5.

However, along with the challenges, every paper has mentioned at least one solution and techniques that could improve the disaster recovery plan and maintain a flexible and effective business continuity.

Solutions presented in papers:

- Block Replication.
- Cloud-Based DR.
- Local Backup.
- Multi-Cloud strategy.
- Replication of backup in multiple data centers.
- Pipelined Replication.
- Hot Standby (Active/Active).

All these solutions and many more are discussed in [e2] [p10] [p12] [e9] [e4], helping in terms of business continuity in different aspects. I.e., **Block Replication** will ensure to achieve zero RTO and negligible RPO [8] [9]; **Local Backup** will have minimal cost and ensure peace of mind [12]; **Multi-Cloud** environment will minimize the risk of availability failure, loss of data and privacy [13]; **Hot Standby (Active/Active)** is a synchronous real-time replication in based in database backup and ensures both RTO RPO to be zero, meaning 0 data loss [14].

In terms of adopted **techniques**, we can say the most common and mentioned one is Linux Box. However, techniques can be different based on the issue and challenge [15], [16], [17], [18], [19], [20], [21], I.e., if the challenge is Data storage and lack of redundancy, a suggested technique by [p29] is using an inter private cloud and multiple backups. Using monitoring units, encryption, scrambling and shuffling techniques can also be a solution for failure and security challenges.

In overall, as a conclusion for every paper related to BC, backup and disaster recovery is mentioned as a vital requirement to ensure the organization functionality even during or after a disaster or disruptive event. It might be heavy in terms of costs; however, it guarantees the ability to work uninterruptedly regardless the nature of the disruption. A business continuity plan provides guidance to IT staff to follow the emergency plan, to recover and resume the business functionality and operations [8].

If business continuity is not ensured, the organization will have massive negative effects, such as, losses of receipts, business reputation, market share, etc. And often, it can lead to the worst-case scenario which is the collapse of the entire organization.

At this stage we can all evaluate the importance of the Backup plan and data recovery, and how it influences the business continuity. On the end, businesses are forced to make the decisions between cost, speed and effectiveness of recovery.

**D. Results of RQ4**

Access Control	p5, p13, p14, p28, p24
Authentication	p5, p13, p14, p15, p30, p31, p32, p39
Confidentiality	p2, p5, p12, p13, p14, p19, p21, p41
Security	p1, p29, p41, p3, p6, p13, p14, p15, p16, p12, p21, p30, p36
Integrity	p15, p32, p5, p12, p13, p14, p15
Reliability	p15, p17, p5, p2, p4, p12
Availability	p16, p12, p13, p19, p21

**TAB 5.** Security and privacy issues to data recovery

**RQ4:** Which are the security and privacy measures in the data recovery?

Data recovery is mentioned as one of the most critical security issue in cloud computing. DR process should be distributed over multiple sites for full data recovery. Recovery techniques and mechanisms help to collect information from

the backup server when a crash happens. To provide cloud services there is a need to satisfy the clients about the reliability of their data. Ensuring a full DR is not an easy task for SP. The main concern is solving the problems of data access and authorization for multiple users. In this paper, we will present the most common security issues.

- Access control means full protection of data.
- Integrity is the process of verifying the data stored in the cloud.
- Confidentiality is related to fault-tolerance and access controls protocols.

When users join the network, authentication on the cloud server must be unique. Successful authentication means access to web services. Security matters occur due to insufficient certification, authorization, audit control, weak encryption algorithms, and unstable data centers (Alshammari et al., 2016). Privacy concerns are related to reliability and authorization controls to protect users.

Users hesitate to upload their critical data to the cloud servers because they don't believe that cloud service providers can guarantee privacy protection (Song et al., 2011).

Privacy protection is a crucial issue for providing personal data recovery services. On the other hand, encryption based data protection is proposed as a solution to solve this problem. It is important that data transfer between user and machine be secure. The privacy should be preserved by not leaking the data during the integrity verification process [11].

## VI. Conclusion

In this paper we introduce a Systematic Mapping Study on Backup and Data Recovery in Cloud Computing. The timeline of the study is from 2010 to 2020, and we were able to extract the data from a total of 45 papers. In where 35 papers have been selected as a result of screening process by applying inclusion and exclusion criteria, and the other 10 papers were added following the references from some paper of interest. The initial number of papers was 250, obtained from IEEE Xplore and Scopus.

Regarding the RQs, there are 9 papers that discuss about causes of disasters as the main factor that lead to the need of DR and Backup plan. Then, related to the solutions and techniques proposed by 16 papers, we were able to list some of them where the most discussed one was Disaster Recovery-as-a-Service as a model and service to adopt, and followed by Multi-Cloud strategy which guarantees quick recovery and business continuity.

In addition to BC, we followed and identified a chain of factors such as challenges, solutions, and techniques influencing in the overall backup and DR plan process.

Lastly, regarding the most important issues in data recovery we can mention Security (discussed in 13 papers), Authentication & Confidentiality (discussed in 8 papers), and followed by Integrity (discussed in 7 papers). However, some other important issues consist of Reliability, Availability and to the Access of Control.

All these aspects are treated as issues and gaps, in which is required more improvement in order to have a complete and successful data recovery.

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# ALBANIA'S URBAN DIMENSION IS A PRODUCT OF THE DIFFICULT TRANSITION OF THE COUNTRY:

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*The impact of the political and economic transition on urban development, in the beginnings of the Albanian transition*

PhD. Gentian KAPRATA

## Abstract

*Albania of the fourth decade of transition presents a series of problems related to the urban and territorial development. This paper analyzes the initial causes of urban and territorial problems, which are correlated to the beginnings of the political and economic transition of the country. At the end of the communist regime, Albania was one of the countries of the socialist camp with the highest level of implementation of the ideology and principles of Stalinist socialism, which made the Albanian political transition very difficult. Lack of democratic heritage, high level of indoctrination of society and especially the ruling elite of the transition, were the main reasons for this delay. The economic transition of the country also presented a strong challenge. The central planning economy, in the last years of its implementation, would fail in many respects. This would bring, not only an extreme poverty of Albanian families in the moments of transition, but also a real lack of economic activities, which in a private management could bring more employment to the population in the future. This general context of the transition would reflect the same difficulties in the transition of territorial governance, as an integral part of the political and economic transition of the country. The liberal and democratization reforms pursued in the early years would include land ownership, buildings, housing, and urban planning and development processes. As a result, the country has experienced a high decline in the resident population in the country, as a result of foreign emigration. But what influenced the strong changes of the urban, territorial and spatial dimension of the country, is the process of demographic-territorial remodeling of the country, the spatial structure of the inhabited centers and the urban situation of the Albanian cities. There are four most important preconditions that would affect the way of urban and territorial development of the country, which originate from the political and economic transition of the country: the inability of the territorial government to understand its new role in urban and territorial issues; the decline of basic services (education, health) as a result of the departure of 'nominees' from the party-state in cities different from those of their origin; loss of employment of citizens in state-owned, bankrupt, closed or in-the- process -of-privatization enterprises; free movement of citizens and freedom to choose residence. Two would be the main financiers of this construction and urban development that shaped the urban and territorial development of the country, which originate from the political and economic transition of the country: income provided by interaction in the free market of real estate from citizens who had privatized state-owned housing in their use; remittances provided in emigration, after allowing the free movement of citizens outside the national territory.*

**Keywords:** *concentration of power, political transition, economic transition, territorial governance, urban development, internal migration, forced residency, voluntary residency, liberal reform*

## 1. Operational definition of terms

Territorial governance: means the governing activity of those functions, duties and legal responsibilities related to the territorial and urban development of the country. They include: drafting and approving instruments of territorial planning and development (territorial and urban policies, plans and regulations, according to their classification and level of governance); development control (construction permit); territory control (protection of territory from informal construction).

Urban Development: means the entirety of processes of adaptation of territories for development, expansion and construction of structures and infrastructures of different functions and typologies. It is the product of all the interventions of specific people, companies and various organizations under the leading and guiding role of the governing authorities.

## 2. Introduction

In the early 1990s, Albania experienced a leap from a country of Stalinist socialism and a central planning economy to a country of liberal democracy and a free market economy. This transition was not easy for a society that was, for 46 years, organized and functioning under a very concentrated dictatorship of political and economic power.

This paper aims to observe the transition in urban and territorial issues along with the political and economic transition. It presents the specific characteristics and features of the socialist system in Albania, compared to other countries of the Socialist Camp, which would affect the country's transitional processes in the first years of Albanian post-communism.

There are two main reasons why the paper aims to observe together these components of the overall transition of the country. First, both the political and economic transition, as well as the transition in dealing with urban and territorial issues, must be carried out by the same social mindset. This means that, since both of these thematic transcendences were inspired and developed by the same society and socio-political elite, then both of these transcendences will present the same symptoms. And the second reason (cause) is the fact that the progress of urban and territorial issues in the first moments of transition would depend on other political and economic reforms in the country.

As it will be presented in the paper, Albania of the first moments in political and economic transition would be in a very unfavorable situation to make an easy transitioning. This was greatly influenced by: the high level of Party-State control over other social, political and constitutional institutions; non-existent historical heritage in the democracy of the Albanian society; the mentality formed and ingrained in communism, of society and especially of the political elite that led the first reforms; the deep level of implementation of the central planning economy; the extraordinary economic situation of the country, before the liberalization and privatization reforms; the bankruptcy of socialist enterprises and the high level of unemployment that this created; implementation of liberalization and privatization reforms, not because of a deep understanding of them by the political elite or the Albanian society, but as an obligation by the International Institutions, etc.

The difficult transition and especially its causes would affect the way the territory would develop in the first years of the transition. Territorial governance presented great difficulties in understanding its new role, from a government that had everything in hand (land owner, authorizing and controlling urban and territorial development, financing this development), into a government that must take care that all already private operations in the territory have a unified product that brings a good urban quality of life to citizens.

Political (human rights, including free movement and land ownership) and economic (liberalization of the construction, real estate and housing ownership) reforms that the first transitional governments pursued in Albania also had an impact. These would be the preconditions and causes of a strong emigration movement that would accompany the first years of the transition, and would reshape the demographic-territorial model of the country. This would have its impact on the way of urban development of Albanian inhabited centers.

The paper begins with a presentation of the general situation of the country's entry into the transition to democracy and the transition of urbanization processes, which would create the preconditions for further development of the urban and territorial dimension of the country in the years of transition that would follow. It will focus on describing the high level of statism and socialist understanding of society and the ruling elite, as well as the failure of many centralized economic planning devices; which acted as a deterrent to a smooth transition to liberal democracy and a free market economy.

The paper will continue with the presentation of liberalization and privatization reforms that affected the territorial governance, the demographic-territorial model of the country and the way of urban development. It will further focus on the political and economic preconditions for shaping the construction sector (territorial governance and urban / territorial development) under the new conditions. The paper will close with a modest presentation of the conclusions it has reached and the recommendations it offers.

## 3. High level of statism as a deterrent to rapid political transition

At the end of the year 1990, Albania broke away from the communist totalitarian regime and began the journey towards a democratic system, allowing the country to open up to political pluralism through the creation of the first opposition party, the Democratic Party of Albania.

Fuga in 2001 would maintain that:

“The Stalinist regime in Albania, after ruling completely in the social and political life of the country, after calling for help all the energies and virtues of its citizens, after justifying its power through a magnificent and heroic ideological discourse, ended more banally, ordinary and dull as it can ever be done” (Fuga, 2001: 12).

It was this year's student movement that shamed the ruling communist caste, changed the course of the political system in Albania and marked the end of the model of totalitarian dictatorship and the introduction of Albania into the model of multi-

party democracies (Krasniqi, 2009: 235). Albanian communism had self-presented itself as one of the fiercest in the Socialist Camp (Biberaj, 2000; Gjura, 2003, 2015; Krasniqi, 2009). As a result, efforts to change and reform it would be more difficult than in other countries, both politically and economically. According to Biberaj in 2000 “[Albania is] going through a process of multiple transitions: political transition from one party to many parties, economic transition from a planned economy to a market economy and the transition of national security to an international security regime” (Biberaj, 2000: 15).

The high level of party control over other state and constitutional political institutions is evident from the first moments of entering the transition, because the decision to allow political parties was taken in the Central Committee of the ALP (PPSH). Krasniqi in 2009 would underline that:

“The very fact that the last decision of the Central Committee and the Politburo [Political Bureau] was public and unmasked on the label of constitutional and state institutions is a proof that at the last moment the ALP (PPSH) accepted what was known for 45 years, that the Albanian state was de facto governed by it” (Krasniqi, 2009: 235).

This characteristic would also be presented by Gjuraj when he would underline that “communism in Albania took a very specific form, putting Enverism at the center of official political thought for several decades.” (Gjuraj, 2015). A way of expressing this fact in practice would be introduced in January 1991 when the regime issued a decree sanctioning 6 months to 3 years imprisonment for all those who insulted, accused or committed public acts against the name or symbols of the communist dictator Enver Hoxha (Krasniqi, 2009: 237).

After the establishment of the Democratic Party, a number of other parties were created and the Labor Party of Albania lost its exclusive role in Albanian politics and as a determinant in social dynamics (Biberaj, 2000; Krasniqi, 2009; Gjuraj, 2003, 2015).

#### **4. The profound failure of the centralized economic planning economy as an inhibitor of economic transition**

In March 1992, the Democratic Party of Albania and a group of other parties in coalition with it won political elections and the right to govern the country (Biberaj, 2000; Krasniqi, 2008). Its basic task was to transition the country from a one-party regime of the central planning economy to a system of liberal democracy, the rule of law and a free market economy (Biberaj, 2000; Meksi, 1992, 1997).

The political transition was accompanied by profound changes in the economic and social context of Albania. During this period, a series of changes were undertaken in the political and economic environment of the country (Çili, 2013; Civici, 2013; Meksi, 2015), which directly influenced the spatial and territorial development of Albania as a country and its cities (Misja and Misja, 2004; Aliaj, 2008; Imami et al., 2008). Through these strong political, social and economic changes, the country entered the phase of transition from the Stalinist dictatorship of a centrally planned state-run economy to a liberal free market economy democracy (Krasniqi, 2009; Gjuraj, 2015).

