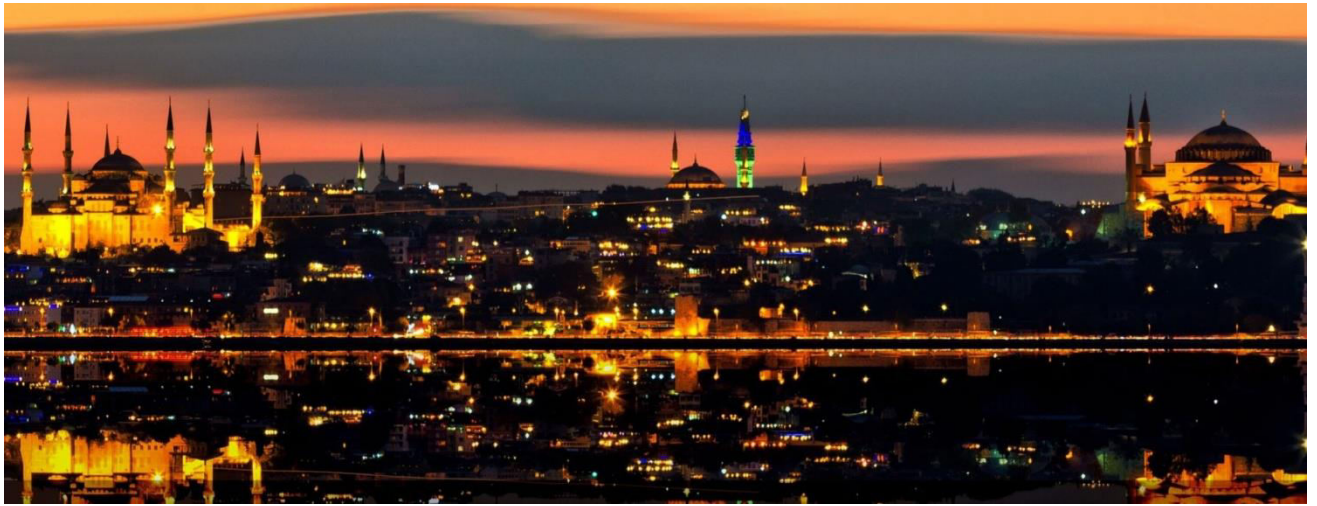# IACSS 2015

INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

THE INTERNATIONAL INSTITUTE
FOR ACADEMIC DEVELOPMENT

THE 3rd INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

July 25-26, 2015
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INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

Edited by

Dr. Malkhaz Nakashidze
Batumi Shota Rustaveli State University, Georgia

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TABLE OF CONTENTS

ANTHROPOLOGY AND EDUCATION

CONFERENCE PAPERS – PSYCHOLOGY

CONFERENCE PAPERS – LAW

POLITICAL SCIENCE

ECONOMIC AND TOURISM

MESSAGE FROM THE ORGANIZING COMMITTEE CHAIR

Welcome to the 3rd International Academic Conference on Social Sciences – IACSS 2015!

IACSS 2015 provides opportunities for the delegates to exchange new ideas and experiences, to establish business or research relations and to find partners for future collaboration. The mission of IACSS 2015 is to provide a platform for researchers, academicians as well as other professionals from all over the world to present their research results in Social Sciences. The goal of our conference is to support, encourage and provide a platform for young researchers to present their research, to network within the international community of other young researchers and to seek the insight and advice of successful senior researchers during the conference. We hope the conference will be an ideal network for people to share experiences in several fields of social sciences.

Many people have interested in IACSS 2015 and many of them worked very hard for the conference. Thanks to the authors who have submitted papers and actively participated in the conference. I would like to take this opportunity and express my sincere thanks to our colleagues from different Universities for supporting this academic event. Special thanks to our honorable speakers Prof. Halil Kiymaz and Dr. Kellina M. Craig-Henderson for accepting our invitation to be keynote speakers and participate in the IACSS 2015.

On behalf of the IACSS 2015 organizing committee, I would like to see you next year at the IACSS. We would be very pleased to receive your suggestions and comments regarding the conference and wishes for future event.

I wish you a pleasant stay in Istanbul and successful conference!

Dr. Malkhaz Nakashidze

Founder & Director
International Institute for
Academic development

CONFERENCE PROGRAMME

Saturday, July 25, 2015
9:00 – 10:00 Registration
10:00 – 10:15 Opening Ceremony
10.15 – 11:00 **Keynote speech: Prof. Dr. Halil Kiymaz, Crummer Graduate School of Business, Rollins College, USA** - *Impact of Technology on Higher Education & Faculty*
11:00 – 11:30 Coffee Break and Networking
11:30 – 13:00 Session 13:00 – 13:15 Discussion
13:15 – 14:15 Lunch
14:15 – 15:45 Session 15:45 –16:00 Discussion
16:00 – 16:30 Coffee Break and Networking
16:30 – 18:00 Session

Saturday, July 25, 2015	
Room	Pera
Time	11:30 – 13:00
Session Title	**Session I. Anthropology and Education**
Session Chair	**Mladen Milicevic, Loyola Marymount University, USA**

Rubina Qureshi, Abu Dhabirsity Unive, UAE - *Impact of cooperative assessment in higher education: Sociology classrooms*

Lalaie Ameeriar University of California, Santa Barbara, United States *Downwardly Global: Muslim Bodies and the Making of Multicultural Space*

Rima Al-Zadjali, Sultan Qaboos University, Ali Al-Issa, Sultan Qaboos University, Ali Al-ulushi, Sultan Qaboos University, Oman - *Are They Proficient Enough to Do the Job? Investigating Omani Pre-Service English Teachers' Language Proficiency*

Pegah Farokhzad, Azadeh Fatehjoo, Islamic Azad University (Roudehen Branch), Iran - Prediction of Adolescents' Anxiety on the basis of Attachment Styles and Perceived Family Environment

Mladen Milicevic, Loyola Marymount University, USA - *Virtual Learning Communities for Online Instruction*

Evgenia Theodotou, Senior Lecturer at Early Childhood Studies, University of East London, UK - *Can we Play again with Picasso Miss?" The Effects of the Arts in Children's Involvement during Literacy Lessons in the Early Years Settings: A Case Study in the Greek Context*

Nihat Aksu, Universiteti Europian i Tiranës, Ömer Kaleli Shkolla e Lartë Hëna e Plotë (Bedër), Albania

– High School Students' Perceptions of the American School Counselor Association's (ASCA) Career Development Domain Model in a "School Counseling Sevrices" Setting Albania (virtual presentation)

Kamran Ghodoosi, Islamic Azad university, Iran - *The influence of political terms on children's affect of translated literary works*

Zoe Nomakhushe Dlova, Walter Sisulu University, South Africa - *Nutritional knowledge and food choices of overweight and obese rural-urban township migrants among the black population of Mdantsane, South Africa*

Ahmet Berk Ustun, Wayne State University, **Turkey, S. M. Fatih Apaydin,** Bülent Ecevit University, **Turkey** - *Effect of Use of MOODLE for Academic Achievement in Blended Learning Environment*

Room	Pera	Pierre Loti
Time	14:15 – 15:45	14:15 – 15:45
Session Title	**Session II. Law and Political Science**	**Session III. Law and Political Science**
Session chair	Aslı Topukcu, Kadir Has University Faculty of Law, Turkey	Myra Williamson, Kuwait International Law School, Kuwait

Aslı Topukcu, Kadir Has University Faculty of Law, Turkey – *Procedural Suggestions for Constitution-making Process in Turkey – taking a Lesson from Past*

Kashif Imran Zadi, University of the Punjab Jehlum Campus, Pakistan - *Foreign Direct Investment: Laws of Pakistan and their implications for the world*

Deniz Ugan Çatalkaya, Kadir Has University Faculty of Law, Turkey - *"Right to strike in Turkish Labor Law: The issue of restrictions impairing the essence of the right"*

Anduena Gjevori, "Aleksander Xhuvani" University, Albania - *"The reform of EU State aid procedures: the new Procedural Regulation of 2013" by Anduena Gjevori (virtual presentation)*

Guinot Fanny, National Chengchi University, Taiwan - Vietnam and Laos policies toward China: A comparative case study on their regional integration

Olga Daksueva, National Chengchi University, Taiwan - *Sino-Indian relations in the eyes of Hobbes and Rousseau*

Myra Williamson, Kuwait International Law School, Kuwait - *Women as prosecutors and judges in Kuwait: aspirations and obstacles*

Yahaya Yakubu, Fatih University Istanbul, Turkey - *Human Trafficking For Commercial Sexual Exploitation; The Nigerian Sex Trafficking Industry*

Ann Henley, York University, Canada - *The Rise of Precarious Work Among Previously Preferred Professionals: The Crisis Facing Engineers In Canada*

Cholpon Kemelova, The Academy of Public Administration under the President of Kyrgyzstan, Kyrgystan - *External labour migration in Kyrgyzstan in the context of the Eurasian Economic Union: opportunities and prospects*

Faradji Mohamed Akli, University of Bejaia, Algeria - *Leadership strategy according to the vision of Emir Abdelkader*

Muhammad Waqas, University of the Punjab, Jehlum Campus, Pakistan - *The mockery of*

Luisa Isabel Hernández, Keio University, Japan - *Children: Neglected Victims of Drug Related Violence* Cristina Cojocaru, Academy of Economic Sciences, Romania - *Traders and professionals according the Romanian Civil Code*		*international law by world super power* Ali mohammad Haghighi, Islamic Azad University, Lamerd branch, Iran - *The survey role of modernism in the formation of Islamic radicalism (case study-Egypt)*
Room	Pera	Pierre Loti
Time	16:30 – 18:00	16:30 – 18:00
Session Title	Session IV. Psychology and Education	Session V. Psychology and Education
Session chair	Miroslav Pendaroski, MIT University, Macedonia	Sorin-Avram Virtop, University "Constantin Brancusi" of Targu Jiu, Romania

Miroslav Pendaroski, MIT University, Macedonia - *The method of the "line of least resistance" in the analysis of dreams (development of phenomena: cognitive weirdness, halucinoid imagination and narrative structure)* Pavla Varvažovská, Martina Jarkovská, Marie Prášilová, Czech University of Life Sciences Prague, Czech Republic - *Lifelong Education in a Non-Profit and Public Sector* Xiaoyi Zhou, The Chinese University of Hong Kong, Freedom Yiu-kin LEUNG, The Chinese University of Hong Kong, China - *Why do Angry People Harm Themselves?: A 6-month Follow-up Study on the Relation between Anger Dysregulation, Self-punishment and the Development of Nonsuicidal Self-injury among Hong Kong Chinese Adolescents* Fan-Yu Yang, National Taiwan Normal University, Taiwan - *Effects of counterfactual thinking on the sunk cost effect* Pegah Farokhzad, Ebadollah Abbasi, Islamic Azad University, Roudehen Branch, Iran - *Determining Proportion of Early Maladaptive Schemas and Attachment Styles on Prediction of Mental Health in High School Students* Pegah Farokhzad, Leila Golestani, Islamic Azad University, Roudehen Branch, Iran - *Prediction of Depression on the basis of Attachment Styles and Perceived Family Environment on Adolescents* Adamu Isah, Anne Emmanuel Omori, University of	Gizem Yücebaşar, Mustafa Doğru, Akdeniz University, Turkey - *Secondary School Students' Views About Scientific Knowledge and Scientists* Pegah Farokhzad, Rouhollah Mardani, Islamic Azad University (Roudehen Branch), Iran - *Effectiveness of Problem-Solving Skills Training on Social Adjustment of High School Students* Kamran Ghodoosi, Islamic Azad university, Shahrekord branch, Iran - *The influence of political terms on children's affect of translated literary works* Ayse Balaman, University of Houston, United States - *Reviewing Studies Evaluating the Reliability and Validity of Riding's Cognitive Style Analysis* Vahideh Babakhani, Islamic Azad University, Abhar Branch, Iran - *Comparing the crisis of identity and motivation of male and female students* Rahma Al-Mahrooqi, Christopher Denman, Faisal Al-Maamari, Sultan Qaboos University, Oman - *Omani Parental Involvement in their Children's Education and English-language Studies*

Calabar, Nigeria - *The Banking Concept of Education and The use of Technology in Tertiary Instructional Delivery for Relevance at the Global Scene* Ali Al Bulushi, Sultan Qaboos University, Oman - *Action Research for Language Teachers, Encumbrance or a Tool for Improvement*	Roghieh Nooripour, Alzahra University, Sogand Ghasemzadeh, Tehran university, Simin Hoseinian, Alzahra University, Iran - *Spirituality, Insight toward Disease in Feeling of Suffering in Patients with HIV*

Sunday, July 26, 2015

09:00 – 09:30 Keynote speech: Prof. Kellina Craig-Henderson, U.S. National Science Office in Tokyo, Japan - *The Social Psychology of Expatriation: Understanding Decision Making Among American Expats*
09:30 – 11:00 Session 11:00 – 11:15 Discussion
11:15 – 11:45 Coffee Break and Networking 11:45 – 12:15 Closing and awards Ceremony

Sunday, July 26, 2015

Room	Pera
Time	09:30 – 11:00
Session Title	Session VI. Tourism, Economics and Management
Session Chair	Dean Karalekas, National Chengchi University, Canada

Dean Karalekas, National Chengchi University, Canada - East Asian Leadership Patterns and Disaster Management

Teera Surname, Thammasat University, Thailand - *Article "Creative Tourism Achievement in Thailand: Evaluated by Experts and Tourists"*

Itthida Gnangnouvong, Keio University, Japan - *"Progressive Promotion: Dropout Issue in Lao Primary Education and the Misplaced Policy"*

Yi-Wen Chen, Tamkang University, Hsueh-Liang, National Taiwan University, Taiwan - *Factors that Affect New Ventures' Innovation Speed: The Bricolage Perspective*

Ahmet Bulent Ozturk, University of Central Florida, Anil Bilgihan, Florida Atlantic University , Khaldoon Nusair, Sultan Qaboos University, Fevzi Okumus, University of Central Florida, USA - *Mobile Booking Technology in the Hotel Indutry*

Miglena Temelkova, Varna Free University "Chernorizets Hrabar", Republic of Bulgaria, Iliyan Bakalov, Ministry of Economy, Republic Bulgaria - *„All inclusive tourism – boutique tourism" or the struggle for leadership in the profit on the global tourism market (virtual presentation)*

Ardak Turginbayeva, Al-Farabi Kazakh National university, Kazakhstan - *Using the Model of Open Innovations Activity of Small and Medium Businesses in Kazakhsan*

Gulnara Sadykhanova, Aziza Zhuparova, DinaraSadykhanova, *Al-Farabi Kazakh National university,*

Kazakhstan – Problems of Development of the Regional Innovation System on the Principles of Open Innovations

Sadykhanova Gulnara, Almaty Al-Farabi Kazakh National University, Kazakhstan - *Features of innovation development industry of the Republic of Kazakhstan*

Saltanat Kondybayeva, Al-Farabi Kazakh National University, Kazakhstan - *Tendencies of development of innovations in the Republic of Kazakhstan*

Tembi Tichaawa, University of Johannesburg, South Africa - *Analysing the impacts of sport tourism events in East London: a community perspective*

Dr. Gilbert J. Werema, Barry Craig, Rob Franz, James Gossard, Lyndsey Guajardo and Laurie Hartman, School of Management, Texas Woman's University, Denton, Texas, USA - *The Processes, Challenges, and Opportunities of Establishing a Business in Brazil: The Case of PACCAR Inc (virtual presentation)*

Lukanyo Stemele, Walter Sisulu University, South Africa - *Career advancement of tourism and hospitality management: voices of former Walter Sisulu University graduates in South Africa*

Sandisiwe Runeyi, Walter Sisulu University, South Africa - *An evaluation of work integrated learning experiences: A case of tourism and hospitality students at Walter Sisulu University, South Africa*

KEYNOTE SPEAKERS

Prof. Halil Kiymaz

Bank of America Professor of Finance at the Crummer Graduate School of Business, Rollins College, USA

Halil Kiymaz is Bank of America Professor of Finance at the Crummer Graduate School of Business, Rollins College. He also served as the Faculty Director of the Key Executive MBA Program. Before joining the Crummer School, Professor Kiymaz taught at the University of Houston-Clear Lake, Bilkent University, and the University of New Orleans. He holds the Chartered Financial Analyst (CFA) designation and has served as a grader for theCFA Institute.

Professor Kiymaz maintains an extensive research agenda focusing on international mergers and acquisitions, emerging capital markets, linkages among capital markets of developing economies, IPOs, and financial management of multinationals. He has published more than 70 articles in scholarly and practitioner journals. His research has appeared in the Journal of Banking and Finance, Financial Review, Global Finance Journal, Journal of Applied Finance, Journal of Economics and Finance, Review of Financial Economics, Quarterly Journal of Business and Economics, Thunderbird International Business Review, among others. Professor Kiymaz is the finance editor ofInternational Journal of Emerging Marketsand also serves on the editorial board of numerous journals including theEurasian Review of Economics and Finance,Journal of Emerging Markets, Journal of Economics, Business, and Finance, and Advances in Accounting, Finance, and Economics.

Professor Kiymaz has consulting and training experience with various governmental and public organizations including the Central Bank of Turkey, Bankers Association, and Stalla among others. He has been listed in various biographies including Who's Who Among America's Teachers, Who's Who in Business Higher Education, Academic Keys Who's Who in Finance and Industry, International Who's Who of Professionals by Who's Who Historical Society,and Marquis Who's Who.

Professor Kiymaz received a BS in Business Administration from Uludag University andan MBA, a MA (economics), and a PhD (financial economics) from the University of New Orleans. He began his academic career at Bilkent University before joining the University of Houston-Clear Lake and later moved to Rollins College. Professor Kiymaz also holds held visiting professor positions at the IMADEC University, School of International Business, Vienna, Austria; East Chinese University of Science and Technology, Shanghai, China, Copenhagen Business School in Copenhagen, Denmark, and Kadir Has University, Istanbul, Turkey.

KEYNOTE SPEAKERS

Dr. Kellina M. Craig-Henderson,

The Head of the Tokyo office of the USA National Science Foundation, Japan

Kellina M. Craig-Henderson, Ph.D. is the Head of the Tokyo office of the National Science Foundation. Before her current appointment, she served as the Deputy Division Director of the Social and Economic Sciences Division of the Social, Behavioral and Economic Sciences Directorate of the National Science Foundation (NSF).

She is a former Professor of Social Psychology and retains an affiliation with the Department of Psychology at Howard University where she was promoted to the rank of Full Professor shortly before undertaking full-time Federal service at NSF.

Dr. Craig-Henderson graduated from Wesleyan University in Connecticut before attending the Master's Program in the social Sciences at the University of Chicago where she earned a M.A. Immediately following that she attended Tulane University in New Orleans, Louisiana and earned an M.S. and a Ph.D. in Psychology.

She served on the faculty in the Department of Psychology as well as the Afro-American Studies and Research program at the University of Illinois in Champaign-Urbana. This was followed by an appointment in the Psychology Department of California State University in Long Beach.

She subsequently moved to Howard University in Washington, DC. Dr. Craig-Henderson remains passionate about broadening the participation of underrepresented groups, and has been involved in a number of activities which share this focus.

"Can we Play again with Picasso Miss?" The Effects of the Arts in Children's Involvement during Literacy Activities in the Early Years Settings: A Case Study in the Greek Context

Evgenia Theodotou

Senior Lecturer at Early Childhood Studies, University of East London, UK

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Abstract: Involvement is the cornerstone of the educational process, especially in the early years settings. It is a fundamental factor in people's actions particularly when they are deeply concentrated in an activity. However, little research has been conducted in the early years settings, with focus on teaching and learning. This piece of research investigates the effects of the arts as a means to promote children's involvement during literacy activities. This was based on the hypothesis that the arts provide opportunities to children to participate actively. The participants were from a case study of an early years setting in Greece, with 18 children and their average age was 5,2 years old. The research procedure was based on the "Play and Learn through the Arts" programme, which was an interdisciplinary programme that was designed for a PhD project. Children's involvement was measured with Leuven Involvement Scale for Young Children (LIS-YC) and it was further examined with a semi structured interview to the head teacher of the class. The findings show that the data collected from both measures veryfies the research's hypothesis about the beneficial effect of the arts on children's involvement during literacy activities. These findings should be treated carefully in terms of generalising them, as they derived from a case study. This research could be useful to early years educators as a pioneering approach in early literacy.

Introduction

Involvement is a very important parameter during the teaching and learning procedure especially in the early years settings. It is a basic element of people's activity by which we can understand the level of concentration during a certain task and their correspondence. When a child is deeply involved in an activity, it is highly unlikely to be distracted by external factors and the child will persist to fulfill it. According to Laevers [14], involvement is a quality of people's activity that is described by motivation, insistence and plea-sure. It can be recognised in tasks or activities that are within children's abilities and intrinsic inte-rests which means that the activities are not too easy or too difficult.

Researching the existing theoretical and empirical literature, it is obvious that there is a difference between the terms involvement and engagement. According to Ferlazzo [7], the term involvement presumes an action in something whereas the term engagement implies an action with someone. Ho-wever, the term engagement is mostly used in pie-ces of research that examine the role of parent in children's learning and performance whereas the term involvement is mainly used when exami-ning the action itself. For this purpose, this paper will use the term involvement as its main purpose is to measure children's actions in lite-racy activities and not children's action with someone else.

Effective teaching and learning process is highly linked with the level of children's involvement to the activity and of course to teacher's engage-ment. A teacher-lead approach can result in very limited creativity and children do not learn to be pioneering and independent thinkers and to use their abilities to solve problems [20]. Effective learning can only be achieved when children are motivated and deeply involved in a task or an activity [1; 27]. These arguments have their roots to Piaget's and Vygotsky's theory as they both put great emphasis on experience [21; 31]. Although this concept is very important in the ear-ly years settings, there are certain constrains that early childhood teachers may confront in their att-empt to involve children actively during teaching and learning such as children's perso-nality, cul-ture, socio-economic background, pa-rents' atti-tude, large number of cohorts in the classroom, the demanding and challenging envi-ronment of the early years classroom etc. In addition, most of the researchers are examining the effects of parents' engagement in teaching and learning and not

children's involvement by itself [see 9; 10; 13; 15; 17; 18]. Parents' engagement is another important aspect of effective learning but as Siraj-Blatchford et al. [28] stress, one major aspect of research is to further examine the levels of chil-dren' involvement during school hours.

For these reasons, this paper examines children's in-volvement during teaching and learning process and stresses the value of involving young children in their own learning. The focus of this study is the early years settings and its purpose is to examine the effects of the arts as a means to promote children's involvement during literacy activities.

1. Why the early years settings? The impor-tance of this context

The early years settings have a very strong influ-ence on children's future academic and social per-formance. The interactions and the activities in this area hold an important role in education in ge-neral, as they can influence children's approach to learning. A lot of researchers have verified this ar-gument by conducting relevant pieces of research towards this direction.

Tymms et al. [30] were some of the researchers who conclude that early years activities influence significantly students' performance in primary school. Exploring the progress of students in the first grade of primary school, they identify that children who attended early years centers had better performance from those who did not attend early years centers. Thus, Tymms et al. [30, p.106] suggest that the early years activities were "a good predictor of later performance which pro-vided a very satisfactory basis". A couple of years later, Siraj-Blatchford et al. [28] and Yan and Yuejuan [33], agreed with this, stating that this context has significant effects on learning, enhancing young students to begin school with better academic perspectives. Tymms et al. [29] also agree with this argument, endorsing the ad-vantages of 4-year-old students' activities in their future academic progress. They propose that an early intervention can have positive impacts on young children's long-term development.

This leads us to suggest that the early years se-ttings are an important area for children's future academic performance, as children create a good foundation for their knowledge. What we need to discuss now before we analyse the paper's metho-dology is how the relevant pieces of research had examined the aspect of children's involvement.

2. Research regarding children's involvement

Children's involvement is highly related to aca-demic performance. Based on this argument a lot of researchers examine this aspect from different points of view and they all agree and conclude about the importance of children's involvement in their learning and academic and social perfor-mance.

A basic aspect of this matter is what strategies teachers use in order to engage actively children in the learning process. The way that teachers pre-sent school activities is fundamental on how chi-ldren will react and participate. If a school activity is not attractive, then children will show low par-ticipation and interest and this will have a serious impact on their learning. Phelps et al. [20] shed light on this and indentify that teachers in Viet-namese schools should enable children to become more active in their own learning. They are con-cerned about the improvement of teaching techni-ques and for this reason they interviewed 9-10 year-old children in order to understand the way of their learning. Their ultimate goal was to in-form the quality of improvement of a motivating school environment. Through their study they conclude that the Vietnamese educational society should consider a more child-centered curriculum that helps children to become independent lear-ners.

Similar to this matter is the type of school acti-vities, as they have their roots in teachers' strate-gies. The way that teachers will set or organise the school setting will result eventually in the type of activities that children will participate. For exam-ple, if the educational resources like papers, cra-yons or puzzles are placed in very high shelf that children cannot reach, this will not empower them to take responsibility of their own learning as they will always depend on the teacher to give them the resources they want in order to play. The type of activity is an important parameter in children's involvement. An activity has to be motivating and intriguing for children to participate fully in it and this will result in high or poor involvement. Rob-son & Rowe [23] shed light on this as they re-searched preschool children's involvement and creative thinking during activities. Through obser-vations of child-initiated, adult-led and adult-directed activities the researchers concluded that the highest levels of children's involvement and persistence were shown in child-initiated activities which were also associated with creative thinking skills. This can be justified because this kind of

activity may result from the true children's interests and goals. Therefore, this leads us to suggest that children's involvement has a great impact in children's learning and thinking skills.

Children's active involvement is also a vital indicator of the quality of the school setting, which eventually results in its effectiveness. From this aspect it can be indentified that when children spent meaningful time in school activities they have the opportunity to deeply explore and construct the new knowledge. Ridley et al. [22] investigate this aspect with group observations in child care settings of North Carolina. They focus their arguments in the concept of engagement as they were interested on children's interactions and not in the concept of involvement as it is the focus of this paper. However, it is worthwhile analysing this piece of research as it gives valuable information that can be used in the concept of involvement too. The researchers conclude that high quality settings are closely related to high levels of children's engagement. However, in school settings the quality of the interactions is more important rather than the traditional standards that characterise quality e.g. group size, ratio adult-children. The researchers point out that the immediate response of the teachers has higher influence on children's engagement rather than the tradetional measures of quality. This can be related with the focus of this paper because the content of teachers' interactions is very important, and as argued previously, teachers' strategies affect children's active involvement.

Proceeding in the last argument, children's involvement can also have great effects in the development of self-regulation. Self-regulation is an important parameter in the development of student's independent learning skills [25] and therefore should be highly considered. During meaningful interactions, children have the opportunity to establish the appropriate emotional foundation in order to regulate their learning and behaviour. Williford et al. [32] agreed with these arguments and contributed by researching this aspect in the early years settings. This paper is also focused on engagement but as stated earlier is gives interesting insights to children's involvement too. Through children observation, teacher report and direct assessment, the researchers concluded that children who were actively engaged in school activities had greater gains in emotion regulation skills than children who were not engaged actively. This can be linked with the focus of this paper because as argued previous the quality of interactions can

result in the active involvement of children in their learning.

To summarise, reviewing the empirical research literature regarding children's involvement it is obvious that this aspect has a vital role on children's social and cognitive achievement. All the analysed pieces of research show that when children have the opportunity to involve deeply in an activity, they have greater school and social performance. Children's involvement has been concepttualised as an important indicator of the quality of school settings and children's self-regulation. In addition, teachers' strategies and the type of school activities are fundamental to empower children to involve actively in school activities. Although, most of these pieces of research focus in the early years settings there are no evidence of a particular focus in a specific subject area of the early years curriculum (like math or literacy) in conjunction with another subject area, as it is the purpose of this study (like arts or physical exercise). Therefore, it can be argued that there is a need to explore further children's involvement examining in more detail each subject area of the early years curriculum with the ultimate goal to find meaningful ways to promote children's involvement.

3. Why the arts? The importance of this subject area

Art activities in the early years settings is a mainstream type of activity of children's free play as they spent most of their time in drawing, playing with musical instruments, clay sculptures and drama play. One of the basic characteristics of the arts is that they offer freedom and the opportunity to express feelings, thoughts and attitudes that are difficult to verbalise. According to Dewey [4, p. 254], "art breaks through barriers that divide human beings, which are impermeable in ordinary association". Early childhood educators can intervene indirectly to embed educational outcomes in art activities without over-structuring children and damaging their enjoyment.

Children's free art activities can be utilised by teachers without spoiling children's creativity as they can intervene and guide children to the pedagogical aspects of these activities. According to Eisner [5], art educators have a fundamental role on children's progress as they have the opportunity to stimulate children to continue their learning explorations. The arts enable students to justify and express clearly their experience [6]. They

create a playful environment in which students find meaningful activities. Moyles [19, p.37] stresses that learning is more meaningful when it is achieved through play and indentifies that "the concept of drama and dramatic play is worth exploring further as it is a play medium and process which can encompass most if not all other areas of curriculum and at the same time investigative, language based and creative".

In other words, Moyles [19] suggests that a specific kind of the arts, drama and drama play, is a great tool that teachers can use in teaching and learning process as it links free play to educationnal outcomes.

Another important characteristic of the arts is that they offer interesting and motivating activities for young children that result in deep and meaningful learning. This is based on the argument that amusement has a vital role in the teaching and learning procedure. People and especially young children should find the educational activities attracttive in order to participate fully. Hall and Robinson [12. p.124] support this, highlighting that "people- all people, not just five-year-old people- learn more efficiently, with greater intensity and with more purpose when the learning is fun".

However, it should be noted that amusement is often divided from serious learning activities where seriousness and austerity is dominant in the context of these activities. Looking more carefully to the initial meaning of the term amusement, it is obvious that it is very important on people's live and learning. According to Shusterman [26, p. 293], "the English term 'amusement' derives from the verb 'to muse' whose early meaning is to be absorbed in thought, to wonder, to be astonished or puzzled".

Consequently, amusement is a very important aspect of the learning procedure instead of a trivial and unimportant aspect. Investigating the arts a little further, they also correlate with significant learning goals in literacy. Vygotsky [31, p.112-113] perceives a child's drawing as an early form of writing and as describing the process of children's drawing, he notes that "the schemes that distinguish children's first drawings are reminiscent in this sense of verbal concepts that communicate only the essential features objects. This gives us grounds for regarding children's drawing as a preliminary stage in the development of written language".

A lot of researchers have examined the impact of the arts on children learning and especially on children's literacy and they all concluded in the beneficial outcome of the arts. Gromko [11] focuses her research in the early years context and confirms that music activities have a beneficial role on young children's phonological awareness. Some years later, Bolduc [2] agreed with Gromko [11] about the advantages of music on children's phonological awareness in the same level of education. Another form of the arts was investigated by McMahon et al. [16] while examining the effects of a dance programme on reading skills of students in the first grade of primary school. They concluded that learning to read through dancing can improve students' achievement in reading. Lastly, a related kind of the arts was also investigated by Fleming et al. [8], who confirmed the positive outcomes of drama on students' reading, mathematics, self-concept and attitude in primary school.

To summarise, the arts are a very important aspect in children's learning especially in the early years settings as they derive from children innate desire and maintain a basic type of activity in their free play. Early childhood teachers can utilise arts activities to promote children's learning and direct them in the educational aspects of these activities. Having established the reason for choosing this subject area, the importance of the arts and the need of this study, following there will be a presentation of the paper's methodology.

4. Research aim, hypothesis and method

Having discussed thoroughly the importance of children's involvement and art activities, the aim of this research is to examine the effects of the arts as a means to promote children's involvement during literacy activities. This aim was built on the hypothesis that the arts have the opportunity to enable young children to participate actively during early literacy activities following an interdisciplinary programme that was designed for the researcher's PhD project.

4.1 Participants

In order to examine research's hypothesis, this piece of research uses a case study from an early years setting located in a Greek island in Saronikos bay near Attica. This setting was chosen randomly because the head teacher of the school was eager to participate in this study. This teacher had also some artistic experience as she was a

volunteer actor in the local theatrical team of the island for some years. Letters of consent was distributed to all children's parents of this setting, informing them in detail about the aim of the research and the procedure. In total 25 parents agreed for their children to participate in the study but one of the children changed school in the middle of the school year. From the final cohort two children haven't been included in the measurements as one had a diagnosis of ASD and in the other one there was a suspicion of severe learning difficulties. However, both of these children participated fully in the research procedure and activities. The final number of children participated and measured was 23 of which the 43% (n=10) was male and the 52% (n=12) was female but on the days of the measurements there were 18 children present of which the 39% (n=7) was male and the 61% (n=11) was female, which maintains a slightly equal number among gender with girls to have a higher percentage from boys. The mean age of all children was 5,2 years old, with the minimum age 4,3 years old and the maximum age 6,2 years old and standard deviation was 0,5 (see table 1 & 2).