The economic situation of the country in the period 1990-1992 was very difficult and was expressed through long queues to buy basic foods, which were lacking in their dominance (Meksi, 2015). Gjuraj would also present this situation when, while talking about all the countries of the Socialist Camp, he would underline that “Long lines of people characterized every former communist country. Also, the same situation prevailed in the Albanian society for a very long time, economic difficulties and backwardness, lack of food items” (Gjuraj, 2003: 41).

The closure of many economic enterprises and the payment of workers with 80% of the wage without work, technological obsolescence and lack of investment for the renewal of technologies of productive enterprises, were another aspect that had hit hard the productive economy of the socialist country (Meksi, 1997; Civici, 2013). Even the few economic production enterprises that remained in operation from the socialist period, such as hydropower plants, reservoirs, airports and some mines, needed significant investments to be used profitably in market economy conditions (Meksi, 2015). INSTAT would also talk about this phenomenon, underlining that the productive economy “was seriously damaged during the ‘80s” (INSTAT, 2004: 47).

To create a concentrated image of the economic situation inherited from the communist system, we will refer to the debate of the last socialist President Ramiz Alia in a meeting with representatives of the striking students of the University of Tirana on December 11, 1990, which as an authentic document speaks of the situation of the Albanian economy. Brought by the Prime Minister of that period, Aleksandër Meksi, Aliaj would say to the students that “The economic situation, as I said publicly even in the meeting with the youth, when it was on November 23, is difficult” (Meksi, 2015 p. 134). What would support our argument is the fact that Aliaj in this meeting would also admit that “One of the basic reasons for this is that we have outdated production techniques and technology” (Meksi, 2015).

Civici had the same assessment, when he would underline that “The mediocre socio-economic results of the communist legacy quickly became the natural allies of the post-communist reformers” (Civici, 2013). This was happening at a time when the structure of the Albanian economy had to change completely and that it should be the private sector and free enterprise who would realize these productive investments (Meksi, 2015: 133). In a narrow context, Meksi as one of the closest witnesses to the situation would underline “This was the economic situation of the country, where the state treasury had no more than

2.5 million USD and several hundred million debts to Western countries and firms, but also to former communist countries, when the economy was paralyzed and the situation in the country continued to deteriorate” (Meksi, 2015: 137).

## 5. Difficulties and obstacles encountered in the first months of the transition

The first pluralist elections in the country were held on March 31, 1991 and were won by the Albanian Labor Party (Fuga, 2003: 75), a year later, on March 22, 1992, general parliamentary elections were held again, which were won the Democratic Party of Albania and its allies (Krasniqi, 2009; Fuga, 2003).

The political conditions for a transition to democracy were the most difficult in the countries of the socialist camp that had embarked on this path, not only in the economic context but especially in the context of political heritage (Fuga, 2003). A very serious definition of which Gjuraj would present to us, when he underlined that “The premises from where the democratic transition in Albania started have been unfavorable, starting from the lack of democratic tradition in the country, extreme self-isolation for decades, lack of free media” (Gjuraj, 2015).

In regards to the lack of democratic tradition in the country, “The change of the system did not bring the change of mentality” (Krasniqi, 2008: 229). But in particular the ruling elite of the DP, most of whom came from academic circles, had no political experience and radiated a great difference between their theoretical ideas and the chances for practical realism (Krasniqi, 2008: 230).

Reforms in the service of transition began in this intermediate period of governance between two political parties, one of which had maintained a monopoly of power for 46 years, while the other had just emerged as a need for political pluralism in the country (Meksi, 2015; Fuga, 2003).

Although the two parties are hostile to each other, and rivals throughout the transition, the DP and SP would have the same strategic approach to Albania’s journey to West. This would require liberal reforms, and as Civici points out, “the end of the Euro-Atlantic integration tunnel became a powerful driver of economic and financial reform” (Civici, 2013).

However, coexistence in the first year of the transition was not easy between the two parties, which had opposing positions regarding the country’s Constitution. This came as a result of the paradox of developments between December 12, 1990 and April 29, 1991, when even though political pluralism was accepted, the political system functioned with the 1976 Constitution (Krasniqi, 2009).

During this period of Constitutional transition, political events on the ground moved in a new direction, which Krasniqi would describe as “legally unconstitutional” (Krasniqi, 2009: 236). On April 29, 1991, the two main populist parties, the Labor Party and the Democratic Party, after close and intensive cooperation, voted for the entry into force of the basic principles of the new political system, through a package of laws called the ‘Main Constitutional Provisions’ (Krasniqi, 2009: 238).

In accordance with this changed reality, Alexander Meksi would prove that “During the intermediate year April 1991-March 1992 it was possible to lay the foundations of a new state with the first elements of a market economy, thanks to the position-opposition consensus and especially for the drafting of Constitutional Provisions, which enabled the economic, legislative and institutional reform in the following years” (Meksi, 2015: 143).

## 6. The first reforms of the first democratic government and their impact on urban issues

The Meksi Government 1992-1997 established the legal and institutional framework for the sanctioning of the entrepreneurial initiative and for the establishment and functioning of the private land and buildings market (Çili, 2013). This was made possible by strong and direct assistance from the International Monetary Fund (IMF), shortly after the vote of confidence in the first Democratic Government, as Meksi would testify:

“In the meeting room of the Government on April 28, 1992, a working meeting was held with the envoy of the International Monetary Fund Anuph Singh, who assisted the Albanian Government, to be informed about the details of the Government Program. This action plan had to be approved by the IMF to provide the financial and economic support of international financial institutions and friendly governments, which was so necessary to pull the country out of the economic and financial collapse to which it had been led for 46 years by the communist regime” (Meksi, 2015: 137).

Gjuraj would also speak about the support of internationals, and the necessity of their contribution in the years of transition, when he would underline that “After 1990, Albania recognized and accepted the role of international factors in domestic developments, launching difficult reforms “imposed” by the West, cooperation with foreign states and organizations, implication and influence from international events and developments” (Gjuraj, 2015).

Civici would also present the government’s commitment to the economic ‘lessons’ of international institutions, when he underlined that “we have rigorously implemented the specific recommendations and recipes the IMF and the World Bank for the Albanian economy of in regards to the privatization of the economy and its opening” (Civici, 2013).

For a short period of several months, in addition to concrete measures and actions, the entire legal and institutional basis was prepared to begin the most difficult and complex reforms that would be undertaken in any place of the former socialist camp (Biberaj, 2000; Lami, 2013; Civici, 2013). It consisted of the abolition of the 80 percent rule, the liberalization of prices of all food items, the abolition of subsidies to state-owned enterprises, the liberalization of the exchange rate, the liberalization and privatization of transport, trade and construction, as well as other measures in the field of legislation and liberalization of the economy (Biberaj, 2000; Lami, 2013; Meksi, 2015). As Çili would advertise, “Through the Meksi government, [the Democratic Party] made major economic reforms in the first phase. Privatized on a large scale, removed many of the institutions and practices left by the centralized state; opened the markets and so on” (Çili, 2013: 42).

The implementation of a liberal policy, in favor of the privatization of many state sectors and industries and the opening of the economy to international markets, brought the restructuring of the economy in line with the trends of the international economy (Biberaj, 2000: 294-297).

Many low-tech companies went bankrupt in global competition, while other companies whose products were still competitive in the market continued to survive. According to Biberaj, there was another reason which had to do with the fact that “the government was forced to keep large companies operating at a loss” for fear that closing them would worsen the economic situation (Biberaj, 2000: 296).

Whatever the reasons, this process had an impact especially on small towns, with a one-sided economic base, which due to job losses suffered large population reductions, thus leading to the degradation of the stock of housing, urban units and the general territorial structure of cities (IHS Alumni, et al., 1998; Imami et al., 2008). The abandonment of cities by citizens creates a series of problems related to the urban administration of these cities, which are mainly related to the misunderstanding of the new role of government in urban and territorial development issues.

General political and economic reforms proceeded rapidly and had their impact on the infant free market economy in Albania (Çili, 2013; Biberaj, 2000; Lami, 2013). As Meksi would underline “during the remaining months of ‘92, for the good fortune of the Albanians, the [economic liberalization] Reform took its an upper trajectory and its achievements were felt by all, as well as the difficulties of this great upheaval and, especially, in the creation of unemployment” (Meksi, 2015: 137).

These reforms also had components in the real estate market and the construction and housing sectors. The construction sector, almost completely privatized, began to be structured into a series of small and medium enterprises, which began to operate in separate market segments (Misja and Misja, 2004).

Thus began the first development and construction activities in the territory, which included the private sector, which during the transition years would take dominance in the construction industry and the real estate sector (WB, 2007; Imami et al., 2008). The difficult tasks posed by the beginning of the transition could not be solved outside a free market economy that is realized by the self-operation of economic mechanisms, by a regular legal system, by free competition, and by the elimination of state bureaucracy in the economy, which together would enable the integration of the country’s economy into the world economy (Biberaj, 2000; Lami, 2013; Meksi, 2015).

The transition required the establishment of political and economic institutions completely different from those of the state of the pluralist dictatorship, unknown and unheard until then by the Albanian society in a country completely isolated to the world, like Albania in the early 90s (Gjuraj, 2015; Civici, 2013). These required new laws, new structures and people with a democratic mentality and chosen in terms of values and skills. As the Prime Minister of the time, Mr. Alexander Meksi would state:

“We committed ourselves to their implementation [of the liberal reforms] that lasted for years, and even continues today, and the results were felt in the beginning. I want to emphasize here that without the help of the IMF and in particular the World Bank, reform for us would have been an almost impossible undertaking. The assistance consisted of financial support and structural reforms, drafting of sector strategies, projects and leadership in specific sectors” (Meksi, 2015: 143).

On this political and economic reform, liberalization and privatization context was developed the construction sector and all its formative components, starting from sectoral legislation, strategic territorial planning, urban planning, to territorial control to allow construction development and informal construction. The latter was a basic social phenomenon that accompanied and often dominated the construction sector, while it was the dominant form of expression of conceptual differences and practical activity in the territory between society and governance during the transition (IHS Alumni et al., 1998; Faja, 2008; Imami et al., 2008; Aliaj, 2008; WB, 2007).

## **7. Political and economic preconditions for shaping the construction sector in the new conditions**

Changes in the political and economic sphere through reforms and legislation had major impacts in many areas of interaction of individuals in society (Biberaj, 2000; Lami, 2013). Restrictions on freedoms for individuals under the communist regime, in addition to economic poverty, had produced regression in many areas of social and national development (Meksi, 2015; Fuga, 2003, 2004), and the need for development required gigantic efforts (Biberaj, 2000; Krasniqi, 2008; Lami, 2013).

This specificity of the Albanian society, compared to other countries of the socialist camp, would be noticed by Gjuraj, who would emphasize that:

“Albanians faced immediately after the ‘90s the consequences of their historic delays in building the state and democratic institutions. The fall of the communist regime was accompanied by the collapse of the state, at all levels, thus creating a comprehensive legal and institutional vacuum.” (Gjuraj, 2015).

One of these vacuums was also in the two main public sectors, health and education. These two basic services for life and social health, like many others, were provided by the communist state based on a network of structures scattered throughout the inhabited territories and specialists generally brought from major urban centers (Kotmilo and Kotmilo, 2017).

The fall of the communist system was also accompanied by the departure from the deep mountainous areas north, northeast, southeast and south by doctors and teachers who had been sent there by the state. New political and economic balances could not force specialists in these fields to stay in those places where they had been ‘appointed’ by the employer and the sole political party-state authority (Fuga, 2004). The fall of the communist system was also accompanied by the departure from the deep mountainous areas north, northeast, southeast and south of doctors and teachers who had been sent there by the state. New political and economic balances could not force specialists in these fields to stay in those places where they had been ‘appointed’ by the employer and the sole authority, the political party-state (Fuga, 2004).

On the other hand the liberal economic reforms pursued in the first years of post-communism abolished subsidies for loss-making economic enterprises, and payments of 80% to employees of those enterprises who had no raw materials, or who had gone bankrupt due to technological age (Biberaj, 2000: 287-299; Meksi, 2015). This led to the eventual closure of many economic activities in many inhabited centers and consequently the loss of jobs for many residents of these areas (Civici, 2013; Biberaj, 2000).

Both of these events, the loss of basic services and employment would sever the logical connection of citizens with their places of origin. Abolition of state control over the free movement of people, established by DCM no. 361, ON 1.11.1977 ‘On the Residence Permit of Citizens’ (PPL, 1945-1979: 108), made the state’s coercive bond with the citizen regarding the choice of residence to be severed (King and Vullnetari, 2003; Vullnetari 2007). This was made possible by the amendments to the Constitutional Law in 1993, where according to Article 22 of these amendments the free movement of citizens was legal (Vullnetari, 2012: 66). Residents now felt free to choose their place of residence, where they could better meet their living conditions.

## **8. The first reforms that shaped the way of urban development of the country in transition**

The creation of freedom to choose one’s place of residence was accompanied by the creation of the opportunity to consume this basic freedom of the individual in a society of liberal democracy (Biberaj, 2000). During this period, two economic opportunities were introduced, or rather economic incentives, to finance the change of the previous residence, which was forced by the state with a new residence. First, in 1992, the Albanian Parliament approved law no. 7652, on 23. 12. 1992 ‘On the privatization of state-owned housing’ (Official Gazette, 1993) through which it privatized about 230 thousand apartments.

A liberalizing reform, this, in the roughness of the transition that had just begun, from a centralized state planning economy, where the state had absolute ownership over land and dominance over apartment ownership, to a free market economy where private ownership had to the same constitutional value as state ownership. In line with this, Meksi would write that “At the end of ‘92, the privatization of housing was carried out, which opened great horizons to the construction activity, making housing construction an important branch of the economy, understandably along with agriculture” (Meksi, 2015: 137).