Table 1. Gender

Gender		
	Frequency	Percent
boy	7	38,9
girl	11	61,1
Total	18	100,0

Table 2. Age

Age					
	N	Minimum	Maximum	Mean	Std. Deviation
Age	18	4,3	6,2	5,217	,5448

4.2 Procedure

The current research procedure is an experimental one, which has some elements of action research as in each stage it uses reflection and feedback. The programme that was implemented was the "Play and Learn through the Arts" (PLA) which utilises reflection and feedback in every stage and was based on the fact that learning follows a cycle process (see diagram 1). Its goal is to supplement and enrich teachers' strategies and not to replace them. The programme duration was a full school year. Each setting or class chose a specific kind of the arts (e.g. music, painting, drama play) and through this the team of the setting (the children

and the teacher) with the instructor, designed and applied literacy activities based on children's ideas and interests. There were no ready-made activities or specific guidelines from the teachers as this technique was opposite to the general pedagogical approach of the programme. The main purpose is to find ways to involve children and teachers actively as a team in teaching and learning procedure.

PLA has four stages and in each stage there is a continuing reflection and feedback from the teacher and the children. In stage 1, children were observed and participated in a discussion with the teacher in order for their interests to be identified. In stage 2, based on the collected data, teachers and students designed the educational activities around a specific theme that was evolved from children's interests. As a motive to approach this specific theme they utilised the selected form of the arts and they embedded literacy aspects. In stage 3, teachers and children implemented the organised activities and in stage 4, they assessed the whole procedure and plan the next educational activities (see diagram 2). Arts and literacy activities took place three days per week for 20 minutes approximately per day.
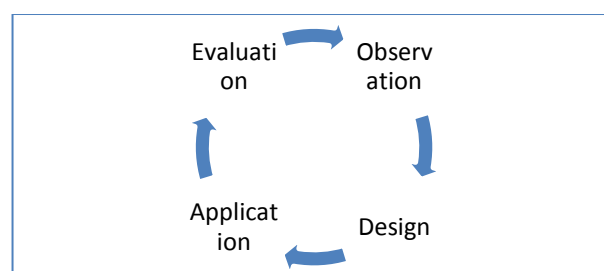
Diagram 1. PLA's Cycle Process of Learning

Stage 1	• Observation & discussion
Stage 2	• Design education activities with early litaracy goals
Stage 3	• Implementation of the activities
Stage 4	• Assessment, reflection & feedback
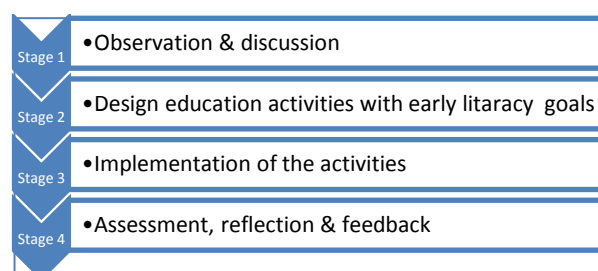
Diagram 2. PLA's Stages

The selected setting chose to use paintings, as a preferred form of the arts and through specific paintings and artists, children with the teacher were organising and applying literacy activities. Implementing the stage 1 of the PLA, children were interested in topics such as the human body,

the universe and weird shapes and creatures. For this purpose, the artists Pablo Picasso, Wassily Kadinsky, Joan Miro and Frida Kahlo were chosen as their work has some aspects of these topics and the teacher felt more comfortable with their work. The teacher selected some paintings of these artists and presented them to the children, who chose the one they preferred most and based on this they discussed and designed the educational activities. For example, children with the teacher, while discussing the selected painting, suggested activities that were inspired by the painting and the teacher embedded indirectly literacy goals in these activities. These ideas were written by the children on a paperboard which they used as a diary of the procedure.

4.3 Measures

Children's involvement was measured during literacy activities which were emerged from their interaction through the arts. For this purpose, the Leuven Involvement Scale for Young Children (LIS-YC) was used. LIS-YC was developed by Laevers [14] and it measures involvement using 9 signals and more specifically: concentration, energy, complexity and creativity, facial expression and posture, persistence, precision, reaction time, language and satisfaction. It further describes the levels of involvement as: low activity, frequently interrupted activity, mainly continuous activity, continuous activity with intense moments and sustained intense activity. The observer should make an overall judgement of each child's involvement using the levels of involvement in conjunction with the signals.

In order to collect data for LIS-YC, children were observed during two different literacy activities that emerged through their interaction with the selected paintings. Each child was observed for 10 minutes in total. These observations were carried out by the researcher. They were semi-structured observations and were based on guidelines of LIS-YC.

Before conducting the final observations, there was a pilot observation in a smaller sample of the setting in order to testify the appropriate use of the test and to correct the upcoming mistakes that will affect the outcomes. The purpose of the pilot observation was twofold, as it was also a good opportunity for the researcher to be familiarised with this technique. At the end of the PLA there was also a semi-structured interview with the head teacher in order to investigate her view of the

programme's procedure and correlate it with the outcomes.

5. Data analysis and discussion

The aim of this research was to examine the effects of the arts as a means to promote children's involvement during literacy activities. Eighteen records were coded and analysed in order to define the levels of involvement of each child in the sample and a semi-structured interview with the head teacher of the setting was conducted in order to compare it with the outcomes. It should be noted that the data of this piece of research came from a case study of an early years setting in a Greek context and because of the small number of the sample it should be dealt carefully, especially for generalise the outcomes.

5.1 Data from Leuven Involvement Scale for Young Children (LIS-YC) to measure children's involvement

Reliability of the measure and more specifically internal consistency of the 9 signals of LIS-YC were measured using Cronbach's apha, which showed (α=0,941) that all items are correlated strongly with the scale (see table 3 & 4).

Table 3. Reliability

Reliability Statistics	
Cronbach's Alpha	N of Items
941	9

Table 4. Reliability Analysis

Item-Total Statistics		
	Corrected Item-Total Correlation	Cronbach's Alpha if Item Deleted
Concentration	,929	,924
Energy	,929	,924
Complexity and Creativity	,784	,934
Facial expression and posture	,914	,925
Persistence	,893	,926
Precision	,848	,931
Reaction time	,947	,926
Language	,282	,953
Satisfaction	,527	,949

Data analysis showed that children had high levels of involvement during the literacy activities within the PLA programme. Overall, the 72% (n=13) showed sustained intense activity (Level 5), of which the 69% (n=9) were girls and the 31% (n=4) were boys. The 6% (n=1) showed continuous activity with intense moments (Level 4), which was one girl and 22% (n=4) showed mainly continuous activity (Level 3), of which the 25% (n=1) was a girl and the rest 75% (n=3) were boys. There was no input from Level 1 and Level 2 which are the lowest levels of invol-vement within the LIS-YC which shows that the research procedure was well received (see table 5).

Table 5. Involvement Analysis

Involvement		
Sustained intense activity (Level 5)		
	Frequency	Percent
Total	13	72%
Girls	9	69%
Boys	4	31%
Continuous activity with intense moments (Level 4)		
Total	1	6%
Girls	1	100%
Boys	0	0
Mainly continuous activity (Level 3)		
Total	4	22%
Girls	1	25%
Boys	3	75%

Despite the small size of the sample, as it was derived from a case study, two further tests were conducted in order to examine the levels of significance among age, gender and involvement. Data analysis from Fisher Exact Test (sig.=0,245>0,05) shows that there is no statistical significant relationship between gender and involvement. Also, data analysis form One Way ANOVA (sig.= 0,722>0,05) shows that there is no statistical significant relationship between age and involvement (see table 6).

Table 6. Inferential Analysis

Inferential analysis of the variables	
Gender & Involvement	
Fisher's Exact Test	Exact Sig. (2-sided)
	,245
a. 4 cells (66,7%) have expected count less than 5. The minimum expected count is ,39.	
b. The standardized statistic is 1,410.	

Age & Involvement	
ANOVA	Sig.
Between Groups	,722

Analysing the data with a qualitative approach and debriefing the comments that were written in the LIS-YC in order to make an overall judgement of the level of involvement of each child, we can further verify the positive outcomes of the programme towards children's involvement especially when the arts are used as a means to promote literacy.

According to Laevers [14], involvement can be identified by people's concentration and persistence towards a certain activity. However, activities should be derived from their internal desires and interests and people should be able to accomplish them without being too simple or unachievable. Some years later, Siraj-Blatchford et al. [27] agreed with this argument and supplemented that when people are involved in an activity they are focused and absorbed totally on the task and they insist on fulfilling it. They also mentioned that involved adults and children show signs of excitement and internal motivation.

The data from the present study is highly linked with these arguments and evidence of this attributes can be detected. It shows that the majority of the children involved in the literacy activities, which were derived through their interactions with the arts, were totally concentrated, showing signs of sustained intense activity and nothing could distract their attention.

Child 3: "He is very concentrated in the activity and he looks absorbed in his writings. He is not interested in the noise around him. The child next to him is often speaks loudly but he is not turning his head to him. Nothing can distract his attention. Sometimes he raises his head and look to the ceiling, as he is thinking of his next step."

Child 7: "She sets goals and tries to fulfill them. She seems to be in an advanced level regarding literacy and tries to write a full sentence. She is not disturbed by external factors and when other children asked for her help, she first finishes her work and then helps the others."

Child 9: "The teacher asked her 'What are you writing?' but she seems so absorbed that she does not reply. She repeats the word she wants to write many times in order to find the next phoneme. She will first fulfill her goal e.g. write the word she

wants and afterwards she will notice the external stimuli."

Observed children also showed signs of determination towards the goals of the literacy activeties that were initiated from the selected paintings. They did not leave the tasks effortlessly and they showed eagerness to continue until they met a satisfactory outcome. Sometimes, they also found ways to extend the activity by setting new goals.

Child 17: "She insists to write in a good handwriting with no mistakes. When she writes something that she thinks it is wrong she erases it and tries to think of the correct way of doing it."

Child 15: "He tries to fulfill his goals and continues to the next one. He observes his drawing and he writes underneath what he has drawn. When he finishes his writing he enriches each of his drawing and writes underneath what he added."

The existing data is further linked with these arguments as there are signs of satisfaction and internal desire during the literacy activities of the PLA programme. Children showed that they enjoyed the procedure as they demonstrated feelings of excitement with their achievements and they took pride in their outcomes

Child 1: "He looks very happy with the words he managed to write and shows them to his friends."

Child 4: "When she finishes her writings, she looks at them and smiles."

Child 3: "He looks very proud about his writing and he is seeking the teacher to show it stating 'Look miss what I managed to write about Picasso!'"

Researching the literature a little further, it is obvious that another attribute of involvement is the effort that children make in order to meet the goals of the activity. Ridley et al. [22], state in their research that involvement can be defined as an activity that children show concentration or active contribution. Active participation is one of the most important aspects of involvement as it shows that children are truly interested in the specific activity and they are stimulated. In addition to these attributes, involved children are conceptualised as independent thinkers that take responsibility of their own learning. From the following

data, it is evident that the arts can trigger children to participate deeply in order to write.

The evidence from the data is associated with this argument as children were not passive followers in literacy activities but they had an active role in the procedure and outcome. Children were devoting much effort in the activity and they showed responsibility to find ways to solve the upcoming problems. It has to be mentioned that these literacy activities were derived from their interaction with the arts.

Child 11: "She is very quiet during the literacy activity but she shows signs of mental energy in her face as she is trying to find the next phoneme of the word she wants to write."

Child 13: "She shows a lot of energy when participating in the activity. She often speaks very loud about what she is going to write next and she presses the crayon very hard to the paper."

Another fundamental characteristic of involved children is the expression of their ideas and emotions during the activity. This can be located in verbal or non-verbal signs that show if they are truly interested in the content of the activity or if they are just participating for external factors and reasons. Robson & Rowe [23] define and further categorise involvement as an effort that children make during an activity while they analyse and speculate ideas and solutions.

During observations, there was evidence of children's verbal and non-verbal signs that justifies the levels of their involvement. Data from these observations can be further linked with these arguments as children were constantly stating their positive emotions regarding the procedure and nonverbal signs and posture were apparent during the whole activity.

Child 7: "She shows constant non verbal signs of deeply involvement in her writing. She is not participating in any other conversation until she finishes her letter."

Child 8: "Non-verbal signs of hard thinking are apparent during the activity. She stops to think about the next phoneme putting the crayon in her mouth. Her eyes show hard, mental activity to find a solution to the upcoming difficulties."

Child 1: "In his effort to write a letter, he stated that he wants to do his best and trying to think what the receiver of this letter would like."

Child 5: "When he finishes his writing, he shows it to the teacher with enthusiasm and asks 'Miss could we play again this game?'"

To summarise, evidence from the data collected with LIS-YC is highly linked with the attributes of involvement as they are described through empirical literature. On a 5-point scale, which measures levels of involvement, data showed that the majority of children were highly involved and exhibited sustained intense activity. There were no data from the lowest levels of the scale. Through the additional qualitative analysis of the comments that were noted for LIS-YC, it is obvious that the research procedure was well received towards children's involvement. As the arts were the stimuli for literacy activities in which the measurement was made, it can be argued that data analysis verified the research hypothesis. The arts, a central mean to PLA programme, facilitate young children to involve deeply in early literacy activities in all involvement signals.

5.2 Data from teacher's interview

Semi-structured interviews provide a good opportunity to investigate further the views and opinions of the participants and through the flexibility that they offer, the interviewer can investigate thoroughly the interviewees' opinions [3]. Data from the interview with the head teacher of the setting also verifies the positive outcomes of PLA programme towards children's involvement. Overall, the teacher stated that the PLA is a good opportunity to promote levels of involvement during literacy activities in the early years as it combines learning and pleasure through the constant interaction with the arts

The head teacher holds a Bachelor's Degree in Early Childhood Education and a Master's degree in Human's Rights with a focus in Special Education. Her work experience involves approximately 8 years of teaching in both private and public early years settings and 1 year as a mentor in Higher Education. She has also some experience in the arts as she is a volunteer actor in the local theatrical team of the island.

As it is mentioned previously, the type of school activities is very important to children's involvement. Children are mostly involved actively in activities that are initiated by themselves [23]. This is verified by the teacher as the basic factor of the PLA's success. She justifies her opinion by highlighting that the programme offered children and herself a unique kind of freedom and self-direction in which everyone could make their contribution with no right or wrong answers.

Q: What do you think as the most motivating factor of the procedure?

T: I must say that there was a part of team work but there was also a part of spontaneity. There was also a part of observation but there was also a part of freedom that everyone could see what they wanted to see and commented on what made them the biggest impression. This does not exist with other teaching methods in which sometimes we pressure children to meet a specific outcome that was decided from the beginning.

Another important aspect of involvement is the teaching methods that shape the learning process. As Phelps et al. [20] stressed, teachers should use teaching methods that enable children to involve actively in the school activities and take responsibility of their own learning. This argument is also linked with the data from the interview as the interviewee clearly stated that the research procedure is based on unique teaching methods that combine different roots of learning. She also thinks that the programmes's success was the interdisciplinary teaching methods used.

Q: What do you think of the programme in general?

T: In the beginning I could not understand how this procedure will work toward early literacy and involvement. I thought I could give it a try to see how it will go. In the meantime, I realised that learning is not a straightforward process although I work for approximately 8 years in this area. Now, I know that we can use a number of different paths towards learning but this was the most amusing. I was extremely happy when I saw that the arts can promote literacy activities and children involved so deeply in the learning procedure.

The existing literature also supports that quick reaction time is a fundamental aspect of involvement. Roskos et al. [24] note that the concept of involvement includes a combination of awareness, interest and satisfaction. In addition, Laevers [14]

states that involved children are ready to act and respond immediately to the stimuli that are produced during the activity. Data collected from the interview supports this as children's response is another characteristic of involvement that was picked up and commented by the teacher.

Q: Could you think of a reason of children's development? What do you think that helped the children more?

T: Children were responding directly to the procedure and activities with the paintings by suggesting their ideas in order to design educational activities. I think that this was attributed mainly because they were interested and involved in the learning process. I don't think that a more guided and strict approach would have the same outcome.

To summarise, data collected from the semi-structured interview further verified the research's hypothesis as the head teacher of the early years setting agreed that the programme, which uses the arts as a medium, promotes children's involvement during early literacy activities. This is very important as the findings from LIS-YC are correlated with the teacher's opinion which shows that the programme was well received as a research process and towards children's involvement.

6. Limitations and contribution

This piece of research has some limitations that should be highly considered for generalising the findings to the wider population. A basic limitation was the small number of the sample (18 children and 1 teacher) as this research was a case study that took place in the Greek context. A basic purpose of the case studies in the social research is to testify a theory or a hypothesis in order to gain a better understanding of the upcoming circumstances [3]. On this account, the purpose of this research design was not to generalise the outcomes but to recognise the benefits of the programme towards children's involvement and suggest further research with this focus. This research is also useful to early childhood teachers as a pioneering approach in early literacy with the ultimate goal to promote involvement.

Conclusions

This paper investigated the effects of using the arts as a means to involve children in early literacy activities. This aim was built on the hypo-

thesis that the arts have attributes that can involve actively children during early literacy activities. To testify this hypothesis a case study from a Greek island was used that implemented PLA, an interdisciplinary programme which was designed for the researcher's PhD project. Data collected using LIS-YC and via an interview of the head teacher of the setting. The findings showed that the research procedure and the PLA programme in general had positive outcomes regarding children's involvement. This was also verified with the findings from the teacher's interview as she was very positive regarding the programme. These findings should be considered carefully for generalising them in the wider population because of the small sample size. Further research should be conducted towards this direction. However, this piece of research can be beneficial for everyday educational practice as it suggests a pioneering way of teaching early literacy that involves children deeply. It can also be considered as a useful tool to early childhood teachers who seek different ways of applying early years curriculum.

References

[1] Baroody, A.E. & Diamond, K.E. (2013). Measures of preschool children's interest and engagement in literacy activities: Examining gender differences and constructing dimensions. *Early Childhood Research Quarterly, 28*:291-301.

[2] Bolduc, J. (2009) Effects of a music programmme on kindergarteners' phonological awareness skills. *International Journal of Music Education*, *27*(1):37-47.

[3] Bryman, A. (2008). *Social research methods*. New York: Oxford University Press.

[4] Dewey, J. (1934) *Art as experience*. New York: Penguin Group

[5] Eisner, E. (1973-1974) Examining some myths in art education. *Studies in Art Education*, *15*(3):7-16

[6] Eisner, E.W. (1998) Does experience in the arts boost academic achievement? *Art Education*, *51*(1):7-15

[7] Ferlazzo, L. (2011). Involvement or engagement? *Educational Leadership, 68*(8):10-14. Retrieved 26th July 2014, from http://www.ascd.org/publications/educational-

leadership/may11/vol68/num08/Involvement-or-Engagement%C2%A2.aspx

[8] Fleming, M., Merrell, C. & Tymms, P. (2004) The impact of drama on pupils' language, mathematics and attitude in two primary schools. *Research in Drama Education*, *9*(2):177-197

[9] Giallo, R., Treyvaud, K., Cooklin, A. & Wade, C. (2013). Mothers' and fathers' involvement in home activities with their children: psychosocial factors and the role of parental self-efficacy. *Early Child Development and Care, 183*(3-4):343-359.

[10] Gozali-Lee, E. & Mueller, D. (2010). *Minnessota family literacy and school readiness study: Results through year 2*. Minnesota: The Minnesota Early Learning Foundation. Retrieved 26th July 2014, from http://www.researchconnections.org/childcare/resources/19911

[11] Gromko, J.E. (2005) The effect of music instruction on phonemic awareness in beginning readers. *Journal of Research in Music Education*, *53*(3):199-209

[12] Hall, N. and Robinson, A. (2003) *Exploring Writing and Play in the Early Years*. London: David Fulton Publishers

[13] Ishii-Kuntz, M. (2013). Work environment and Japanese fathers' involvement in China care. *Journal of Family Issues, 34*(2):252-271.

[14] Laevers, F. (1994). *The Leuven Involvement Scale for Young Children LIS-YC Manual (Experiential Education Series 1)*. Leuven: Centre for Experiential Education.

[15] Lau, E.Y.H., Li, H. & Rao, N. (2011). Parental involvement and children's readiness for school in China. *Educational Research, 53*(1):95-113.

[16] McMahon, S.D., Rose, D.S. & Parks, M. (2003) Basic reading through dance program: The impact on first-grade students' basic reading skills. *Evaluation Review*, *27*(1):104-125

[17] Meece, D. (2013a). *Non-resident father involvement with their two-year-old children: Findings from the ECLS-B*. Research report from University of Tennessee at Chattanooga, School of Education. Retrieved 27th July 2014, from http://files.eric.ed.gov/fulltext/ED542611.pdf

[18] Meece, D. (2013b). *Resident father-child involvement: Associations with young children's social development and kindergarten readiness in the ECLS-B*. Research report from University of Tennessee at Chattanooga, School of Education. Retrieved 27th July 2014, from http://files.eric.ed.gov/fulltext/ED542612.pdf

[19] Moyles, J.R. (1991) *Play as a learning process in your classroom*. London: Mary Glasgow Publications

[20] Phelps, R., Tuyet-Nhung, H.T., Graham, A. & Geeves, R. (2012). But how do we learn? Talking to Vietnamese children about how they learn in and out of school. *International Journal of Educational Research, 53*: 289-302

[21] Piaget, J. & Inhelder, B. (2000). *The psychology of the child*. New York: Basic Books.

[22] Ridley, S.M., McWilliam, R.A. & Oates, C.S. (2010). Observed engagement as an indicator of child care program quality. *Early Education and Development, 11*(2):133-146

[23] Robson, S. & Rowe, V. (2012). Observing young children's creative thinking: engagement, involvement and persistence. *International Journal of Early Years Education, 20*(4): 349-364.

[24] Roskos, K., Burstein, K. & You, B.-K. (2012). A typology for observing children's engagement with eBooks at preschool. *Journal of Interactive Online Learning, 11*(2):47-66

[25] Shih, K-P., Chen, H-C., Chang, C-Y. & Kao, T-C. (2010). The development and implementtation of scaffolding-based self-regulated learning system for e/m-learning. *Education Technology & Society, 13*(1): 80-93.

[26] Shusterman, R. (2003) Entertainment: A question for aesthetics. *British Journal of Aesthetics*, *43*(3):298-307

[27] Siraj-Blatchford, I., Sylva, K., Muttock, S. Gilden, R. & Bell, D. (2002). *Researching effecttive pedagogy in the early years*. (Research report 365). Norwhich: Department of Education and Skills

[28] Siraj-Blatchford, I., Taggart, B., Sylva, K., Sammons, P. and Melhuish, E. (2008). Towards the transformation of practice in Early Childhood Education: The effective provision of Pre-School

Education (EPPE) Project. *Cambridge Journal of Education*, *38*(1):23-36

[29] Tymms, P., Jones, P., Albone, S. and Henderson, B. (2009). The first seven years at school. *Educational Assessment, Evaluation and Accountability*, *21*(1):67-80

[30] Tymms, P., Merrell, C. and Henderson, B. (1997). The first year at school: A quantitative investigation of the attainment and progress of pupils. *Educational Research and Evaluation*, 3 (2), pp. 101-118

[31] Vygotsky, L.S. (1978). *Mind in society: The development of higher psychological processes*. Cambridge: Harvard University Press.

[32] Williford, A.R., Whittaker, J.E.V., Vitiello, V.E. & Downer, J.T. (2013). Children's engagement within the preschool classroom and their development of self-regulation. *Early Education and Development, 24*(2):162-187.

[33] Yan, L. and Yuejuan, P. (2008). Development and validation of Kindergarten Environment Rating Scale. *International Journal of Early Years Education*, *16*(2):101-114.

High School Students' Perceptions of the American School Counselor Association's (ASCA) Career Development Domain Model in a "School Counseling Services" Setting in Albania

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Abstract: *This study analyzed students' perceptions of school counseling service in private schools in Albania. Students' perceptions were measured with regard to career development which is one of the three ASCA domains (academic, career, and personal/social). The school counselor does not exist in the Albanian schools. The school counseling is not directly performed. The school counseling is performed by a structure called in this study as "school counseling services". The school counseling services includes class teacher, vice principal/principal, school disciplinary committee, school psychologist and activities done under legis-lations of Albanian Ministry of Education and Sports. These elements are common in all schools of Albania as well as private schools. A 13 item questionnaire was administered to 300 students (150 male and 150 fe-male) at five private high schools.*

Introduction

The school counselor does not exist in the Albanian schools. The school counseling is not directly performed. The school counseling is performed by a structure called in this study as "school counseling services". The school counselor duties are performed by some other elements of the education system such as: class teacher, vice principal/principal, school disciplinary committee, school psychologist and activities done under legislations of Albanian Ministry of Education and Sports in the high schools from class 10 to class 12.

1. Statement of the Problem

In the schools, there is no compulsory regulation on hiring a school counselor. School psychologist is the only personnel in the school according to the Albanian regulation, each school should have one for 2500 students;10 times more than ASCA standard for the school counselor. But this does not mean there is no school counseling in the Albanian school. The other main elements of the education system are performing school counseling service for the students in Albania. These elements are:

- Class teacher
- Vice principal
- School disciplinary committee
- School psychologist

The main purpose of school counseling service in a school is to boost the learning process. A comprehensive school counseling service assists student with the development in three domains:
- Career
- Personal/social
- Academic

2. Aim of the Study

Students are the main beneficiaries of the school counseling services, but their perceptions of the school counseling services have not been studied in Albania. The aim of this study is to evaluate students' perceptions of school counseling service in terms of ASCA academic achievement standards.

3. Research Question

How much of ASCA career development model is achieved by the school counseling services?

4. Literature Review

4.1. Definition of Counseling

The American Counseling Association (ACA) with the agreement of 31 counseling organizations describes professional counseling as follows; "a professional relationship that empowers diverse individuals, families, and groups to accomplish

mental health, wellness, education, and career goals."[1]

4.2. ASCA Model

American School Counselor Association (ASCA), a branch of ACA, was set up in 1952, helps school counselors to support the students focus on academic, social/personal and career development so that they can succeed in the school and graduate then become responsible member of society. ASCA offers professional progress, various resources, academic studies and advocacy to all its members in USA and worldwide. In 2001, The American School Counselor Association (ASCA) started The ASCA National Model: A Framework for School Counseling Programs as an outline for scheming, developing, applying and assessing standard based, data-driven school counseling program. School counselors change their attention from service-centered program to program-centered to give the chance to all students. ASCA's objective in developing the model is to institutionalize the framework for and process of developing a school counseling program [2].

Researchers are supporting the validity of the comprehensive model in desired academic achievement, career development, parental satisfaction, school climate, and attendance [4]. These studies show the students of schools, which have Comprehensive Developmental Guidance (CDG) programs, getting higher grades, showing better relationships with teachers, and getting greater satisfaction from school. Students also told that education is relevant to later life, school is safe, and high school students expressed that career and college information was accessible [10]. Other studies point that counseling programs decrease anxiety and depression among schoolchildren and are a positive factor having better social skills [17]. School counselors have a unique position to evaluate data in schools and explain the gaps, existing in student success [1].

The framework of a comprehensive school counseling program consists of four components: foundation, management, delivery, and accountability.

4.2.1 Foundation

School counselors should prepare complete school counseling programs that focus on student results, teach student abilities and are delivered with recognized professional proficiency. The solid ground of school counseling program is the foundation where student knowledge, attitudes and skills are determined. Setting a strong foundation need a mutual effort with school members, parents/guardians, and the community to determine what every student will obtain as a profit of a school counseling program. The idea of this component of the ASCA National Model is to set up the focus of the complete school counseling program based according to the needs of the students on: a. career development; b. personal/social development; c. academic development.

Career Development

ASCA National Standards for career development give the basics school counseling programs for foundation for the acquisition of skills, attitudes and knowledge that allow students to make a successful move from school to the world of work, and from job to job across the life span. Students will acquire the skills to investigate the world of work in relation to knowledge of self and to make informed career decisions. Students will employ strategies to achieve future career goals with success and satisfaction.

Personal/Social development

ASCA National Standards for personal/social development guide school counseling programs to provide the foundation for personal and social growth as students' progress through school and into adulthood.

Academic development

ASCA National Standards for academic development guide school counseling programs to implement strategies and activities to support and maximize each student's ability to learn (see Appendix B) [2] [12].

4.2.2. Management

The management is very important to have the effective school counseling program that addersses the developmental requests of every student. The management component of the ASCA National Model provides organizational tests and element designed to manage a school counseling program. The tests and tools assist school counselors build up, apply and assess their school counseling program based on clearly defined priority reflecting student needs [13].

4.2.3. Delivery

The delivery component shows the way of applying the school counseling program to students. The services and strategies that school counselors offer to students and communications they have with others as they work to encourage student achievement, equity and access for all students are explained in this part. The delivery component has two parts such as direct and indirect student services. Direct services are provided to students, and indirect services are provided for students.

Direct student services are in-person interactions between school counselors and students.

Indirect student services are services provided on behalf of students as a result of the school counselor's interactions with others [13].

4.2.4. Accountability

School counselors should check their program efficiency regularly to determine its success for better results of the students. School counselors use this check to understand the difference between students who are in the school counseling program. School counselor should prove their counseling program efficiency in measurable terms.

School counselors should use data-driven complete school counseling programs using accountability strategies to monitor student achievement, to frequently assess and advance their school counseling program and to determine the impact their program is having on students [5]. Accountability skills support school counselors "garner the political clout necessary to improve school counselor to student staffing ratios and redefine school counselor roles and activities…" [6].

Accountability of the school counseling program can be achieved in three sections: (a) Data Analysis: school's achievement, attendance, behavior and safety record; (b)Program Results; (c)Evaluation and Improvement.

4.3. School Counseling in Albania

In Albania, the school counseling is not very common. Very few schools have the professional school counselors. Their job description is not clear and not defined by the ministry of education. The school counseling services are performing counseling activities in the Albanian high schools includes:

The class teacher is at the core of school counseling service. The tasks of the class teacher who is very important in Albanian education system are explained. The class teacher is a messenger between the students, parents as well as the school administration. Any progress or academic, social, personal and disciplinary problems related to the students is reported to the parents by the class teacher. The class teacher is responsible for attendance of the whole class as well. The class teacher takes care of register in which all the attendance, marks and personal information of students are kept [14].

Vice principal/principal have the authority in the schools to allow the school counseling services activities or block them. Perusse, Goodnough, Donegan, and Jones [11] in their study mentioned importance principal in the school counseling, even though the duties are clearly mentioned, the school principal can still have authority to block some of the duties.

School discipline committee consists of 5 or 7 school personnel, directed by the school principal or deputy directors. The school psychologist is ordinary and automatic member of school discipline committee. School discipline committee should have intolerant attitude violation of teaching and learning, school safety and health of students and employees of the school in its premises [14].

A school psychologist should deal with 2500-3500 students according to the type of school. Psycho-Social Service (SPS) deals psychosocial problems of students with learning or behavioral. Psycho-Social Service collaborates with teachers and heads of educational institutions and parents, to plan and implement services that contribute to the educational, social and personal students [15].

Activities done under legislations of Albanian Ministry of Education and Sports

Orientation of Students for Their Careers

The 9th class students who are finishing primary school should decide potential high school and

vocational high school according their academic success and talents. School visit with a parent will help students decide the best for them. The class 9 students have the exam from mathematics and Albanian literature to finish the primary school. The students are required to get 5 out of 10 in the state exam in order to graduate from the primary school. Exam performance also will determine the choice of advanced lesson between the advanced mathematics and Albanian literature in the class 10. The orientation of students for the career in Albania starts with primary school finishing exam. According that exam results, the students choose their school that opens the door further education [14].

The career education lesson and elective lessons

The career education lesson is a part of high school program in which students understand the importance of career choice and necessary conditions, outcomes of their choice. This lesson continues for 3 semesters starting from class 10 in the high school [14]. The students will have a chance to evaluate possible career choice by comparing how much their abilities meet requirements of that career in the lesson, eventually decide the career. In the class 11 students have to choose elective lessons either natural sciences (applied physics, biology, and chemistry) or social science (history, physiology, sociology) related to their career of choice.

Model professional

Model professional is a lesson in the high school students must take. Professional modules are required to be completed by the student, he/she has to have earned at least 1 (one) credit from the Professional modules at the end of the year. The professional modules may be held at a general/professional school or in the work environment of a business company. This company has to, in the end; supply the student with a certificate which recognizes his work. The students of a class can undertake different modules. All the documentation is archived in a special Archive created by the School and is prone to subsequent inspections by the appropriate authorities [14].

Community service

Community Service is an activity in which the students must participate without receiving any financial reward. This activity is designed to benefit the people in need and the community, in general; therefore the students have to participate in activities which are unrelated to their relatives and/or family. The students exchange experience and impressions in organized lessons which are designed to take place during the school hours and in which one or more classes participate. Small groups or individual students may participate in a given activity, the only condition being the consent of the parent and the participation of an observing teacher. The students are not forced to participate in the Community Service during 10-th and 11-th classes, but the student must complete Community Service before the end of the class 12. At the end of the activity, a report should be submitted in which he/she presents the plan that he/she has followed, his/her opinion and experiences and also what he/she got from activity [14].

5. Methodology

A questionnaire consisting of 13 questions has been applied to 60 students from 5 private high schools in Albania. From each class 10 male and 10 female students are chosen randomly. In total 300 students have participated to the questionnaire. The questionnaire has 2 main parts. The first part has 7 questions about general information of students; the second part has 6 questions about career development which is one of the three domains (career development, personal/social development, and academic development) of ASCA with Likert type questions. The SPSS 20 was used for data analysis. The reliability of questionnaire was measured and it was 0.796.

6. Results and Discussion

The results have been evaluated for career development (Q8-Q13) domain of ASCA model. The correlation test in SPSS was done and no significant correlation was observed of level of income, education of the parent with any questionnaire respond for each question between 8 and 13. However, there is statistically significant difference between male and female students in terms of organizing seminars and career talks (Q8) [9] and informing on financial aid and scholarships (Q12) (Table 1).

Table 1 Gender and Q8 & Q12

Source		Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	Q8	9,720ª	1	9,720	6,399	,012
	Q12	12,813ᵇ	1	12,813	9,131	,003
Intercept	Q8	3481,613	1	3481,613	2292,019	,000
	Q12	4107,000	1	4107,000	2926,650	,000
Gender	Q8	9,720	1	9,720	6,399	,012
	Q12	12,813	1	12,813	9,131	,003
Error	Q8	452,667	298	1,519		
	Q12	418,187	298	1,403		
Total	Q8	3944,000	300			
	Q12	4538,000	300			
Corrected Total	Q8	462,387	299			
	Q12	431,000	299			

a. R Squared = ,021 (Adjusted R Squared = ,018)
b. R Squared = ,030 (Adjusted R Squared = ,026)

Table 2 Q8 Organizes seminar to create career awareness, and career talks in schools

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	37	12,3	12,3	12,3
disagree	28	9,3	9,3	21,7
neither agree nor disagree	67	22,3	22,3	44,0
agree	112	37,3	37,3	81,3
strongly agree	56	18,7	18,7	100,0
Total	300	100,0	100,0	

Table 3 Comparisons for Gender and the response percentages of Q8

Crosstab

			Q8 strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Gender	male	Count	22	19	37	47	25	150
		% of Total	7,3%	6,3%	12,3%	15,7%	8,3%	50,0%
	female	Count	15	9	30	65	31	150
		% of Total	5,0%	3,0%	10,0%	21,7%	10,3%	50,0%
Total		Count	37	28	67	112	56	300
		% of Total	12,3%	9,3%	22,3%	37,3%	18,7%	100,0%

Career talks in the schools are essential event to create the career awareness [8]. Table 2 show that most of students saw career talks were done in the school with a sufficient rate (18.7+37.3=56%). The negative response percentage was 21.6 %. And the neutral response was the second highest with 22.3%. Girls' positive responses were higher compare to the boys' (32%vs24%). Negative responses of boys' were more than that of girls' (13.6%vs8%). The Table 3 indicates that girls get enough information from career talks whereas boys get less. Girl's attention to the career talk was greater than the boys. The overall observation on this specific questionnaire topic also provides us with valuable results in term of negative responses indicating high percentages which should not be underestimated by school coun-

seling services, more activities to create career awareness and more career talks are demanded by students considering statistical values.

Table 4 Q9 Helps students to find out their educational interests and abilities

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	21	7,0	7,0	7,0
Disagree	33	11,0	11,0	18,0
neither agree nor disagree	47	15,7	15,7	33,7
Agree	121	40,3	40,3	74,0
strongly agree	78	26,0	26,0	100,0
Total	300	100,0	100,0	

Table 5 Comparisons for Class and the response percentages of Q9

Crosstab

			v9 strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Class	10	Count	8	9	13	40	30	100
		% of Total	2,7%	3,0%	4,3%	13,3%	10,0%	33,3%
	11	Count	6	8	19	40	27	100
		% of Total	2,0%	2,7%	6,3%	13,3%	9,0%	33,3%
	12	Count	7	16	15	41	21	100
		% of Total	2,3%	5,3%	5,0%	13,7%	7,0%	33,3%
Total		Count	21	33	47	121	78	300
		% of Total	7,0%	11,0%	15,7%	40,3%	26,0%	100,0%

This topic is quite vital in understanding the functions of school counseling services as it poses a direct question for diagnosing the students' career plans for their future. As the study results indicate, 66.3% (40.3%+26.0%) of students think the school counseling services are helping on their educational interest and skills. The negative respond is at 18% and neutral respond is at15.7%.But this ratio lowers from gradually as class increases 70 responses in class 10, 67 responses in class 11 and 62 responses in class 12 (Table 5). Educational interests and abilities are obvious implications in deciding on their university placement. However, the numeric values clearly reflect the confusion among students with high rates of negative and neutral responses of 33.7%. There is an evolving sense of dilemma from class 10 to class 12 on decision making of the career in term of their interest and abilities [7].

Table 6 Q10 helps students and their parents to understand how to apply to higher institutions (universities)

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	18	6,0	6,0	6,0
disagree	27	9,0	9,0	15,0
neither agree nor disagree	58	19,3	19,3	34,3
agree	106	35,3	35,3	69,7
strongly agree	91	30,3	30,3	100,0
Total	300	100,0	100,0	

Table 7 Comparisons for Gender and the response percentages of Q10

Crosstab

			v10 strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Gender	male	Count	10	16	26	51	47	150
		% of Total	3,3%	5,3%	8,7%	17,0%	15,7%	50,0%
	female	Count	8	11	32	55	44	150
		% of Total	2,7%	3,7%	10,7%	18,3%	14,7%	50,0%
Total		Count	18	27	58	106	91	300
		% of Total	6,0%	9,0%	19,3%	35,3%	30,3%	100,0%

Table 8 Comparisons for Class and the response percentages of Q10

Crosstab

			v10 strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Class	10	Count	6	7	22	34	31	100
		% of Total	2,0%	2,3%	7,3%	11,3%	10,3%	33,3%
	11	Count	3	11	22	34	30	100
		% of Total	1,0%	3,7%	7,3%	11,3%	10,0%	33,3%
	12	Count	9	9	14	38	30	100
		% of Total	3,0%	3,0%	4,7%	12,7%	10,0%	33,3%
Total		Count	18	27	58	106	91	300
		% of Total	6,0%	9,0%	19,3%	35,3%	30,3%	100,0%

65.6% (30.3%+35.3%) of students are confirming the school counseling services assists them to apply to higher education nationally and internationally (Table 6). However, negative respond to the survey questions increases as the class increases from 4.3% in class 10 to 6% class 12 (Table 8). Gender has no effect positive respond to the question but boys' negative respond 2.2% more than that of girls (Table 7). To reduce negative and neutral respond, starting from lower classes, school counseling services can start providing information to the parents and students about how to apply to higher institutions (universities) [16].

Table 9 Q11 Assists students to choose career of their interest

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	26	8,7	8,7	8,7
Disagree	25	8,3	8,3	17,0
neither agree nor disagree	66	22,0	22,0	39,0
Agree	110	36,7	36,7	75,7
strongly agree	73	24,3	24,3	100,0
Total	300	100,0	100,0	

As it can be observed from the Table 9, 61.00% (24.3%+36.7%) of students are confirming the school counseling services assists them to choose the career of their interest. Negative respond to the survey questions increases as the class increases. Gender has no effect on the question. As we can infer from negative and neutral responses, school counseling services are not sufficiently providing assistance to the students about revealing career of their interest. More assessments or activities will reveal their real interest and abilities so that they can choose the career of their interest more efficiently.

Table 10 Q12 gives information on financial aid, scholarships for universities.

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	20	6,7	6,7	6,7
Disagree	30	10,0	10,0	16,7
neither agree nor disagree	64	21,3	21,3	38,0
Agree	92	30,7	30,7	68,7
strongly agree	94	31,3	31,3	100,0
Total	300	100,0	100,0	

Table 11 Comparisons for Gender and the response percentages of Q12

Crosstab

			v12 strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Gender	male	Count	12	22	38	36	42	150
		% of Total	4,0%	7,3%	12,7%	12,0%	14,0%	50,0%
	female	Count	8	8	26	56	52	150
		% of Total	2,7%	2,7%	8,7%	18,7%	17,3%	50,0%
Total		Count	20	30	64	92	94	300
		% of Total	6,7%	10,0%	21,3%	30,7%	31,3%	100,0%

Table 12 Comparisons for Class and the response percentages of Q12

Crosstab

			v12					
			strongly disagree	disagree	neither agree nor disagree	agree	strongly agree	Total
Class	10	Count	7	8	24	29	32	100
		% of Total	2,3%	2,7%	8,0%	9,7%	10,7%	33,3%
	11	Count	3	10	22	36	29	100
		% of Total	1,0%	3,3%	7,3%	12,0%	9,7%	33,3%
	12	Count	10	12	18	27	33	100
		% of Total	3,3%	4,0%	6,0%	9,0%	11,0%	33,3%
Total		Count	20	30	64	92	94	300
		% of Total	6,7%	10,0%	21,3%	30,7%	31,3%	100,0%

As the Table 10 indicate 62% (30.7%+31.3%) school counseling services help the students on providing information on financial aid and scholarship for universities. Boys' negative respond is 5.9% more than that of girls (Table 11). In total 16.7% of students responded negatively on this question. It was revealed that the school counseling services attention for this question is not only on class 12 but also class 10 and class 11 (Table 12).

Table 13 Q13 Advice students in appropriate course selection to help them benefit as much as possible from the educational program

	Frequency	Percent	Valid Percent	Cumulative Percent
strongly disagree	16	5,3	5,3	5,3
Disagree	25	8,3	8,3	13,7
neither agree nor disagree	83	27,7	27,7	41,3
Agree	108	36,0	36,0	77,3
strongly agree	68	22,7	22,7	100,0
Total	300	100,0	100,0	

As the Table 13 shows 58.7% (22.7%+36.0%) of the students responded positively whereas 13.6% (8.3%+5.3%) responded negatively. The second strongest respond is the neutral with a percent of 27.7%. The negative and neutral indicators imply that students have confusion over structure of elective courses and educational programs. This can be reduced with seminars on the structure of educational programs. The elective course selection is first and an important step to career` choice. Students should be well informed about the selection [3].

Conclusion

The students should get the career awareness through high school from school counseling services. As they get more mature their interest also increases to career related topics. The students have confusion about their choice of career in term of their educational interest and abilities. The career choice is not only based on their educational interest and abilities. More can be done; especially some tests to find out students abilities and skills so that school counseling services can give better suggestions on career of choice. More career talks should be done and be open to all of the students from class 10 to 12. About choosing the appropriate course selection in the school is another negatively responded question. Students should be informed in details about their elective courses. Most of the students have problems about elective courses and the may be consequences of the elective courses. The school counseling services should provide enough information about the university application and scholarship opportunities. Both parents and students benefit from school counseling services about the higher education institutions.

References

[1] About ACA. (n.d.). Retrieved June 23, 2015, from http://www.counseling.org/about-us/about-aca

[2] Association, A. S. C. (2012). The ASCA National Model: A Framework For School Counseling Programs Author: American School Counselor Ass.

[3] Atweh, B., Taylor, S. C., & Singh, P. (2005). School Curriculum as Cultural Commodity in the Construction of Young People's Post-School Aspirations.

[4] Brigman, G., & Campbell, C. (2003). Helping Students Improve Academic Achievement and School Success Behavior. *Professional School Counseling*.

[5] Dimmitt, C., Carey, J. C., & Hatch, T. (2007). *Evidence-based school counseling: Making a differrence with data-driven practices*: Corwin Press.

[6] Hatch, T., & Holland, L. (2001). Moreno valley unified district school counselor academy handbook: Moreno Valley, CA: Moreno Valley Unified School District.

[7] Hodkinson, P. (1998). How young people make career decisions. *Education+ training*, *40* (6/7), 301-306.

[8] Johnson, L. S. (2000). The relevance of school to career: A study in student awareness. *Journal of Career Development*, *26*(4), 263-276.

[9] Luzzo, D. A. (1995). Gender differences in college students' career maturity and perceived barriers in career development. *Journal of Counseling and Development: JCD*, *73*(3), 319.

[10] McGannon, W., Carey, J., & Dimmitt, C. (2005). The Current Status of School Counseling Outcome Research. Research Monograph, Number 2. *Center for School Counseling Outcome Research (NJ1)*.

[11] Perusse, R., Goodnough, G. E., Donegan, J., & Jones, C. (2004). Perceptions of school counselors and school principals about the national standards for school counseling programs and the transforming school counseling initiative. *Professional School Counseling, 7*, 152-161.

[12] Quast, C. (2003). *PARENTS'PERCEPTIONS OF THE ROLE AND FUNCTION OF A HIGH SCHOOL GUIDANCE COUNSELOR.* University of Wisconsin-Stout.

[13] Schmidt, J. J. (2003). *Counseling in schools: Essential services and comprehensive programs*: Allyn & Bacon.

[14] Shkencës, M. E. A. D. (2013). *Dispozitat Normative Për Sistemin Arsimor Parauniversitar.* Tirane: Ministria E Arsimit Dhe Shkencës.

[15] Shkencës, M. i. A. d. (2013). *Për Ngritjen E Njësisë Së Shërbimit Psiko-Social.* Tirane: Ministri i Arsimit dhe Shkencës.

[16]Turner, S., & Lapan, R. T. (2002). Career self-efficacy and perceptions of parent support in adolescent career development. *The Career Development Quarterly*, *51*(1), 44.

[17] Whiston, S. C., & Sexton, T. L. (1998). A review of school counseling outcome research: Implications for practice. *Journal of Counseling & Development, 76*(4), 412-426.

Appendices

Appendix A: Questionnaire

		ASCA STANDARDS
Q1	Gender	
Q2	Class	
Q3	Age	
Q4	School	
Q5	Choose your parents monthly income	
Q6	Mother`s Level of education	
Q7	Father`s Level of education	
	CAREER DEVELOPMENT	
Q8	organizes seminar to create career awareness, and career talks in schools	C:A1.1
Q9	helps students to find out their educational interests and abilities	C:A1.3.
Q10	helps students and their parents to understand how to apply to higher institutions(universities)	C:B1.5
Q11	assists students to choose career of their interest	C:C2.1
Q12	gives information on financial aid, scholarships for universities.	C:B1.5
Q13	Advise students in appropriate course selection to help them benefit as much as possible from the educational program	C:B2.4

Appendix B: ASCA National Standards for Students

(COMPETENCIES AND INDICATORS)
Legend: A:A-1.1 = Academic Domain, Standard A, Competency 1 and Indicator 1

Career Development

ASCA National Standards for career development guide school counseling programs to provide the

foundation for the acquisition of skills, attitudes and knowledge that enable students to make a successful transition from school to the world of work, and from job to job across the life span.

**Standard A: Students will acquire the skills to investigate the world
of work in relation to knowledge of self and to make informed
career decisions.**

C:A1 Develop Career Awareness

C:A1.1 Develop skills to locate, evaluate and interpret career information
C:A1.2 Learn about the variety of traditional and nontraditional occupations
C:A1.3. Develop an awareness of personal abilities, skills, interests and motivations
C:A1.4 Learn how to interact and work cooperatively in teams
C:A1.5 Learn to make decisions
C:A1.6 Learn how to set goals
C:A1.7 Understand the importance of planning
C:A1.8 Pursue and develop competency in areas of interest
C:A1.9 Develop hobbies and vocational interests
C:A1.10 Balance between work and leisure time

C:A2 Develop Employment Readiness

C:A2.1 Acquire employability skills such as working on a team, problem- solving and organizational skills
C:A2.2 Apply job readiness skills to seek employment opportunities
C:A2.3 Demonstrate knowledge about the changing workplace
C:A2.4 Learn about the rights and responsibilities of employers and employees
C:A2.5 Learn to respect individual uniqueness in the workplace
C:A2.6 Learn how to write a résumé
C:A2.7 Develop a positive attitude toward work and learning
C:A2.8 Understand the importance of responsibility, dependability, punctuality, integrity and effort in the workplace
C:A2.9 Utilize time- and task-management skills

Standard B: Students will employ strategies to achieve future career goals with success and satisfaction.

C:B1 Acquire Career Information

C:B1.1 Apply decision-making skills to career planning, course selection and career transition
C:B1.2 Identify personal skills, interests and abilities and relate them to current career choice
C:B1.3 Demonstrate knowledge of the career-planning process
C:B1.4 Know the various ways in which occupations can be classified
C:B1.5 Use research and information resources to obtain career information
C:B1.6 Learn to use the Internet to access career-planning information
C:B1.7 Describe traditional and nontraditional career choices and how they relate to career choice
C:B1.8 Understand how changing economic and societal needs influence employment trends and future training

C:B2 Identify Career Goals

C:B2.1 Demonstrate awareness of the education and training needed to achieve career goals
C:B2.2 Assess and modify their educational plan to support career
C:B2.3 Use employability and job readiness skills in internship, mentoring, shadowing and/or other work experience
C:B2.4 Select course work that is related to career interests
C:B2.5 Maintain a career-planning portfolio

Standard C: Students will understand the relationship between personal qualities, education, training and the world of work.

C:C1 Acquire Knowledge to Achieve Career Goals

C:C1.1 Understand the relationship between educational achievement and career success
C:C1.2 Explain how work can help to achieve personal success and satisfaction
C:C1.3 Identify personal preferences and interests influencing career choice and success
C:C1.4 Understand that the changing workplace requires lifelong learning and acquiring new skills
C:C1.5 Describe the effect of work on lifestyle
C:C1.6 Understand the importance of equity and access in career choice
C:C1.7 Understand that work is an important and satisfying means of personal expression

C:C2 Apply Skills to Achieve Career Goals

C:C2.1 Demonstrate how interests, abilities and achievement relate to achieving personal, social, educational and career goals

C:C2.2 Learn how to use conflict management skills with peers and adults

C:C2.3 Learn to work cooperatively with others as a team member

C:C2.4 Apply academic and employment readiness skills in work-based learning situations such as internships, shadowing and/or mentoring experiences

The influence of political terms on the children's effect of translated literary works

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Abstract: *Undoubtedly the most important phase in the formation process of children's social mentality, depends on their attention to national society around them that is regarded as a part of international society and contains "family" as an effective ingredient. On the other hand, one of the best factors to form intercultural relationships universally, is employing the translated literary works for children and can make the mutual effect between national society and international society that are known by the child as the environment. Communication between national society and international society of children, is affected by political terms and relationships, more than other elements. In fact, usually, the international society utilizes cultural communications to deepen and increase its own penetration and existence in national society that is known and experienced by the child. Therefore, political and cultural ways of communication, permanent effect on each other to establish bilateral communications between mentioned societies. In this paper firstly we note the effective factors that can form and shape the social mentality of a child or even change it; then investigate the effect of political relationships on cultural relationships and especially children's one. Over it, by expressing some examples and objective experiences will attention to positive and negative consequences of this effect on cultural relationships totally. As a result, we find that the political terms can influence seriously on the quality of accepting the cultural messages of literary works for children and creating the exotic sense by all its details with them, as can result in other senses like: competition, inferiority complex, self-aggrandizing, frustrating, false-, etc.*

Introduction

The children by the first step of their credibility, call several factors and elements to help them in organizing and applying experiences and teachings. So they learn to shape their thought struture and manners based on accepted subjects in their related society and form their model of thinking or treatments as can be desired by others the benefit of this forming is that they will be allowed to enter into different societies by differrent levels in thought, mentality or behaviors. These elements are important for children because they can be the main reasons for their existence in those societies or at least protect them to be discarded. In this paper we call this stage: "the period of social mentality making"; and is defined as an important stage that the children will know the around society and the different styles of sociallization by it; as they see the other's behaviors, then choose the nearest ones to their own family culture for doing so. On the other word, the children will accept in their impressibility path, the factors are acclimate and most familiar to them. In fact, comprehension of essential thought principles from the foreign sources by children, is not possible; unless the necessary cultural and mental backgrounds are existed for them. Hereabout, the most effective elements on children and their mind can be implied as: 1-family 2-school (or any

other education society) 3-human society (including: compatriots, foreigners, etc.) 4-media (including audio-visual or written ones)

In this paper, we are going to prove that intercultural relationships is mostly determined by the political terms and relationships, directly or indirectly; and the children can't decide to know about cultural elements only by themselves. So, firstly we introduce the most important factors effect on children's minds, then research on intercultural relationships shaped by translated cultural works; and finally explain about political terms and their effect on intercultural relationships and will imply the negative results of this effect for children because of creating negative stereotypes.

1. Effective elements and children

Children effective by family and education society will happen completely phenomenal and sensible, as we can say that each one of the children are mirrors reflect the culture and the thought of their family and school. The children learn from their family and school to change there the quality of their impressibility of society (as an effective factor) and its grade or surface based on the requirement of time and place; and to raise or decline it. Actually, the children learn by existence in prime societies (family and school) how to communicate with other members and will prepare for having relationships to a higher degree elements is called human society. As mentioned

above, effective factors (family, school and society) will affect on children hierarchically; each one after another, by keeping arrangement and based on closeness to children and everyone will have an important role to form and shape the manners and thoughts of the child. But here about, the attendance of media beside children and its combination of their life, is happening without any rank, place or hierarchy; and it can be said that the effect of this element in children's thought, mind and behaviors is contemporary to other factors and even sometimes happens before them. Based on the method for establishing community with audiences, media by its devices, can be divided in silent and sonorous. Audio-visual media as radio, TV, movie, theater, etc. are counted as sound-on media devices; and we can search about silent media devices in literary and nonliterary texts as books, magazines, poetry collections, written messages, etc.

One of the most important differences between silent and sonorous media devices is the various levels of their influence on thought and behaviors for audiences. Sonorous media, clearly give children (as talent audiences) all of its ideas, advices and purposes; so keep on its outside dimensions when meets their thought. But the silent media devices don't effect on children by the eyes or ears, but also create some special thinking path and mental disturbance in their mind and cause formation of some special ideas, opinions and thoughts. So the children (audiences) will be influenced by those factors entirely indirectly and in fact they will know these thoughts as self-born ideas by own mind not as suggested or dictated subjects; thus we know that sonorous media can be in a lower degree of effecting than the silent media; just for keeping their own foreign-"abroad" characteristics. But in general the companionship between media with society, school and family is undeniable, so that the relationship between children and this effective element is transversal against other effective factors that their relationship with children is longitudinal. Herein, we know that written and audiovisual works (like books, written stories, cartoons, fictional films,…) are the most important subsets of media that are created only for children. These works may be created by compatriots who has the same cultural and think like children's family and society; or by foreigners who are outside of their country by another culture that are translated from another language (the giver) to children's language (the receiver) just for entrance in psychology and the social mind of children.

3.Intercultural relationships by translated works

Exclusive works for children are created based on their day dreams. So they can recognize them and feel a great degree of relationship between themselves and the works [1]. On the other hand, it is obvious that children by using their translated works can touch and experience a new culture in their imaginary world; and taste new communications to new values, new customs and new social principles. Some children's stories like "Gulliver's travel", "Katri, girl of meadows", "The Wizard of Oz", "Alice in wonderland", Etc. By their attendance in Iranian translated literature and their role in Iranian cultural mind, are the best examples of the child's relationship with foreign imagine society and culture. These examples make children to believe that some behaviors as honesty. Bravery, friendship, love and affection are admirable values in all of countries and cultures. On the other hand, an Iranian child learns by these stories that European people have friendly communications with animals as pets and this is a very distinguished behavior than Iranian traditional customs; moreover some results as differrences in feeding, wear, family structure, parent relationship with children, more attention to Objectivism than spirituality and Gnosticism, hold respect for law, hold respect to private auditorium, etc. in Iranian culture are obtained from the entrance of these stories that Iranian children didn't experience them in this form by its traditions. Hereabout, we can say that literary and non-literary translated works from a foreign giver language, have to pass some special filters for intervention in children thought in receiver society. These embargoes are in fact the same factors mentioned above (family, media, government, custom) and for their imminence to local culture can be counted as best filters to specify what kind of translated works could be used by children. Undoubtedly, these filters/factors allow limited works for entrance into their country, based on the cultural and social teachings are accepted by themselves; somehow, that works are not incompatible with them; so in fact the second culture as a giver one, shouldn't unsteady the first culture. On the other hand world, the works for passing these filters have to stead the theories learned from child in society and from the family, school and media. Hereabout, the government by having wide media facilities are counted as most important filters for these works. And the political communities between governments are the most powerful elements can determine the scales for

choosing. Hereabout, what is intercommunicate our discussion is the utilization of connection devices that make relationship easy. Herein, it must be implied that all of the society have to extend their own cultures and beliefs out of their regions and domestic peripheries to be adapted to the development of communication era. One of the best ways to broadcast and export the cultures and believes to other societies, is to use the children effective and their growing minds and talents. So if the cultures intend to penetrate into the heart of other societies gradually and want to consolidate and confirm their own existence by changing from virtual to actual one, they accept the theory of "influence on children's minds", as the best method. Thus, every culture of increasing its effect on the people of another culture, goes to the works created for children; and by ignoring the effects phonic or video works we can say that most important method for relationship between giver society by its stranger culture and language, and children of receiver society, is the translation of literary and non-literary works have written specially for them. Therefore, translating the stories and poems for children can be counted as a very efficient method for establishing an intercultural powerful communication that will be effective in a long term. On the other word, when the giver society by its culture as a perfect and total effective element wants to effect on the children of another society who don't have any knowledge about and familiarity to it, can choose the works created for children as a certain instrument and speed up the process of influence by translating own stories, poems, scenarios and plays. Here it must be explained that cultural influences on child works, aim to impress their thought and feeling directly and over shadow the receiving society indirectly; but this chain is continued to different purposes occasionally are humanitarian and charitably and sometimes imperialistic or malevolently. Undoubtedly here we can not study about foreign families and foreign media separated of foreign society; because family and media as effective elements of a strange target are not independent of the original society [2] and are counted as constituent parts of society in their effect. This point of view draws us to know we was looking at governments as an important representative for cultures and societies in their effect. Although often they claim that they are independent and their actions or effective is entirely out of societies. The child's mind is a prolific field that can raise up every kind of ideative seeds; therefore useful teachings in childhood will eventuate in beneficial results in maturity. So the

works are translated as a perfect representative of a culture to another language of another culture can attend positive effects for both societies, as follows.

A) Creation and development of intercultural solidarity via sustaining and common subcultures.

B) Sustaining the common values among civilized societies as: goodness in thought, wellness in speech, truthfully in behavior.

C) Empowering the children of deprived societies by acquainting them with new technologies and new theories.

D) Empowering the child's imagination to flourish their mind; this will be utilized for drawing ideal settings, even based on manners and traditions may not be seen at all. This can result in the creation of new ideas.

E) Broadcasting and publicize the human culture and civilization, especially in deprived and in-arrears societies.

F) Broadcasting the culture and opinions of giver society. This is actually only in favor of giver society; because translating it worked for children in the target society makes a fresh generation by its ready thought and mind to tend into special values and beliefs about it. So this tendency lead to consistence of un-cultural relationships, such as social, military and economic ones.

4. The political terms and their effect on intercultural communications

As mentioned before, the governments will determine the policy of peoples' thoughts because of having the extended media and possibilities; and in fact, the relationships between governments is determined by social, political terms; it means that every government will form the relationships between its followers to others under the shadow of political terms. So the governments prefer for their followers to learn what can complete their own decision in social, economic, political and cultural communications. This behavior can make the people in these societies to feel having a political system with totalistic ideas. [3]. Totalitarianism is a political system in which the states holds total control over the society and seeks to control all aspects of public and private life wherever possible.[4] As we think, this kind of communications will have influences on

intercultural relationships between societies. On the other word, these terms effect of receiving the messages by their followers, directly or indirectly. In explaining this subject, we believe that the people of different societies look after each other by attention to the idea of their governments and its tendency. (Let me except intellectual and broad minded people). So if the political terms between countries are positive and in peace by keeping the benefits, the nation's point of view to each other will be same as it; but if the political terms are negative and inimical, so the nation's view is negative too. Here in, by considering the children as an important part of society and the intercultural relationships as a main method for relationships, we believe that translating the literary works are created for them, is for making them to establish this relationship. But the children are not free to obtain the messages of translated works created by giver society, and there are several elements will influence on their decision to choose. So, if the view of parents and other people in receiver society to giver society is positive, The children can gain the message created by giver culture and translated for receiver culture, to form intercultural relationships between both societies. But if there are negative political terms, this will act as a solid dam against receiving messages from a foreign culture which even may have useful, beneficial and positive messages. On the other hand, sometimes the children may have no opportunity to receive and understand these useful messages. But this is not only the problem; because the main subject is the viewpoint that is made by political relationships for children and change to special stereotypes in their mind and can shape the future social and civil communications.

5. Social stereotypes resulted of political terms and its influence on children"

A stereotype is a total schema that is done by a background of thought in human mind and sometimes can result in thoughtless decisions and incorrect judgments [5]. If the children grow up in societies that show the others only as friends or enemies, so this kind of judgment will effect on their minds and result in special thoughtless manners. So we can say that, negative communications between countries will affect on the quality of making or receiving stereotypes in the child's mind, even during a longtime or in a short period. On the other word when the black and negative social, political communications between governments take a long time, the children will

not accept any message from translated works because of their unfavorable stereotype that they believe it, and will in fact refuse any kind of cultural relationship with giver society. Thus, they cannot arise in intellectual mentality and will follow the same view that is dictated to them. Therefore, if translated works for children have a chance to pass the filters and show themselves to children, but maybe they will not be accepted by children just because of mentally stereotypes they live with. But sometimes the negative political terms are partly; and during a short time. It means that the children see the peace between the governments and societies for a short and limited time. So this period will not allow negative stereotypes to fix in their mind. Therefore, here in, it is regrettable about the results of these partial communities and unorganized relationships. Because the children learn from it, the inconsistence in manners and even may learn lying and pragmatism as allowable values.

The children by observing these behaviors will be confusing to identify the people and realize them. They miss any true, fixed scale for evaluating the manners and relationships. On the other word, the people of other societies who was already called as friends, suddenly change to enemies in the call; and the children have to be in a hostile position against them and their culture; and have to try to refuse the real comprehension of those societies. Thus we briefly can show negative results of the political terms influence on cultural communities, as below:

- Most important negative results which are only related to giver society is rejection and refusing its culture by the members of the target society. As we know this will be decided mostly by adults for children, but anyway disapproval the cultural works of giver society for children of receiver society can lead next generations to refuse the traditions of giver society and to be attended as an opposite cultural thought or an enemy. So will remain just like a dark spot on intercultural relationship between both societies and their future. Weakening the first culture and even isolating it in the world societies. This may cause deletion of its culture, name and even its existence from the mental geography of other nations.

- Child confusing to accept the matters and his distrust about information filters means: parents, media and the council chamber of own society.

- Child forcing to divide the people and societies (by mind, thought and manner) in familiar and unfamiliar ones, this will result in forming the negative social stereotypes and will cause in unsuccessful relationships in the future.

6. Results

One of the best methods to make the children thought by three elements mentioned above, is to use the literary and non-literary works created for children. Translating these works for children of target society is a useful instrument for information transfer.

- When a foreign giver society aims to effect on children mind of another target society and shape their ideas as it will, the shortest possible way is to employ literary or non-literary works created specially for children. Thus, translating them can have several positive and negative results both for the giver and receiver societies.

- If the political terms determine the cultural relationships between countries and societies, so the main scales for realizing people will be unstable and insecure specially for children.

References

[1] F. Rezaei; Magic Frame, Ketabnashr, Tehran, 2013, p: 183

[2] M. Kabiri, Educational system in our schools, Mizan, Tehran, 2014, p: 93

[3] A. Asgari Argenaki, Forbidden ruels act against children, Isfahan Nashr, Isfahan, 2011, p. 17

[4] C. Robert, Reflections on a Ravaged Century, Norton, NewYork. 1999, p. 74

[5] B. Namvar Motlaq, "Introducing The Imagology As a New Critical Method", Journal of comparative literature, IAU Jiroft branch , Jiroft, 2010, pp. 35-47

Lifelong Learning in the Non-profit and Public Sector of the Pardubice Region in the Czech Republic

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Abstract: *The aim of the paper is to find a connection between non-profit and public administration institutions regarding further education from an economic point of view. A partial aim is the analysis of a lifelong education system in selected non-profit organisations and public administration institutions in a selected region. A theoretical part of the work stems from the study of documentation, while the practical part is based on quantitative and qualitative sociological research. The research was carried out as both a questionnaire survey among employees of a non-profit sector and a semi-standardised interview. The questionnaire was distributed among the employees of non-profit organisations; interviews were led with representatives of public administration in selected municipalities in the region. For the analysis a statistical evaluation using the SPSS program and a comparative method were used. Positive is a finding that not a single group marked higher wages as main motivation for further education. Results were assessed and final recommendations were made.*

Introduction

Lifelong education as such undoubtedly leads to the enhancement of personal social, cultural and economic capital. Extending knowledge and work on individual development will also strengthen symbolic capital and personal strength (one's competitiveness) [1]. The effort to increase personal wealth in terms of individual capitals could be observed as one of the basic factors that motivate individuals to further education and to increasing their applicability in labour market – personal development has an indisputable impact on personal life as well.

Stephen Billett [2] discusses the fact that the subjecttivity of an individual and his or her "equipment" are key elements for his or her approach to work and learning. He comments on the theory of Anthony Giddens [2] that in a modern society a basic task of our own "I" is to protect one's own stability towards the turbulence of times. An employee deals with his or her "I" in an inferior position at a workplace and seeks certainty between the personal and social, between one's own individuality and situational factor, social practices, and cultural conditions [3]. Lifelong education can be understood as an indisputable and permanent process of one's personal development, which occurs thanks to an individual's involvement in conscious and unconscious thinking processes and behaviour during an individual's whole life [3].