This large-scale privatization reform created private ownership for 230,000 Albanian families, for the first time after a 46-year period where, referring to the 1976 Constitution, land ownership was entirely state-owned, and housing was largely state-owned, although private ownership also existed. (PPL, 1945-1979).

In the field of housing and the real estate market, the privatization of land and state-owned housing created the conditions for families and individuals to exchange this commodity in the market, providing a source of income (Misja and Misja, 2004). If we refer to Meksi, this state wealth transferred to the ownership of Albanian families was worth about four billion dollars (Meksi, 1992, 2015). This income was used, firstly, to finance the construction or purchase of an apartment in a new residence which would provide you with a better quality of life than that in the place of origin.

Albania’s opening to the democratic west was accompanied by a high level of foreign emigration, which would bring large amounts of remittances to Albania (WB, 2007; Vullnetari, 2012; BoA, 2018). This phenomenon would be identified by INSTAT, according to which in the years of transition emigrants “transfer [to families] a total amount equal to 25% of Albania’s GDP” (INSTAT, 2004: 47).

This financial income in the form of remittances would be used primarily to finance the purchase or construction of a new home in the areas where these families migrated. The almost negligible role of the state in providing social housing (Misja and Misja, 2004), made families provide housing with their own means (Aliaj, 2008), where an important contribution was played

by the income of emigrants abroad (Volunteer, 2012; BSH, 2018). According to the World Bank, “37 percent of all households that (1) purchased or built a dwelling (2) reconstructed or renovated their dwelling reported that their construction activities were largely financed by remittances.” (WB, 2007: 25).

This brought consequences in different dimensions, but one of the most important was that the Albanian cities, observed from the general national approach, lost the physiognomy of comparative uniformity. Prior to the 1990s, the regime, through legislative tightening and urbanization policies, had managed to keep territorial Albania organized in similar cities in terms of territorial size and number of inhabitants (Misja and Misja, 2004; Faja, 2008; Kotmilo and Kotmilo, 2017).

## 9. The first urban products and the new role of the state in urban issues

Thus began the process of requalification of the territorial dimension of the country, which will be presented in only three diametrically opposed typologies of inhabited centers. Territorial and urban Albania already consisted of either large or overcrowded cities with high residential densities; or from small, sparsely populated, low-density cities; or from new towns created by the intensive urbanization of existing villages (Fuga, 2012). Reinforced by the lack of regional development policies, strong changes occurred in the settlement system (Faja, 2008; Aliaj, 2008). Rural and urban areas on the outskirts of the country, which experienced a decline in economic activity, lost population, while major cities with more developed economic base increased the number of inhabitants (IHS Alumni, et al., 1998; Imami et al., 2008; Aliaj, 2008; WB, 2007).

These changes that took place after 1990 created the preconditions for a reformulation of the role of the state, which can no longer be the sole decision-maker in matters of making and rebuilding the city. Urban reality would be the product of the interventions of people, particular citizens, companies, enterprises and various organizations living, operating and working in the city (Imami, et al., 2008; IHS Alumni, et al., 1998). Like the IHS Alumni, et al. would emphasize:

“The role of the state, built in this new political and economic context, would be to take care that the results of all these private and individual actions in the urban territory turn into a city with a pleasant environment, full of life and work. The state, now, can only influence and guide the individual decisions of city dwellers” (IHS Alumni, et al., 1998:3).

But these developments also brought their negative aspects regarding the level of the country’s population and their distribution throughout the national territory (Misja and Misja, 2004; Imami, et al., 2008). First, Albania would lose population as a result of external migration, as the World Bank would point out in the ‘Urban Sector Assessment in Albania’ in 2007, “In the first ten years of transition, Albania’s population decreased by 3.6 percent because the population took advantage of the freedom to travel abroad, and escaped the economic and political crises in the country” (WB, 2007).

This social phenomenon would be noticed by INSTAT in 2004, according to which “approximately 710,000 individuals” left Albania in the period of 1989-2001 (INSTAT, 2004: 36). The decrease of the population level continued in the following years, INSTAT in 2014 would underline that “Emigration is one of the main reasons for the decrease of population in Albania in the period between 2001 and 2011.” (INSTAT, 2014: 31). According to this institution, “the number of emigrants for the period 2001-2011 is estimated at over 480,000 people.” (INSTAT, 2014: 35).

On the other hand, the Albanian population was involved in a significant displacement within the country, as a result of internal migration (King and Vullnetari, 2003; King, 2010, Vullnetari, 2007, 2010; WB, 2007). Referring to the World Bank “The most obvious indicator of the redistribution of the population within the country is urbanization, with a population in cities that increased from 35 to 42 percent in the period between the censuses [1989-2001]” (WB, 2007). This 10-year period was characterized by absolute freedom to meet housing needs in those areas where a higher quality of life could be ensured (Misja and Misja, 2004).

Large emigration movements characterized the northern and southeastern areas of Albania in the direction of large cities such as Tirana, Durres, Elbasan. Almost the entire central and western territory of Albania was affected by new and unstructured constructions in the urban dimension (INSTAT, 2004). INSTAT would also state: “From rural areas, approximately 900,000 people migrated to urban areas inland as well as to other countries.” (INSTAT, 2004:10). This phenomenon would continue in the following years, where referring to INSTAT in 2014 “Movements at the city and village level, in the same period [2001-2011] mark a figure of 280,863 individuals” (INSTAT, 2014: 12).

## 10. The inability of the state to take on the new role in urban affairs as the main reason for the numerous urban problems

This new reality was greatly influenced by the way governments deal with urban issues, which came as a result of their non-adaptation to the new role they should have in this new reality (IHS Alumni, et al., 1998; Imami, et al., 2008; Aliaj, 2008). Within a period of a few years there was a complete detachment of the principles and methodology of centralized economic development policies and regional, territorial and urban planning (Faja, 2008).

Transitional governments would not understand their new role in relation to the territorial governance sector in this new political and economic reality. The fall of the communist regime and the deep liberal reforms pursued in the first years of transition in the sector of territorial developments would create the conditions for what Faja would postulate in 2008: “Socialist codes, rules and dogmas were overthrown and the way was opened for a new architecture, free from communist ideology and political dictatorship” (Faja, 2008: 18).

This governing process violated the legitimacy of economic and spatial development policies, creating problems regarding the territorial structure of the country (Misja and Misja, 2004), the urban situation of cities (Aliaj, 2008; Faja, 2008; Fuga, 2004), and the quality of urban living of citizens (Imami et al., 2008; Fuga, 2012).

Unfortunately, the freedom gained was not used to change much of the negative products of communist ideology and dictatorship in the territorial and urban dimension of Albania (Imami et al., 2008). Due to the inability and unwillingness of transitional governments to adapt concrete political positions, legislation, policies and programs in the field of territorial development to the principles of liberal democracy, urban and territorial problems and imbalances changed shape but reinforced a very harmful urban lifestyle for citizens (Imami et al., 2008; Aliaj, 2008; WB, 2007). Simply put, territorial governments did not understand, accept, and appropriate this new role of theirs (IHS Alumni et al., 1998; Imami et al., 2008).

It is these territorial and urban problems and imbalances that on the one hand came as a physical result of internal and external migratory movements (INSTAT, 2004, 2014; King and Vullnetari, 2003; Vullnetari, 2007, 2012), and on the other hand shaped the territorial model of the country.

Another aspect that is directly related to the lack of understanding and acceptance of the new role of government is the failure of transitional governments to restructure themselves. Transitional governments failed to decentralize part of their governance scope to local government units (Fuga, 2012, 2019; IHS Alumni et al., 1998; Imami et al., 2008; WB, 2007). Although efforts were not lacking, they failed to redevelop themselves towards multi-level governance, as one of the basic features of the new system.

This was the formative context of urbanization that produced this territorial model we have today and the relationship between this model and the models of other important sectors of social and national development. It is based on the change of the socio-political system, from a monist regime of central planning economy to a system of liberal democracy of free market economy and a wide range of liberal reforms in different sectors of the country that were followed in the first years of this epochal system change (Meksi, 1997, 2015, 2019; Biberaj, 2000; Lami, 2013; Aliaj, 2008; Civici, 2013).

The dynamics of shaping this territorial model are based on two diametrically opposed relations that were established during the years of transition with the territory. On the one hand the relationship of individuals, society and certain groups of it, who expressed themselves in the territory producing a development of extraordinary proportions (WB, 2007, 2018; IHS Alumni et al., 1998; Imami et al., 2008) and on the other hand the governments that failed to unify this development activity in “a city with a pleasant environment, full of life and work” (IHS Alumni, et al., 1998: 3).

## 11. Conclusions and recommendations

Albania at the end of the communist regime was one of the countries with the highest level of implementation of the ideology and principles of Stalinist socialism, among the countries of the socialist camp. Albanian communism had ‘enverism’ at the center of political thought, while the Party-State control over the other constitutional and political institutions of the country was of a very high level. Moreover, the new political elite of the country, like the whole society, lacked an open mindset towards the new system also due to the lack of democratic tradition. Extreme self-isolation and lack of free media would further complicate the political transition from a society under a monist dictatorship to an organized and functioning society in a pluralistic system of liberal democracy.

The economic transition of the country also presented deep difficulties. In the last years of the communist regime the central planning economy would fail in many respects. The communist government itself acknowledged this failure due to outdated technologies, lack of raw materials and energy, which had led to the mass closure of many economic enterprises. This would bring, not only an extreme poverty of Albanian families in the moments of transition, but also a real lack of those economic activities, the administration of which would have to be transitioned from a state direction to a private administration. This shortage would produce large-scale unemployment in the first years of the transition and beyond.

This general context of the transition would reflect the same difficulties in the transition of territorial governance, as an integral part of the political and economic transition of the country. But also, the liberal and democratizing reforms pursued in the early years, would also include the land ownership sectors, buildings, housing, and urban planning and development processes. As a result, the country has experienced a high decline in the resident population in the country, as a result of foreign emigration. But what influenced the strong changes of the urban, territorial and spatial dimension of the country, is the process of demographic-territorial remodeling of the country, the spatial structure of the inhabited centers and the urban situation of the Albanian cities. All of this came as a result of the inevitable internal migration, especially from the northern, northeastern, south-eastern and southern cities, towns and villages of the country towards the capital.

The paper concludes that, four would be the most important preconditions that would affect the mass internal migration, and in this sense in the way of urban and territorial development of the country, which originate from the political and economic transition of the country:

- i. the inability of the territorial government to understand its new role in urban and territorial affairs, in line with the new democratic, decentralized and liberalizing contexts in terms of land and building ownership / housing, as well as private intermediaries in the processes of urban and territorial development;
- ii. the removal of state coercion for the connection between the citizen and the city, in regards to 'party-appointed' nominees in cities and towns other than those of their origin; what brought about the lack of basic vital services for the inhabitants of small towns, such as education and health;
- iii. lifting the state constraint on the connection between the citizen and the city, regarding their employment in state-owned enterprises, bankrupt, closed or in the process of privatization;
- iv. Lifting the state constraint on the connection between the citizen and the city, regarding the free movement of citizens in relation to the free choice of residence.

The paper concludes that there would be two main financiers of this construction and urban development that shaped the way of urban and territorial development of the country, which originate from the political and economic transition of the country:

- i. income provided by the interaction in the already free real estate market, as 230 thousand Albanian families had become owners of state-owned apartments and had them in their use;
- ii. Remittances provided in emigration, after allowing the free movement of citizens even outside the national territory which was accompanied by large departures of citizens in the first years of transition.

The paper recommends other more detailed studies on this topic. It also recommends conducting further studies in the field of the relationship between territorial governance and the political ideology of the governing parties; analysis of the urban and territorial reality of the country and territorial governance; the demographic-territorial model of the country, in different time periods of the Albanian state; comparative analysis between the demographic-territorial model of the country with those of the EU member states, or the EU itself, etc.

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PANEL V

**THE CHALLENGES OF THE  
HEALTH SYSTEM REFORM**

# The Indispensability of Using Virtual (VR) and Augmented Reality (AR) Technology in Technical Medical Science, Imaging and EFS Department, EUT

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## **Admir JANÇE**

Prof. Assoc. Dr. Head of Imaging Department - EUT

## **Brunilda MEZANI**

PhD candidate, Lecturer - EUT

## **Fluturim NELA**

Diagnostic Radiographer, Lecturer of Imaging Technique and Radiology - EUT

## **Abstract**

*Based on technological innovations and the abundant virtual information that today's time offers, the teaching process has received a meaningful development and conception. This technological leap is best reflected in general in "virtual reality" and particularly in "augmented reality", emphasizing the real engagement of students, realizing a learning process as complete as possible even in subjects with a degree of difficulty considerably. This virtual technology advancement found in this field is dynamic and so advanced that for many education and training centers or various training centers VR and AR are becoming more and more applicable. UET became part of such an initiative by being attached as a partner to participating universities in the Erasmus+ Program of the European Union and more specifically in "VTech@WBUni" Project.*

## **EUT as a partner in VTech project of Erasmus + program**

The above-mentioned VTECH project is an Erasmus+ project with a three-year duration, which mainly consists of creating the appropriate capacities in Higher Education institutions. The project is managed as a leader by "Aleksander Moisiu" University, Durrës, Albania, accompanied by 11 partners, of which 6 are HEIs of Albania and Kosovo, while the rest are represented by partner HEIs of countries such as Slovenia, Poland, Estonia, and the North Macedonia Republic.

The main aim of the VTech project is to present an innovation such as Virtual Technology in the Universities of the Western Balkans, strongly contributing to the advancement and evolution of the learning process of these universities. The VTech project aims to make virtual technology an integral and necessary part of the academic process of universities, leading to a high-quality and efficient level of teaching by pedagogues. This advanced teaching level is fully achievable through interactive learning methods offered by virtual technology.

UET participates in this digital project of learning and education, as a serious and potential partner, with the main goal of becoming a national and regional leader on publishing activities and promoting the development of the values of civic education and the creation of real digital academic opportunities and research. EUT is always in continuous search to be part of different projects with the main focus on raising potential capacities as well as the exchange of academic staff and students through different exchanges, insisting on the use of European standards regarding quality assurance, organization and managing various national and international scientific conferences, publishing quality academic publications and providing the latest and contemporary translations, providing and equipping with appropriate academic tools and creating the most modern and evolving laboratories.