Motivation for further education must be sufficiently strong for an individual to overcome the feeling that he or she does not need to work on himself or herself any more, provided he or she has a stable job. Nowadays it is obvious that formal education, which can help obtain and perform certain work, solve appointed tasks and meet certain standards, is no longer enough [4].

Non-profit organisations are often perceived as the synonym of a civil society [5]. Expert public holds an opinion polemicizing with the idea that non-profit organisation as such unequivocally enhance democratic principles. It is vital for non-profit organisation workers to receive education in disciplines such as public relations (relations with public) or fundraising (obtaining finances for funds, charities, projects from companies, donors and sponsors).

A crucial skill for non-profit organisation workers is to persuade, communicate correctly, enforce interests of an organisation and gain new supporters and donors. Specialist education in the area of non-profit organisation is essential for its existence. For example, non-profit organisations focusing on scial services are even obliged to receive further traning in order to obtain accreditation for their successful existence. Educational projects in non-profit organisations in the area of ecology are often aimed at practical ecological training and analysing moti-vation and experience of volunteer workers [6]. Other areas of training are interesting for non-profit organisation workers in terms of

expanding their social capital and necessary for their further existence. It primarily concerns training in the so-called soft skills, i.e. communication, presentation, public relations, marketing communication, basics of efficient lobbing and the like. Lately there has been an increase in the interest of non-profit organisations in managerial training and training in finance [7].

Lifelong education is definitely significant in non-profit sector and non-profit organisation workers and volunteers take part in training events twice or even several times a year [8].

Officials' training is strictly systematised (as opposed to other training in a non-profit sector) since law determines the periodicity of such educational events. A territorial administrative unit is obliged to carry out a training plan within a year from the commencement of an official's employyment, assess the fulfilment of the plan minimally once every three years and, based on results, update the plan [9]. "The act also counts on the possibility of recognising equivalent education. Input education can be substituted by Bachelor or Master's study or another specialised course. The Ministry of Interior deals with applications for the recognition of equivalence. "The support of lifelong learning by public administration representatives leads to greater efficiency and quality of public administration for an end user – a citizen" [10].

As regards motivation for further training, public and non-profit sector workers share another common interest - fulfilling a need for self-realization. Non-profit sector workers can attend accredited courses that will train them in this respect. Costs for such courses are provided by a territorial administrative unit, which means that the courses are paid for by employers. However, financing such courses in a non-profit organisation is more difficult and financial co-operation of trained workers is often expected.

It might seem that, while analysing the implementing of further education in a non-profit sector and public administration, no common features can be found and a contrary effort in this section is a priority. It is obvious that both shared areas are very different as regards the function and adjustment of the systems that direct them. However, in both relations to further training spots connecting the non-profit sector with public administration can be found.

Authors Keller and Tvrdý [11] point out that education leads to a higher economic elasticity and to the development of entrepreneurial activities crucial for the competitiveness of each country.

1. Materials and Methods

The paper aims to find common features of non-profit organisations and public administration institutions in terms of further training and, in contrast, differences between them. Another objective of the research was to find what motivated superior workers to denote space for further training in the organisation/institution. The survey was also aimed at how participants themselves assess an opportunity to attend lifelong training.

Based on theoretical resources, a field survey was performed using both the qualitative and quantitative approach to sociological research. The research was conducted in the Pardubice region, an administrative unit of the Czech Republic, located mainly in the eastern part of its historical region of Bohemia, with a small part in north-western Moravia. It is named after its capital Pardubice. On the one hand, non-profit organisations were selected according to their relation to the Pardubice region; on the other hand a criterion of non-profit organisation interest and orientation was taken into account as well. The aim was to obtain a sample of such organisations that would differ in areas of interests so that the sample would not be inclined to homogeneity. The Directory of non-profit organisations in the Pardubice region was used for this purpose [12]. Both the quantitative and qualitative surveys were conducted. The quantitative survey was carried out on a sample of representatives from non-profit organisations. The qualitative survey made use of a semi-standardised interview with the representatives of public administration institutions (four from Pardubice region municipal authorities) who delegated their inferior workers to take part in educational courses or fulfilled the duty of certain legal trainings.

Based on theoretical background, two research questions were posed for each area of interest: The first research question was as follows: Non-profit organisation workers, irrespective of organisation's activity, show an interest in courses of

various topics, they take part in several courses and are willing to cooperate on financing the courses.

The second research question was the following: Representatives of a public sector, represented by selected municipalities, regard a lack of financial means as a main obstacle in the self-implementation of their educational activities.

Both primary research questions were further elaborated into several sub-hypotheses: For the purpose of the quantitative research, the sub-hypotheses were stated as follows: 1. Non-profit organisation workers, regardless of organisation activity, show the highest interest in courses focusing on public relations and fundraising. 2. The highest percentage of non-profit–organisation workers takes part in three to four lifelong education courses a year. 3. For non-profit sector workers the main motivation to take part in lifelong education courses is their desire for an overall personal development, not only the acquisition of new knowledge. 4. Respondents in an age group 18 – 25 are motivated to attend further training by the idea of a higher salary.

For the purpose of the quantitative research, the representatives of the selected municipalities were questioned on to what extent and how they actively provided courses of lifelong education for their inferior workers besides the courses that were determined by the law.

Public administration employees never contribute to course financing. They take part in the courses from their duty rather than from their interest.

In the first round, the questionnaire was distributed to 392 addresses found in the Directory. However, not many questionnaires were returned (in total 51 questionnaires, i.e. 13% only). It was therefore necessary to distribute the questionnaire again and carry out the survey once more. In the second round, 50 returned questionnaires were obtained (12.7%). The sample thus amounted to 101 fully answered questionnaires obtained after two rounds of addressing the respondents. A total number of the questionnaires returned amounted to 25.77%. The selected non-profit organisations were addressed by a mass email containing an enclosed letter and an online questionnaire. Based on the results of manual processing the data using a statistical program SPSS and a consequent

analysis, conclusions were made and the determined sub-hypotheses were either rejected or veryfied.

2. Results and Discussion

The composition of the sample gender-wise can be commented as follows: of all 101 respondents the women prevailed. In total, the ratio of the women as opposed to men in the sample was 59.4 (60%) 41 (40.6%). Almost half of the respondents 42.6% was older than 45, 33 addressed (32.7%) belonged to the age group 35 – 44. Respondents from age groups 18 – 25 and 26 – 34 were not so numerous. 6.9% respondents only belonged among the youngest addressed (18 – 25), 17.8% respondents belonged to a 26 – 34 year of age category. More than 64.4% respondents completed their university or college education, 7.9% respondents completed their secondary education with a school-leaving examination and nearly a third (27.7%) completed their apprentice training with a school leaving examination. Categories of primary education and secondary education without a school-leaving examination were not represented at all. The first item on the questionnaire was "area of focus" of a non-profit organisation; most of the respondents came from non-profit organisations focusing on social services (29.7%).

Frequency distribution of the respondents' individual answers is illustrated in Table 1 and Table 2 (see below) adopted from the SPSS program. Table 1 presents the frequency distribution of the answers related to the relation of two variables – respondents' age and participation in various courses. Table 2 presents the frequency distribution of the answers based on the relation of the respondents' age and motivation to attend the courses. The obtained results of the research are described verbally.

The highest percent of the non-profit workers (19.8 %) is interested in the courses focusing on management and managerial skills. One percent fewer respondents (18.8 %) expressed their interest in courses dealing with communication skills. The same frequency also occurs in another category – 19 respondents proposed their own topics they were interested in: economics, work with families, professional area of social works and advisory, professional methodologies, psychology, special pedagogy, foreign languages, sociology, theology and risk behaviour of youngsters. As

regards the frequency, the third highest represent-tation was in the category of public relations (PR), marketing, and fundraising (14.9%). Of all 101 respondents, 9 expressed their interest in courses of law and legislation. The lowest frequency was observed at the category of computer courses, IT and requalification courses.

The results of the questionnaire survey revealed that more than 60% of all respondents took part in one or two lifelong education courses per year. Rather a high frequency accounted for the possi-bility of three or four courses per year – 14 respon-dents (13.9%). 10.9% respondents attended more than four courses per year and even more respon-dents – 11.9% of all - did not attend any educa-tional event or activity.

It was proved that most of the respondents – 39 and 39 respectively (38.6%) - were motivated by either the opportunity to gain new knowledge or by the possibility of a new personal development. Nearly 9% respondents were motivated to study by the effort to keep up with times and 8% by the effort to reach their work goals. None of the respondents mentioned higher salaries or the desire to exceed colleagues as their motivation. Among "others" the respondents included for ex-ample keeping the organization afloat or meeting new people. When analysing and interpreting the results of the two variables relation - age and parti-cipation in courses - it needs to be emphasised that none of the 101 respondents selected the idea of a higher salary as his or her primary motivation to attend the courses. This all also points at the essence of work for a non-profit organisation.

The sub-hypothesis that non-profit organisation workers showed a greater interest in public rela-tions and fundraising courses regardless of age was therefore rejected. The issue of public rela-tions and fundraising scored on the third place among the offered topics on an imaginative scale of interests. The highest percent of respondents (19.8%) expressed their greatest interest in mana-gement and managerial courses, one percent fewer opted for communication skills as the most inter-esting and fewer than 4 percent (14.9%) preferred PR issues and fundraising.

Table 1 Relation of variables: age and course participation

Age	Participation in courses				
	Always voluntarily	Mostly voluntarily	Rather involuntarily	Always involuntarily	Total
18-25	6	1	0	0	7
26-34	12	6	0	0	18
35-44	24	9	0	0	33
45+	28	12	2	1	43
Total	70	28	2	1	101

Source: adopted from the SPSS

Table 1 above reveals that the majority of respon-dents always or most of the time attended courses voluntarily. There were three individuals among the respondents who stated that they their course attendance was rather involuntary. Those respon-dents belonged to the age group 45 and more. In other age categories participation was denoted as voluntary. The analysis of these two variables' relation in the sample (research results cannot be generalised) points at a certain aloofness of older workers in non-profit organisation and their dis-taste to attend educational events. In contrast, younger respondents always took part in courses voluntarily, the youngest ones even in almost all cases. The sub-hypothesis that the highest percent of non-profit organisation workers took part in three to four lifelong education courses per year can also be rejected. The majority of respondents (63.4%) attended one or two courses a year.

Table 2. Relation of variables: age and motivation to attend courses of lifelong education

Age	Motivation						
	Opportunity to gain new knowledge	Possibility of an overall personal development	Effort to stay in a job in uncertain times	Effort to keep up with times	Effort to reach one's work goals	Other	Total
18-25	4	2	0	0	1	0	7
26-34	4	11	0	1	2	0	18
35-44	13	13	0	1	3	3	33
45+	18	13	3	7	2	0	43
Total	39	39	3	9	8	3	101

Source: adopted form the SPSS

When analysing and interpreting the results of the two variables relation, it became obvious that none of the 101 respondents selected the idea of a higher salary as his or her primary motivation to attend the courses (Table 2). However, 7 respondents in the 45+ age category selected as their primary motivation the effort to keep up with times. 18 respondents in the same age group were even motivated by attaining new knowledge. The same response was also obtained from the respondents of the 18 – 25 age group. The results are not very surprising; on the contrary, they illustrate a current trend of continuously increasing demands on education and technical literacy in particular, which especially older generation finds rather challenging to cope with.

The prepared question areas for representatives of public sector were very close to the structure of the questionnaire distributed to non-profit organisations in the region. Thus it was possible to compare the results of both surveys. The questions for the qualitative survey were as follows:

1. Do you regularly provide education courses at your workplace? 2. What is their focus? 3. Which areas do you prefer? 4. In your opinion, do employees attend the courses voluntarily, or involuntarily? 5. Does the office contribute financially to such courses or do the employees pay for them partially from their own pocket? 6. In your opinion, what motivates the employees to attend the courses the most? 7. In your opinion, what is the greatest obstacle in providing the courses in your office?

When conducting interviews with the public administration representatives in the selected municipalities, the argument of insufficient financial means was mentioned only once. On the contrary, the problem of low awareness among officials about available courses or inability of their superior workers to differentiate good quality courses from low quality courses in today's mass offer was often accentuated. With regard to the development of the phenomenon, such a result can be described as satisfactory - finances and savings did not play an important role. Clients (in this case public administration workers) were beginning to contemplate efficiency and benefits of further education as such and chose from course offer more diligently than before.

According to the representatives in the addressed municipalities, the municipalities were either recipients of the support from the European funds carrying out courses on their basis, or they fulfilled training plans containing compulsory trainings only. Thus the trainings were financially covered and only seldom did course participants pay for them. The public administration workers attended courses rather involuntarily than from their own interest.

Conclusion

A desire for personal development mentioned by both the non-profit organisation workers and public administration officials can be observed as positive. Despite the prejudice that officials were motivated by a career growth and higher financial evaluation when obtaining higher qualification, the research revealed that even senior staff felt that their inferiors wanted to self-realize and make use of further training as a tool for their personal evolvement. Such an approach was common for both groups. A current trend can be observed – at present it is impossible to succeed with knowledge from compulsory school attendance only. It is necessary to "keep up with times" and work on oneself for the rest of one's life.

A positive finding was that neither group designnated gaining higher wages as the main motivation. Also positive was the finding that the public administration representatives did not mention financial problems when providing the courses. Such omission of a financial view and focus on deep sense of education was shared by both groups, which can definitely be regarded as a positive result. Despite all systematic differences and education objectives illustrated in the theoretical part, the research revealed that both groups were represented by employees who wanted to develop, work on themselves and maintain their jobs in today's uncertain times. Public administration representatives accentuated the need to protect their employees from the loss of jobs and update or obtain necessary qualifications.

As regards practical implementation of the findings in this study, the significance of further education for economic efficiency of each country should not be omitted. An unequivocal emphasis on updating workers' qualification must be considered a priority for each employer. Present times were referred to as turbulent in this work. It is

therefore necessary to face great demands in order to cope with changing technologies and progress in all spheres of human activity. Under such conditions, unqualified workers who are unwilling to receive further training cannot succeed.

However, a current study [13] introduces an opinion that the economic crisis is slowly dying away and companies will soon start increasing their budgets for educational activities. It is obvious that the views are rather optimistic and company directors announce their intention for this year, which is to invest in further training of their staff, with the representatives of non-profit organisations sharing a similar view.

At the same time, an approach to updating qualification or knowledge is changing. It is impossible to say that the issue of further education has already been fully discussed and researched. Lifelong education is an ongoing process and there can only remain hope that all members of our society will dispose of an endless need for further training. These are demands that the present puts on every individual and which have definitely significantly changed its face through times. The issue of lifelong education is current and dynamically evolving. Only thus will the Czech Republic succeed in international comparison and its economic efficiency will grow.

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References

[1]*Andragogický slovník* (*Dictionary of Andragogy*) [Online], Available: http://www.andromedia.cz/andragogicky-slovnik [21 March 2014].

[2]Giddens, A. (2009) *Sociologie* (*Sociology*), Prague: Argo.

[3] Billett, S. (2010) *Lifelong learning and self: work, subjectivity and learning*, Studies in Continuing Education, vol. 32, no. 1, pp. 1-16.

[4] Skok, M. M. (2013) *Some characteristics that influence motivation for learning in organisations. Interdisciplinary Description of Complex Systems.* Vol. 11, no. 2, s. 254-265. DOI: 10.7906/indecs.11.2.7.

[5] Suleiman, L. (2013) *The NGOs and the Grand Illusions of Development and Democracy,* VOLUNTAS: International Journal of Voluntary and Non-profit Organizations, vol. 24, no.1, pp. 241-261.

[6] Haigh, M. J. (2006) *Promoting environmental education for sustainable development: The value of links between higher education and non-governmental organizations (NGOs)*, Journal of Geography in Higher Education, vol. 30, no. 2, pp. 327-349

[7] O´Neill, M. (2007) *The future of non-profit management education*, Non-profit and Voluntary Sector Quarterly, vol. 36, no. 4, pp. 169S-176S.

[8] Varvažovská, P. and Jarkovská, M. (2012) *Comparative Study of Continuous Education in Public Services and Non-Profit Sector*, Proceedings of the 9th International Conference on Efficiency and Responsibility in Education (ERIE 2012), Prague, pp. 580-592.

[9] Zákon ČR 312/2002 Sb. (Act no. 312/2002 Coll. *On officials in territorial administration units and changes in the law*).

[10] Menšík, F. (2005) *Vzdělávání úředníků ve veřejné správě* (*Training of public administration officials*). Sborník příspěvků z konference: VII. konference k problematice vzdělávání ve veřejné správě, (Ministerstvo vnitra ČR), Prague, pp. 69-830.

[11] Keller, J. and Tvrdý, L. (2008) *Vzdělanostní společnost?: chrám, výtah a pojišťovna* (*Educational society?: church, elevator and insurance company*). Prague: Sociologické nakladatelství.

[12] *Katalog nestátních neziskových organizací v Pardubickém kraji. Directory of Non-Profit Organistions in the Pardubice Region.* In: Pardubický

kraj 2012 [Online]. Available: http://bit.ly/1nL1ahd [6 March 2015]

[13] Kinnair, D., Anderson, E., Van Diepen, H. And Poyser, C. (2014) *Inter-professional education in mental health services: Learning together for better team working*, Advances in Psychiatric Treatment, vol. 20, no. 1, pp. 61-68.

The Banking Concept of Education and the Use of Technology in Tertiary Instructional Delivery for Relevance at the Global Scene

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Abstract: Paulo Freire was a famous Brazilian educationist who strongly advocated for an educational system that empowers the masses. He condemned what he termed as "banking concept of education", where students/learners are treated as if they are nothing more than storage banks. They are provided with information which they store in their memories so that they might regurgitate the information at later date. This at the end produces students who are passive member of society, who can hardly withstand the challenges of global competitiveness. Therefore, this paper has made a theoretical attempt to discuss the Paulo Freire's banking concept of education and the Nigerian university method of instructional delivery. The study adopts the descriptive research method. Data used in the study were mainly obtained from secondary sources, such as related books, web – sites, journals, conference papers and other texts. The paper exposed the "banking concept of education" and tertiary instructional method, pragmatising the contents and techniques of teaching and instructional delivery method using technology for relevance at the global scene. The paper finally recommends among others for the liberation of education to enable both youths and adults to tremendously explore their potentialities so as to believe in themselves, to think creatively and to be progressively productive.

Introduction

The banking concept of education was an idea perceived and conceptualised by Paulo Freire, a Brazilian educationist of the 19th century who aimed at conscientising the people particularly the underprivileged, through engendering awareness and consciousness about the social conditions which oppressed them. He described the banking concept of education as similar to depositing money in the banks. In this case education becomes an art of depositing in which students are the 'depositories' and the teacher is the depositor. The teacher issues communiqué instead of communicating, he makes deposit which students patiently receive, memorise and regurgitate during examination.

Amukowa [2] exposed that Freire (1969) observed that the more completely the majority adapt to the purposes which the dominant minority prescribe for them (thereby depriving them of the right to their own purposes), the more easily the minority can continue to prescribe. The theory and practice of banking education serve this end quite efficiently. Verbalistic lessons, reading requirements (dictation of lecture notes), the

methods for evaluating "knowledge," the distance between the teacher and the taught, the criteria for promotion, everything in this ready-to-wear approach serves to obviate thinking. The bank-

clerk educator does not realize that there is no true security in his hypertrophied role that one must seek to live with others in solidarity. Solidarity requires true communication, and the concept by which such an educator is guided fears and proscribes communication. Yet only through communication can human life hold meaning. The teacher's thinking is authenticated only by the authenticity of the students thinking. The teacher cannot think for his students, nor can he impose his thought on them. Authentic thinking, thinking that is concerned about reality, does not take place in ivory tower isolation, but only in communication. If it is true that thought has meaning only when generated by action upon the world, the subordination of students to teachers becomes meaningless. In this regard, (Freire, 1969 held that:

"Because banking education begins with a false understanding of men and women as objects, it cannot promote the development of what Fromm

calls "biophily," but instead produces its opposite: "necrophily." While life is characterized by growth in a structured, functional manner, the necrophilous person loves all that does not grow, all that is mechanical. The necrophilous person is driven by the desire to transform the organic into the inorganic, to approach life mechanically, as if all living persons were things (…) Memory, rather than experience; having, rather than being, is what counts. The necrophilous person can relate to an object—a flower or a person—only if he possesses it; hence a threat to his possession is a threat to himself; if he loses possession he loses contact with the world (…) He loves control, and in the act of controlling he kills life".

Looking at the implication of the oppression and the banking approach to education, Freire in Amukowa [2] discussed that oppression—overwhelming control—is necrophilic; The banking concept of education, which serves the interests of oppression, is also necrophilic. Based on a mechanistic, static, naturalistic, spatialized view of consciousness, it transforms students into receiving objects. It attempts to control thinking and action, leads women and men to adjust to the world, and inhibits their creative power.

In this regard, Freire held that the teacher has authority but does not become an authoritarian. He intervenes in order to help the learner reflect on aspects of his/her cultural, social and gender constructs and help the learner to think critically. His view of the teacher and the learner promotes human relations. The failure by the teachers and the learners to communicate has always resulted in strikes and demonstrations in our learning institutions. From this position, Freire urged both students and teachers to unlearn their race, class, and gender privileges and to engage in a dialogue with those whose experiences are very different from their own. Thus, he did not uncritically affirm student or teacher experiences but provided the conceptual tools with which to critically interrogate them so as to minimize their politically domesticating influences [10].

This therefore can promote an educational system that is functionally oriented whereby selection, organization and impartation of knowledge is concrete, practicable and usable rather than abstract and theoretical. This will to a great extent help to mould and produce individuals with ta-lents and skills that they can withstand and perform even at the global scene.

This paper therefore discussed the implications of Paulo Freire's "banking concept of education" and the use of technology in tertiary instructional delivery for relevance at the global scene under the following headings; the "banking concept of education" and tertiary instructional method, practicalising the contents and techniques of teaching and using technology in instructional delivery method at the tertiary level.

2. The "Banking Concept Of Education" And Tertiary Instructional Method

The concept of banking education is simply an idea that calls for a paradigm shift from teacher-centred instructional delivery method to a learner-centred method. It can be easily observed that education in any society which employs the technique of pedagogy (Kabuga (1982) whether African, European or any other- is more or less a teacher-centred instructional method. This is because of the one way nature of the traditional African education, most at times is glorifying the teacher whose wisdom could not be challenged or questioned. Hiemstra & Sisco (1990) supported that there is little doubt that the most dominant form of instruction in Europe and America is pedagogy, or what some people refer to as didactic, traditional or teacher-directed approaches. Kabuga explained that such an education might have produce men with great memories, but not so many men with develop thinking faculties. He further added that, people who remember most may not necessarily be the ones who think more. While remembering is a backward-looking activity, thinking is a forward looking one, and any dynamic society needs more of such future-looking citizens.

Although Tijani [13] identified pedagogy as a concept that embraces critical thinking in the classroom both on the part of the teacher and his students, it assists in knowledge synthesis, learning and evaluation of students' performance. He however, (discouraged banking education) because he admonished that lecturers should engaged students in activities that embrace interactive techniques, dialogue, testing and culminate in the development of partnerships with students in order to enhance both teaching and learning. By integrating local examples, and

methodologies with global best practices, promote innovation and creativity in the dispensing of knowledge.

Biao [3] wrote this about pedagogy that "from Greece to Rome through Macedonia, pedagogues peddled their wares and taught their art. A pedagogue is a proponent of pedagogy. Pedagogy is the art of leading the youth through teaching. Pedagogy assumes first and foremost that education is a formal activity; secondly, it promotes rigid safeguards (school environment, educational curriculum, time-tabling etc.) within which education must take place; thirdly, it promotes the idea that the teacher detains all of the knowledge that is to be dispensed at school; fourthly, it arrogates to the teacher some amount of intimidating and monitoring roles even outside the school environment; sixthly, it considers its clientele to be persons possessing knowledge that would need to be unlearned before education can take place through teaching.

Freire (1962) clearly pointed out in his most popular writing "pedagogy of the oppressed" the oppressive nature of the banking concept of education. Freire believed that many teachers employ within their instruction an element of education or method of teaching which is responsible for ignorance within students and ultimately oppression of the said students. He explained that the "banking concept" is when students are treated as if they are nothing more than storage banks. They are provided with information which they store in their memories so that they might regurgitate the information at a later date.

Students are taught to accept everything the teacher says as true, they are not taught to question or to think creatively about the subject at hand. The student who is brought up in this environment becomes a passive member of the society. According to Freire the purpose of education is that teachers and learners should "learn to read reality so that they can write their own history". This presupposes the ability to interpret the world critically and to change it in accordance with "viable unknown". By taking action and reflecting through dialogue, learners and teachers take control of their lives.

In contrast to the banking concept of education, Freire regards knowing about reality not as an individual or merely intellectual act. But knowing the world is a collective, practical process involving different kinds of knowledge, consciousness, feeling, desire, will and physicality. Every educational practice must recognize what learners and teachers know about the topic, and must generate collective, dialogical experiences so that both sites develop new knowledge. The celebrated statement by Freire that "No one knows everything and no one knows nothing, no one educate anyone, no one educates himself alone, people educate each other mediated by the world" needs to be read in this constructivist sense; whoever teaches learns and whoever learns teaches".

By looking at some of the characteristics of banking education analysed by Freire, one can easily point out some traces of such attributes in most of what goes on in the instructional method of delivery of most tertiary institutions in the third world countries. For instance, a teacher follows text or curriculum guided by grade level and date. Most of the time, all the students work on the same task, teachers expect learning results to occur in a normal curve A-F, teachers teach by "activities" suggested in the text or curriculum guide, the current instructional program may be isolated from what happened the year before or will happen after this year. Instruction is based on "things to teach in this grade", the students grade is determined by testing done at the end of a sequence of learning. Paper and pencil are the major modes of testing, and primarily only language skills and mathematics are subjected to rigorous attention and evaluation (at some educational levels), lessons are usually designed to produce only one level of learning outcome, teaching to achieve independent learners with a zest for learning is incidental. Teachers focus on a one year view of students' progress. The major record of students' progress is the teachers' grade book. Teachers assume major responsibility for what students do to learn. Students judge their achievement by comparison with others in the class. Students assume that if they are younger than the majority of the group, they are superior; if they are older they have failed. Students feel little pressure for being responsible for their own learning. "it is the teacher's job to teach me". Students feel little responsibility for self – direction. Students accept that they will "pass or fail". [4]

The banking concept of education allows the 'oppressors' to control the actions, thoughts and

realities of people. It promotes a facet by which the elites can dominate and promote a "culture of silence" Cesaire [5]. Students are not allowed to question and when they do it complies with the limited 'content' the lecture allows. Take an example of a typical banking concept in the numerous seminars and workshops where the lecturer walked in, opened a folder, taught, closed the folder and left; 50 minutes deposit- transaction complete.

3. Pragmatising the Contents and Techniques of Learning

Learning at any level that is devoid of practical, but basically compounded on theory hardly produces any industrious outcome. Such students become full of theories, which can hardly be applied to solve their personal problems let alone that of the society in which they live. Education is never a neutral phenomenon and education alone according to Paulo Freire does not usher in changes, but it is such a fundamental strategy for change that is often neglected that makes it really impossible to transform learning into practice.

Cesaire [5] further asserted that, it is no secret that we inhabit a post colonial space, how are we as future generation expected to recreate, develop, change, agitate dominant hegemony, if the very foundation that should engender the desire to do so, continually and consistently deposit enough asinine information to ensure we remained oppressed.

According to Kabuga (1982) stated that, in Africa, (or rather some African countries) we should be unhappy about this education not only at the level of contents but also at the level of techniques. Unfortunately, because our education is alien, we seem to have concentrated more on content modifycation than on the modification of techniques. For example, we have been very anxious to include in our curriculum subjects like agriculture, as if it is possible to turn out farmers from school gardens. At some other times it is the changing of course titles or course codes. If we wish to rid our education of its crippling characteristics, we must show equal concern for both the content and the techniques. He further lamented that Africanizing the syllabus does not liberate the learner as long as the techniques used carry with them the banking concept characteristics. Any content transmitted pedagogically is incapable of being useful

or of functioning or of liberating. It is incapable because such contents of education merely gets stored in the heads of learners and awaits recollection at an appropriate moment. Such contents may be likened to undigested food. Just as food builds our bodies when we have digested it and made it part of us, the educational content we acquire becomes useful when it helps us solve the problems we meet through our processes of growth and development. Pedagogy with its techniques is narrating, receiving, memorizing and repeating, prevents the digestion of the contents particularly the alien contents, so that it is not used. We need new techniques. Nevertheless, before thinking about such new techniques, we have to be absolutely clear about what we want out of education. It will be only then that we shall look for technique that will give us what we want. The new techniques have to be premised both on the dynamic nature of society and on that of the students and teachers, all of whom are in a constant process of maturation. These techniques must lead the learner to the realization of the most important thing education can give.

Kabuga further articulated that life is an endless research problem that no student can ever come out of any educational institution with readymade solutions to it. The best that a student can hope to come out with are the techniques of learning and thinking about any problem life might present. With such technique the student will have been prepared to manage life on his own, and to discover new knowledge for himself. This will enable him to see the relationship of things and facts that were otherwise isolated and meaningless. These techniques will be his master key both to the doors of life and to the rooms of ignorance wherever the light of knowledge must shine.

Therefore, pragmatising the contents and technique of our learning is an attempt to explain the need to endorse an approach that is generally aimed at producing individual who can transform themselves as well as the society. Unlike the pedagogical system of many formal schooling which Ingalla [11] stated that

"It is becoming   increasingly clear that formal school in our society generally aim at creating sameness and not difference. The members of a class for example are graded on the basis of how well they each acquire the same information pre-

sented in the same way to all. While this process appears necessary in order to produce doctors, engineers, lawyers, and teachers and so forth. It does not necessarily produce individuals who are different. In order words, it produces a person who can fill social and work roles, which is obviously important, but it does not tend to produce individuals who can transform society itself".

It was in this regard that Freire and Shor [8] further emphasized that the pursuit of critical education through anti-colonial perspectives require that learning promotes and sustains new perspective, create and originate ideas about what constitute schooling and education. Therefore, for this to take place, critical educators will have to ground themselves in a firm knowledge of the importance of educational transformation that links schooling and education to the broader socio-economic transformation of society for the benefit of all learners. Education should be seen as a social good in itself that should not necessarily be dominated by the needs of a particular sector of the society. Whether the content is academic or not, consciousness-raising through critical issues requires a deep level of engagement both from students and the teachers. It is crucial that the content be immediate and meaningful to students so that they become aware of both the reproductive nature and the possibility of resistance to problematic contents. Such content should be remodeled and reoriented through effective and well directed teaching as pointed out by Freire [7] supported this view thus "using teaching as a vehicle for social change, we tell ourselves that we need to teach our students to think critically so that they can detect the manipulations of advertising, analyse the fallacious rhetoric of politicians, expose their ideologies, resist the stereotypes of class, race and gender or depending on where you are coming from, hold the line against secular humanism and stop canon busting before it goes too far. Therefore, for this to be achieved teachers should put all efforts to teach students by and prepare them into real and practical social change agents.

4. Instructional delivery using technology for Relevance at the Global Scene

Instructional delivery is a process in which teachers apply a repertoire of instructional strategies to communicate and interact with students around academic content, and to support student engagement. The teacher effectively engages students in learning by using a variety of instructional strategies in order to meet individual learning needs. Using technology in delivering instruction will to some extent reduce the impact or the effect of the banking concept of education. This is true considering the assertion of Roblyer [17] who views technology as a channel for helping teachers communicate better with students and asserts that technology can be an enhancement to instructional delivery. "It can make good teaching even better, but it cannot make bad teaching good. Consequently, technology using by teachers [Professors] never can be a force for improved education unless they are first and foremost informed, knowledgeable shapers of their craft." It almost goes without saying that without adequate knowledge or skills in technology, the professor is in peril when it comes to preparation for utilizing today's "smart classroom."

The use of technology to enhance and reinforce concept formation during classroom instruction is fast becoming the rule rather than the exception in colleges and universities across (some African) nations. As technology in its various forms proliferate colleges and universities, findings from recent research studies on technology in the higher education arena reveal a mixed bag of both positive and negative impact. (Larson et al., 2002; Tomei, 2002; Valmont, 2003; Roblyer, 2006). This is because the use of standard tools of technology such as accessing Hyper-links, interactive board, Blackboard shells, platforms, web Boards, e-attachments, and public folders can become formidable challenges for even the most diligent Professor. [17]. Especially when one takes an average look at the daily routine in aca-demia which is fraught with course loads, committee work, advising of majors, departmental and university-wide responsibilities. University life, with the hectic daily grind, leaves little time for another set of skills to learn, moreover to develop the level of competence that allows for inclusion of these skills into teaching strategies. Clearly, this cannot be accomplished without spending adequate time and effort to learn tech-nology-based methods and to gain competence in the subsequent technology-related skills.[17].

The engine of growth that fuels our education industry is linked firmly to our ability to develop and educate the most competent and adaptable

workforce in our society. This is the only measure that can warrant our strength and chances to withstanding global challenges, display the outcome of our rigorous academic training and the impact of its relevance in all ramifications of human endeavours. It is expected that university graduates must be able to acquire knowledge and training so as to show case their potentialities and intellectual skills at the global scene. These institutions must have the wherewithal to bear the responsibility to training the future workforce of the global economy. The toughest part is that these institutions are no longer competing domestically; with globalization, they are now bench marked against education levels all around the world. Perhaps this increased competition and challenges will take education to the next level in preparing young students for the complexities of working in today's globalised business and educational climate.

In another development, Schuavelli [18] reve-aled recent studies by the American Association for the advancement of science and reported that the U.S science and engineering labour pool is getting older and that interest in these fields among younger people has waned. In order to keep that labour force strong and globally com-petitive, it is essential to recruit and cultivate future scientist and engineers into the pool of talents. He continued that, engineers in global economy, value college graduates who brought a combination of specialized technical aptitudes, adaptability and business skills to the workforce. This will require new approaches to higher education and new thinking about traditional undergraduates' degree programs.

Pennusi [16] aptly put it that no matter where you are in the world, the sustainability of almost every economy depends largely on one critical idea, young and highly educated workers must be able to fill the void created by an aging population leaving the workforce. In the competitive global economic landscape of today, even highly developed countries cannot afford to slide into downward educational trends. One can obtain great foresight into the future outcome of the global economy by simply comparing international education across industrialized economies.

The only way tertiary institutions in West Africa and particularly Nigeria would be able to stand high and meet up with challenges at the global scene is by general upgrading and overhauling of the system, the curriculum, techniques and methods of teaching, examination and inventing new educational approaches that recognize our cultural and environmental context. Modes and methods of instruction should be constantly renewed and upgraded in relation to rapid global and technological changes.

The highly inequitable and complex world that is emerging as a result of globalization and of the new economic and social order demands new, wider and more diversed competencies to be able to understand, anticipate, analyse and deal with such realities [15]. Most of the instructional method that goes on in our universities nowadays takes the form of lectures, discussions, presen-tations, assignments, tests and exams all of which do not always afford the students opportunity to challenge, think, explicate, hypothesize or inter-rogate, instead, the main goal is to cover enough chapter or enough information provided by the teacher so as to rehash the exact information in an examination in order to score an A.

It can be easily observed that the new challenges posed by this national and international trend present a major opportunity to rethink teaching and learning system in higher institutions, in such a way that it becomes a means for personal, family and community development, for active citizenship building, for improving the lives of people and for active participation at the global scene. Therefore, instructional method must be explicitly framed and oriented especially at the tertiary level towards social transformation and human development that can withstand global challenges at all level.

Today's Nigeria is confronted with many challenges particularly the effects of globalization, with the emergence of newly industrialized and highly comparative countries. We have our demographic and educational trends with ageing population and high population of people who live at the mercy of the fast technological developments.

Conclusion

Based on the above discussion banking concept of education in its entirety must be abandoned adopting, instead an instructional delivery method that can withstand the taste of time. Teachers must acquire skills of passing information using mo-

dern technological gadgets, such as interactive white boards, clickers, GPS receivers, MP3 players, document cameras etc. They must abandon the educational goal of deposit making and replace it with the posing of the problems of individuals in their relation with the world. Then and only then will we have a transition not only from college to university but from student to critical thinker, from a stagnant nation to a progressive one and from desultory and uncompetitive pattern to a competitive one.

6. Recommendations

All the platforms that create hindrances to university academic staff in becoming technologically competent must be removed. There should be adequate professional development opportunities over-time for all staff; workshops, seminars, and incentives provided at the college/university that foster technology literacy and usage in instructional delivery. Leadership that recognizes and values the role of technology as an enhancement to teaching and learning must assert more influence in changing the traditional teaching ethos.

References

[1] Alfonso, T.C. (2007) *Paulo Freire and Educacio`n Popular.* 10th Anniversary of Paulo Freire in Adult education & development, Vol 69.

[2] Amukowa, W. (2013) *Against Narration Sickness in Higher Education:* Implications of Paulo Freire's Banking Concept of Education on Achievement of University Education Objectives in Kenya in the light of the University act 2012 in Journal of Educational and Social Research, Vol 3(2) May.

[3] Biao, I. (2006) *Pedagogical and Andragogical Warfare and the Psycho-Sociology Of Andra-gogizing In Nigeria.* Calabar. Unical Printing Press

[4] Carlous, Nunes Hurtado (2005). Contribution to the Latin America debate on the Present and Future Relevance of Popular Education in *Adult Education & Development IIZDVV, Institute for International Cooperation of the German Adult Education Association Vol 64*

[5] Cesaire, A. (2000) *Discourse on Colonialism.* New York; Monthly Review   Press.

[6] Freire Paulo (2005). Pedagogy of the Oppressed (30th Anniversary Edition: *Translated   by Myra Bergman Ramos With an Introduction by Donaldo Macedo).*The Continuum International Publishing Group Inc. New York.

[7] Freire, P. (1998) *Teachers as Cultural Workers.* New York .West view press
[8] Freire, P & Shor, I. (1987) *A pedagogy for liberation; Dialogue on transforming education*, New York. Bergin & gawey Publishers.

[9] Hiemstra, R & Sisco, B (1990) *Moving from Pedagogy to Andragogy:* Individualizing Instruction; San Francisco. Jossey-Bass.

[10] Hooks, B. (1994) *Teaching to Transgress: Education as the Practice of Freedom.* New York. Routledge publishers

[11] Ingalla, J. D. (1976) *Human energy- the critical factor for individuals and organization.* Addison. Wesley publishing coy.inc.phillippine

[12] Larson, D., Dutt-Doner, K.M. and Broyles, I. (2002) Don't ask, Don't Tell: A Flawed approach to technology standards in higher education. *Journal of Information Technology.* 11 (2), 123141.

[13] Tijani, H (2012) *Teaching Pedagogy and Methodology Across Discipline* presented at 2-day workshop on Improved Teaching Methods in Tertiary Institutions organized by Afe Babalola University (ABUAD) Ado Ekiti on 6th – 7th June

[14] Tomei, L.A. (2002) *The Technology Façade.* Boston: Allyn & Bacon Pub.

[15] Torres, M. R. (2003) *Lifelong Learning: A new momentum and a new opportunity for adult basic learning and education (ABLE) in the south.* A study commissioned by SIDA (Swedish International Development Cooperation Agency. Institute for International Cooperation of the German Adult Education Association,No 60.

[16] Pennusi, E. (2013) *Education in an increasing global age.* Retrieved from global-edge. msu.edu/blog/post/1499/education

[17] Roblyer, M.D. (2006) *Integrating Educational Technology into Teaching.* Upper Saddle River, NJ: Merrill Prentice Hall Publishers.

[18] Schuavelli, M. D. (2006) *"Brain Gain" Education Models are key to Nation's global competitiveness.* Retrieved from www.harrisburgu.net/news/article. aA

[19] Valmont, W.J. (2003) *Technology for Literacy Teaching and Learning.* Boston: Houghton Mifflin   Publishers.

Reviewing Studies Evaluating the Reliability and Validity of Riding's Cognitive Style Analysis

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Abstract: *Research addressing the question of whether matching an individual's cognitive style to instruction yields favorable outcomes has presented mixed findings. Advancing research in the field requires an adequate measure of cognitive style. The Cognitive Style Analysis-CSA [15] is a computerized test assessing an individual's information processing style across two dimensions; verbal-imagery and wholist-analytic, to be used on ages 11 to adult. The instrument has received some criti-cism for having low reliability and concerns have been raised regarding its validity. This paper first provides an overview of the instrument, and next presents a review of several studies that have evaluated the reliability and validity of the CSA. In these studies, test-retest, parallel forms, and split-half reliability methods were conducted, and construct and predictive validity were evaluated. Finally, the paper concludes with several recommendations to improve the instrument's reliability and suggestions to overcome issues related with its validity.*

Introduction

The assessment of cognitive style has important implications for learning strategies as well as instructional design. Given that matching cognitive styles to particular learning techniques or to instructional methods yields favorable results in terms of any form of learning outcome, it would then follow that it would be worthwhile to assess and identify individuals' cognitive styles. However, research has not been producing consistent enough results to affirm this assumption. One of the reasons may lie in the question of whether or not the instruments used to assess cognitive style are reliable and valid. One of the instruments used in the research in the field is Riding's Cognitive Style Analysis [15]. Although the instrument is being used as a cognitive style measure, various studies have questioned its reliability and validity. This paper will review some of these studies and draw suggestions as to how both can be improved. For sake of consistency, only those studies employing a similar population are included, namely university students.

1. Cognitive Style Analysis (CSA)

The Cognitive Style Analysis-CSA [15] is a computerized test assessing an individual's information processing position across two dimensions; the wholist-analytic and verbalizer-imagery. It consists of three subtests, which records response time/latency of response to items. In the first subtest of 48 items, the verbalizer-imagery dimension is assessed by presenting information about con-

ceptual categories and those that describe appearance of an item, 24 items each, 12 minutes total. An example of a statement that represents a verbal item is "CARROT and PLATE are the same TYPE". An example of an imagery statement is "CREAM and PAPER are the same COLOR". Respondents are expected to judge either true or false. Reaction times to each statement are recorded and averaged for both the verbal and imagery items, and then the verbal-imagery ratio is calculated. A low ratio signifies a Verbalizer and a high ratio, an Imager. A ratio of less than one repre-sents a verbalizer and a ratio of more than one represents and imagery.

The next two subsets assess the wholist-analytic dimension. In the first set of 20 items, pairs of complex geometrical figures are presented and the respondents are expected to judge whether or not they are the same in a total of 3 minutes. These are considered the wholist items, as the both figures need to be processed in whole, at the same time in order to distinguish whether they are the same or not. In the second set of 20 items, pairs of simple and complex figures are presented and the respondents are expected to judge whether or not one is contained in the other in a total of 3 minutes. These are considered the analytic items, as deciding whether one is contained in the other requires a structured focus on details one by one. Reaction times to each pairs of figures are recorded and averaged for both, and latency of the responses is used to compute the wholist-analytic ratio. A low ratio represents a wholist and a high ratio, an analytic [20]. The instrument is intended to be used on age 11 to adult, considering that the test developer Ri-

ding, has used it on 11 year olds [18] as well as 18 to 58 year olds [21].

2. The Nomological Network

As it is conceptualized by the Cognitive Style Analysis [15] instrument, the construct of cognitive styles involves a set of related variables and variable relationships which are referred to as the "nomological network" of a given construct as described by Cronbach and Meehl [4]. According to this description, a nomological network involves relating observable properties or quantities to each other; relating theoretical constructs to observables; and relating different theoretical constructs to one another.

In terms of the relationship between observables to one another, in this instrument, verbal items are designed to be associated with non-visual abstract entities represented by words, entailing verbal processing and thus a verbal dominant cognitive style. Imagery items are designed to be associated with visual representations of the given statements, entailing visual processing. Similarly, the wholist items are designed to require wholistic processing operationalized by the similar looking pairs of geometrical figures. Analytic items are designed to require analytic processing operationalized by pairs of geometrical figures that may contain one another.

As for the relationship between theoretical constructs to observables, in this instrument, it is assumed that speed and thus the ease with which analytic/wholist and visual/verbal items are processed would correspond to the individual's dominant information processing style. In identifying verbal versus imagery style, if an individual can correctly decide faster whether a statement representing an abstract entity is true or false, that respondent receives a higher score on verbal processing. If the statements representing a visual entity are correctly judged faster to be correct or incorrect, the score is higher on the imagery dimension. In differentiating between analytic and wholistic processing, if an individual can differentiate between two shapes and decide faster, whether the shapes are identical (in the first set of items in the subscale), that respondent receives a high wholistic score. If the items asking whether one is contained in the other

(in the second set of items in the subscale), are correctly answered faster, the score is higher on the analytic dimension.

Finally, in terms of relating different theoretical constructs to one another, the construct of field dependence versus field independence [22] is considered to be related to wholistic versus analytic cognitive processing. Field dependent processing assumes that accurate processing of an entity takes place with reference to/ in relation to the larger field it is a part of. Thus field dependence corresponds to wholistic processing. Field independent processing assumes that accurate processing of an entity takes place without a need for reference to the larger field it is a part of. Therefore, field independent processing corresponds to analytic processing. The reason why a new measure was needed is because the measuring of field dependence/independence involves positively measuring one end of the dimension. As such, a low score of field independence would lead to the inaccurate assumption of field dependence without consideration for other possible factors, possibly causing a confusion between the construct of field dependence/independence and the construct of intelligence [16].

Other possibly related variables would include learning preference, visual spatial ability, general achievement and academic achievement. Of those that have been studied, one study conducted a meta-analysis to explore whether a certain style predicts academic achievement and failed to find any consistent results [11]. Now this inconsistency may indicate that cognitive style does not predict academic achievement and therefore raise a validity concern. However, it can also bring into question the reliability of the measure, in which case it would be inappropriate to make any validity judgments. Let us now look into other studies that have evaluated, first the reliability, then validity of the CSA.

3. Reliability

Among common methods of estimating reliability, the test-retest method emerged as the most widely used for the CSA due to the nature of its scoring. Internal consistency methods cannot be used because the computer software only provides ratio

scores for the two dimension, rather than individual scores of response times to each item [12; 14]. In their study, Rezaei and Katz [14] conducted three experiments to examine the test-test reliability of CSA, manipulating time interval between the testing occasions and obtained a reliability coefficient of 0.55 for the wholist-analytic dimension and 0.45 for the verbal-imagery dimension.

This highest coefficient was obtained in the third experiment, consisting of a sample of 45 university students and faculty in New York, which allowed for a one month interval, versus a one week interval. This interval may to be appropriate, given the suggestion [3] that the duration should be long enough to rule out memory effects but short enough to rule out maturational or historical change in examiners. However, Riding himself suggests a six to twelve month interval between testing [19]. If this is more accurate, it may explain the relatively low coefficients obtained in this study. However, another study [10] conducted a test-retest reliability within a 23 month interval which yielded a correlation of .34 for the wholist-analytic dimension, and .36 for the verbal-imagery dimension. It is difficult to make a judgment based on this finding, as the sample size was limited to 27. Increasing sample size in a longer test interval might help make results more comparable.

Another condition that was improved in the third experiment in Rezaie and Katz's study [14] was that examinees were told that reaction time was important, whereas in the previous two testing occasions, lack of this information was observed to cause some examinees to spend more time than needed on items. The reduction of error due to testing administration may have been another factor that increased the test-retest coefficient.

In order to overcome the limitation posed by ratio scores in examining other methods of reliability estimation such as parallel forms and internal consistency methods, Peterson and colleagues [12] replicated the original CSA, labeling it CSA-A and developed a parallel form, labeling it CSA-B. This way, they were not bound by the ratio score output provided by the software, but were able to obtain actual reaction times for each item, enabling inter-item and parallel form correlations. In the test-retesting of the parallel forms, the authors observed

the suggestion to reverse the order of administration in determining the coefficient of stability [3]. The results did suggest that the forms were parallel, but that test-retest reliabilities were low overall, with the wholist-analytic ratio remaining more stable. After a running series of correlations between the two forms, varying the order of the forms, highest correlations for the wholist-analytic ratio were found to be around r = 0.2 or r = 0.3, and correlations for the verbal-imagery ratio score were around r = 0.1 or r = 0.2. Considering Crocker and Algina's [3] argument that such forms of reliability estimation are usually lower due to the additional sources of error introduced, it is understandable that these values are low.

In the same study, given the availability of raw reaction time scores, a split half reliability method was conducted separately on both versions, where responses on even and odd items were split to create to halves. Now, with the use of raw reaction times, instead of ratio scores, the reliability coefficient was higher. Stability for the wholist-analytic dimension remaining higher than the verbal-imagery dimension, it reached a level of r = 0.6 with raw reaction time scores. The authors' reference to the argument that a single measure is more reliable than a measure that is obtained from the difference between other measures [6] can be an explanation of this increase in the reliability coefficient.

This study also addressed the possible limitation posed by the relatively small number of items per dimension scales (verbal-24; imagery-24; analytic-20; wholist-20). By combining the scores obtained from the two versions, an increase in the number of items was made possible and actually raised the split half reliability for the wholist-analytic dimension to a level of r =.7.

Considering the recommended use of the instrument on an age range of 11 to adult, this study appears to have an appropriate sample, with 50 participants, majority undergraduate psychology students (at University of Edinburgh- all spoke English as their first language and were naïve to the nature of CSA test). This information will be useful in evaluating the validity of the test.
Overall, it appears that although there is insufficient evidence to support the reliability of CSA as

a whole, the wholist-analytic dimension seems to be promising in terms of obtaining higher reliability coefficient given adherence to certain recommendations that can be inferred from the above studies. Namely, an adequate sample size should be administered a test-retest within an interval longer than six months; administration procedures should modified to emphasize that overall response time is important; that a new version of the test enabling individual scoring of items (reaction times versus ratio scores) be administered; and that a combined version of the original CSA and its parallel version be administered in order to increase number of items.

One caveat here would be that if alpha is to be used as an internal consistency measure, a high alpha could be misleading due to Cortina's contention [2] that there exists a curvilinear relationship between number of items and alpha, and that it levels off at around 19. Therefore, is possible to say that alpha values obtained from item inter-correlations in CSA would yield a high alpha due to the high enough number of items, if a combined version is to be administered.

4. Validity

Regarding the low reliability of the verbal-imagery dimension, several concerns have been raised about various forms of validity of the items measuring this dimension. Various validity concerns have been raised for the CSA, and in particular the verbalizer-imagery dimension. The following will review studies which have addressed validity concerns, and specifically those that have employed a university/undergraduate sample in order allow for comparability.

In his discussion of construct validity, Messick [9] draws attention to two major sources of invalidity; construct underrepresentation and construct-irrelevant variance. In Rezaei and Katz's [14] discussion of recommendations to improve reliability and validity of CSA, various such threats to validity are mentioned. Concerning the verbal-imagery dimension, the authors point out the construct-irrelevance of the sentences, which are meant to measure the imagery dimension. The items are in the form of sentences; that is, they are presented linguistically rather than visually. Another study

actually addresses this limitation and develops a new verbal-imagery measure by representing the imagery items pictorially [13]. Another point they raised is that, the fact that red is clicked for right answers and blue for wrong answers runs against culturally accepted notion of red signaling a need to stop, or disfavor. The recommendation is that either the color code is switched around or made neutral [14]. The fact that imagery items ask about color can also be misleading because "it may be that visualizers make decisions about type statements in the same way they do for color statements, simply by calling up images of the two objects and comparing" [7] This would make the use of response speed as an indicator of processing irrelevant. Rezaei and Katz [14] also point out an issue related to construct underrepresentation, where the visual items are restricted to representing color and leave out other aspects of an object such as size and shape.

For the purpose of evaluating convergent construct validity, Mayer and Massa [8] have conducted a factor analysis using fourteen different cognitive measures on verbalizer-visualizer dimension which revealed four major factors of general achievement, spatial ability, learning preference and cognitive style. Unlike expected, the verbalizer-imagery subtests of the CSA did not load onto the cognitive style factor, and did not correlated strongly with other measures of verbal-visual cognitive style, or with measures of verbal-visual learning preferences. Therefore, the authors conclude that the verbal-imagery subtest does not offer suitable convergent construct validity.

To address predictive validity, it is possible to cite several studies that have demonstrated that cognitive style predicts instructional preference as well as performance, in interaction with instructional delivery method in university samples. Use of a particular instructional tool (namely, hierarchical maps) in a web-based learning environment highly predicted performance for wholists [1], but not for analytics. In another study involving web-based learning, results suggested that supplying a visual-metaphorical interface was necessary for improved performance for wholists and imagers [5], and did not make a difference for the other styles. Another study found a significant main effect of the who-

list-analytic dimension on non-print media preferences in instruction [21].

Conclusion

Overall, in the studies reviewed here, results have yielded low reliability, and several threats to the various forms of validity have been identified for the CSA instrument. Nonetheless, the instrument may be promising given that, modifications to its content and structure are made to improve its validity based on the recommendations stated or implied in studies evaluating its validity. It may then follow, that reliability studies may yield more consistent results. Regardless of any modifications to improve validity, reliability of the instrument can be improved also by altering testing administration procedures and scoring procedures, which allow flexibility in computing correlations. The following will provide a list of recommendations derived from the studies cited, which can improve both the reliability and the validity of the CSA.

Before going into how the test itself and its administration can be modified, let us look at some ways in which higher reliability coefficients can be obtained simply by considering a couple of points in designing a study to evaluate the reliability of the instrument. First, when conducting a test-retest method, the time interval should be at least six months, in order to prevent memory effects, yet not longer than twelve months, so that any difference observed would less likely be attributed to maturation or history effects. The other recommendation concerns sample size. It should be insured that sample size is adequate for the study. Further, in order to be able to go beyond the test-retest method and conduct other forms of reliability estimation such as parallel forms and internal consistency methods, changes need to be made in the testing administration.

As it is, the CSA records latency of response times. If alterations were made in the software, to enable recording of raw response times, inter-item correlations would be made possible. The next recommendation is to create parallel forms of the test and combine the two forms in order to increase the number of items. However, if the alpha value is to be used as an internal consistency measure, then a high alpha could be misleading when item number

is high, and therefore results should be interpreted with caution. Finally, it is recommended that testing procedures are modified to include in the instructions to the students, that response time is important.

In order to improve the construct validity of the test, some modifications and additions to the current items should be useful. Firstly, as it was suggested in one of the studies reviewed, the items assessing the verbal-imagery dimension need to be reconstructed. While the verbal items are adequately constructed linguistically, the imagery items are erroneously constructed linguistically as well. The imagery items should be in the form of visual stimuli rather than verbal. In addition to changing the form of the items, it was recommended that the content should include a wider range of aspects that constitute any image, namely, color, shape and size, and not be limited to addressing color of an object as it currently stands. Along the same lines, it could be proposed that the verbal items can also be diversified to go beyond probing whether or not two things are the same type and include a wider range of abstract concepts beyond "type".

To further overcome some threats to validity, it was suggested that the color code for right and wrong answer options be either neutralized or be switched around so that red indicates wrong and blue indicates right.

Although the reviewed studies did not identify any such problems with the wholist-analytic dimension, it could be proposed that these items are also reconstructed so that they are not presented only in the form of geometrical figures. Geometrical figures are visual by default and therefore the wholistic-analytic assessment may be confounded with assessment of an imagery style. Addition of verbal items to the subscale designed to assess wholistic-analytic processing may also be proposed.

If the CSA's construct validity can be strengthened, it is hoped that more consistent and meaningful results will be obtained from studies evaluating its convergent and predictive validity, as well as those assessing its reliability.

References

[1] Chen, S. Y., & Liu, X. (2011). Mining students' learning patterns and performance in Web-based instruction: A cognitive style approach. *Interactive Learning Environments, 19*(2), 179-192.

[2] Cortina, J. M. (1993). What is coefficient alpha? An examination of theory and applications. Journal Of Applied Psychology, 78(1), 98-104. doi:10.1037/0021-9010.78.1.98

[3] Crocker, L., & Algina, J. (1986*). Reliability Introduction to classical & modern test theory* (pp. 131-154). Belmont, CA: Wadsworth/Thomson Learning.

[4] Cronbach, L. J., & Meehl, P. E. (1955). Construct validity in psychological tests. *Psychological Bulletin, 52*(4), 281-302. doi:10.1037/h0040957

[5] Lee, J. (2007). The effects of visual metaphor and cognitive style for mental modeling in a hyper-media-based environment. *Interacting With Computers, 19*(5-6), 614-629. doi:10.1016/j.intcom .2007.05.005

[6] Lohman, D. F. (1999). Minding our p's and q's: on finding relationships between learning and intelligence. In P. L. Ackerman, P. C. Kyllonen, & R. D. Roberts (Eds.), *Learning and individual differences: process trait and content determinants*. Washington D. C.: American Psychological Association.

[7] Massa, L. J., & Mayer, R. E. (2005). Three obstacles to validating the Verbal-Imagery Subtest of the Cognitive Styles Analysis. *Personality and Individual Differences, 39*(4), 845-848.

[8] Mayer, R. E., & Massa, L. J. (2003). Three facets of visual and verbal learners: Cognitive ability, cognitive style, and learning preference. *Journal of Educational Psychology, 95*(4), 833-846.

[9] Messick, S. (1995). Validity of psychological assessment: Validation of inferences from persons' responses and performances as scientific inquiry into score meaning. *American Psychologist, 50*(9), 741-749. doi: 10.1037/0003-066x.50.9.741

[10] Parkinson, A., Mullally, A. P., & Redmond, J. A. (2004). Test-retest reliability of Riding's cognitive styles analysis test. *Personality and Individual Differences, 37*(6), 1273-1278. doi:10.1016 /j.paid.2003.12.012

[11] Peterson, E. R., & Meissel, K. (2015). The effect of Cognitive Style Analysis (CSA) test on achievement: A meta-analytic review. *Learning and Individual Differences, 38*, 115-122. doi:10. 1016/j.lindif.2015.01.011

[12] Peterson, E. R., Deary, I. J., & Austin, E. J. (2003). The reliability of Riding's Cognitive Style Analysis test. *Personality and Individual Differences, 34*(5), 881-891. doi:10.1016/S0191-8869 (02)00116-2

[13] Peterson, E. R., Deary, I. J., & Austin, E. J. (2005). A new measure of Verbal-Imagery Cognitive Style: VICS. *Personality and Individual Differences, 38*(6), 1269-1281.

[14] Rezaei, A. R., & Katz, L. (2004). Evaluation of the reliability and validity of the cognitive styles analysis. *Personality and Individual Differences, 36*(6), 1317-1327.

[15] Riding, R.J (1991). *Cognitive Style Analysis.* (Birmingham, Learning and Testing Technology).

[16] Riding, R., & Cheema, I. (1991). Cognitive styles: An overview and integration. *Educational Psychology, 11*(3-4), 193-215. doi:10.1080/01443 41910110301

[17] Riding, R. J., Glass, A., Butler, S. R., & Pleydell-Pearce, C. W. (1997). Cognitive style and individual differences in EEG alpha during information processing. *Educational Psychology, 17*(1-2), 219-234.

[18] Riding, R., & Mathias, D. (1991). Cognitive styles and preferred learning mode, reading attainment and cognitive ability in 11-year-old children. Educational Psychology, 11(3-4), 383-393.

[19] Riding, R, & Rayner, S. (1998). *Cognitive Styles and Learning Styles*. London, UK: David Fulton.

[20] Riding, R., & Sadler-Smith, E. (1992). Cognitive Style Analysis. *Psyctests,* doi:10.1037/t1 2244-000

[21] Sadler-Smith, E., & Riding, R. (1999). Cognitive style and instructional preferences. *Instructional Science, 27*(5), 355-371. doi:10.1023 /A:1003277503330

[22] Witkin, H. A., Dyk, R. B., Faterson, H. F., Goodenough, D. R., & Karp, S. A. (1962). Psychological individuality. In , *Differentiation: Studies of development* (pp. 381-389). Hoboken, NJ, US: John Wiley & Sons Inc. doi:10.1037/13128-024

From Shame to Pride – Empowerment of People with Cerebral Palsy

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Abstract: The aim of this narrative educational research is to give a voice to one marginalized and quite silent group in many disciplines, especially in Finland; adult people living with congenital physical impairment – in this case Cerebral Palsy (CP). This study is focused on experienced life and disability. "Nothing about us without us" is the main principle in all stages of this lifespan research. The participants have told about their life and experiences as freely as possible by writing autobiographical life stories. Writing can also be seen as an empowering experience itself. In qualitative data-based content analysis, the main attention is at individual level. In addition some changes which have taken place in our society during last decades will also be under examination (e.g. segregation vs. inclusion and different models of disability). This study is still in progress, so the results are preliminary at this point.

Introduction

Theright to be treated with dignity and to have the same opportunities as other members of the Finnish society should not be too much to ask. Neverthelessunfortunately many people still believe that disability is just someone else's problem. They don`t think that disability could touch their own lives, and give only a little, if any, thought to the experience of living with disability, or caring for someone with disability. It is quite common that without first-hand experience, people easily hold on to the assumption that at least things are better than they used to be.

My non-fiction book about living with cerebral palsy was published in 2012. It was a starting point to thisresearch. Many people with CP told how they have tried to deny their impairment and shamed themselves[1].It seems that self-stigma is quite common phenomenon among people living with cerebral palsy.This means that members of stigmatized groups internalize public stigma and suffer a loss of self-esteem and self-efficacy [2]. This surprising and very interesting"finding" led me to explore the empowerment process among Finnish adults with cerebral palsy. This important research topic has received only a little attention in our country and within this target group. Nowit is time to give a voice to those who live with CP in our disabling society. By telling the life stories it is maybe possible to change the general attitudes [3].This would be an important way to make the empowerment easier for people with cerebral palsy and other permanent impairments as well.The literature review done during the Finnish CP-project in 2007-2010 clearly showed that there is a big need for research focusing in adults with cerebral palsy, because this kind of information is still quite splintery. There is lack especially of studies describing subjective experiences of people living with CP. [4.] Unfortunately the review demonstrated also that according on modern research, the understanding about cerebral palsy is very negative. That is because the research interests have focused on limitations, deficiencies, disorders and secondary problems. There is a need for more positive picture of CP and I am trying to answer this challenge with this study.Meekosha. & Shuttleworth (2009) have argued that critical disability studies aim is to explore the complexity of experiences of people with disabilities and to contribute to an emancipatory ideal too.[5.]Before giving more information my dissertation project, it is need to formulate the theoretical framework by giving answers to the following questions: What is cerebral palsy about? What is empowerment? How do the medical model and the social model define disability?

1. Cerebral Palsy

Many attempts have been made thought the years to define cerebral palsy. The most recent consensus definition states that CP is "an umbrella term covering a group of non-progressive, but often changing motor impairment syndromes secondary to lesions or anomalies of the brain arising in the early stages of its development" [6].Cerebral Palsy is a condition caused by injury to the parts of the developing brain that control our ability to move, use our muscles and bodies and maintain postures. The injury happens mostly before birth, sometimes during delivery or soon after being born

– during first two years of life. In fact CP is the most common cause of physical disability affecting children, with an incidence of 2.0 to 2.5 per 1000 live births in developed countries.[7.]It is estimated that there is about 6 500 people having cerebral palsy in Finland. Cerebral palsy can be either mild, moderate or severe. The neurological damage can affect only some physical abilities or all of them. A child with mild cerebral palsy can be only clumsy, when a child with more severe damage may need a wheelchair and other special equipment. People with CP can have many kinds of additional problems too: problems with speech and language, epilepsy, sensory problems, learning difficulties etc.Even if CP doesn´t get worse over time, it is obvious however that aging changes all of us more or less, have we some diagnosis or not. The limitations in activity require individual rehabilitation throughout life. Physical therapy (PT) plays a central role in managing the condition; it focuses on function, movement and optimal use of the child's gross motor potential.Occupational therapy (OT) concentrates on fine motor skills, which are needed in manydaily activities. And speech-language therapy naturally helps with communicational problems. [8.]

2. Empowerment

There has been an increasing attention on the topic of empowerment in many disciplines for a couple of decades. For example in education, psychology, social work and nursing science have been done many intervention researches which try to make pupils, clients and patients more powerful in their own situations. [9, 10.] The concept of empowerment isn't easy to define partly because it means different things to different people. It is a multi-dimensional concept. For minority groups, it might mean being proud of their identity. For women, it can also mean rejecting the submissive role.[11.] In literature empowerment is generally associated with an internal sense of power. It has been defined as a psychological, social and political process by which individuals gain mastery and control over their lives [12, 13.] It is also seen as a form of power that makes it possible to make decisions and influence both one´s own life and environmental situations as well[14]. Empowerment is expressed at an individual, contextual and transactional level and it arises as attitudes, knowledge and behavior.In spite of our different conceptions, empowerment is for everyone. For me, it is about how you see yourself, what you do

with your life and how you relate to other people. All these aspects are crucial when the complexity of empowerment as an individual-based and social process and an outcome in the disability context. However it is impossible to say exactly, when someone is empowered, but there are some signsanyway. It is sure that empowerment is always something positive; for individuals, communities and even the whole society.

3. Medical vs. social model of disability

The diverse and different approaches to disability reflect its complexity. In this paper the medical and social model of disability are presented because they havehad effects to the disability politics over decades.[15.] In the medical model, disability is understood as an individual problem. If somebody has mobility impairment, his or her inability to walk is understood as disability. The medical model is also sometimes known as the "personal tragedy model" because it regards the difficulties that people with impairments experience as being caused by the way in which their bodies are shaped and experienced. It was clear to disabled people that, in the absence of any cure for their physical condition, the impairment must be regarded as given: a constant factor in the relationship between themselves and the society whereby they attempt to interact.[16.] A medical view of disability contributes to negative attitudes towards people with disabilities, portraying them as sick, defective and deviant people, as the objects of professional interventions, as a burden to themselves and their families – and the whole society [17]. The social model of disability implies that attempts to change, "fix" or "cure" individuals, can be discriminatory and prejudiced and can harm the self-esteem, social inclusion and full participation of the disabled people. A fundamental aspect of the social model concerns equality. Disability is used to refer to the restrictions caused by society when it does not give equivalent attention and accommodation to the needs of individuals with impairments. The social modelshifts the focus from impairment onto disability, using this term to refer to disabling social, environmental and attitudinal barriers rather than lack of ability. [18].The social model was created by disabled people themselves. It was primarily a result of society's response to them but also of their experience of the health and welfare system which made them feel socially isolated and oppressed. The denial of opportunities, the restriction of choice and self-

determination and the lack of control over the support systems in their lives led them to question the assumptions underlying the traditional dominance of the medical model.