## Project specific objectives

- Training of selected academic staff to acquire and practice virtual technology in teaching;
- The student becomes a real potential on the use of digital computer equipment and software;
- An advanced and innovative interaction between the lecturer and the student;
- The fastest and most accurate acquisition of scientific knowledge by students based on the three-dimensional presentation of data from AR/VR techniques;
- To be part of the UET of a Virtual Technology HUB, which serves for the development of the virtual learning process in certain subjects;
- Innovative conception of classic teaching methods towards digitization, made possible by ICT technology and devices;
- Creating bridges of cooperation between the academic world offered by HEIs and Industry;
- Advancement in the future of appropriate material and human capacities, which will serve for integrated scientific research based on Virtual Technologies<sup>1</sup>.

## Introduction

The benefits of teaching applications of Virtual Reality (VR) and Augmented Reality (AR) platforms in education development are precious. Observing during the steps of training when we were implementing VR and AR technologies, we noticed an increased interest of students and saw the real possibility that we could improve learning and increase student engagement to achieve enhanced learning outcomes. Virtual reality in education transforms how the content of lectures and certain knowledge is provided for subjects that with the classical method often encountered difficulties in understanding a multitude of mainly physical or technical concepts.

VR and AR methods create a virtual world based on facts and give the student the opportunity to realize a complete 3D virtual reality interaction. VR and AR undoubtedly makes a valuable contribution to the solution of the issues and dictions from the simplest to the biggest ones that education faces today. Through innovative teaching methods, virtual displays of many concepts, laws, images, or content that are differentiated or have a degree of difficulty for students to understand, VR and AR make that concept or concept more “tangible” and much clearer ideas that in classical 2D plans are equally difficult to understand clearly. Nowadays, the integration of virtual reality and augmented reality applications in the educational field are ubiquitous. The mass application of the above-mentioned technologies offers many benefits compared to the classical teaching methods, mainly in the presentation of new and evolutionary methodologies. An absolute advantage of AR/VR technologies is the presentation of didactic information in three-dimensional form, which means a better perceptive and meaningful ability than two-dimensional presentation. In advanced presentations, the application of VR methodology can create a suitable environment that puts the user in a virtual reality, cooperating and interacting in real time with virtual objects.

VR / AR applications in higher education and teaching gives the student the opportunity to increase interest and create a learning ability around a certain subject, all this enabled by the application of three-dimensional virtual models.

Compared to the classic method of presentation of facts template, the application of virtual reality raises the learning experience to a higher level by offering exploratory and interactive opportunities in such a way that the student gets out of the classic framework of his academic training. By submitting to the VR/AR application, the student manages to create a visual memory of the information, helping him to perceive it better.

## The possibility of creating opportunities for the acquisition of advanced concepts

The accuracy of the correct perception about the taught topic is different in different students. In some students, the virtual perception time of certain academic concepts is greater than in some others. The application of innovative VR / AR technologies in teaching serves as a necessary tool to gain a qualitative conception of difficult concepts in visual conception. During the application at UET, in the subject of anatomy e.g., the cardiac function and circulatory system are very clearly conceived thanks to 3D images and VR applications. Other cases of explaining cellular composition and function have been very significant cases to understand the importance of applying VR&AR technology in the exact sciences. Although this type of technology finds an application in a wide spectrum of scientific fields where it can be used for teaching.

## The opportunity to engage and interact

The application of virtual and augmented reality in teaching and practical training of various issues by stimulating their real aspects, enables a perfect process of practical learning. It should be emphasized that professions of a high level

<sup>1</sup> Vtech-project

of difficulty require many hours of commitment and training to achieve the appropriate skills in these specific fields. However, practicing in the real world is often expensive or may contain inherent risks.

In view of this, it is enough to take examples of specific professions such as airplane pilots or surgeons, for whom it is essential to carry out a quality and detailed training. We emphasize the fact that classic virtual interpretation devices such as headphones and different software are not enough, but the essential part of virtual reality must also be haptic devices (based on touch) imitating real objects, capable of providing the right feedback in time real.

In the case of our students, e.g., in the subjects of imaging and diagnostic techniques should be given a virtual example of departments and areas where there are exposures to ionizing radiation to learn and be protected from accidental exposures. Or to shape the ideas and concepts of x-ray scanning in those anatomic regions of clinical importance avoiding unnecessary parts and thereby saving patients from overdosing.

## **VR&AR has an emotional impact on teaching**

The ability to learn for humans is a multi-dimensional experience, capable of involving our maximum attention, to strengthen critical thinking in strengthening and sculpting long-term memories. Precisely in this direction, the application of virtual reality favors and memorizes the creation of appropriate answers for the student.

Often the feeling of traveling in time and interacting in virtual reality with historical events or certain events leaves a special emotion and feeling in the student's memory, which makes that moment and the lesson for which it takes place unforgettable.

## **Enhancing artistic and conceptual creativity**

The application of VR / AR virtual technologies in higher education is extremely valuable in increasing the creative and memorizing level. Let's mention a widely used virtual reality tool like Tvorì, capable of providing the user with a quick creation of animated projects, giving the student the opportunity to increase creative skills.

Likewise, various architectural or engineering projects are realized in virtual forms and a wider opinion is obtained about the idea, concept, realization, and benefit from many experts or individuals.

## **Adapting the materials to the student's individuality**

One of the main reasons for the difficulty in learning for students has to do with the way in which didactic material is served to them. It is understandable and acceptable that in different students, the perceived level is different.

The application of virtual reality in the auditorium gives the teacher the opportunity to serve a specific topic according to the student's level. Although this means that students are given the opportunity to acquire knowledge individually, or to add preparation to the lecturer in creating a personalized study plan according to the students' level of perception, the application of virtual VR / AR technology makes the academic experience learning in another very advanced dimension.

## **The possibility of organizing a student group**

Another very valuable aspect of the use of virtual and augmented reality technology in teaching is related to the fact of using virtual technology as a bridge connecting cooperation and study between students. In this aspect, lecturers can help students to interact interactively as part of an academic community, even more widely, favoring and guiding them towards the acquisition of complex concepts through various computer applications.

Virtual reality is quite efficient in the connections between groups at a distance, enabling a much more effective learning benefit than that enabled by traditional teaching.

## **Virtual VR&AR technology impact on medical imaging and radiology**

Nowadays and with the opportunity created by the involvement of the EUT and more specifically the Department of Imaging in the VTech project, virtual reality is serving as an excellent tool in the acquisition of appropriate anatomical and imaging knowledge for radiology students.

Students of the Imaging Department, as well as radiologists, can perceive and analyze different three-dimensional scans in real time, always using different virtual reality applications. Imaging students can manipulate the image, enabling its comprehensive perception and in different angles.

We also mention the fact that one of the benefits of AR application in medical images has to do with the planning and guidance of various diagnostic procedures.

## Virtual tools for learning in the real world

The main and beneficial merits of the application of VR/AR virtual technology in teaching and learning are related to the concept as a virtual tool with essential values in the proper perception of the main academic knowledge. This helps students in a more efficient memorization of scientific knowledge than the classical learning methodology based on reading, watching, and listening to knowledge.

Another advantage of the application of virtual VR technology is the possibility to be integrated in all levels of education, both pre-university and university. To make this possible, the attractive and intriguing ability that virtual reality creates for the people it serves precisely.

## VR lessons can focus on different subjects

- Geography and History: Virtual tours related to different geographical locations, as well as virtual recreation of historical and ancient places.
- Exact and human sciences: virtual space travel, human body exploration, and safe chemical experimentation.
- Technology, industry, and mechanics: presenting a virtual tour of certain engineering machinery and projects, equipment, and materials.
- Design and Architecture: creating architectural projects in virtual reality and visiting famous buildings.

## EUT experiences while using VR&AR technology

The project implementation process has started for the subjects Neuroradiology and Basic Radiological Techniques, for the second and third-year bachelor students.

The total number of students who participated in VR / AR lectures, whole classes of nurses' groups, imaging technologists, and physiotherapy.

The impact was very positive, students were excited to be in virtual labs while studying different and complex subjects such as biology, human anatomy, histology, and other complex formulas or images related to their branch of study.

EUT laboratories have all they need and are easily reachable to students any time during studying and are monitored by IT specialists all the time. Our university welcomed other groups, such as Business Company or related to see and adapt this technology for their development and staff training.

The growing level of inclusion and incorporation of virtual VR technology in higher education is dedicated to the implementation of this technology in the curricula of different institutions of higher education, and not only. Currently, this is also favored from the real perspective of the labor market, due to the promotion of different startups, as well as different IT companies, which are inclined towards offering virtual VR / AR applications to acquire as much more efficient of scientific knowledge.

## Conclusions

- The use of VR/AR tools is increasing day by day and is finding great use in study and practice. Virtual technology gives students the opportunity to be comprehensive in the most efficient perception of the complex subjects they study.
- The application of virtual VR technology creates the possibility of a very efficient interaction of the theoretical part and different study materials, affecting an emotional involvement that leads to another dimension of acquisition of scientific knowledge.
- The application of VR/AR virtual technology is quite valuable and beneficial in terms of visual interpretation of academic texts, turning them into the most accessible for students. Also, these days certain companies and businesses have started the massive use of virtual VR/AR technology, with the aim of training and advancing their employees in the service of the work they do.
- Advancement in the mass incorporation of VR/AR virtual technology in higher education mainly leads to the immediate need for specialized and advanced computer programming knowledge. However, it should be noted that currently there are many institutions of higher education and different companies, where there is a lack of personnel with experience and proper training in the interpretation and implementation of virtual reality. This observed phenomenon can be corrected through a specific training for each field where virtual technology is applied.

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# Lymphadenopathy and Infectious Diseases

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## **Shkelqim KURTI**

Infectious Diseases Service, University Hospital' Mother Teresa", Tirana, Albania

## **Xheladin CEKA**

University of Medicine, Tirana, Albania

## **Genti STRONI**

Faculty of medical Technical Sciences, Tirana, Albania

## **Abstract**

*Lymphadenopathy is a disease that affects the reticuloendothelial system, due to increased level of normal lymphocytes and macrophages as a reaction to an antigen. Usually in children it is a benign, self-limited disease similar to viral infections. In some rare cases the cause for adenopathy are lymphadenitis, lymphomas, or diseases that deposit the macrophages. In situations where the enlargement of the lymph nodes is the initial presenting sign and cannot be explained by any disease, it is important to carry out additional examinations in order to arrive at a final diagnosis. Lymphadenopathy is a major problem in children and adolescents, in whom nonspecific reactive hyperplasia usually presents. In adults, lymphadenopathy is more often a consequence of malignant processes. Lymphatic vessels develop from lymphatic sacs, which are formed during the development of veins and originate from the mesoderm. The lymphatic system acts as a secondary circulation system in the human body and has a crucial role in maintaining health, as an important component of the immune system. They are placed along the path of the collecting vessels before they flow into the thoracic and right ductus. Lymph nodes are located mainly in several areas of the body, such as: at the base of the extremities, in the neck, in the retroperitoneal areas, in the pelvis, in the abdomen and in the mediastinum. In the cross-section, a gray to pink, soft and homogeneous surface can be seen. The characteristics of each group of lymph nodes change with age and location in the human body.*

**Key words:** Lymphadenopathy, B-cell, T-cell

## **Introduction**

Pathological involvement of the lymph nodes is a clinical problem, often encountered in various fields of medicine. The cause of peripheral lymphadenopathy is a significant number of benign and malignant processes, which appear in different forms at different ages. Lymph nodes are regional, and each group of them corresponds to a certain region of the body and reflects abnormalities in that region (1).

Since lymphadenopathy can be associated with a wide spectrum of disorders that include relatively benign medical problems to life-threatening diseases such as malignant processes, the finding of adenopathy represents an important physical finding that requires systematic evaluation. This study was conducted to evaluate the epidemiological and clinical aspects of lymph node pathologies (2,3).

Lymphadenopathy can be caused by an infectious, malignant disease or an autoimmune disease. The most common causes of adenopathies include: various infections and disorders of the immune system such as lupus, rheumatoid arthritis, certain types of hematological diseases such as leukemia, Hodgkin's lymphoma, non-Hodgkin's lymphoma and breast cancer (4).

In the United States, common viral and bacterial infections are by far the most common cause of adenopathy. Infectious mononucleosis and cytomegalovirus (CMV) are important etiologies, but adenopathy is usually caused by common viral upper respiratory tract infections. Localized lymphadenitis is often caused by beta hemolytic staphylococci and streptococci (5).

Other infections, such as the HIV virus, malignancies, and autoimmune diseases, are less common causes of adenopathy (6).

Internationally, infections such as tuberculosis, typhoid fever, leishmaniasis, trypanosomiasis, schistosomiasis, filariasis and fungal infections are common causes of lymphadenopathy in developing countries. HIV infections should be considered in high incidence areas. The purpose of the study is to evaluate the epidemiological and clinical characteristics of lymph node pathologies (7).

## Material and Methods

This is a retrospective study, which is based on the analysis of data provided by the statistics service for 132 patients who presented to the Mother Teresa University Hospital Center with peripheral lymphadenopathy during the period March 2017 - March 2019. The data were collected epidemiological and clinical data of patients.

Epidemiological data were collected on:

- Age
- Gender
- Place of residence

Clinical data were collected on:

- Etiology of the disease
- Disease status: acute/chronic
- Type and frequency of signs and symptoms
- Type of adenopathy
- Characteristics of adenopathy
- Size of lymph nodes by region
- Findings on imaging-scanner
- Lymphocytosis values according to diagnosis
- The result of the myelogram-immunophenotyping
- Immunophenotype distribution according to diagnosis
- Average values of tumor markers

From the data obtained, the most significant correlations were studied in support of the etiological diagnosis.