In the social model, disability is understood as an unequal relationship within a society in which the needs of people with impairments are often given little or no consideration. People with impairments are disabled by the fact that they are excluded from participation within the mainstream of society as a result of physical, organizational and attitudinal barriers. These barriers prevent them from gaining equal access to information, education, employyment, public transport, housing and social opportunities.

4. Materials and methods

This research is part of a large life story project (2012-2015) coordinated by The Threshold Association, which is a disability organization that was founded in 1973 by disabled people and its main mission is based on three elements, human rights, independent living and culture, all to empower disabled people in Finland. Research materials consist of 30 autobiographical life stories collected from different sources: e.g. "Life Stories of Adults with Cerebral Palsy 2008"–dataset archived at the Finnish Social Science Data Archive (FSD), anthologies and books. All these texts have published in the 21st century and none of them have written for this particular research. The time dimension in these documents is wide, becausethe youngest writer is about 20 years old andthe oldest writer is over 80. There are both women and men among the participants and they live in different parts of Finland.These life stories are very heterogeneous – just like the writers themselves. The qualitative data-based content analysis which appreciates a diversity of life stories is an appropriate method for this research. [19] The main attention is at individual level.In addition some changes which have taken place in our society during last decades will also be under examination (e.g. paths from segregation to integration and inclusion).The purpose of this study is to more profoundly understand the chances of empowerment of Finnish adults with cerebral palsy. This study is focused on experienced life and disability, searching answers to the following questions:

1. Which factors promote and which prevent the acceptance of CP as a part of identity?

2.Which things facilitate and which complicate the empowerment as an individual, subject-based and social process?

5. Preliminary results

First, when analyzing the life stories, I have made very rough categorization: disability-centered stories vs. opportunity-centered stories. The first category consists of stories with many mentions of a diagnosis, additional problems and rehabilitation. Cerebral palsy is described for example as a burden or an accident. Stories in the second category are more positive as a whole. Cerebral palsy is seen as only one part of personality and rich element of life. These differences show also that accepting CP to your identity isn't necessarily a simple task. Even if there is no life before and after being disabled. Shame is mentioned in many life stories. If parents hide their child, refuse to talk about disability or feel pity for a child with cerebral palsy, it is quite obvious that they will transfer these negative habits forward. With open and acceptable atmosphere a child will be able to see him/herself appreciatedand good enough just the way she / he is. So, it is possible that having cerebral palsy is something good indeed.

"We don´t want you in our school." "There is no meaning to study at the university if you have to communicate with other people, because you walk and talk so strangely." "How can you even dream of getting a job?" "Would you think that you will manage with a baby?" "You can never be able to live an independent life."

Many people with cerebral palsy are used to hear these kind of discriminatory and underestimating comments. Unfortunately even many medical specialists still equate physical condition with mental retardation. Some people even told how the doctors have seen them as hopeless cases with no potential to develop at all, and their parents have told to put them in the institution and have another child instead.It can be very frustrating try to convince so called normal people over and over again that you want and can do the same things than other people. You could only need some help or little more time. Every one of us needs opportunities to achieve our own goals. But many

writers told how someone else have told them what they should do: what to study, where to live or who to deal with. This can lead to suchsituation that a person lives his or her own life like an outsider. Solutions that fit every person with cerebral palsy don´t exist, so especially all ordinary schools should be ready to take in a pupil with a wheelchair too. Learning is much more doing with a head than legs anyway.

In disability context empowerment can be seen as becoming a real subject in one´s own and becoming powerful, instead of being aweak disabled object. The first step in this process is to accept cerebral palsy as a part to the identity. For many people, this has been a long journey from shame to pride. The parents have a crucial role in this dynamic process. Every child should be seen primarily as a child, not as a living diagnosis. The life stories clearly show that with suitable education and encouraging examples it is easier to achieve a capable identity and have more opportunities to say: "Yes, I can!" and not just think "If I only could…The well-being of an individual is increased and life seems to be more manageable than before. When all hidden potential has been found, there will be enough energy for many things. Life feels good and worth living. The meaning of life and "own" mission will become clear – and dreams come true, when impossible becomes possible.

A lot of sisu and creativity are however needed when overcoming all those visible and invisible barriers in everyday life. Sisu is mentioned many times andin manystories in this research. What is this cultural concept of Finland about? It is used to describe the enigmatic power that enables us to push though unbearable challenges.It issomethingabove and beyond perseverance. Finland may have the initial monopoly on sisu, but it is a universal capacity and the potential for it exists within all individuals. Sisu is a new term in the field of positive psychology. [20.] From the life stories I have found fourcategories of barriers which prevent full participation and real inclusion for people living with CP:1.The physical environment (e.g. narrow doorways, lack of ramps and accessible toilets) 2. Intentional attitudinal barriers (e.g. isolation, bullying) 3.Unintentional attitudinal barriers (e.g. lack of knowledge, understanding or awareness) and 4. Physical limitations (e.g. difficult to climb the stairs, pain).

6. Discussion

Equal rights are said to give empowerment and the "ability" to make decisions and the opportunity to live life to the fullest. Full participation and equality are still far away but every single step towards them is worth taking. We should never give up.Getting education, having a job, travelling all around or going for a drink with friends are such activities that most people take for granted. But, for many disabled people these ordinary aspects of life are still difficult to achieve. Despite all progress there is still much to do that every people with disabilities could fulfill their potential. Unfortunately, people with disability are experiencing disadvantage and discrimination. It is time to do something more. But, what can we do to improve disabled people´s opportunities and improve their quality of life? This is very important, because by doing so, we can even strengthen our society. All parents, doctors, therapists, teachers and employers should see every person with cerebral palsy as a unique individual with many capabilities, a lot of potential and good quality of life. In fact life is not disabled at all, when suitable aids, sufficient help, accessible environment and positive discrimination are right there, when they are needed.

References

[1] Järvinen, S. *Järjenjuoksuja. Elämää CP-vamman kanssa*, Books on Demand, Helsinki, 2012.

[2] A.C.Watson,J.E.Larson,"*Personal Responses to Disability Stigma: From Self-Stigma to Empowerment*", Rehabilitation Education.20 (4),2007, pp.235-246.

[3] S.E. Chase, *"NarrativeInquiry: Multiple Lenses, Approaches, Voices",* in N.K. Denzin& Y.S. Lincoln (ed.), The Sage Handbook of Qualitative Research (3rd ed.), Thousand Oaks, CA: Sage Publications, 2005, pp. 651–679.

[4] Rosqvist, E.(ed.), CP-vammaisen aikuisen hyvinvointi, toimintakyky ja ikääntyminen. Kirjallisuuskatsaus,Invalidiliitto, Helsinki, 2009.

[5] H Meekoshaa, R Shuttleworth, "*What´s so "critical" about critical disability studies?*" *Australian Journal of Human Rights*, 15(1), 2009,pp. 47–76.

[6] P. Rosenbaum, "*The definition and classify-*

*cation of cerebral palsy: Are we any further ahead in 2006?"*NeoReviews, 7(11), 2006, pp. 569–574.

[7]E. Odding, M.E. Roebroeck, HJ Stam, *"The epidemiology of cerebral palsy: incidence, impairments and risk factors"*, Disability & Rehabilitation *28 (4), pp. 183-191.*

[8] Paltamaa, J., Karhula, M, Suomela-Markkanen T, Autti-Rämö I (ed.),*Hyvän kuntoutuskäytännön perusta. Käytännön ja tutkimustiedon analyysistä suosituksiinvaikeavammaisten kuntoutuksen kehittämishankkeessa*, Kela, Helsinki, 2011.

[9] Adams, R. *Social Work and Empowerment*, Macmillan Press. London, 1996.

[10] D.D. Perkins, M.A. Zimmerman, *"Empowerment theory, research, and application"*, American Journal of Community Psychology*23 (5), 1995, pp. 569-579.

[11] M. Inahara, *"This body which is not one: The body, femininity and disability"*, Body & Society, 15(1), 2009, pp. 47–63.

[12] Siitonen, J. *Voimaantumisteorian perusteiden -hahmottelua.* Acta Universitatis Ouluensis. Series E Scientiae rerumsocialium 37. Oulunyliopisto, Oulu,1999.

[13]C. Barnes, *"Theories of disability and the origins of the oppression of disabled people in western society"*, inL. Barton (ed.), Disability and society: Emerging Issues and Insights. Longman sociology series, Addison Wesley Longman, London,   1996,   pp.   43–79.

[14]Oliver, M. *The Politics of Disablement*. St. Martin´s Press, New York, 1990.

[15] Shakespeare, T. *Disability rights and wrongs*, Routledge, New York, 2006.

[16]Vehmas, S. *Vammaisuus. Johdatus historiaan, teoriaan ja etiikkaan*, Gaudeamus, Helsinki, 2015.

[17]Oliver, M. *Understanding Disability. From Theory to Practise.*Palgrave, Basingstoke, 1996.

[18]Katsui, H. *Towards equality. Creation of the disability movement in Central Asia*. Department of social policy and institution of development studies. Helsinki: Kynnysry, 2005.

[19]Tuomi, J., Sarajärvi, A. *Laadullinen tutkimus ja sisällönanalyysi*, Tammi, Helsinki, 2013.

[20] E. Lahti, *"Sisu – toiminnan tahtotila"*, in L. Uusitalo-Malmivaara (ed.) Positiivisen psykologian voima. Jyväskylä, PS-kustannus, pp.318–338, 2014.

Secularization of Knowledge:
Challenges among Muslim Community in the Late 19th Century

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Abstract: Previously, the Malay Educational System was based on Islamic Education, and Muslim scholars have played their role in conveying the knowledge, especially among the royal family. This knowledge was spread to the Malay community in 'surau' or 'masjid', where at that time was used for congregational prayer by Muslims. Since quite a number of Muslims wanted to seek religious knowledge, the establishment of 'pondok' as traditional school is crucial to let them learn basic knowledge of Islam, such as Fiqh, Tafsir, Sirah, Ulum-Al-Quran, Ulum-Al Hadith and etc. Muslim graduates known as Kaum Muda (Young Faction) from Al-Azhar University has established madrasah as a reasonable medium for Malays to have a balanced education between basic knowledge of Islam and secular education introduced by the British at that time. These people called Kaum Muda were spirited to revive the Malay lifestyle towards the Islamic way of life. However, Islamic education which originally based on Islamic principal was challenged by western ideology, specifically the secular education brought by the British in the 19th century. They had established several schools which taught about modern knowledge and neglected Islamic understanding since their mission was to rob Muslim of their religious identity. Not only that, their concept of education clearly disengaged any religious beliefs in worldly life.

Introduction

British colonization in the Malay Peninsula, which started in the late 18th century has brought implycation towards Malay culture especially in education. According to Bee-Lan Chan Wang, "Britain acquired control over three ports in Malaya by 1824, starting with Penang in 1786." [1] Although its aim was economically at first, later it was in many aspects, bringing changes to common practices in Malay Peninsula such as education. Historically, Muslim educational system in Malay Peninsula is quite unique, started from *the palace, surau, masjid* [2] (mosque), *pondok* [3] *and madrasah* [4]. Changes have been made based on the necessities in order to fulfill the needs of the community. Muslim community widened from time to time, as a result of conversion into Islam by Malay rulers. However, once British set up their secular education, Muslim community trembled due to differences between Islamic and secular educations.

1. Definition of Education in Islam and Western Perspective

Historically, Malay Peninsula and British had a different belief. Islam came to the Malay Peninsula in the 14th century, after Hindu. In early times,

Hindu culture was a part of Malay culture, but gradually with the presence of Islam, Islamic culture was easily absorbed into Malay mores, unlike the British who were Christian and whose culture was different from Muslim's. Therefore, it impacted in the concept of education implemented in the region.

In Islam, education is the most important thing to produce a good man. Islam wants to create a generation who is not only good in administrating the world but also loyal to the Creator. As Syed Naquib Al-Attas says:

"… Education is defined as a process of instilling something into human beings. In this answer "a process of instilling" refers to the method and the system by which that is called 'education' is gradually imparted: 'something' refers to the content of what is installed: and 'human beings' refers to the recipient of both the process and the content".[5]

To compare to British's secular education, they neglected religious aspects as they focused more on generating modern people in a physical aspect, who can revise the world as a whole. Therefore, the implementation of Islamic education in the region has gone through many challenges. Muslims

like traditional *u'lama* [6] have worked hard to introduce *pondok* and *Kaum Muda* (Young Faction) [7] to impose modern education that integrated between Islamic and secular education, known as *madrasah*

2. The Establishment of *Pondok*

Before Islam, there was no specific education proposed to Malay in the region, neither Hindu nor Buddha. Only Islam has provided Islamic education to Muslims as guidance and also as a way of life based on Al-Quran and Al-Sunnah of Prophet Muhammad S.A.W (peace be upon Him). The Islamic education introduced in the region was not known unlike when it was implemented during the Prophet Muhammad S.A.W (peace be upon Him) time, which succeeded to expand to Muslim empires such as Umayyah, Abbasid and Ottoman Caliphate.

In Malay Peninsula, Islamic education started in the palace because *u'lama* used to teach Islam to Malay rulers. Common people or public was not officially invited. Therefore, in order to cater the need of the Muslim community as a whole, they began to teach Islamic education in *surau* and *masjid*. By doing so, it had given an opportunity to Muslims, both old and young people attend the lecture conducted by *u'lama* and it was free.

No one can deny the important role of *the Masjid* in spreading *ilm* (knowledge) since the Prophet Muhamad S.A.W era. Salah Zamaiche says that "The association of the *Masjid* and education remained one and it's well known in Muslim history and the school becomes an essential attachment to the *Masjid*.[8] The easiest example is Masjidil Haram [9] and Masjid al-Nabawi,[10] where groups of people gather and listen to the lecture from the *u'lama*, besides being a place to perform *Hajj* [11] and *Umrah* for thousands of Muslims around the world. Mark Mancall says in his interview by Anthony Shih "All Muslims are required to go to Mecca at least once in a lifetime on a pilgrimage if they can afford it." [12]

However, for quite sometimes *surau* and *masjid* could not assist as a center for learning since the number of students increased from time to time. Therefore, the establishment of *pondok* was very significant and it was purposely established by *u'lama* to teach Islam. According to Che Omar Awang, the introduction of *pondok* in the Malay

Peninsula began in late 18th or early 19th century. [13] *Pondok* was directed by *u'lama* since they were experts in Islamic content. They have completed their studies either in Mecca or local institutions. In that sense, Tok Pulau Manis was considered as the first *u'lama* who founded *pondok* in Pulau Manis, Terengganu. Faudzinaim Badaruddin claims that, it was the oldest and the biggest *pondok* in Terengganu and even in the Malay Peninsula during that time.[14]

In *pondok*, students usually learned in small circle known as *halaqah*. [15] According to Mehdi Nakosteen "the *halaqah* was formed according to the rank, the more advanced a student is the closer he would be seated to the teacher, with more advanced students or visiting scholars seated next to him." [16] This is the uniqueness of *halaqah*, where the more advanced learners will be appreciated by the *u'lama* while at the same time the rest will be not deserted at all during the learning session. He adds that:

"Great teacher were symbols of learning and scholarship, and their utterances were meticulously recorded in notebooks by all listeners. These notebooks were sometimes examined closely by the teacher, who corrected and approved their use in teaching the subjects to others. The circle was instructed through dictation (*Imli'*), the teacher lecturing and the student recording the lecture. When the material of a lecture series was available in part, students were urged to study and discuss its, highlights with each other in order to have better orientation for advanced instruction in given areas".[17]

Even though it is known as traditional, the learning structure was properly organized. The teacher and students were helping each other in order to make sure that students will understand what the teacher taught.

Besides, *pondok* has no specific library like today's educational system. Hurgronje, C.S states that:

"A library has been an advantage but not a necessity, the dictation of a professor either of his own compilation or of a recognized text book, to which he adds his own glosses, being in general sufficient, while a book could sometimes be bought or borrowed.[18]

It means that, the honor of the *u'lama* was recognized because of his knowledge. He was not only respected by the students, but also by the villagers. In *pondok*, subjects being taught were *Tauhid, Fiqh, Tafsir, Sirah Al-Nabawi, Ulum Al-Quran, Ulum Al-Hadith* and etc. Students usually memorized the *ilm* and asking questions was discouraged, unlike today, because by doing so it shows disrespect towards *u'lama*. In addition, there were no timetables, examination was not emphasized in determining your grades and no specific buildings or furniture compared to nowadays. *Pondok* was not sponsored by government during that time and it relied solely on Muslim funding, which was not enough to provide better facilities to the students.

In *pondok*, there were no specific students' enrollment and graduation. According to Ahmad Fauzi Abdul Hamid:

The length of studies in *pondok* based on how many *kitab* (book) they mastered under the provisions of *tok guru*, and was assisted by mature student or *kepala tala'ah* (tutors). Moreover, students will transfer from one *pondok* to another *pondok* on the *kitab* (book) they want to learn from the *tok guru*. Sometimes it took 10 years to complete their studies.[19]

Students in *pondok* prepared food and did laundry by themselves. They were also struggling with no water supply and electricity in their *pondok*. They needed to use gasoline at night and get water from the well or river for daily use. The tough life had taught them to be independent and to study hard for the *ilm* (knowledge). *U'lama* never put any charges to the students. Usually, these students helped the *u'lama* in work like cultivating paddy as a reward for teaching them in *pondok*. Hurgronje, C.S states that "Teachers receive presents from rich students or admirer." [20] This showed how they appreciated the contribution of *u'lama*.

The aim of their studies, once graduated from *pondok* was Mecca. It was a center of Islamic education. At the end of the 19th century, many Malay communities settled down in Mecca, later on these groups were known as *Jawi* Community. Among the famous *u'lama* and authors of *Kitab* were Daud Abdullah Al-Fatani (d. 1847), Nawawi Al-Bantani (d. 1897) Wan Ahmad Muhammad Zain Mustafa Al-Fatani (d 1908), Muhammad Arshad Al-Banjari (d. 1912), Ahmad Khatib Abdul Latif

Al-Minangkabawi (d. 1916,) who was a non-Arab had been appointed as an Imam in Masjid Al-Haram on behalf of the Shafie School of Mazhab.[21]

3.Madrasah Educational System

Secularization of knowledge founded by the British had awaken Muslim community at that time because it was against Muslim culture. According to Rahimin Affandi Bin Abdul Rahim:

"Obviously, the British rule in Malaya accelerated a cultural crisis in Malayan Muslim society. The society was directly exposed to the culture of Europe with its modem principles and values. Following this exposure, the Malay Muslim has responded toward such values with different approaches, which can be divided into two distinct groups based on their school of thought, namely kaum tua and kaum muda."[22]

As an alternative, Kaum Muda who perceived secular education as a challenge then established *madrasah. Kaum Tua*,[23] remain in the traditional educational system almost disagreed with the idea of *Kaum Muda*. They hated the British and claimed them as evil. For Kaum Muda, only *madrasah* would help in providing a better educational system for Muslim during that time. They believed it would help a Muslim to upgrade their life which was backward politically, economically and socially compared to Chinese and Indians.

Kaum Muda believed that the Muslim community was left behind compared to other races since they were not practicing the real teaching of Islam. Islam does not against modernization, yet it encourages Muslims to achieve success not only in the hereafter but also in worldly affairs. Syeikh Tahir Jalaluddin was among the famous *Kaum Muda*, who had studied astrology in Al-Azhar University in 1893. Mohd Sarim Mustajab says that "four years in Cairo enabled him to understand Islamic modernism, brought by Jamaluddin al-Afghani and Muhammad Abduh. [24] Later on, while returning home to the Malay Peninsula, the idea of revitalizing Muslim, who had somehow bound by the wrong teaching of Islam especially in Malay *adat* (culture), was brought together. This *adat,* that says 'do and don't', had confused Muslims about the real teaching of Islam.

When they were back in the region, they accomplished the idea of modernizing the community. Perhaps because of the commitment, they were selected as a leader in their village areas. A Malaysian publication, *al-Imam* was one of the most important channels in the transmission of Islamic reform ideas of *al-Manar* to the Malay-Indonesian world.[25] Such magazine became the most important medium in promoting the idea of modernism. Eventually, it had inspired Muslim modernists to publish more magazines, in order to inspire Muslims to change their life by practicing the real teaching of Islam, promoting Muslim towards modernization and etc.

Madrasah educational system was established by *Kaum Muda* as an alternative for the *pondok* system as well as for the secular education system imposed by the British. Virginia Matheson Hooker states that:

There were two other important streams of education for Malays: Malay vernacular school organized by the British for 'ordinary' Malays, and an elite Malay college established to provide the children of the Malay aristocracy with sufficient English education to enable them to participate in the administration of colonial Ma-laya. [26]

As a result of the policy made by the British, *madrasah* was the best educational system that could support the Muslim. In this matter, the modernists helped to develop a school system that bridged the difference between general western subjects and Islamic sciences.[27] Among these schools was the Madrasah al-Hamidiyyah in Limbong Kapal, Alor Star Kedah, founded in 1906.[28] Besides that, other schools which have similar interesting curriculum, was Sekolah Al-Diniyah in Kampong Lalang, Padang Rengas, Perak, established in 1924. In addition to secular subjects, students were taught how doing the trading, rice planting, and make a soup.[29] It means that these skills were not neglected as they would help students in living their life after graduated. Since *madrasah* had become popular, students' enrollment was increased from 15 to 500 from 1924-1941.[30]

Madrasah was more conducive, where it was aided with classroom, table and chairs, blackboard, and specific time tables. Besides, students will be tested with special examination in order to determine their capabilities in the lesson. Modern subjects such as English, Mathematics, Geography, History, and arts were introduced to the students as to what had been taught in secular schools. Moreover, special curriculum was added in order to polish their leadership skills such as public speaking, debate and etc. Virginia Matheson Hooker states that:

Only the *madrasah* and *pondok* (village religious school run by local Muslim teachers) were outside the colonial system and drew their inspiration from the Middle East, Egypt and Turkey. Graduates from *madrasah* became religious teachers or leaders of modernist organizations. Those from the *pondok* were usually more conservative in their thinking and maintained in the institutions of Islam in Malay villages.[31]

Moreover, students who graduated from *madrasah* have the opportunity to pursue their studies overseas especially in the Middle East. Potentiality that they had in terms of academic and leadership would help Malay Peninsula in seeking independence from the British in the middle of the 20th century.

4. Secularization of Muslim Educational System

Efforts made by British colonial in upgrading the Malayan social system such as economics, education and politics have succeeded in transforming Malays into new feature and in leaving the old culture that had been practiced for a long time.[32] Therefore, the policy made by the British had affected traditional education in the region.

Although colonial power did not interfere directly in *pondok* management, the establishment of secular education in a way showed that the tradetional educational system has no value at all compared to their system. According to Bee-Lan Chan Wang:

British policy then was: ". . . to interfere as little as possible with the manners, customs, methods, and prejudices of the different nationalities... to interfere not at all in matters touching the Mohammedan religion.., to assist development by making roads, railways,... drainage and irrigation... by establishing security for life and property... by opening free hospitals and schools.[33]

All facilities provided by the British would present colonial power as a kind and ambitious, parti-

cularly through the implementation of secular education in the region, which in one way or another suggested that the traditional education was less beneficial and functional.

The idea of secular education is based on the idea of secularism brought by the Western. According to Syed Naquib al-Attas:

The term secular, from the Latin *saeculum*, conveys a meaning with the marked dual connotation of time and location; the time referring to the 'now' or 'present' sense of it and the location in the 'world' or 'worldly' sense of it. Thus *saeculum* means 'this age' or 'the present time', and this age or the present time refers to events in this world, and it also then means 'contemporary events'. [34]

It means that man's reason and languages are free from the control of religious and metaphysical aspects. As compared to Muslim, both aspects should be integrated between reason and religion because man is not perfect and should be guided by religion.

A European slogan, "White Men's Burden" could help other people to become civilized like them. Some people might agree and others might not. According to Mehmet Ozey:

Modern education was commenced with the arrival of the British to Malaya. Particularly, the establishment of the British administration in Singapore in 1819 was a turning point in the history of education in Malay Muslims.[35]

During British colonization, there are two differrent types of education; religious education, and non-religious education. This was the early step of the British to secularize education in the region. Che Noraini Hashim and Hasan Langgulung argue that "Although the British did not intervene with the traditional Islamic education system, they did introduce two systems that ran parallel where there was little hope for Islamic education to survive in its real sense."[36]

English school was founded in the city area and it has fees that parents should pay. It was attended by Chinese in the city and some Malays who were from a rich family. According to Bee-Lan Chan Wang:

Demand for places in English schools was high among the urbanized population because of the relatively high wages and prestige of white-collar positions and because further technical or professional education was available only to the English-school educated. However, the lack of English-school places meant that even in the urban areas the vast majority of the total school enrollment were in vernacular schools. [37]

Even back then, there was a very well-organized system and those who qualified from the examination results would get the opportunity to further studies overseas. In English school, they were taught modern subjects such as Geography, Mathematics, History, English and etc. Islamic values were not taught in the school. All subjects taught in the school were believed to provide students with modern skills. Besides, English school was conducted by a missionary group. Malays were the smallest group in English schools because of their rural residence and also because, being Muslims, they naturally viewed attendance at Christian mission schools with disfavor.[38]

Based on such situation, many parents were reluctant to send their children to the English school for several reasons such as, the value brought into the English School, was not Islamic. No Islamic subject was taught in the school. Besides, they were afraid that their children would leave their Muslim identity or worse convert into Christianity. Virginia Matheson Hooker says that,

"In the major towns of the peninsula and therefore beyond the reach of all but the most exceptional village children, there were a few English schools, some run by missionaries and other but the government. They were attended by Chinese, Eurasian, and to a lesser extent, Indians, but only very rarely by Malays who, even if they would travel to the schools, feared they might be pressured to convert to Christianity.[39]

However, there were special schools for Malay aristocrats such as the Malay College Kuala Kangsar. She adds that "The aim of the college was to Anglicize and modernize the Malay upper class so as to consolidate their positions of the ladders."[40] To those who well perform in the examination, they will be sponsored to pursue their studies in Britain. After a while, they will serve as professionals and also politicians. The most

important thing was to produce a leader who has an Anglican mind like them.

Based on their experience of mingling and sociallizing with the British, perception towards the country slightly differed. They might support and agreed with what Britsh did compared to those who did not attend this elite college. She adds:

Many become anglicized that the lost contact with much of their own traditional culture and would rarely, if ever, read the Malay booklets and journals published by their fellow Malay who had attended the Sultan Idris Training College. This split between English and Malay educated reflected differences in attitude to British authority and would later be expressed in strong differences about the way Independence should be achieved.[41]

Besides English school that's open to the public in the city, there were other vernacular schools that publicly open to the poor people such as Malay vernacular, Chinese vernacular and Tamil vernacular. According to Che Noraini Hashim and Hasan Langgulung:

Education during the colonial period formed a great barrier, especially for the Muslims because of its curriculum and the goal of proselytization. The curriculum was designed to serve the purposes of the colonial master and not to promote intellectual growth of the students. [42]

If we look at vernacular schools, students would be taught basic learning such as reading, counting, and writing. Besides, they were not trained unless to be like their forefathers, such as a fisherman and rice-planters for the Malays, rubber tappers, railway workers for Indian and traders, shoppers and industrial urban workers for Chinese. For example, in Malay school, the British had imposed certain policy, where, firstly Quran could be taught, but it must be separated from teaching of Malay languages, secondly, Quran could only be taught in the afternoon after the morning class session finished and thirdly, the teacher who taught Malay languages will be paid by the government, where Quranic class should be paid personally by the parents.[43] Based on this situation, it was clear that religious teachings were not welcomed in the secular system.

Due to the implementation of secular educational system by the British, several groups of Muslim have emerged such as:

1. **The traditional group**: Those who are very traditional way, and loyal to Islam and hate the West in whatever way. No compromise.
2. **The second group**: Those who are really secular followed the west as a model, although they need to compromise the religion.
3. **The third group**: Those who are in between traditional and secular. They followed the West as a model of modernization, but they were very selective if related to religion.[44]

Although the Malays disagreed with British's prejudices towards them, they still follow its educational system. According to Mehmet Ozey "These developments prove that both vernacular and English schools were accepted in the society even though there were some cultural concerns among the Malay people.[45] Even so, the secularization of an educational system which was imposed by the British in the region had made the Malays aware of the games created by the British. They did not object aggressively, but made decision wisely. Syed Husin Ali argues that:

The influence of Islam on the Malays in every deep-seated; from the time they discarded their animistic beliefs and embraced Islam during the days of Melaka kingdom, the Malays have never changed their religion. Before and after the coming of the British, Christian mission was active especially through schools. Initially, Malays were reluctant to send their children to English medium schools for fear of their children being converted to Christianity; but eventually they become wiser and adopted English education. No Malay pupil became a Christian."[46]

5. Challenges By Muslim

A secular educational system founded by the British was against Islamic principles. The system shows that the West pride on human capability without the interference of religion. Che Noraini Hashim and Hasan Langgulung state:

Education from an Islamic perspective is a life long process of preparing an individual to actualize his role as a vicegerent (Khalifah) of Allah on earth and thereby contribute fully to the reconstruction and development of his society in

order to achieve well-being in this world and hereafter. [47]

Secular education was founded to put away Muslim from religious education. According to Syed Naquib Al-Attas:

They perpetuate this condition since it ensures the continued emergence of leaders like them to replace them after they have gone, perpetuating their domination over the affairs of the community [48]

It will be risky because if the idea to dominate Muslim in the region succeeds, the value of Islam will be left and perceived as archaic or orthodox. He adds "It will lead us to unqualified leaders in the Muslim community, who have no higher moral, intelligent and spiritual values required for Islamic headship.[49] It is important as the leader who was produced from the secular education will ruin the Muslim future in the region especially in preserving the dignity of Islam. Moreover, they would not lead the community in justice anymore.

Futhermore, Muslim parents were afraid and getting confused in making decisions for the betterment of their children. Muslim understood that, seeking knowledge in Islam is a must, but what type of education is the best for the children? If they compared to the hardships faced of *pondok* students, who used to leave their village and live in a very humble life, they might feel unhappy and down. It also would not promise a better career for the students. They might only become a religious teacher in the village, whom the British would not recognize at all.

Otherwise, if Malay parents chose to send their children to Malay vernacular school, it would only allow Muslims to have basic knowledge. The British did not encourage Muslims to be excellent academically. They were only required to succeed in their forefather's profession. For example, as a paddy-planter or farmers who would help British, by supplying food for the community rather than importing to outsiders.

Besides, English school introduced by the British was not suitable with Malay culture. Undeniably, its schools' facility was much better than traditional school's, but when it was conducted by missionaries, parents automatically felt terrified. Will the children be taught about Christianity? In addition, Islamic religious knowledge was not allowed to be taught in the school as well. Therefore, the children might lose their identity as a Muslim. Such question was playing around in the parents' mind, except to those who are very open minded. However, choosing not to attend such school, they might lose the opportunities to see their children pursuing studies in Britain and having better career in the future. According to Mehmet Ozey:

…it cannot be said that the adaptation of the new education system by Malay parents was easy and straightforward. Instead, at the very first phase, they concerned much and resisted to send their children to Malay vernacular schools due to the assumption of dissemination of Christian or Western values theoretically and practically.[50]

Malay College Kuala Kangsar for example, was an elite school for the Malay aristocrats. Somehow, it discriminated poor and rural people who did not belong to the group. The main purpose of the college was to anglicize Malays. In the future, they will produce a Muslim leader, who has lost their Malay traditional leadership. [51] It comes to worry on how Malay leaders will be produced and what policy, they will make towards the community, is it similar to anglicize the Malays as well?

The appropriateness of *pondok* was questioned by *Kaum Muda*, such as Syeikh Tahir Jalaluddin and Syed Syeikh Al-Hady. Although they agreed with the modernization brought by the British, they would not compromise Islam by accepting secular education per say. They took as a challenge by establishing a new educational system where, Muslims might get both benefits; worldly and hereafter. Although they would not get the sponsor from the British to administrate such school as well to pay the teacher's salary, there were a number of Muslim traders or businessmen who willingly gave donation in terms of land and money.

By introducing *madrasah*, it would prepare the best education system for the Muslims. *Madrasah* was neither competing with secular education nor *pondok* system. With appropriate educational system, it helps parents choose the best school for the children to retain Islamic culture in them. It will be crucial to have better Muslim leaders in the future in order to make sure that the dignity of Islam will be preserved everytime and everywhere. According to Khoo Kay Kim:

Throughout the greater part of the twentieth century, the dynamic elements in the Malay society were to be found not so much among the English educated intelligentsia, but among the products of religious schools, Malay private schools and even Government Malay Schools. [52]

Although many challenges were faced by Muslim in the late 19th century towards the secular education, somehow they worked especially when the Muslim educational system had remained until today. Because of the worries of Muslim, they work hard in preserving their culture as what Islam has required. Modernization could be accepted as long as Islamic principles become its basis.