## Results

Of the 132 analyzed patients, respectively: 57 (43.2%) of the patients are with hematological nosology, 45 (34.1%) with infectious nosology and 30 (22.7%) patients with oncological nosology, ( $p=0.01$ ). Table 1 shows the distribution of patients according to nosologies.

Table 1. Distribution of patients according to nosologies

Nosologies	N	%
Hematologic	57	43.2%
Infectious	45	34.1%
Oncologic	30	22.7%
Total	132	100.0%

The mean age of all patients is 50.7 ( $\pm 18.6$ ) years with a range of 14 to 87 years. 50% of patients are male and 50% are female. The mean age of hematological patients is ( $M=59.1\pm 18.6$ ) years, the mean age of patients with infectious nosology is ( $M=36.2\pm 16.2$ ) years, and the mean age of oncology patients is ( $M=56.7\pm 16.2$ ) years, with variation significant between them, ( $p<0.01$ ) (fig. 1)

In hematological patients, the diagnosis of LLC prevails in 49.1% patients, followed by LMNH (21.1%), LAM (17.5%), LAL (7%) and LH (5.3%). In relation to adenopathy, the following prevail: cervical adenopathy (75.4%) and axillary adenopathy (64.9%), followed by femoro-inguinal adenopathy (35.1%), and abdominal adenopathy (10.5%). Hepatomegaly was found in

(43.9%) patients while splenomegaly in (42.1%) patients. Of the infectious diseases, the diagnosis of retrovirolosis prevails in 16 (35.6%) patients, followed by mononucleosis in 12 (26.7%) patients and brucellosis in 6 (13.3%) patients. The majority of adenopathies are bilateral, corresponding to the total number of adenopathies by region: cervical adenopathy (77.1%), axillary adenopathy (89.5%), abdominal adenopathy (100.0%), femoro-inguinal adenopathy (80.0%). The average age of patients with breast cancer is 56.6 ( $\pm 11.2$ ) years with a range of 35 to 79 years. Patients in the 61-70 age group predominate with 12 (40%) of the total cases. T2N1M0 stage patients predominate in 36.7% of cases, followed by T2N2M0 stage in 20% of cases. The mean age of menarche is 13.1 ( $\pm 0.84$ ) years ranging from 12 years to 15 years. In most patients 23 (77%) adenopathy was only axillary while in 7 (23%) of them it was combined cervical/subclavicular/axillary ( $p < 0.01$ ). The mean values of the tumor markers were higher than the normal values.

Lymph nodes are regional, and each group of them corresponds to a certain region of the body and reflects abnormalities in that region (8-10).

Since lymphadenopathy can be associated with a wide spectrum of disorders that include relatively benign medical problems to life-threatening diseases such as malignant processes, the finding of adenopathy represents an important physical finding that requires systematic evaluation (11). Lymphadenopathy can be caused by an infectious, malignant disease or an autoimmune disease (12). The most common causes of adenopathies include: various infections and disorders of the immune system such as lupus, rheumatoid arthritis, certain types of hematological diseases such as leukemia, Hodgkin's lymphoma, non-Hodgkin's lymphoma and breast cancer (13,14).

In the United States, common viral and bacterial infections are by far the most common cause of adenopathy. Infectious mononucleosis and cytomegalovirus (CMV) are important etiologies, but adenopathy is usually caused by common viral upper respiratory tract infections. Localized lymphadenitis is often caused by beta hemolytic staphylococci and streptococci (15,16).

Other infections, such as the HIV virus, malignancies, and autoimmune diseases, are less common causes of adenopathy (17).

Internationally, infections such as tuberculosis, typhoid fever, leishmaniasis, trypanosomiasis, schistosomiasis, filariasis and fungal infections are common causes of lymphadenopathy in developing countries (18). HIV infections should be considered in high incidence areas.

## Conclusion

Recognizing the pathology and its early diagnosis are important for the progress of patients. Regular medical examinations and strict implementation of treatment should be carried out.

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# Metabolic Syndrome in Rheumatic Diseases

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**Artan SHKURTI**

Regional Hospital of Vlora, Albania

**Argjend TAFAJ**

Rheumatological Service - University Hospital Centre "Mother Teresa", Tirana, Albania

**Genti STRONI**

Faculty of Medical Technical Sciences, Tirana, Albania

## Abstract

*Subjects with metabolic syndrome (MetS) - a constellation of cardiovascular risk factors of which central obesity and insulin resistance are the most characteristic - are at increased risk for developing diabetes mellitus and cardiovascular disease. MetS is widespread throughout the world and its prevalence is expected to increase dramatically in the ensuing years. This increase is associated with the global epidemic of obesity. Similar to the trend in adults, there is currently an alarming increase in children and young adults. Having fair one of these conditions does not mean you have got metabolic disorder. Be that as it may, any of these conditions increments the hazard of genuine sickness. Having more than one of these can increase your chance indeed more. If you have got metabolic disorder or any of its components, forceful way of life changes can delay or indeed anticipate the advancement of genuine wellbeing issues. Most disorders associated with metabolic syndrome have no symptoms, although a large waist circumference is an obvious sign. On the off chance that your blood sugar is as well elevated, you will have signs and side effects of diabetes – counting thirst and visit urination, tiredness and obscured vision. Metabolic disorder is closely related to overweight or obesity and dormancy. It is additionally connected to a condition called affront resistance. More often than not, the stomach related framework breaks down the foods you eat into sugar (glucose). Affront may be a hormone delivered by pancreas that makes a difference sugar enter the body's cells to be utilized as fuel. In people with insulin resistance, the cells do not respond normally to insulin, and glucose cannot enter the cells as easily. As a result, blood glucose levels rise despite body's efforts to control glucose by pumping out more and more insulin. People with metabolic syndrome typically have bodies that are apple-shaped, meaning that their waists are bigger and they tend to carry a lot of weight in their bellies. It is believed that having a pear-shaped physique, which involves putting more weight on hips and having a smaller waist, does not raise the chance of developing diabetes, cardiopathy, or other metabolic syndrome issues.*

**Keywords:** metabolic syndrome, rheumatic diseases

## Introduction

Rheumatoid arthritis is a chronic, inflammatory autoimmune disease that damages the joints (knuckles), but also the organs of the human body such as the eyes, heart, lungs and rarely the kidney (1). Among rheumatic diseases of an autoimmune nature, RA is the most common. It affects both sexes, but more women (2). It can start at any age from the first months of life to the age of three, but it is most often encountered between the 4th and 6th decades of life (3). Our immune system is quite complex, but basically it has the task of protecting the human organism from external agents (microbes, viruses, parasites) that can attack it (4). AR is an autoimmune disease which means that some cells of our immune system, at an indeterminate moment in time, begin not to perform their normal function, but attack the healthy tissues of the body itself, in this case the joints and rarely the organs (5). Metabolic syndrome represents a cluster of cardiovascular disease risk factors that have insulin resistance and increased visceral adiposity in common. This entity has received great attention as

the best known predisposing setting for the development of CV morbidity (6) and represents a condition which has been defined as the situation in which three of five characteristics are present, including obesity, elevated triglyceride, low level of high density lipoproteins cholesterol, high systolic and diastolic blood pressure, and elevated fasting glucose (8). This study aimed at assessing the clinical aspects of RA and its association with the development of MetS.

## Material and Methods

This is a cross-sectional study over the period 2013-2015. Patients diagnosed with RA according to the ACR criteria and followed at the Rheumatology department of regional Hospital in Vlora district, in Albania were sequentially invited to participate in this study. Patients with other autoimmune diseases, except secondary Sjogren's syndrome, were excluded.

The study included 120 patients whose sociodemographic and clinical data were collected from medical records of the patients.

## Results

Table 1 shows demographics and metabolic components of the total patients and also according to gender.

**TABLE 1.** Demographics and Metabolic Components of the patients

Demographics and Metabolic Components	Patients	Females	Males
Age (years)	45.5 ± 13	45.3 ± 13	46.5 ± 16
Systolic blood pressure (mmHg)	115 ± 19	116 ± 19	112 ± 13
Diastolic blood pressure (mmHg)	75.1 ± 9	75.5 ± 9	72 ± 9
Weight (kg)	66.9 ± 12	66.4 ± 11	71.5 ± 18
Belt circumference (cm)	92.3 ± 14	91.7 ± 13	97.4 ± 20
BMI (kg/m <sup>2</sup> )	26.8 ± 4	27 ± 4	25.1 ± 4
FBS (mg/dL)	99.5 ± 40	100.1 ± 43	95.1 ± 14
TG (mg/dL)	105 ± 36	133.4 ± 98	113 ± 61
Cholesterol (mg/dL)	202 ± 180	195 ± 41	176 ± 35
LDL-C (mg/dL)	117 ± 36	116.2 ± 37	122 ± 23
HDL-C (mg/dL)	46.6 ± 11	47.7 ± 11	38.6 ± 11
Smoking (%)	7.2%	5.1%	22.3%
MetS (IDF)(%)	31.4%	42.7%	29.1%
MetS (NCEP-ATP III)(%)	46.7%	39.2%	29.7%

The prevalence of MetS increases with age and varies between 17 to 43% in the general population (8,9). Metabolic syndrome along with kidney disease can lead to heart disease. For the study, researchers looked at 5110 adults with kidney disease in Germany who also had metabolic syndrome (10,11). Of these, 605 patients died and 650 had significant cardiovascular problems during the 6.5-year follow-up period (such as heart attacks and strokes). Patients with metabolic syndrome were 26% more likely to die and 48% more likely to have a heart attack or stroke (12,13). An increasing number of components of metabolic syndrome, such as higher waist circumference, blood sugar levels, triglycerides and blood pressure, as well as lower HDL cholesterol, increased the risk (14,15).

## Conclusion

Rheumatoid arthritis has no known cure – so treatment and measures are only symptomatic and functional. Examples of such treatment are physical therapy, adapted chiropractic treatment, lifestyle changes, dietary advice, medication, supports (eg, compression support for injured knees), and surgical procedures. Doctors may prescribe drug treatment to assist reduce blood pressure, cholesterol, and blood glucose if lifestyle modifications do not achieve the desired results

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# Vaginal Birth After Cesarean Section as a Common Sense Approach

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**Nazmie CENI**

Gynecological Obstetric University Hospital «Koço Gliozheni»

**Renata CENI**

Lady of Good Counsel University

**Astrit BIMBASHI**

Gynecological Obstetric University Hospital «Koço Gliozheni»

## Abstract

*Once a woman is delivered by cesarean, her options in a subsequent pregnancy are either a planned trial of labor or a planned elective repeat cesarean. This has been a contentious issue in obstetrics for more than 30 years. Recommendations regarding trial of labor are based largely on experience and observational studies rather than rigorous scientific evidence.*

*There are no randomized trials comparing these two choices to definitively guide patients and physicians. The primary cesarean rate is increasing and vaginal birth after cesarean delivery (VBAC) rates are decreasing. Nonmedical factors have had a major effect on these trends. Researchers after presenting a detailed analysis of benefits compared with risks, recommended that measures should be taken to assure women that VBAC is available to them.*

*Vaginal delivery results in fewer complications than cesarean, is less expensive, has a faster recovery, and for many women is more satisfying than cesarean delivery. Most women can deliver normally vaginally after a previous cesarean if they are selected appropriately although it cannot be absolutely foreseen the rate of failure. The risk of complications is rare, however it still exist and poses a difficult choice for doctors and patients.*

*Patient preferences and desire are different, and there are complex trade-offs between the risks and advantages of VBAC versus repeat cesarean birth. Each doctor is responsible for assessing and conducting VBAC delivery to fairly satisfy each patient's needs in light of the resources at their disposal. This will require an organized and concerted effort on the part of patients, physicians, and hospitals. To meet patient expectations for a safe and successful outcome with a trial of labor after cesarean delivery, specific management plans, checklists, practical coverage arrangements, and simulation drills are necessary.*

**Keywords:** *natural delivery, cesarean section*

## Introduction

In order to reduce the increasing trend of cesarean sections (CSs) worldwide one of the best solution is the application of natural birth after cesarean section. It is a trial of vaginal delivery in selected cases of a previous CS in a well-equipped hospital (1). In the beginning of the last century there was a famous phrase “once a caesarean section, always a caesarean section” (2). It was during that period the CS was most often used in the classic way. Nowadays, CS techniques have advanced presenting less complication due to lower segment caesarean section (LSCS).

Nowadays the phrase is “once a caesarean section, always an institutional delivery in a well-equipped hospital”. The reasons which led to the reversal of the old dictum are based upon the newer concepts of the assessment of scar integrity, fetal well-being, and improved facilities of emergency CS (3,4). Nevertheless, a previous CS does cast a shadow over the outcome of future pregnancies (5,6). New surgical incision techniques have been developed that avert the complications in future pregnancies however, though it is very low, the risk of complications cannot be anticipated accurately beforehand. These cases require the assessment and supervision of a senior obstetrician during labor (7-9). The aim of the study was to investigate the VBAC in women who previously had CS and the consequences on neonates and mothers.

## Material and Methods

Eligible for the study were 103 pregnant women at the University Obstetric-Gynecological Hospital “Koço Gliozheni”, during 2010-2014 who underwent previously a CS. Clinical characteristics of neonatal outcome and obstetric factors and maternal parameters were assessed. VBAC is a trial of vaginal delivery for women who have previously had CS. Successful VBAC is spontaneous, vacuum-assisted, or forceps-assisted delivery for women undergoing VBAC. VBAC-eligible women presenting to hospital with symptoms of spontaneous labor without antepartum haemorrhage or fetal distress, ready for a trial of labour, were examined.

## Results and discussion

103 pregnant women with an average age of 33.6 (8.7) years, ranging from 20 to 47 years, participated in the study.

In the age group of 20-24 there are 6 (5.8%) cases, in the age group of 25-29 there are 17 (16.7%), in the age group of 30-34 there are 40 (38.4%) cases, in the age group of 35-39 there are 36 (34.9%), in the 40-44 age group there are 3 (3.1%) cases and in the  $\geq 45$  age group 1 (1.2%) case. Cases in the age group of 30-34 years prevail, followed by the age group of 35-39 years, with a significant difference between them ( $p < 0.01$ ).

Regarding parity, most women 86 (83.5%) have  $< 3$  children while 17 (16.5%) of them have  $\geq 3$  children ( $p < 0.01$ ).

According to BMI categories: 8 (7.5%) women are underweight, 41 (40%) are normal weight, 26 (25%) are overweight, while 29 (27.4%) of them are obese, which are classified Obese I 14 (13.3%), Obese II 9 (8.3%) and Obese III 6 (5.8%) of them. In the study, normal weight prevails, followed by overweight with significant differences with other BMI categories.

Regarding the mode of delivery, 68 of the women or 66% of them gave birth naturally, while 35 (34%) of them had a cesarean section.

Of the 68 women with natural childbirth, 9 or 8.7% of the total number of women had a vaginal-instrumental delivery

For 13 (12.6%) women, the interval from the previous SC is  $< 2$  years, while for most of them 90 (87.4%) is  $\geq 2$  years, with a significant difference between them.

Among the reasons for cesarean section, dysfunctional birth dominates 8.7%, followed by fetal distress 4.9%, breech presentation 3.7%, cephalopelvic disproportion 2.9%, macrosomia 2.9%, preeclampsia 2%, induction failure 1.9%, placental abruption 1.9%, PROM 1.7%, Oligohydramnios 1.4%, Uterine rupture 1.4%. The average age of mothers with natural birth is  $32.6 \pm 3.0$  years while the average age of mothers with CS is  $34.7 \pm 3.5$  years without significant difference between them,  $p = 0.1$ . Table 1 shows the result of comparison of maternal and obstetric factors between natural and cesarean delivery

**TABLE 1** Comparison of maternal and obstetric factors between natural and cesarean delivery

Variables	Natural birth (n=68)	Cesarean birth (n=35)	P
Mother's age M (SD)	32.6 $\pm$ 3.0	34.7 $\pm$ 3.5	0.1
BMI $> 25$	10 (14.7)	12 (34.3)	<b>0.02</b>
Gravidity	1.9 $\pm$ 1.2	2.3 $\pm$ 0.7	0.1
Gestational age at birth (weeks)	38.1 $\pm$ 1.9	38.6 $\pm$ 1.4	0.6
Interval from previous SC, years			
<2	3 (4.4)	8 (23.0)	<b>0.02</b>
$\geq 2$	65 (95.6)	27 (77.0)	
Obstetrical factors			
Fetal head $\geq 2/5$ on Echo	9 (13.2)	11 (31.4)	<b>0.03</b>
Cervical dilatation $< 4$ cm	10 (14.7)	12 (34.2)	<b>0.02</b>
PROM	8 (11.8)	6 (17.1)	0.1
Active stage of labor $> 7$ h	9 (13.2)	11 (31.4)	<b>0.03</b>
Stimulation of birth	23 (33.8)	5 (14.3)	<b>0.04</b>
Neonatal outcome			

Birth weight (g)	3058.7 ± 503.0	3379.6 ± 439.4	<0.01
Apgar score in 1 min	7.67 ± 0.88	7.83 ± 0.49	0.2
Apgar score in 5 min	8.81 ± 0.58	8.97 ± 0.13	0.07

Hemostatic procedures were applied in 10.3% of women with natural birth and in 5.7% of women with CS, without significant difference between them ( $p=0.7$ ). (10-13)

Blood transfusion was received by 2.9% of women with natural birth and 2.9% of women with CS, with no significant difference between them ( $p=0.9$ ). (14-15).

## Conclusion

In our country, the fashion and tendency of pregnant women is to give birth to the child through surgery and not the natural way. This tendency also occurs in cases where they have no problems and have no reason to perform a cesarean section, but they can easily cope with bringing the baby to life naturally. The objectives of both the WHO and the Ministry of Health is to reduce surgical births and increase natural births. These objectives must be implemented by medical personnel, doctors and midwives, to avoid the birth of babies by cesarean section, in order to increase the number of natural births. It remains to improve the percentage of cesarean births, which, although it has been improving over the years, still continues to be high at 33.8%. Since 2005, neonatal mortality has been decreasing. This study was conducted in order to highlight VBAC as a safe delivery method. In addition, in recent years, an increasing number of studies confirm that VBAC is a safe way for women to give birth and claim that healthcare professionals should suggest it more often.

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# Addressing COVID-19 vaccine hesitancy and resistancy

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**Dr. Lumturi MERKURI**

European University of Tirana, Albania

**Dr Dorina DERVISHI**

European University of Tirana, Albania

## Abstract

**Introduction:** COVID-19 continues to be a global emergency with over 346 million confirmed cases and over 5.5 million reported deaths worldwide (as of January 23, 2022). COVID-19 vaccines can effectively reduce virus transmission and improving pandemic spread and control. Several effective Covid 19 vaccines have been approved and authorized for use in record time, resulting in a significant reduction in cases and deaths from Covid-19. While vaccines are already available, around the globe, there is hesitancy and resistance to get the vaccine, a complex phenomenon with various factors. Addressing and understanding vaccine hesitancy is imperative for modeling successful vaccination strategies.

**Aim:** To explore factors that contribute to acceptance, reluctance, and resistance of the COVID-19 vaccine, to help find effective strategies to increase the level of vaccination

**Method:** A literature review was conducted to explore and provide an overview of the level of acceptance, reluctance, and resistance to the covid 19 vaccine

**Results and discussion:** Three main types of factors influence vaccine hesitancy or acceptance: demographic factors, environmental factors, and vaccine-specific factors. Vaccine safety and efficacy were major concerns among people of all occupations. The people hesitate to vaccinate due to the side effects of vaccines, too. The COVID-19 vaccine is new, and it takes time to determine the short-term and long-term side effects. Willingness to vaccinate was found to be associated, with the low personal risk perception of being infected with the COVID-19: people especially young people were confident about being at less risk of being infected by the COVID-19. Misinformation, disinformation, and inconsistent messages can affect vaccine confidence and vaccination rates, too.

**Conclusions:** Many factors affect the vaccine hesitancy. The most common characteristic of willingness to vaccinate was vaccine efficacy. Conspiracy theories and using online platforms to spread misinformation worldwide have also hindered the vaccine's acceptance. Healthcare authorities are the most trusted source of information regarding vaccination, they should take steps to make people aware of the vaccine's effectiveness, to motivate them to get vaccinated. The vaccine hesitancy can be addressed to achieve sufficient vaccination coverage and acquire herd immunity to end the covid 19 pandemic.

**Keywords:** Vaccine, COVID 19, pandemic, hesitancy, resistancy

## Introduction

The COVID-19 pandemic is currently the public health concern with most confirmed new cases and death. From December 2020, several vaccines have been approved and authorized for used, globally and a lot of vaccine doses have been administered (1).

Getting the vaccine from most of the population as soon as possible is essential to achieving herd immunity and ending the pandemic. Although this is already scientifically known, vaccine hesitancy and resistance is likely to impair the effectiveness of the COVID-19 vaccine program (2).

The vaccine hesitancy means to delay accepting or refuse vaccination despite vaccination services being available (3). Vaccine hesitancy and resistance is a problem that was listed as one of the major threats to global public health in the pre-pandemic COVID 19 period (4).

Vaccine hesitancy has steadily increased in more than 90% of countries since 2014 (5). Some determinants modify vaccination decisions and determine whether a person will refuse, delay, or accept vaccines. Individual decision-making regarding vaccination is complex and involves emotional, cultural, social, spiritual, political, and cognitive factors (6).

Studies have shown that there is no single set of factors responsible for vaccine hesitancy. There is a wide range of contextual (communication and media, historical influence, religion, culture, gender, politics, geographic barriers), individual and group (personal, family experience with vaccination, beliefs, knowledge), and vaccine-specific factors (risk and benefit, costs) that can affect vaccine acceptance (7).

Although evidence has shown that vaccines are safe and effective, misconceptions about vaccines (such as vaccination can lead to temporary or long-term health damage) affect the acceptability of the COVID-19 vaccine (8).

Studies have also shown that some individual criteria influence the acceptance of vaccination against COVID-19, such as recognition of the efficacy of the vaccine, the duration of immunity it offers, and trust in institutions (9).

False news and conspiracy theories on social media have influenced the acceptability of the COVID-19 vaccine. At the height of the pandemic the WHO announced an infodemic, a wave of fake news and misinformation on social media regarding COVID-19. The most common misinformation on social media includes: COVID-19 vaccines change the human genome, a microchip is inserted into the human body through a syringe, vaccination causes COVID-19 infections, etc. This misleading information may have influenced the acceptance of COVID-19 vaccinations.

Studies have also shown that rumors can have a negative effect on the willingness to accept COVID-19 vaccines (10,11,12)

## Aim

To explore and understand the factors that contribute to hesitancy or resistance of the COVID-19 vaccine, to help find effective strategies to increase the level of vaccination

## Method

A literature review was conducted to explore and provide an overview of the available research evidence. This review analyzes published scientific literature that highlighted issues related to COVID-19 vaccine hesitancy and resistance during the COVID-19 pandemic. This review summarized the factors that influence people's willingness to be vaccinated.

Several literature and databases were searched to find relevant article as is shown at reference list. Our review was focused to recently published studies and included books, journals, editorial reviews, review papers, and conferences.

## Results and discussion

All the articles we reviewed, showed that there are several determinants that influence behaviors related to hesitancy or resistance to COVID-19 vaccine.

The three main factors that influence vaccine hesitancy, resistance or acceptance are: a) demographic factors (education, income, ethnicity), b) environmental factors (policies, media), and c) vaccine -specific factors (vaccine efficacy, safety) (13).

Among the factors that most influenced people's decision-making about vaccination were safety and efficacy of vaccines. Concerns about vaccine safety and efficacy were found in several studies (14,15,16,17,18,19).

Fear of the side effects of vaccines has been one of the other reasons why people hesitated to get vaccinated (20,21,22,23,24). They thought that the COVID-19 vaccine was new and not well studied and took time to determine the short-term and long-term side effects of the vaccine.

Findings from other studies showed that hesitance to be vaccinated was associated also with individual perception of the risk of COVID 19 infection, this is especially in young people. Studies showed that young people thought they were less at risk for infected with COVID-19 (25,26,27,28). Also, young people thought they had immunity and knowledge about COVID 19 (29,30). Several studies have found that some people prefer natural immunity (31).

Some studies have shown that previous experiences with vaccine side effects have been associated with COVID-19 hesitation vaccine (32,33,34). Those who have experienced side effects from other vaccines, are most reluctant to get vaccinated.

Demographic factors such as level of education, occupation, religion, etc, influence the decision to vaccinate (35,36). People who have a higher level of education are more concerned about the risk of catching COVID-19 and have a greater willingness to get vaccinated. This review found that religion strongly influences anti-vaccine beliefs (37,38,39), and this is one of the reasons why people refuse vaccination.

Inconsistent messages from health organizations have led to reluctance to get vaccinated (40,41,42,43,33). This has been the reason that many people postpone vaccination.

Anti-vaccination movement on social media has made a significant impact on people's perception and influences the decision people to vaccinate about COVID 19 vaccine (44,45,46,33). Although there is already evidence available on the importance, necessity and safety of vaccines, an anti-vaccination movement has grown in recent decades. This movement, which gained momentum after the infamous publication of Andrew Wakefield's study linking vaccines to autism in 1998 (47), has recently increased its influence, using social media as a communication channel, as these media are widely used to obtain information (48,49).

There is a variability in the degree of hesitancy and resistancy to be vaccinated, but despite this, reluctance is evident in all countries and is prevalent in all socio-economic, religious, and ethnic groups. (50,33).

## Conclusions

This scoping review focused on the determinants of vaccine hesitancy in different countries and different type of population and with the passage of time.

Vaccine hesitancy and resistancy has changed over time and is related to several factors, including vaccine COVID-19 effectiveness and safety, fear of the side effects of the vaccines, previous experiences with vaccine side effects, individual risk perception and demografic factors.

Many factors affect the vaccine hesitancy. The most common reasons for hesitation to vaccinate was vaccine efficacy and safety. Other reasons included vaccine side effects, previous experiences with vaccine side effects, and individual risk perception

Anti-vaccination movement and use of online platforms to spread misinformation, globally, have also influenced vaccine acceptance. Based on this, social media monitoring should be applied

Healthcare authorities as the most trusted source of information should take steps to make people aware of the vaccine's effectiveness and vaccine safety. Also is needed implementing social media campaigns to delivering credible news, to motivate more people to be vaccinated.

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# Scoliosis And Screening On Teenagers

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## **Kristi CELA, Msc**

Physiotherapist , Lecturer at European University of Tirana  
kristi.cela@uet.edu.al

## **Esida HOXHA, MSc**

Physiotherapist , Lecturer at European University of Tirana  
esida.hoxha@uet.edu.al

## **Abstract**

**Introduction:** Spinal deformities are one of the biggest problems that are affecting children with consequence up to adolescence and scoliosis is one of the most prevalent . The pain expressed in early childhood is localized mainly in the thoracic part as well as in the lumbo-sacral part. This means that the skeletal part of the trunk begins to receive the first deformities which over the years are associated with other problems. Evidence Not done on time can lead to chronic suffering to the point of limiting an active life (ADL) in the adolescent equivalent to his or her peers.

**Purpose:** The purpose of this study is to identify in percentage terms the knowledge of the age group 14-18 years for scoliosis and its risk factors . Observation of lifestyle, learning habits, how informed they are about this deformity and the physiotherapeutic rehabilitation methods for scoliosis.

**Methodology:** Data were collected using a questionnaire distributed on Google Forms. The duration of the study is extended over a period of 3 months. The study sample was 210 high school students aged 14-18 females (n = 155) and males (n = 54). Students completed the form on their knowledge about scoliosis and there were no exclusion criteria from the study.

**Results:** From the data obtained from the study it results that 53.8% (n = 112) of the target population has no knowledge about scoliosis and 65% (n = 135) of them have not been informed by a medical staff, teacher or parent about scoliosis or risks leading to scoliosis.