Conclusion

Before British colonization, Malays have their own Muslim educational system. The uniqueness of the system is it was parallel with the development of Islam in the region. During the arrival of Islam, Islamic education was taught in the palace, because of the conversion of Malay ruler. Then, Islam was taught traditionally in *surau* or *the masjid* because it was the suitable place for Muslim to gather after congregational prayer. They learned a basic knowledge of Islam in order to apply in their daily life. Because of the increasing number of the Muslim members in the region, while Islamic education becomes necessary, *u'lama* had initiated to have specific place known as *pondok*. The earliest *pondok* in Malay Peninsula was in Terengganu, followed by Kelantan and Kedah. However, because of the British policy of imposing secular education in the district, the nature of Muslim education has changed. Secular education was widely applied in the region through English and vernacular schools.

Different schools have emerged as a result of the idea of secularization in the region, which had shaken Malays' rationality especially the *Kaum Muda*. They realized that the British attempted to enact Western culture as well as to spread Christianity in the Malay tradition through education. However, in facing the trial that occurred in the society, *Kaum Muda* had come out with the idea of *the madrasah*, an educational system that integrated both secular and Islamic knowledge. It was after all the solution that could harmonize the appropriate knowledge for Muslims. Otherwise, parents would have a conflict in determining which school is the best and at the same time Islamic culture is not neglected in the system.

Consequently, secularization of knowledge had echoed Muslims in the region. It challenged Muslim traditional education which had been established for a long time. For Muslims, faith is generated through education; therefore, without having balanced education, between secular and Islam, Muslim will lose their identity. At the same time, by abandoning secular education, Muslims will remain poor and regressive in all parts of subdivisions; politic, economic and social. Perhaps, without the interferences of British policy before, Muslim in the region might not achieve success that they achieve today.

References

[1] Bee-Lan Chan Wang, "Educational Reforms for National Integration: the West Malaysian Experience," *Comparative Education Review*, 22:3, (Oct., 1978), p. 465.

[2] "Masjid is a center of community worship where Muslims perform ritual prayers and wherehistorically they have also gathered for political, social, and cultural functions". Hayat Salam-Liebich, Mosque, (1987), In The Encyclopedia of Religion, (Vol 10), New York, Mac Millian Publishing Company, p. 121.

[3] "The word pondok derives from the Arabic, ندق ف (gnigdol) ecalp gnigdol ro nni na gninaem, for travelers. In Malay, it means hut. The term pondok as an educational system refers literally to the students' lodgings at the traditional Islamic institution". Che Omar Awang, "The Methodology of the teaching in Islam with special reference to the traditional educational methods in Malaysia", *PhD. Dissertation*, University Edinburgh, 1996, p. 212.

[4] "The madrasah is an educational institution devoted to advanced studies in the Islamic religious sciences. Its origin has been much devoted, but evidence that the term was use in the eastern Iranian area as early as the late 19th century nullifies the hypothesis that it arose as the Sunni competitor to the Azhar Mosque School in Cairo founded in 972 for the Isma'ili Shi'i sect. Consequently, the earliest sense of the word itself is place of study, a noun of place for the verb

meaning "to study"." Richard W. Bulliet, Madrasah, (1987), In The Encyclopedia of Religion, (Vol 9), New York, MacMillian Publishing Company, p. 77.

[5] Syed Muhammad Naquib al-Attas, *The Concept of Education in Islam; A Framework for an Islamic Philosophy of Education,* Kuala Lumpur, ISTAC, 1999, p. 13.

[6] "Ulama means the religious scholars of Islam, the guidance, transmitters, and interpreter of its sciences, doctrines, and laws and the chief guarantors of continuity in the spiritual and intellectual history of the Islamic community". Hamid Algar, 'Ulama, (1987), In The Encyclopedia of Religion, (Vol 15), New York, MacMillian Publishing Company, p. 115.

[7] "Kaum Muda means associated with its young power of the print media and the new style of action". In Roff, W.R., *Studies on Islam and Society in Southern Asia,* Singapore, National University of Singaore, 2009, p. 100.

[8] Salah Zaimache, "Education In Islam: The Role of Mosque", *Foundation of Science , Technology and Civilization* , (June 2002), p. 3.

[9] "Masjid al-Haram is located in the centre, which of Makkah. It was existed since the existence of Kaabah, which is built by Prophet Ibrahim A.S. and Prophet Ismail A.S., his son. Masjid al-Haram was a place, where Prophet S.A.W. has started his journey to heaven then he went back to Masjid al-Aqsā, Palestine. In the early of its existence, it has no roof, no wall and it is too small since it is a place for tawwaf. According to historian, Khalifah 'Umar al-Khattab was the first Muslim, who enlarges that place. His contribution was continued by other Muslim rulers. It is a part of sacred place for Muslim and as qiblah. In Masjid al-Haram, there are many sacred things such as Kaabah, well of Zam-Zam, Hijr Ismail, Maqam Prophet Ibrahim A.S. and others". In Muhammad Isa Selamat, *Sejarah dan Keutamaan Tiga Tanah Suci,* Kuala Lumpur, Al-Falah Publication, 2002, pp. 58-59.

[10] "Masjid al-Nabāwī is a second masjid that built in history of Islam after Masjid Quba'. It was built on land that bought by Abu Bakr with his own money. The land was belonging to orphans. Actually, Masjid al-Nabāwī is a second sacred place in Islam besides Masjid al-Haram, Makkah and Masjid al-Aqsā, Palestine. In Masjid al-Nabāwī, there is Raudhah (Garden of Heaven), which place a grave of Prophet S.A.W and his two sahabah: Saidina Abu Bakr and Saidina 'Umar Al-Khattab". Ibid., pp. 110- 111.

[11] "The hajj stations at Arafah, Muzdalifah and Mina on the road east of Makkah appear to have been associated with solar and mountain. Islam; deities prior to the rise of the "standing" at Arafat, the "hurry" to Muzdalifah, and the "storming" at the pillars of Mina". Richard C. Martin, Muslim Pilgrimage, (1987), In The Encyclopedia of Religion, (Vol 11), New York, MacMillian Publishing Company, p. 338.

[12] Anthony Shih, "The Roots and Societal Impact of Islam in Southeast Asia : Interview With Professor Mark Mancal," *Stanford Journal of East Asian Affairs,* vol 2, (Spring 2002), p. 115.

[13] Che Omar Awang, "The methodology of the teaching..., pp 213-214.

[14] Faudzinaim Badaruddin, "Pendidikan Pondok dan Peranannya di Tanah Melayu Abad ke-19 Masihi," in *Islam di Tanah Melayu Abad ke-19,* edited   by Farid Mat Zain, Selangor, Karisma Publication, 2007, p. 120.

[15] "Literally halaqah means "circle", "gathering of people", "seated in a circle", and also "gathering of students around a teacher"." D. Ayalon, Halaqah, In Encyclopedia of Islam, (Vol 3), Leiden, E.J. Brill, p. 95.

[16] Mehdi Nakosteen, *History of Islamic Origin of Western Education A.D. 800-1350, With an Introduction to Medieval Muslim education,* Colorado, University of Colorado Press, 1964, p. 45.

[17] Ibid., p. 46.

[18] Hurgronje, C.S., *Mekka in the Latter Part of the 19th Century, Daily Life, Customs and Learning the Moslims of the East Indians-Archipelago,* Leiden, E.J Brill, 1970, p. 169.

[19] Ahmad Fauzi Abdul Hamid, *Islamic Education in Malaysia,* Singapore, S.Rajaratnam School of International Studies, 2010, p. 14.

[20] Hurgronje, C.S., op. cit., p. 179.

[21] Ahmad Fauzi Abdul Hamid, op.cit., p. 23.

[22] Rahimin Affandi Bin Abdul Rahim, "The Conflict of Traditionalism and Reformism in Malaya (1900-1940): A Study of Socio-Political Impact," *Jumal Syariah*, 8:2 (2000), p. 2.

[23] "Kaum Tua means someone who embodied the state apparatus of institutional Islam." Roff, W. R., *Studies on Islam ...*," p. 100.

[24] Mohd. Sarim Mustajab, "Sheikh Tahir Jalaluddin al-Falaki: Pelopor Gerakan Pembaharuan Agama dan Perubahan Masyarakat," in *Sheikh Tahir Jalaluddin*, edited by Suhaimi Abdul Aziz, Pulau Pinang, Universiti Sains Malaysia, 2003, p. 12.

[25] Azra. Azyumardi, "The Transmission of al-Manar's Reformism to the Malay-Indonesian World: The Cases of al-Manar and al-Munir," *Studia Islamika*, 6:3, (1999), p. 82.

[26] Virginia Matheson Hooker, *A Short History of Malaysia*, Linking East and West, Australia, Allen & Unwin, 2003, pp. 171.

[27] Federspiel H.M., "Modernist Islamic in Southeast Asia: A New Examination," *The Muslim World*, 192:3&4, (2002), p. 381.

[28] Shamsul A.B. Azmi Aziz, "Colonial Knowledge and The Reshaping of Islam :The Muslim and Islamic Education In Malaysia", *Islamic Stu-dies And Islamic Education In Contemporary Southeast Asia,* Edited by Kamaruzzaman Bustamam-Ahmad & Patrick Jory, Yayasan Ilmu-wan, 2011, p. 122.

[29] Ibid., p. 122.

[30] Ibid., p. 122.

[31] Virginia Matheson Hooker, op.cit., p. 171.

[32] Chin Yee Mun, *Malaysia: Ilmu, Persepsi dan Integriti*, Selangor, Prentice Hall, 2006, p. 40.

[33] Bee-Lan Chan Wang, "Educational Reforms ...", p. 466.

[34] Syed Naquib al-Attas, *Islam and Secularism*, Kuala Lumpur, Muslim Youth Movement of Malaysai, 1978, p. 14.

[35] Mehmet Ozay, "A Revisiting Cultural Transformation: Education System in Malaya During the Colonial Era", *World Journal of Islamic His-tory and Civilization,* 1:1(2011), p. 2.

[36] Che Noraini Hashim and Hasan Langgulung, "The Muslim World and the West: The Potential of Educational Institutions in Building Bridges in the Context of Malaysia," *Bulletin of Education & Research*, 29:2, (December 2007), p. 4.

[37] Bee-Lan Chan Wang, op.cit., p. 466.

[38] Ibid., p. 467

[39] Virginia Matheson Hooker, op.cit., pp 172-173

[40] Ibid., p. 172.

[41] Ibid., p. 172.

[42] Che Noraini Hashim and Hasan Langgulung, op.cit., p. 4.

[43] Shamsul A.B. Azmi Aziz, op.cit., p. 123.

[44] Che Noraini Hashim and Hasan Langgulung, op.cit.,
p. 5.

[45] Mehmet Ozay, "A Revisiting Cultural...", p. 13.

[46] Syed Husin Ali, *The Malays: Their Problems and Future*, Selangor, The Other Press, 2008, p. 57.

[47] Che Noraini Hashim and Hasan Langgulung, "The Muslim World...", p. 6.

[48] Syed Naquib Al-Attas, *Islam and Secularism*, Kuala Lumpur, Muslim Youth Movement of Malaysia, 1978, p. 100.

[49] Ibid., p. 100.

[50] Mehmet Ozay, op.cit., p. 7.

[51] Shamsul A.B. Azmi Aziz, "Colonial Knowledge …", p. 123.

[52] Khoo Kay Kim, Malay Society 1874-1920s., *Journal of Southeast Asian Studies*, 5: 2 (1974), p. 197.

The Patterns of Students' Value Preferences in Hungary

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Abstract: *The study is designed to map the value patterns of the students at the University of Debrecen. The intellectual position has got a special value-background and this pattern emerges for example in the item of the education or creativity. This pattern may be typical in the Hungarian student population as well, but the comparative research results show that the value preferences of the Hungarian population are more material and rational. We used the HERD database from 2012 (N=1118). The results show that the mindset of the student population is more postmaterial than that of the average Hungarian people. The microlevel values are important too. The material and religious items are located at the end of the list. The effect of the sociodemographic background has also been analysed, and religiosity has got a strong effect. The faculties of the university can also shape the value preferences of the students.*

Introduction

In this study the students' value patterns are analysed with quantitative methods by means of a Hungarian sample. The student population is a special group of the society and their thinking patterns are not equivalent with the average mindset. This differrence can be explained by the elements of the intellectuals' goals, lifestyles and social background. So they have a special social position because they as would-be intellectuals and they are usually come from the middle class families, and have a special disposition which fits into this social position. But the mindset of the student population can be formed by the institutions too. This effect roots not only in the staff of the universities and the different disciplines but also in the peer networks as well. The institutional milieu has got several contents and these elements can shape the system of the value preferences together. Some qualitative research tried to map this phenomenon in Hungary [1] but the empirical findings are not clear-cut. Every faculty has got a special milieu with their own norms and roles but we suppose that these faculties attract particular students. Students need to know these patterns to some degree before they start their trainings but the faculties can form the thinking of the students during the university years as well. The networks of the students play an important role in this process so the starting points are not the institutions in every case. Several actors can be distinguished (lecturers, students networks, the effects of the disciplines etc.)

The mass higher education system started to evolve in the 90s after the regime changed in Hungary. A major part of the students come not from middle class and some faculties and institutions are far from the elite segment of the higher education so it is questionable whether we can find the features of the intellectual mindset or not. Moreover due to mass higher education system a more pragmatic conception of the universities has emerged and it tends to be in the foreground making the degree a kind of product. After all the international comparative research studies have shown that the value preferences are more materialistic in Hungary [2] and these changes can remove the students from the classic intellectual items like education or imagination and the postmaterial values too.

1. Theoretical framework

Values provide us with a special field between the macrostructural level of society and the individuals. The most popular value-tests measure this phenolmenon at the level of the individuals but it is rooted at the macrostructural level of societies too, thus the individual value-patterns are embedded in the differrent strata, economic situation and religion. But these are not the only factors which can form this system because the personal observations and the special features of the personality have got an effect too. We can collect the general elements of the value-definitions relying on Rokeach [3], Schwartz [4] and Hofstede and Hofstede [5]. Values can lead the process of evaluation (the choice between good and bad) and can provide the survival of societies. These phenomena have got a central role in keeping societies together because they result in similar way of thinking and behaviour. Although values are macrostructural elements as well they can shape the

individual choices and actions in complicated and inexplicable ways [6]. Values link to the identity and self-image and determine the purposes and tools of the individuals. Schwartz models the positions of the motivations fields and values in a two-dimensional figure. The four main fields are the 'openness to change', the 'self-enhancement', the 'conservation' and the 'self-transcendence' [7].

The values are embedded in the social context and the economic, cultural or religious environment. The changes in these fields shape the individuals' value systems and hereby the lifegoals (for example social mobiliy), and the methods of reaching these aims. Several alterations had formed people's value preferences over the past centuries, but these changes started in different terms in different places and the runoffs of these processes are different too. For example we know the effect of the modernization process [8] and this process emphasizes the rational and effective items and the achievement – these values are associated with industrial capitalism and the system of Ford' mass production in the 19th century. These values trickled down to the lower social strata too. The secularisation process [9] weakens the religious items and life goals moreover it changes the system of the idealistic human features. But the secularisation is not a linear and unidirectional process and the preferred features of the different religions are also varied. We have to take into consideration the effect of individualisation [10] and this shift can erode the social items. These items can be goals (for example national or family values) or instrumental values which are connected with the rules of living together (for example the item of the politeness). This shift is concerned with the urbanisation too.

The modernisation process was delayed in a way in Hungary, and these features became general in the second half of the 20th century – these were actually the decades of socialism. The ideology of this system was strongly secular so the mechanism of the secularisation also became rather significant. The ideal socialist man had got collectivistic attitudes but these social networks were not based on the tradetional social contact. The ideology of the sociallism was work-centred and the value of equality was very important – the traces of these ideological ele-ments were revealed by the value-research in the 90's (after the regime changed) [11]. The socialist industrial system was not based on achievement and effectiveness so these values were not dominant. Nowadays similar patterns can be found regarding these

items too. The influence of the socialist state on people's thinking structure was strong, but it is an important fact that the material and individual way of thinking can be observed between the two World Wars [12]. The closed mindedness is a typical feature of the Hungarian mindset and it has got a secular and a material attitudes too [12]. The neighbourring countries of Hungary are orthodox states at the World Value Map (for example Bulgaria and Romania). So the position of the countries is different from the geographic location if the value patterns are analysed.

We have already mentioned that the students' value preferences are different from the average patterns. This distance can be explained by several elements – at first we can denominate the cohort-effect. According to Inglehart the value preferences have got different patterns in the different periods of the personal life so young people have got special features [14]. This shift can be attached to the material-postmaterial axis and the elder generations tend to overrate the material and financial items. If this theory is our standpoint we can expect a strong postmaterial attitude in the student population. But the situation is special in Hungary, because the thinking structure of population is strongly materialistic, and over the last two decades the attitude to higher education has changed. Research pointed out that students' expectations are widely pragmatic [15] and such an attitudes can be observed such in the field of the educational policy too.

We have also mentioned that this population has got a special social background. Before the regime changed and in the first half of the 90' the marks of the mass higher education can not be observed, but the access to higher educational institutions became more available to the lower social strata. The system of the higher education institutions had widened in this period and a significant part of this new system receives students from this social groups. The obtainable degrees are less marketable and they will not generate a strong middle class position in Hungarian society. Moreover the other segment of the higher education institutions has got elite features henceforward the students have got more favourable social background at those universities. The gap has become wider in Hungarian higher educational system over the past two decades. But it is questionable whether in this situation we can find the classical mindset of the intellectuals in the student population or not. The value preferences are embedded in the social position, and the changed social background

can remove the institutional milieu from the middle class attitudes.

During the university years the way of thinking of the students has altered, and institutional effects are important factors in this process. But the institutional effects are different and we can suppose that not the whole system tend to move towards the intellectual life goals and thinking. This part of the Hungarian universities which are rather colleges plays an important role in the process of social mobility and it can be the first stage to the intellectual life but this institutional milieu is different from the traditional and elite segment of the higher education institutions. To sum up the students' value preferences have changed and this shift does not turn the mindset of the student to the classical intellectual values.

In our analysis we use the faculties as an independent variable. First we can claim that the faculties create wide gaps between the institutional structures of the universities – the situation is similar at the University of Debrecen too. The different faculties have got various prestiges, and the students and the staff members are well aware of this prestige [16]. We can analyse the features of social inequalities inside the university. Some faculties have got a lower prestige (for example Faculty of Child and Adult Education and Faculty of Health), in the student population are overrepresented the villagers and the non traditional students and the obtainable degrees will not generate a middle class position. Secondly the different disciplines can be located in a special value-field. Knafo and Sagiv [17] put together the value model of Schwartz and the typology of Holland with 32 professions and the results were illustrated in a two-dimensional model. For example the social professions are connected with benevolence and universalism, the entrepreneur has got an opposite position to the universalism, and the artist to the conventional values. The disciplines attract students with fitting life goals and methods but we suppose that the disciplines have got their own effect too and this attitude can form also the students value-preferences.

So if we would like to sum up the theoretical frameworks we can claim that the system of the university students' value preferences can be formed by several external and internal factors (social background, institutional effects, effects of the staff members, effects of the students' integration and disciplines etc.). The importance of this research question can be explained with the future role of this particular population because these students will become the next generation of the intellectuals.

2. The methodology of the analysis

The HERD database (Higher Education for Social Cohesion Cooperative Research and Development is a Cross-border Area, HURO/0901/253/2.2.2. Leader: Prof. Dr. Tamás Kozma) was used during the analysis. The sampling methods were the combination of multi-stage and cluster sampling. We separated the students of the University of Debrecen (N=1118) from this sample. The analysis was conducted in 2012.

We tried to map the field of the value preferences with 16 items and the students had to use a four-grade scale. This list was used in the state Hungarian youth research, so we can compare the results to the results of the average Hungarian youths' data. Socio-demographic background was analysed by means of independent variables such as gender, type of settlement, parents' degree, economic capital, type of religiosity, faculties (15 faculties in 2012, but the structure of the university was changed in 2014.). We have analysed the economic capital with an index and this index was made with the help of durable consumer goods (for example house, car, smart phone, and personal computer.). The techniques we used: rates, crosstabs, factor analysis and variance analysis. We had a chance to conduct a longitudinal analysis because the data were compared with the results of „Regionális Egyetem" Research from 2005 (NKFP-26-0060/2002. Leader: Prof. Dr. Tamás Kozma). This comparative analysis contained not every item.

3. Empirical findings

First we have to show the main features of our sample. These properties can be explained by the university's position in the system of the Hungarian higher educational institutions and the situation of the university. The University of Debrecen has a position between 601 and 650 in the Quacquarelli Symonds list in 2014. But its catchment area is regional because our students come from the Eastern and Northern part of Hungary and some of them come from the other side of the border. Relatively numerous Hungarian minority groups live in Romania, Ukraine and Slovakia). So the students of this university come rather from the lower social strata, the underprivileged regions and villages. The rate of the students from villages is relatively high

(27,3%) and the rate of the parents with degree is 29,4% (fathers) and 41,1% (mothers). There are more women than men (65,3%) in our sample and we can explain this fact with the structure of the faculties. The prestige of the faculties is associated with the inequalities inside the universities: some faculties belong to the elite segment of higher education and the profile of a few faculties are more practical-minded. These patterns become more pronounced in relation to the socio-demographic background of the students. Due to the low observed counts only nine faculties were analysed. The type

of religiosity was a used variable too and the frequencies were the following: religious in their own way (42,7%), non-religious (35,9%), churchgoers (12,3%), uncertain (9,1%). This region shows a mixed pattern from the aspect of denominations (Protestant, Greek-Catholic, and Catholic and Orthodox denominations) but secularisation tends to be dominant in Hungary and one of our earlier research has shown that the denominations had got weak effect on the value preferences [18]. The first diagram shows the patterns of the value preferences.
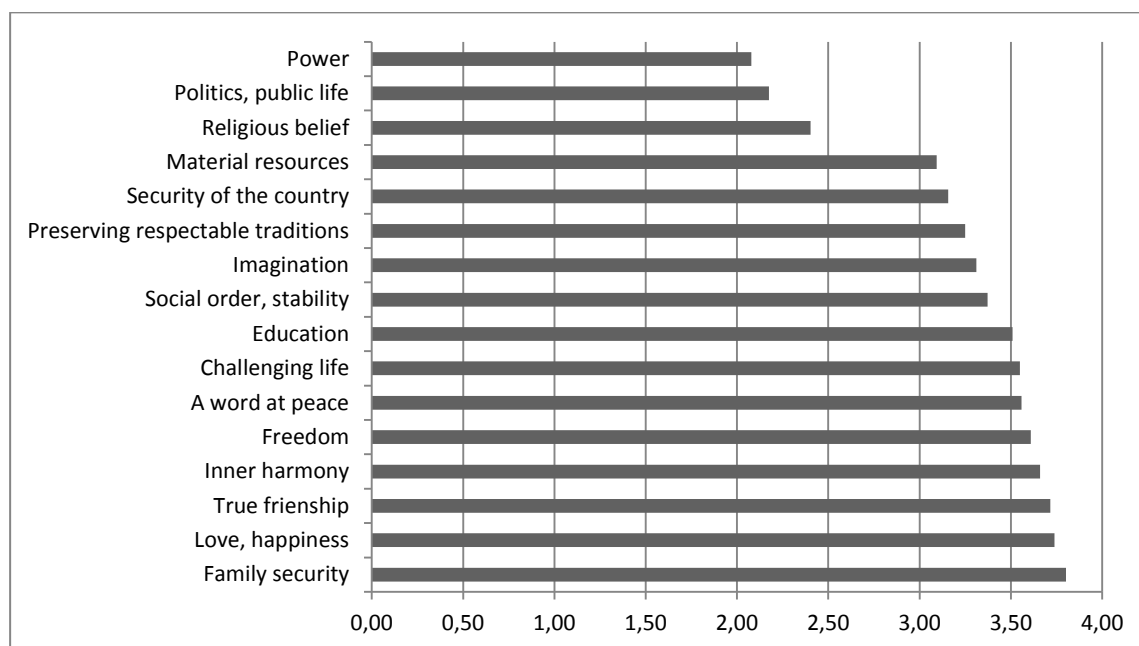
Figure 1. The students' value preferences (HERD database, N=1118, rates)

The micro level values (family security, love/happiness, true friendship) were the most important in this pattern and this is similar to the average Hungarian mindset. But we can also see the high position of post-material (inner harmony, freedom etc.) and intellectuals items (education, imaginations) – this notion can be explained with the features of the students sample (for example the cohort effect and the effect of the special social

background). In the second half of the list the macro level and common values are located, such as material items religious belief, politics/public life and power. The state socialism definitely had changed the importance of public items and religious belief. The second diagram shows the longitudinal analysis of ten items.
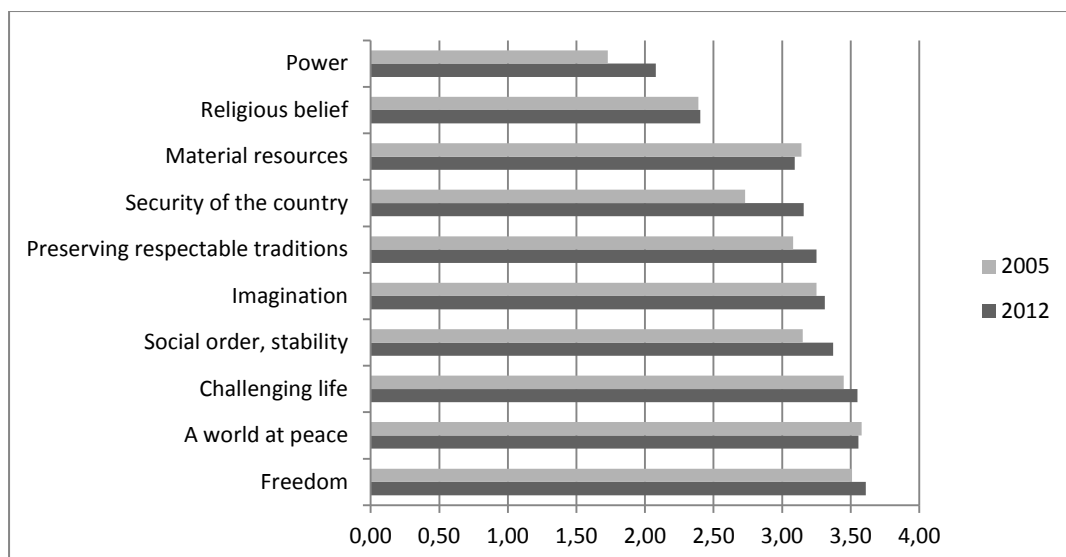
Figure 2. The differences of value preferences between 2005 and 2012
(Regionális Egyetem Research, N=952, HERD database, N=1118, ANOVA test, p>0,005)

The macro level values have become more important between these two research (security of the country, social order/stability, preserving respecttable traditions). The item of the power has got the strongest shift too. The positions of the macrolevel items are embedded in the political context. But this is not an equivocal social and common change because we can identify individual and postmaterial changes too (freedom, challenging life, imagination).

During the next step we analyse the gender differences in the field of value preferences. First we have to know whether the effects of the tradetional gender roles are strong in Hungary at all, but these variances seem to be weaker in the younger generations.Value-research, which concern students, could not find not a wide gap between men and women [19 and 20]. Figure 3 shows these differences.
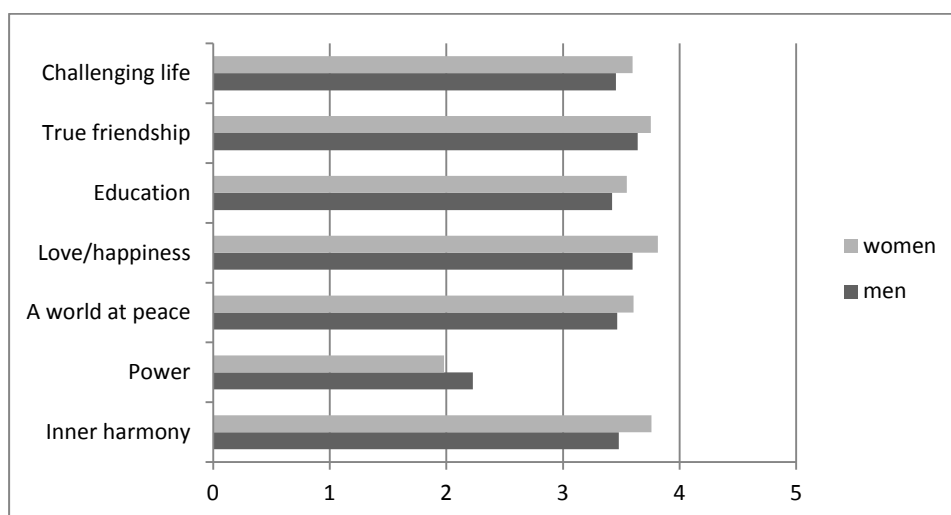
Figure 3. Significant differences between men and women
(HERD database, N=1118, ANOVA test, p>0,005)

We can claim that women tend to overrate the value items at every item so it will be necessary to use multidimensional statistics in the second half our analysis. The power was the only item which was more important in the value pattern of men. Other independent variables were used too but the effects were not remarkable because only few significant relationships can be identified in the case of the settlement, the parental education and the economic capital. The village students have got a more traditional value preferences (the religious belief and the security of the country were more important), the imagination was overrated by a lot of higher educational parents and the favourable economic situation was linked to material items (material resources and power). The first table shows the effects of the religiosity.

Table 1. The effect of religiosity on value preferences
(HERD database, N=1118, ANOVA test, p>0,005)

	Churchly	Religiosity their own way	Uncertain	Non religious	*Sig.*
Inner harmony	3,72	3,72	3,57	3,61	*0,004*
Power	1,81	2,1	1,96	2,17	*0,000*
Freedom	3,51	3,6	3,75	3,63	*0,001*
A world at peace	3,57	3,59	3,73	3,48	*0,000*
Security of the country	3,43	3,18	3,14	3,04	*0,001*
Preserving respectable traditions	3,51	3,41	3,3	3,3	*0,000*
Religious belief	3,64	2,77	2,18	1,6	*0,000*
Imagination	3,32	3,4	3,31	3,2	*0,000*
Material resources	2,84	3,1	3,29	3,13	*0,000*
Education	3,61	3,55	3,36	3,46	*0,001*
Challenging life	3,44	3,63	3,47	3,51	*0,000*

The types of the religiosity have got special patterns. For example the macrostructural items were important in the case of church-goer students (preserving respectable traditions, security of the country). It is very important that the religious belief got a highest mean in this subsample (and not in the case of students religious in their own way). The value preferences of the uncertain students we-re rather postmaterial (freedom, a world at peace).

In order to find the deeper relationships we identified five factors with the help of the value items (seeking security and universalism, seeking happiness and relationships, hedonist intellectual, conservative religious and materialistic domineering – Table 2.). These factors are visible in the second table. By means of these factors we will analyse the effects of sociocultural variables and the influence of the faculties.

Table 2. The means of the factor scores (principal component analysis,
rotated varimax method, preserved information: 66%)

	Seeking security and universalism	Seeking happiness in relationships	Hedonist intellectual	Conservative religious	Materialistic domineering
Inner harmony	**,573**	,397	,064	,173	,077
Power	,000	-,163	-,059	,039	**,854**
Freedom	**,701**	,030	,399	-,012	,152
A world at peace	**,762**	,145	,150	,220	-,012

Family security	**,657**	,394	,125	,062	-,026
Security of the country	,268	,226	-,025	**,691**	,075
Love/happiness	,296	**,774**	-,014	,092	-,011
Preserving respectable traditions	,160	,244	,285	**,675**	-,065
Religious belief	-,021	-,084	,057	**,790**	-,026
Imagination	,275	-,106	**,807**	,102	,026
Material resources	,099	,188	,232	-,060	**,760**
Education	,118	,400	**,629**	,226	,142
True friendship	,206	**,708**	,338	,151	-,034
Challenging life	,160	,471	**,654**	,024	,083

The traditional gender differences were not clearly detectable with the items in our student sample and this finding refers to mixed gender patterns. We suppose that the distances come into sight with the help of the factors but this hypothesis did not work because there was only one significant relationship. The „seeking happiness in relationships" was typical in the women' subsample (ANOVA test, p<0,05, sig.: 0,000., the mean of the factor scores by men -0,293, by women 0,152) but differences were not found even by the „matrialistic domineering factor" too. Religiosity had got a strong effect on the value items and this time we have found two significant relationships (Table 3.). This table verified that the uncertain religiosity has got postmaterial features and the macrolevel attitude is more typical in case of the church-goers and students religious in their own way. The church-goer religiosity is opposite to the materialistic domineering factor.