**Conclusions:** In conclusion, the study suggests that screening for scoliosis in high school students needs to be performed in the presence of a physiotherapy professional to pass on the necessary knowledge about scoliosis, risk factors , preventive and rehabilitative methods.

**Keywords:** Scoliosis, restriction, screening, active life, pain, rehabilitation.

## **Introduction**

Scoliosis is a spinal deformity consisting of lateral curvature and rotation of the vertebrae. The causes of scoliosis vary and are classified broadly as congenital, neuromuscular, syndrome-related, idiopathic and spinal curvature due to secondary reasons. The majority of scoliosis cases encountered by the general practitioner will be idiopathic.(1) Adolescent idiopathic scoliosis (AIS) is the most common form of pediatric scoliosis occurring in individuals between the ages of 10 to 18. By definition, idiopathic scoliosis implies that the etiology is unknown or not related to a specific syndromic, congenital, or neuromuscular condition.(2) Typically, for scoliosis to be considered, there should be at least 10° of spinal angulation on the posterior-anterior radiograph associated with vertebral rotation.(3) It is important that adolescents and typically adolescents in school to be protected and educated regarding the scoliosis and its risk factors. Many institutions have taken the initiative to start a screening program in order to evaluate , diagnose and educated this population regarding scoliosis. Although there are many contradictions and speculation regarding the effectiveness of screening. (4,5)

## Epidemiology

Adolescent idiopathic scoliosis is a common disease with an overall prevalence of 0.47-5.2 % in the current literature. The female to male ratio ranges from 1.5:1 to 3:1 and increases substantially with increasing age. In particular, the prevalence of curves with higher Cobb angles is substantially higher in girls than in boys: The female to male ratio rises from 1.4:1 in curves from 10° to 20° up to 7.2:1 in curves >40°. (6) Scoliosis has a prevalence of more than 8 % in adults over the age of 25 and rises up to 68 % in the age of over 60 years, caused by degenerative changes in the aging spine.(7)

## Etiology

The two major groups of scoliosis are idiopathic scoliosis and non-idiopathic scoliosis. The diagnosis of an idiopathic scoliosis is made if a non-idiopathic one has been excluded.

Non-idiopathic scoliosis are classified based on their mechanisms on further subgroups

1. Congenital scoliosis is a lateral deformity of the spine with a disturbance of the sagittal profile caused by malformations of vertebra and ribs.(8)
2. The term neuromuscular scoliosis (NMS) describes a non-congenital spinal deformity that occurs in patients with any type of pre-existing neuromuscular diagnosis.(9)
3. Mesenchymal scoliosis is caused by insufficiency of passive stabilizers of the spine.

Idiopathic scoliosis

1. Infantile scoliosis includes those patients younger than the age of 3 at the time of presentation. (10)
2. Juvenile idiopathic scoliosis is a condition used to describe patients who are least 4 years of age but younger than 10 when the deformity is first identified (11).
3. Adolescent idiopathic scoliosis (AIS) by definition occurs in children over the age of 10 years until skeletal maturity. (12)
4. Adult scoliosis is defined as a spinal deformity in a skeletally mature patient with a Cobb angle of more than 10 degrees in the coronal plain (13)

## Part 2, Study

### Purpose

The purpose of this study is to identify in percentage terms the knowledge of the age group 14-18 years for scoliosis and its risk factors . Observation of lifestyle, learning habits, how informed they are about this deformity and the physiotherapeutic rehabilitation methods for scoliosis.

### Objectives of the study

#### *-General objectives:*

The objective of the study is to determine the effectiveness of scoliosis screening on adolescent population in high schools.

#### *-Specific objectives:*

1. To determine the knowledge of adolescents regarding scoliosis .
2. To determine the need of physiotherapeutic intervention regarding the education of this population for scoliosis and its risk factors .

### Type of study

Transversal

### Methodology

Data were collected using a questionnaire distributed on Google Forms. The duration of the study is extended over a period of 3 months. The study sample was 210 high school students aged 14-18 females (n = 155) and males (n = 54). Students completed the form on their knowledge about scoliosis and there were no exclusion criteria from the study.

### Survey instrument

Data from the population was collected using a questionnaire that consisted of 17 modules. The questionnaire was created with the purpose to collect general data and information regarding adolescent’s knowledge on scoliosis , how informed are they and if the screening has educated them correctly

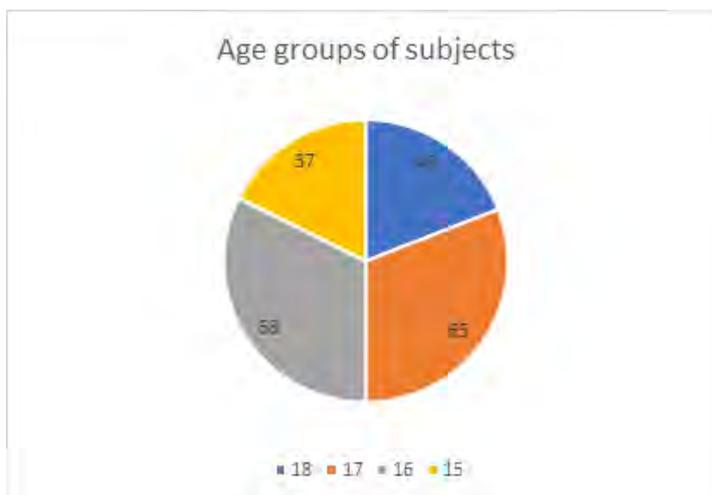
### Data analysis

From the data analysis the population of 210 all met the criteria to be included on the study. The mean age of the group was 16.5 years old .

-**Module 1 and 2** collected data regarding the age and gender of the subjects.

- With 40 subjects ( n=40) aged 18 years old
- 65 subjects ( n= 65 )aged 17 years old
- 68 subjects ( n=68) aged 16 years old
- 37 subjects ( n=37) aged 15 years old

With 155 females and 54 males, each module of the questionnaire was analyzed to gather the data needed to come to a conclusion.

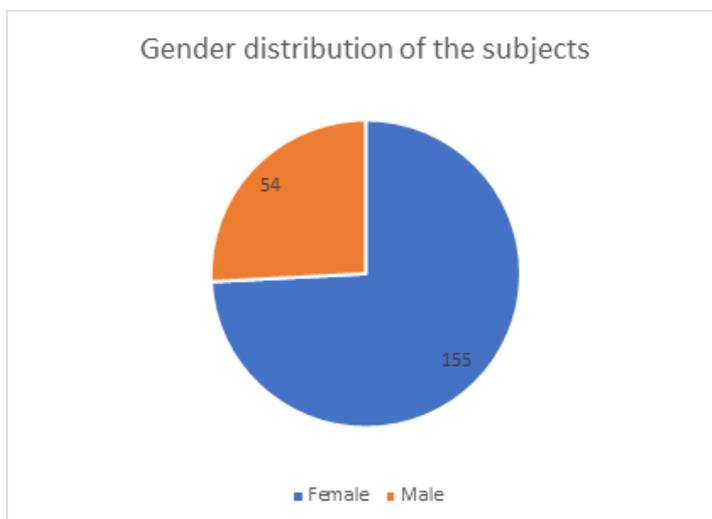


-**Module 3**

Module 3 intended to collect information if subjects had experienced back pain of any kind during their lifetime.

68.3% of the subjects ( n= 142) answered “Yes”

31.7% of the subjects ( n= 66) answered “No”

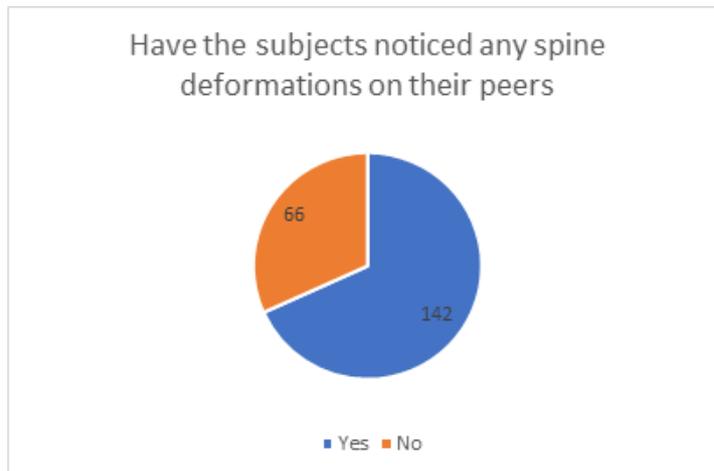


**-Module 4**

Module 4 asked subjects if they had noticed any deformation of the spines on their peers

-68.3% of subjects (n=142) answered “ Yes”

- 31.7% of subjects ( n=66) answered “ No “



**-Module 5 and 6**

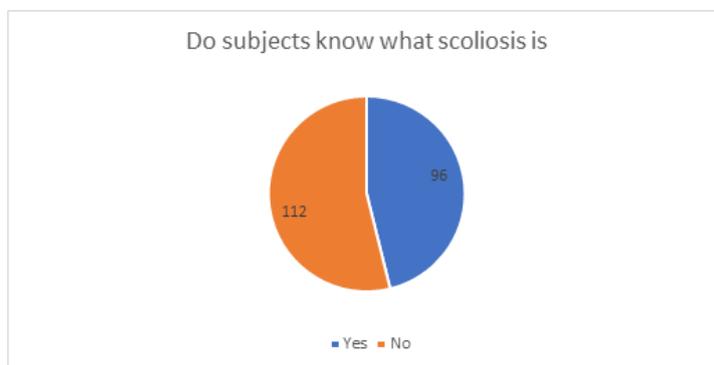
Module 5 and 6 intended to collect information regarding if subjects knew what Scoliosis is and their definition for scoliosis.

-53.8% ( n=112) answered “No”

-46.2% ( n=96) answered “ Yes”

94 subjects answered the for the definition of scoliosis with the average answer being:

**“ A deformation of the spine”**

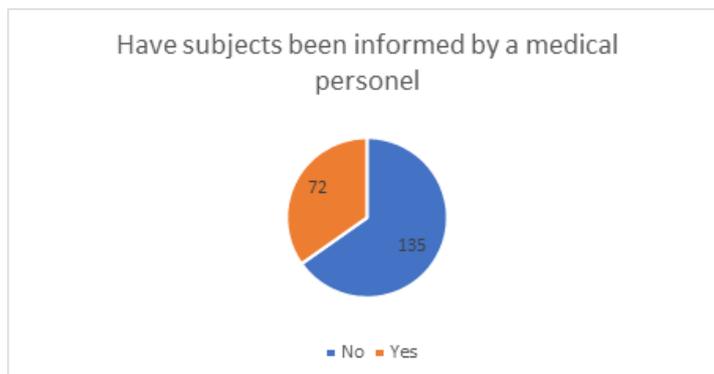


**-Module 7 and 8**

This modules intend to collect infromation whether the subjects were informed by a medical personel , teacher or parent regarding scoliosis

-65.2% (n=135) of subjects answered “No” to being informed by a medical personel

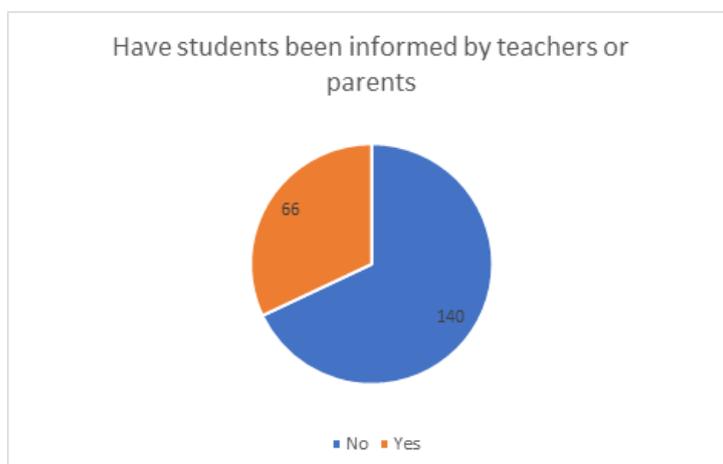
-34.8% (n=72) of subjects answered “Yes”



When asked if subjects have been informed from teachers or parents regarding scoliosis subjects answered:

-68% ( n=140) “No”

-32% (n=66) “Yes”



**-Module 9, 10, 11, 12, 13**

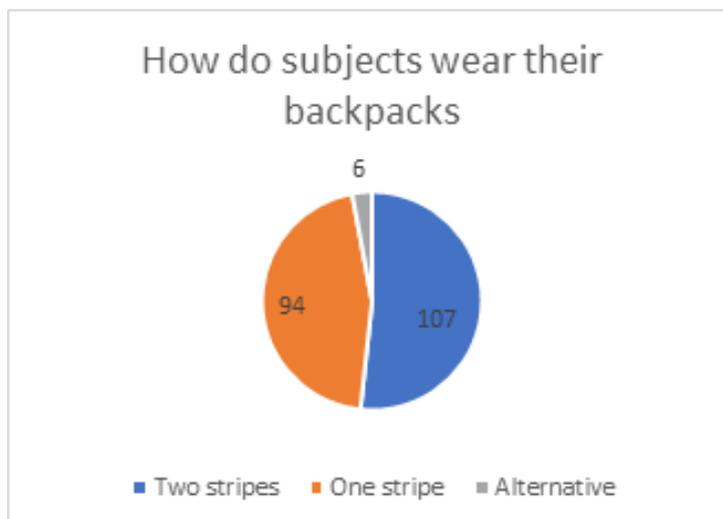
This modules are intended to collect information regarding potential risk factors that influence the formation of scoliosis which are also common activities that are seen in the everyday life of a high school student.

-Backpacks , their loads and the way students wear them are a common factor that influences scoliosis (14). When asked how they wore their backpacks subjects answered:

- 51.4% ( n=107) wore the backpack with two stripes on the respectful shoulder

-45,2% ( n=94) wore the backpack with one stripe in one shoulder .

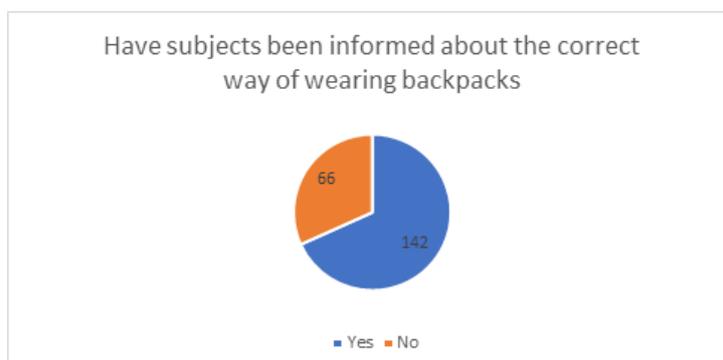
-2,9% (n=6) had alternative ways of wearing the backpack.



-Screeing for scoliosis role is also to educate high school students how to correctly wear their backpacks. Our subjects responded to wether they were informed about the correct ways of backpacks wearing :

-68.3% (n=142) aswered “Yes”

-31.7% ( n=66) aswered “No”

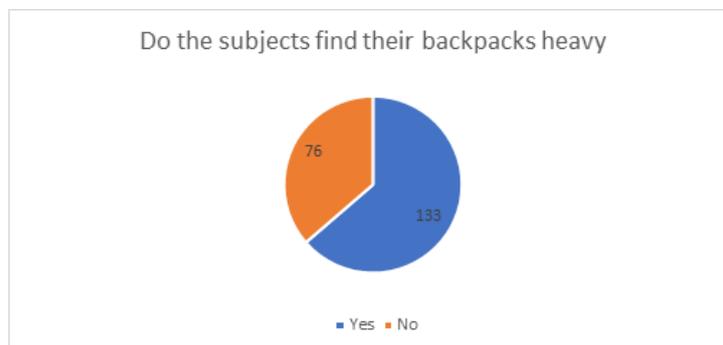


-Another factor being a risk factor regarding backpacks is their weight. Heavier backpacks over 12.5% of body weight are related to higher risks of idiopathic scoliosis on adolescents and children.(15)

When asked what they thought about the weight of the backpacks and if they thought it was heavy or not subjects responded

-63.6% (n=133) responded “Yes”

-36.4% (n=76) responded “No”



-Studies done on the effects of prolonged sitting suggests students who spend more than 6 hours sitting during school time have more chances of developing negative effects on the spine and facilitates the appearance of malicious postures like scoliosis and lordosis.(16)

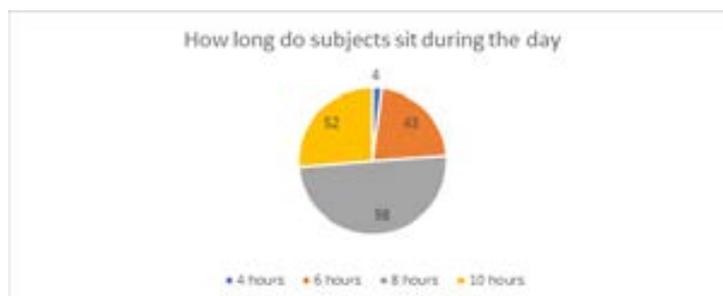
When asked for how long our subjects sit during the day they responded:

-47.1% (n= 98) sit for 8 hours during the day

-20.7% ( n=43) sit for 6 hours during the day

-25% ( n=52) sit for 10 hours during the day

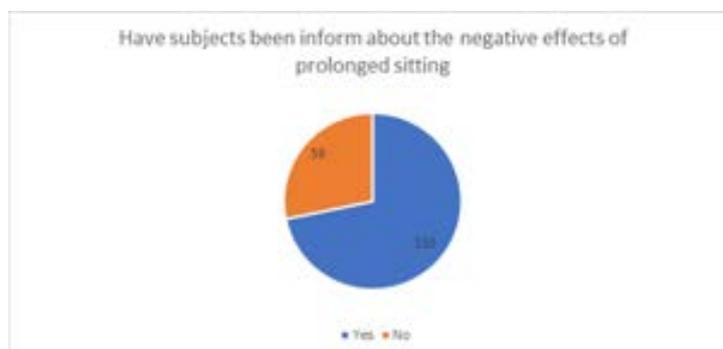
-7.2% ( n=4) sit for 4 hours during the day



- When asked if subjects have been informed about the negative effects of prolonged sitting they answered

-71.8% (n=150) answered “Yes”

-28.2% (n=59) answered “No”



**-Module 14,15,16,17**

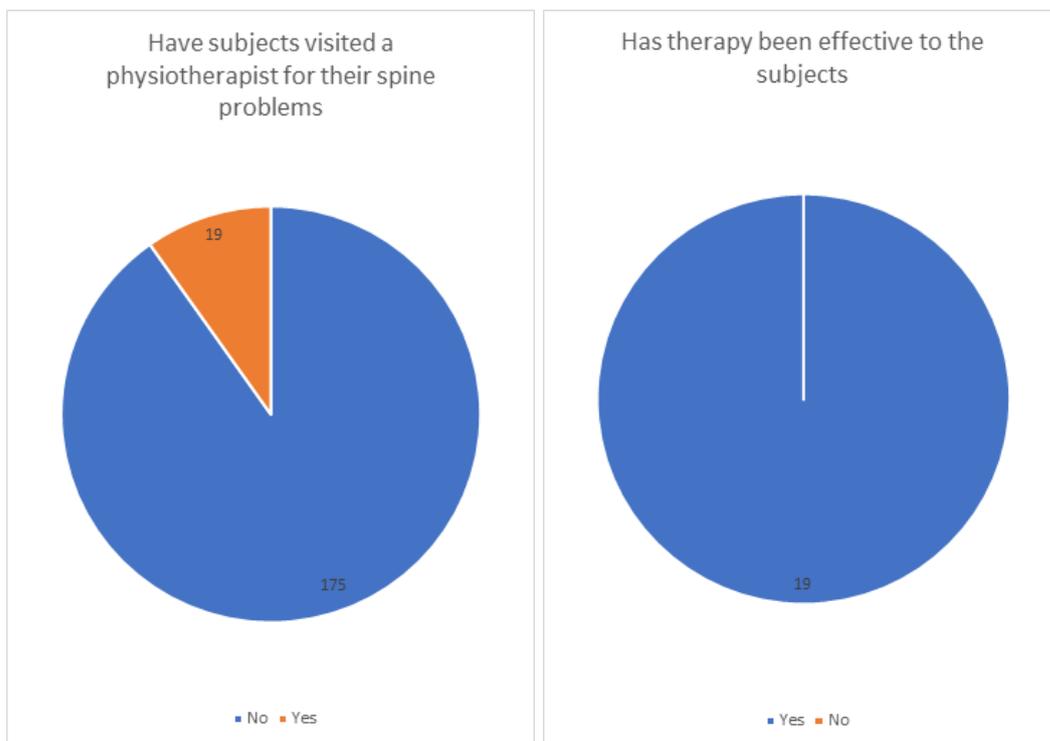
Physiotherapy, corrective bracing and postural exercises are the treatment modules currently applied in the treatment of scoliosis. ( 17) Screening for scoliosis should recommend physical therapy and medical help for the subjects who are diagnosed with scoliosis .

-When asked if subjects have ever visited or been recommended to a physiotherapist for their spine problems and potential deformation they answered

- 90.2% (n=175) “No”

-9.8% (n= 19) “Yes”

**-The subjects that had visited and had physiotherapy sessions about their problems responded that the therapy had been effective to 100% of them.**



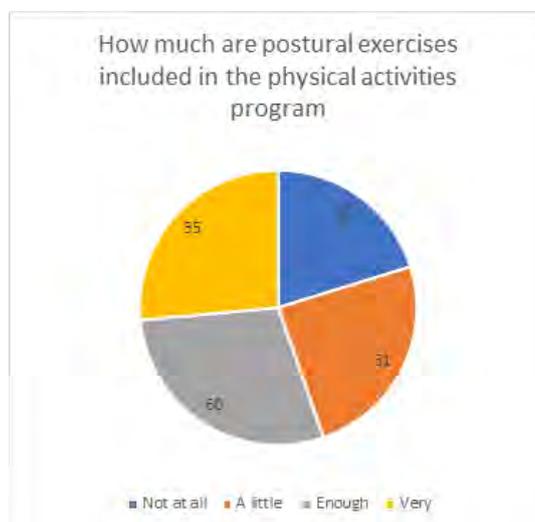
-Postural exercises included in the physical activities programs have shown a positive effect on the spine. ( 18) When asked if their school programs had included postural exercises in their physical activities and if this program was effective enough subjects responded:

- 20.2% (n=42) responded the program was “Not at all” included

-24.5% ( n=51) responded the program was “ A little “ included

-28.8% (n=60) responded the program was “Enough “ included

-26.4% (n=55) responded the program was “Very” included

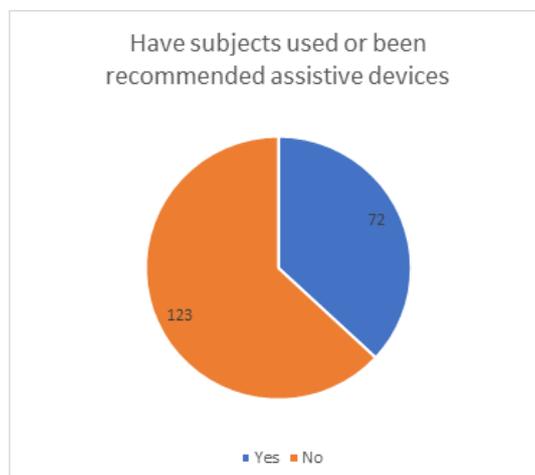


-Screening for sciliosis has also sugested using assitive devicies like bracing in order to treat or prevent the fist signs of a potential sciliosis ( 19)

-Our subjects responded :

-63.1% (n=123) had never used or been sugested using assistive devices for their pain and deformities of the spine

-36.9% ( n=72) had used the devices 12



## Results

At the end of the analysis of data obtained from the subjects through questionnaires it results that

- 53.8% (n = 112) of the target population has no knowledge about scoliosis
- 68.3% of subjects (n=142) of the target population had noticed deformation of the spines on their peers
- Although 65.2% (n=135) of subjects had never been informed by a medical personel about Scoliosis and 90.2% (n=175) had never visited a physiotherapist regarding their spine problems.

## Disscusion

Our study suggests that screeing for scoliosis on the population of high school students has not been effective enough on informing them about risk factors and treatment options

Keith D. K. MCh et al; conducted a study with a total of 157,444 students with the objective evaluate the clinical effectiveness of school scoliosis screening using a large and long-term-followed cohort of students in Hong Kong and came to the conclusion that that school scoliosis screening in Hong Kong is predictive and sensitive with a low referral rate. Screening should thus be continued in order to facilitate early administration of conservative treatments.(20)

Karachalios, Theofilos et al; studied the effectivennes of school screening for scoliosis performed in a closed island population. 2700 pupils aged 8 to 16 years from the island of Samos were screened for scoliosis and the study came to the conclusion that the Adams forward-bending test (21) cannot be considered a safe diagnostic criterion for the early detection of scoliosis (especially when it is used as the only screening tool) because it results in an unacceptable number of false-negative findings. (22)

AS Deepak et al; studied the clinical effectiveness of school Screening programme for idiopathic scoliosis in malaysia and came to the conclusion that the prevalence rate of scoliosis was 2.55%. The positive predictive value was 55.8%, which is adequate to suggest that the school scoliosis screening programme did play a role in early detection of scoliosis. However, a cost effectiveness analysis will be needed to firmly determine its efficacy.(23)

J Sabirin et al; conducted a systematic review on the effectiveness and cost-effectiveness of school scoliosis screening programme and came to the conclusion that school-based scoliosis screening programme was cost-effective. Tests used for screening of scoliosis among school children may lead to high false positives or false negatives.Screening for scoliosis among school children is recommended only for high risk group such as girls at twelve years of age (standard six).(24)

Thilagaratnam S studied the cost effectiviness of scoliosis screening in Singapore and came to the conclusion that screeing is cost-effective and may be further improved by targeting screeningat high-risk groups, such as prepubertal females. More research is needed to quantify the positive health effects of scoliosis screening. (25)

Raphael D Adobor et al; studied the school screening and point prevalence of adolescent idiopathic scoliosis in 4000 Norwegian children aged 12 years and came to the conclusion that screening at the age of 12 years only was not effective for detecting patients with indication for brace treatment. (26)

Angelo G Aulisa et al; studied the effectiveness of school scoliosis screening and the importance of this method in measures to reduce morbidity in Italy. The study included a total of 8995 children . Of these, 487 showed clinical signs of scoliosis, and 181 were referred for anteroposterior radiographs because of a positive result on the forward-bending test (hump>5 mm). No significant statistical difference was observed by the three clinical examiners. As a conclusion the study suggests that the school screening program was accurate and repeatable. Moreover, screening children for scoliosis using a simple test appears to be an effective means of early detection. Above all, the screening process effectively decreased morbidity in the territory at a negligible cost. (27)

M Kadhim et al; studied the current status of scoliosis school screening and suggests that scoliosis screening is infrequent in the examined school districts. Efforts to support school screening can facilitate clear referral pathways for schools in the event of a positive screen.(28).

## Conclusions

In conclusions our study suggests that screening for idiopathic scoliosis on the high school population in Albania has not reached the desired results and the education of the population has not been effective.

There are seen positive effects of the screening regarding the correct ways of wearing backpacks and the negative effects of prolonged seating but there is no education and recommendations regarding other preventing methods and treatment methods.

We recommend that screening should be performed in collaboration with the physiotherapeutic and orthopedic personnel and subjects need to be knowledgeable about the preventive and treatment options that physiotherapy provides regarding scoliosis and other spine issues

What should be done to improve the screening process remains to be studied and discussed with the responsible structures of Ministry of Education, Sport and Youth, Ministry of Health and Social Protection and Public Health Institute of Albania.

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