**Table 3. The average of factors according to the religiosity (HERD database,
ANOVA test, p<0,05, N = 1118)**

	Factors		
types of the religiosity	Seeking security and universalism	Conservative religious	Materialistic domineering
churchly	-0,139	1,041	-0,353
religiosity their own way	-0,018	0,230	0,012
uncertain	0,366	-0,228	0,016
non religious	0,003	-0,590	0,103
sig.	*0,001*	*0,000*	*0,000*

We had tried to map the influence of the faculties with these factors. (We could use nine faculties because of the size of the subsamples.) Other research showed that this institutional effect is strong [21], but this influence has got several contents: for example the impact of the disciplines, the milieu and prestige of the faculties, the social background of the students etc. We have found two significant relationships: in the case of the conservative religious (Figure 4.) and the materialistic domineering (Figure 5.) factors.
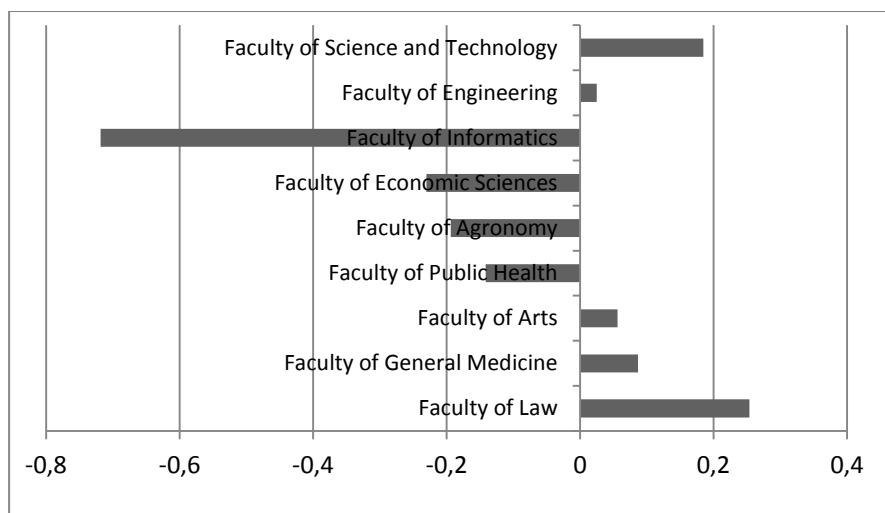
Figure 4. The averages of the conservative religious factor according to faculties
(HERD database, N=905, ANOVA test, p>0,05, sig.: 0,000)

It can be seen that the conservative religious attitude is opposite to the value preferences of the Faculty of Informatics, the Faculty of Economic Sciences, the Faculty of Agronomy and the Faculty of Public Health. These results are not striking but the Faculty of Science and Technology has got a special position and differences can be revealed between the two medical institutional elements.

The Faculty of General Medicine has got a high prestige inside the university and the social background of the students is favourable. The Faculty of Public Health was established in 2005 and it is rather connected with the applied sciences. We can find the highest mean in the Faculty of Law.
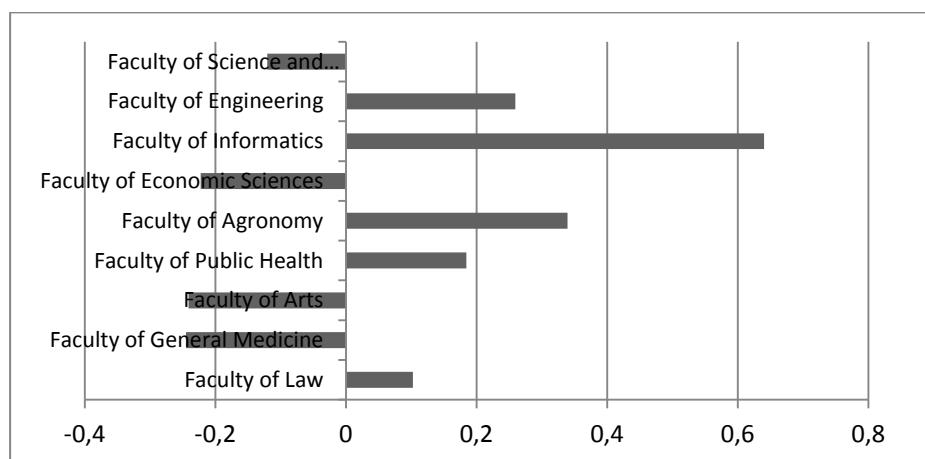
Figure 5. The average of materialistic domineering factor according to faculties
(HERD database, N=905, ANOVA test, p>0,05, sig.: 0,000)

These two factors are not contradicting each other. The materialistic domineering factor was typical at the Faculty of Informatics, the Faculty of Engineering, the Faculty of Agronomy and the Faculty of Public Health. The preferences of some

faculties were parallel with our expectations (for example the Faculty of Arts, Faculty of Informatics) but some patterns were not similar for example to the features of the disciplines (Faculty of Economic Sciences). The segments which have

the highest prestige (Faculty of General Medicine, Faculty of Economic Sciences) have got different patterns so the students' favourable social background is not the only shaping factor.

4. Summary

In this study we wanted to map the system of the students' value preferences and to analyse the most important independent variables. Some independent variables (for example the type of settle-ment or the parental degree) can be used by the average populations too but our earlier research showed that these factors are working in different way at the campuses. Campuses can neutralize for example their effects [22].

It is an important fact that these findings are valid only at the University of Debrecen and we cannot generalize the results. But we suppose that there are not universal intellectual patterns inside the major institutions (for example the postmaterial attitudes). Every element of the institutions has got a special milieu and these milieus have got several elements which can form the students' value preferences. Naturally universities are not working outside the societies so the main tendencies of the youth are observable too (for example the effects of the political context or the parties).

The University of Debrecen had always got a special student base. Before the mass higher education (in the first half of the XX. century) the significant percents of the students had already came from lower social strata [23]. Nowadays the University of Debrecen is rather a regional university too.

The empirical analysis shows that the students' value pattern are different from the data of Hungarian national samples i.e. the students tend to be more postmaterialist and more hedonistic. This influence is may be explained by the cohort of the youth. Besides the microlevel values seem to be more dominant. The passive attitude towards the macrostructural items may be interpreted with the help of the political situation after the regime changed – but some shifts are demonstrated between 2005 and 2012. It is very important, that the effect of normal sociodemographic variables can not be observed at the campuses or they are rather weak (type of settlement, parental degree). At the same time significant effect can be observed by the type of religiosity. The influence of the faculties is strong but we cannot exactly describe what factors

and in which way shape this independent variable because there are not enough empirical research in this field.

In the future we are planning to conduct other analysis in order to carry out a longer longitudinal research and the contribution of other institutes could be very useful too. Using quantitative methods is not enough to make sense of the institutional milieu so qualitative research will also be necessary in this field.

References

[1] Similar qualitative research studies are the following: Harmati E., "A legnagyobb emberi próba és szerep". Az emberi barátságok szociológiája. ("The Extreme Human Proof and Role". The Sociology of Human Friendships), In. Dusa É. et al., (eds) *Egyetemi élethelyzetek Ifjúságszociológiai tanulmányok I. (Life Situations at Campuses. Writings from the Field of Youth's Sociology I.)*. Debrecen University Press, Debrecen, 2012. pp. 91-118. or Madarász T., Mc'Donalds Egyetem. Az egyetemista lét mint a tömegkultúra hordozója. *(The Mc'Donald University. The Campus Life as the Bearing of the Mass Culture)*. In. Dusa Á. et al., (eds) *Egyetemi Élethelyzetek. Ifjúságszociológiai tanulmányok II. (Life Situations at Campuses. Writings from the Field of Youth's Sociology II.)*. Debrecen University Press, Debrecen, pp. 121-144.

[2] Keller T., *Magyarország helye a világ értéktérképén. (The place of Hungary on the Valuemap of the World)*. Tárki, Budapest, 2009.

[3] Rokeach, M., *The Nature of Human Values*. Free Press, New York, 1973.

[4] Schwartz, S. H., Universals in the content and structure of values: Theory and empirical test in 20 countries. In. Zanna, M. (ed.): *Advances in experimental social psychology*. Academic Press, New York, 1992. Vol. 25. pp. 1-65.

[5] Hofstede, G., and Hofstede, G. J., *Cultures and organizations: software of the mind*. McGraw-Hill, New York. 2005.

[6] Feather, N. T., Bridging a gap between values and actions: recent applications of the Expectancy-value model. In. Higgins, E. T., and Sorrentino, R.

M. (eds.): *Handbook of Motivation and Cognition. Foundations of Social Behavior.* Volume 2. Guilford Press, New York, 1990. pp. 151-192.

[7] Schwartz, S. H., Universals in the content and structure of values: Theory and empirical test in 20 countries. In. Zanna, M. (ed.): *Advances in experimental social psychology.* Academic Press, New York, 1992. Vol. 25. pp. 1-65.

[8] Weber, M., *The protestant ethic and the spirit of capitalism.* Routledge Press, London, 2001.

[9] Halman, L., and Pettersson, Th., A Decline of Religious Values? In. Esther, P., Braun, M., and Mohler, P., (eds) *Globalisation, Value Change and Generations. A Cross-National and Intergenerational Perspective.* Brill, Leiden, 2006. pp. 31–60.

[10] Macfarlane, A., *The origin of English individualism: The family, property and social transition,* Cambridge University Press, New York, 1978.

[11] Füstös L., and Szakolczai Á., "Kontinuitás és diszkontinuitás az értékpreferenciákban (1977-1998)" (Continuity and discontinuity in the value preferences (1977-1998)), *Szociológiai Szemle (Sociological Review)*, 9(3). 1999. pp. 54–71.

[12] Beluszky P., "Értékek, értékrendi változások Magyarországon 1945 és 1990 között" (Values and changes in the field of values in Hungary between 1945 and 1990). *Korall*, 1(1). 2000. pp. 137–154.

[13] Keller T., *Magyarország helye a világ értéktérképén. (The place of Hungary on the Valuemap of the World).* Tárki, Budapest, 2009.

[14] Inglehart, R. F., "Changing Values among Western Publics from 1970-2006" *West European Politics,* 31(1-2). 2008. 130–146.

[15] Veroszta Zs., *Felsőoktatási értékek – hallgatói szemmel. A felsőoktatás küldetésére vonatkozó hallgatói értékstruktrúrák feltárása.* (*Higher educational values – from the students' point of view. The exploration of the students' value structures regarding the mission of higher education*). PhD értekezés (Thesis). Budapesti Corvinus Egyetem (Corvinus University of Budapest), Szociológiai Doktori Iskola (Sociological Doctoral School), Budapest, 2010.

[16] Fónai M., A Debreceni Egyetem Tehetséggondozó Programjába került hallgatók rekrutációja és a szakok értékelése (The recruitment of the students int he Talent Care Program at the University of Debrecen and the evaluation of the trainings). In. Karlovitz J. T. (ed.): *Speciális kérdések és nézőpontok a felsőoktatásban.* (*Special issues and aspects in the higher education*). Neveléstudományi Egyesület (Educational Association), Budapest, 2009. pp. 49–66.

[17] Knafo, A., and Sagiv, L., "Values and Work Environment: Mapping 32 Occupations", *European Journal of Psychology of Education*, 19(3), 2004. pp. 255–273.

[18] Bocsi V., and Tornyi Zs. Zs., A vallás értékszociológiai vizsgálata egy regionális elemzés tükrében (The value-sociological analysis of the religion in the mirror of a regional research). In. Földvári M., and Nagy G. D. (eds.): *A vallás a keresztény társadalom után (The religion after the christian society).* Szeged, Belvedere Meridionale, 2012. pp. 173–198.

[19] Schwartz, S. H., and Rubel, T., "Sex Differences in Value Priorities: Cross-Cultural and Multimethod Studies". *Journal of Personality and Social Psichology,* 89(6). 2005. pp. 1010–1028.

[20] Myyry, L., "The Diversity of Value Meanings among University Students." *Scandinavian Journal of Educational Research*, 52(6). 2008. pp. 549–564.

[21] Bocsi V., *Az idő a campusokon* (Time at campuses). Belvedere Meridionale Press, 2013. Szeged.

[22] Bocsi V., *Az idő a campusokon* (Time at campuses). Belvedere Meridionale Press, 2013. Szeged.

[23] Nagy P. T. A diplomás értelmiség népi rekrutációjának alakulása 1945 előtt és után (The changes of vernacular recrutation of professional intellectuals before and after 1945) In. Karády V. and Nagy P. T. (eds), *Iskolázás, értelmiség és tudomány a 19-20. századi Magyarországon (Schooling, intellectuals and science in Hungary in the 19-20. centuries)* Budapest: WJLF, 2012. pp. 122-136.

Protecting of Children Online in Saudi Arabia

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Abstract *Modern society is inundated with an array of attractive technological gadgets, most of which are used by young children. This information and technology revolution poses challenges to humanity, especially young people. However, the advent of this revolution means that people's lives have been made easier in many different ways. Many countries and organizations in the world are concerned about the risks coming from the Internet on children, such as sexual harassment and exposure to inappropriate content like violence and sexual activities. Saudi Arabia is one of the countries in the Middle East that experiences this rapid revolution of the internet. With the increase in the number of Internet users in Saudi Arabia, especially children, and the use of social networking sites like Facebook as well as the ease of sharing photos and inappropriate content all this continues to increase the chances of children's exposure to risk is increasing.*

Introduction

The family as an agent of primary socialization is the first social base in forming and building individuals' characters, moderating their behaviour patterns and influencing choices in the use of technology [27] which is extremely important now as we live in a world of globalisation. Therefore, family performs a pivotal role in the social education process to ensure direction of desired behaviour towards the acceptable social values in Saudi Arabia. Control in this study means observing children's behaviours in many situations and putting a deterrent aimed at getting the desired or expected behaviours in place that does not result in children rebelling. Families in the Saudi community in particular compared to other families or communities in most contemporary societies appeared distinguished by its ability to practice social control to its members and restraining their behaviour if they deviated from what is generally socially accepted [25]. Children in any society are bound to be attracted by new ways of communicating with each other and the outside world, mass media is a growing appeal for this. Needless to say, children in Saudi Arabia are giving in to the new technology wave that is sweeping across nations due to its vast availability and ease of access. However, Saudi is a collectivist society and religion is used to maintain a firm grip on behaviour patterns of its population [27].

King Abdulaziz City for Science & Technology, an independent scientific organization responsible for monitoring and controlling internet use in Saudi Arabia has made intensive efforts in controlling this open service. In addition, the observer of Saudi community section finds that half of active internet users are below fifteen years old [17].

There seems to be effective participation of the Saudi family through controlling their children's use of the internet more insistently in the present time, where the family is the first brick in community building. Its utility means that the community's utility and corruption results in community corruption. It is the family that holds responsibility for the security of everyone in the nation intellectually, behaviourally and socially.

One of the noticeable challenges facing Saudi Arabia is that the function and influence of the family is continually being threatened by the world's socio-economic developments projected by the process of globalization. Therefore, it is inevitable for any researcher of sociological issues facing the nation to take into consideration the social, economic and cultural factors surrounding the family, as it has been previously stated that Saudi does not operate in a vacuum. Only a few studies have tackled the topic of family involvement on using the internet by children in Saudi community previously but they have not

focused specifically on the control aspect within the home. The researcher hopes that this study will analyse deeper into the challenges and boundaries in order to help in enriching scientific knowledge about the role of the family in moderating or shaping children's behaviour through different control measures in internet usage.

One problem the researcher faced was when translating from English to Arabic which had to be accurate so as not to change the meaning of words, especially in academic studies. According to [13] "some terms had to be examined more closely in relation to the different cultural and professional contexts to establish the extent to which an equation of the term across cultural and professional boundaries could be problematic." The challenge is that the Arabic and English languages are very rich in the use of synonyms which can be time consuming when considering the use of near and close synonyms.

1. Literature Review

Addiction and online gaming

Like a drug, the internet has been defined as addictive [14], [5]. Activities such as online gaming have perpetuated the addiction through stereotyping those who play games online as 'nerds' or 'geeks'. These labels have a negative connotation [6]. Adults too can be addicted to these games. In the case that an addicted adult is parent; parenting values may be compromised in that that there would be a lack of a positive role model in terms of internet use. A study carried out by Dr Young [6] concentrated on the paradox of the use of the net and social isolation.

The Kaiser Foundation study suggests that in general, the majority of parents are concerned by the inappropriate contents that children are exposed to in playing these games and they believe that the content has an effect on the children's conduct. However, parents do adopt different parenting styles and they exhibit different beliefs about the morality of allowing children to play games that are meant for adults only. [6]'s study is narrower in that it does consider a wide variety of attitudes yet [23] reveals that some parents take a liberal view and consider not only the chronological age of the child but also the level of maturity. For instance, one parent was quoted as saying, "If it's something fun that we can do together it really doesn't matter what the rating is. Another said, "You can skip that stuff (sex and prostitution) that's what my son does" [23] page 4. In sum, this survey suggests that most parents felt

they were doing all they could to ensure the safety of their children when they use the media.

However, the revelation that some parents felt that it was acceptable for their children to list as favourites; games that are only meant for adults like Grand Theft Auto illustrates a controversial view of what constitutes good guidance for internet safety. Social networking sites as well have been cited as another cause for addiction. Likewise, social networking sites, according to [19] have been known to incite violence and hate crime like cyber bullying, homophobia, ageism and racism. In London two young men were charged for attempting to incite public disorder by inviting other young people to join the London riots in the summer of 2011. Says that Facebook causes a condition he calls Facebook Addiction Disorder. The psycho-social effects of social networking sites and the parents' role in gui-ding their children in using these sites will be dis-cussed in the next section of the literature review [9].

A study, which aimed to measure the intensity of the use of internet to children and the sites that children prefer including the most important information that the children obtained from online sites. He found that children use the Internet on a daily basis, and that gaming sites come first in their preference [29].

2. Exposure of children to inappropriate content

Define exposure to inappropriate material as, "exposure to photographs of nude people, pictures of sexual activities, pictures involving children, and pictures which include violence and sexual activities during online browsing [8]. A study on Academic illiteracies, carried out by [15] suggests that many parents (over 55%) do not bother monitoring their children while surfing the internet. Paradoxically, 95% admitted that they were worried about sexual and other inappropriate material online. Similarly, a study carried out by [11] purport that many parents in America feel that they are getting control of their children's surfing habits but are concerned with online content. The experiences for children are both negative and positive.

There is a lot of positive and educational information online however, exposure to violence and prostitution can be some negative impacts on the internet. It is noteworthy [2] that more users of pornographic websites in the world are between the ages of 12-17 years and that sex and pornography sites are highly requested. [16], confirmed internet can help criminal elements and terrorist gangs to increase crime. [4] emphasized the importance of developing self-cen-

sorship among the children, but we have to learn what the online step by step, and when you fall into the error should not shout but direct and instruct them. The authors also emphasize the role of social institutions such as family and school in the rationalization of the kids about surfing.

As for the internet crimes in Saudi society, [3] concluded that 4.2% of respondents visited pornographic sites, 19.2% asked pornographic ones, and 24% fostered pornographic sites, and 2.9% had defaming others, and 4.2% fostered pornographic emails group.

Strategies used by parents to monitor their children online include checking sites visited, using child safety software, checking social networking sites activity and chat messages. Although parents claimed that they controlled their children's online habits they displayed ignorance of acronyms for age restrictions for games and films watched online. For instance, [11] claim that most parents did not know what EI (Educational Information), FV (Fantasy violence) and TV-A (Mature audiences) stood for. Such studies highlight the need for parents to be more vigilant in monitoring their children's surfing habits in order to safeguard them and also to be knowledgeable about security features like age restrictions and safety software.

Likewise, [8] carried a similar survey in Croatia, which involved 2088 10-16 year olds. The results suggest that over a quarter of children are at risk of exposure to sexual and inappropriate content and emotional disturbance is more prevalent with the older ones. These two studies explore practical strategies of involving parents and teachers in this social discourse. Extensive use of the internet increases the risk of exposure to inappropriate materials online [23]; [8]. This has been identified as a form of child abuse and child neglect [28]. labelling excessive use of internet as parental neglect is a contested view because many technological gadgets bought for children as gifts normally come with free access to the internet, for instance mobile phones and it is almost impossible for parents or older relatives to monitor the internet use on handheld devices. Similarly, a study by [18] reveals that 25% of 10-17 year olds were exposed to sexual content online. However, the extent of exposure was unclear. This research further examined the psychological damage caused by this kind of exposure. Over a third of participants felt upset, distressed or aggressively violated [16] purport that many children stumble on inappropriate content when they misspell words, open unidentified files or open spam email. The rising level of sexual content

exposure has a correlation to the high volume of sexual content now available on the World Wide Web. All these studies were carried out in America with the exception of [8]; this was done in Croatia. [18] Claim that internet abuse to children is perpetuated mostly by relatives or people known to them. The significance of the study is that young people should be encouraged to report online abuse to parents or older relatives.

Society tends to associate child abuse and neglect with broken families [28] yet this study shows that 86% of the children interviewed came from intact families. Parental guidance is encouraged to parents to support both boys and girls in different aspects. According to the study boys are less likely to report but they tend to keep messages of sexual abuse while girls tend to delete messages. Attitudes to inappropriate content play a significant role in curbing this challenge. [8] Study suggests that half of the children are not emotionally affected by inappropriate material online. This apparent indifference is one of the causes why a lot of online sexual predators go unnoticed and continue to groom children online.

Results of both American and Croatian studies suggest that inappropriate content is more prevalent with older children (teenagers). This could be explained by the assumption that the younger ones tend to get close attention when using the internet or they cannot easily tell if statements or messages or images sent to them have sexual innuendos. Also, the other explanation could be that the younger children tend to access the internet at their own homes unlike teenagers who would go to an internet cafe or a friend's house for internet access. All studies revealed that both genders are more likely to report to a friend than a parent [8].

Some researchers have used sophisticated programs to detect online sexual predation [10]. The National Centre for Missing and Exploited Children surveyed 10-17 year olds and found that nearly 15% of young people are victims of sexual predation. A program called Chart coder was used to detect online inappropriateness in terms of language used to communicate with victims. The internet does not readily appear as a dangerous jungle and young people feel comfortable using it. However, sexual predators use deceptive trust tactics like giving the victim compliments about their appearance and social networking activities with the view of gaining the child's trust.

When this happens, the next stage is grooming. [10] Defines grooming as "the subtle communication strategies that predators use to prepare their potential victims to accept the sexual conduct". Online grooming is a complicated process and the understanding of this process by parents is helpful in supporting children who are not yet mature enough to understand that their online friend has ill intentions. Some stages outlined by [10] include communicative desensitisation and reframing. The former refers to the constant use of foul language that is aimed at normalising this type of discourse so that the victim is not aware of its inappropriateness. The former is a more advanced stage where the predator tries to make the victim feel comfortable with online sexual advances.

3. Methodology

According to [20] the success of the study depends on the methods selected to gather data while [21] state that quantitative approaches are used when a researcher has a hypothesis and is using a method simply to confirm it in a mathematical way. In agreement with both valid points made, the researcher has selected a quantitative route but even more so due to the sheer quantity of questionnaires that have been distributed therefore data analysis for this study will only be quantitative.

While both qualitative and quantitative paradigms have their disadvantages, they also have strengths. Qualitative methods aim to produce rich, detail data which usually maintain the participants view whereas quantitative methods are factual, reliable and more generalizable for a larger population [26]. It has also been stated that quantitative approaches are 'dominant' in the field of research because 'the purposes, procedures and benefits are known and accepted' while qualitative approaches are unfamiliar and can vary [26].

Therefore a researcher can adopt a quantitative, qualitative or even a combined methodology depending on the main aims and also taking into consideration any factors that may prevent a method choice as will be explained further below.

According to [20] who cites [1] defines quantitative research as: *'Explaining phenomenon by collecting numerical data that are analysed using mathematically based methods.'*

Explaining the phenomena is the key factor in any research as this establishes what the researcher is looking to explain and in this case it is to understand what the level of parental control is in Saudi Arabia for children when using the internet. The attitudes and beliefs from the participants in this area need to be quantifiable so that their responses can be analysed statistically.

4. Sampling

The sample was from primary schools for boy and girls, public and private schools in Riyadh city. In order to collect relevant participants, the researcher focused on the 12 educational areas or divisions (as defined by the Education Minister) within the capital and attempted to contact both public and private schools within each. These schools were evenly distributed geographically as under each centre or division there are a number of schools. To ensure a selection, systematic random sampling was applied so that every 8th school was included. The researcher then met with the head teacher of each school to explain the research project discussing the aims and objectives as well as explaining how this could be of relevance to the field. In addition, this was the opportunity to ask for the head teacher's permission to see and speak to the children in each school. A letter documenting the important elements and reasoning for the study which fundamentally asked for parental consent was provided by the researcher for the children to take to their parents to be signed. Throughout this process, I discovered that access to boys' schools was easier and their participation was more willing than that of the girls' schools as two refused the questionnaire altogether. Nevertheless, child participants were chosen from private and state schools and time was spent with them to assist the answering to ensure they could be completed in time and provide clarity for any confusing questions. In order to cover a range of children, one class from each year group in each school was selected. Both genders will be involved in the study for both parents and children. Analysis of results will suggest which gender is more likely to face stricter internet controls from their parents. Although randomly selected, parent participants will be chosen from different social backgrounds.

One school was approach per day so that the following day, the researcher could follow up with reply from parents to see if permission had been received for their child to take part in the study. It was also communicated that the child had the right to withdraw from the research project at any given time. The participating children were provided with their version of the questionnaire and after they had completed this, a version was handed to them to take home to their parents seeking their participation too.

Again, the following day the researcher approached the same school to see how many parents had returned the questionnaire. In total, three days per school was allocated to ensure the same process of distribution and collection of the questionnaires.

This process differed slightly for the girls' schools as previously mentioned, it was not as easy to gain access therefore a female research assistant (my wife) was used. She was taught about the process and requirements especially when assisting the young children to complete the questionnaire and this was hugely beneficial for two main reasons. First, she had the cultural knowledge of Saudi Arabia therefore could adapt her approach this and second, as a female research assistant working with the girls, it is possible that they were more willing to complete it as opposed to a male researcher (if this was allowed) asking them to do the same thing.

5. Data analysis and findings

Gender	Freq.	%
Boy	331	47.3
Girl	351	50.1
No response	18	2.6
Total	700	100.0

Table 1 Gender Frequency
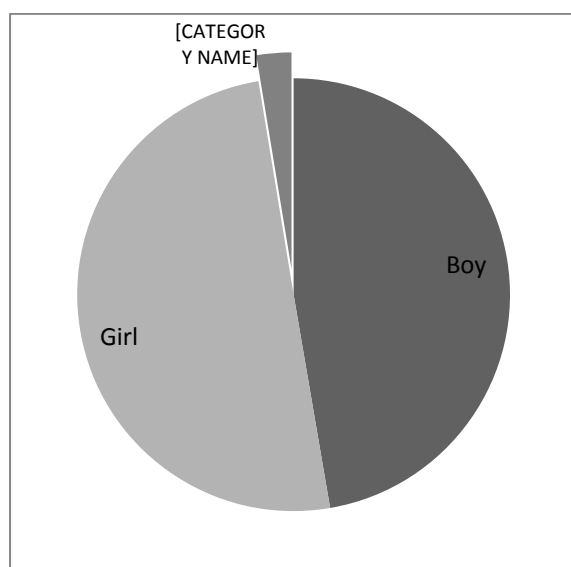
Figure 1 Schematic diagram representing gender frequency

Boys and girls were fairly represented. Boys (47. 3%) and girls are (50.1%). It was essential to discover whether children had a personal computer. This question is essential because it was perceived that children who have their own computers would be expected to spend ore tie on the internet than those who shared a family computer. According to Table 2, more than half of the children owned a computer (59.7%), whilst the remaining (37.7%). did not have computer. An overwhelming 93.7% of responses were in the affirmative and this raises questions of close monitoring of computers by children.

Statement	Frequency	Percent
Yes	418	59.7
No	264	37.7
No response	18	2.6
Total	700	100.0

Table 2 Ownership of personal computer

Time spent on the internet was important since it helped to assess how much the children were affected by the internet. Based on Table 3, the results are ordered thus; those using the internet for less than two hours (44.3%), then users for 2-4 hours (26.6%), more than 6 hours (14%) and finally those on the internet for 4-6 hours per day (11.9%).

Statement	Frequency	Percent
Less than 2 hours	310	44.3
2-4 hours Sometimes	186	26.6
4-6 hours	83	11.9
More than 6 hours	98	14.0
No response	23	3.3
Total	700	100.0

Table 3 A breakdown of time spent on the internet

The purpose from using the internet was investigated through eight websites. The internet was mostly used for watching you tube (69.3%) and gaming (55.1%) as indicated by Table 4. Then, it was used for chatting using face book and Twitter (37.4%). The internet was also used as an educational tool for some children (19.9%). Movies and music were also accessed online by some children (27.2% and 13. 9%). A very small number of children (7.4%) obtained news from the internet.

Statement	Frequency	Percent
Games	386	55.1
Facebook, Twitter ,etc	262	37.4
Education	139	19.9
News	52	7.4
Shopping	81	11.6
Movies	192	27.4
YouTube	485	69.3
Music	97	13.9

Table 4 Commonly used websites

ANOVA between children age and study measures

The ANOVA test indicates that none of study measure was significant due to children age. These results suggest that different age group of children have no effect on the study measures.

	F
Personal experience of the internet	2.478 (0.085) *
Privacy and using the internet	0.113 (0.893) *
*p value	

Table 5 ANOVA test results

6. Discussion

Questions about the length of time children spent on the internet and what type of internet activities take up most of their time can be linked to the involvement bond. Response of 44% for children spending less than 2 hours demonstrates the high level of involvement as they are expected to devote most of their day on school work and religious rituals. As [24] argued, children who spend more time on unstructured activities are more likely to harbour thoughts of destruction from engaging in undesirable activities. However, the belief bond in this case responses on "I do not want my parents to know all the sites I use" attracted 112 responses. Even though 64% of parents said that they would guide their children if they found them using the internet inappropriately. Over 100 children feel that they would rather not be seen by their parents visiting the internet. This suggests that these children feel that they maybe they usually frequent inappropriate websites or they feel their parents are impinging on their privacy.

Also interesting is the significant difference between private and public school experiences. Children who attend private schools are those with fathers who run businesses and who are presumably educated themselves. Since the level of education and occupation did not have a significant difference, it was expected that the type of education would have no significant differrence. This reflects the difference in difference in attitudes to technology between state and private education. Saudi Arabia has dozens of private schools run by American and British companies. The majority of teaching staff in these high fee paying schools have foreign staff that have been educated in western countries or are natives of these countries. Use of technology is part of the western education curriculum and these skills are imparted to Saudi children who in turn incorporate them into their daily routines. The favourable experience of internet use presumably stems from these children acquiring confidence and aptitude from their western educated educators.

Characteristics of this age group 6-12 including children asking themselves question like 'Am I capable? Can I do it better than everybody else? And am I good enough to be praised by peers and significant others? The world is simply no longer the home, parents and siblings. Going to school becomes important because their circle of socialisation becomes wider to include peers, teachers, other professionals who work alongside teachers and any other staff who work in the school. Play and work become similar and their opinions based on what others think. The significant other [7]) becomes more significant and the younger person develops a self-concept. In this technological age the internet becomes centre ground for self-concept development. Reinforcements become important, that is why parents' response on what they would do if they found out that their children were visiting inappropriate sites is significant. It is encouraging to know that over 64% of parents indicated that they would guide their children. These are issues that have positive connotations and it is assumed that parents will positively reinforce their children if they found out that their children have been visiting inappropriate sites.

Because praise and acknowledgement are important in this stage, children who spend most of their internet time on Social Networking Sites (37,4%) where they give each other feedback on these sites like giving each other 'Likes' and ticks help boost their self-concept.

Happiness, acceptance and, excitement, skills and value, winning and look up to peers and teachers being productive and doing group reward. Children need to achieve these to avoid suffering an inferiority complex.

The psychological conflict is created when parental expectations go against what friends expect of them. Twitter and Facebook set the minimum age of users at 13 but the children interviewed were barely that age yet 153 and 106 respectively indicated that they usually communicate with their friends on these sites. The total percentage of nearly 25% of children using these sites against the minimum age recommendations explains the need for the children to fit in with their peers and enjoy rewards of being accepted as friends by peers while on the other hand, displaying their images online and not getting as many likes as they wish might bring feelings of inferiority because acceptance by in-group is of paramount importance at this stage. In a similar way YouTube use of over 69% is a significant percentage considering that images on YouTube are not censored. Not all parents could be held accountable for their children using Facebook and Twitter below the ages of 13. Children have been known to alter their personal information profile.

Conclusions

I argued at the opening of this article that children are getting addicted to the internet and parents need to have a grip on the extent of the risks of web exposure in this information generation. The outcomes that I have presented propose that some parents in Saudi Arabia assume that their children are not fully engaged with the ever expanding information technology. This was demonstrated in parents' responses about the extent of internet use by their children, which in some cases was contradictory to the children's responses. This is significant for both parents and the children to ensure that children are fully safeguarded while online. Religious leaders may find this study useful as it may inform the religious teachings of Imams at mosques and other socio-cultural relevant contexts.

As indicated somewhere in this study, to date existing literature emphasises the extent of risk and symptoms of internet addiction … but this research propositions an authoritative approach by emphasising the need for parents to ensure they control their children's habits online. Although this hardline approach may not be celebrated in western cultures, Saudi Arabia's moral trajectories of discipline are reflected in the aims of the study.

While this research does not propose a categorical riposte to the question of achieving total control on internet behaviours it does however invoke the whole Saudi society's mindset about the unimaginable possibilities of the threats of the internet to the fabric of the traditional culture if the strict models of parenting continue to be relatively relaxed in this area.

As a result of leading this research, I recommend that policy makers create more awareness on the risks of internet use and emphasise the inevitable role the parents should continue playing to ensure children's transparency online. I also propose a better technology education drive aimed specifically at parents to equip them with basic knowledge of internet operations and understanding the different strategies used to keep children safe online.

It would be productive to pursue further research about Saudi adults internet behaviours (a few studies are coming up on the research market) in order to fully comprehend their capability to control children online.

References

[1], M. Aliaga, and B. Gunderson, *Introduction to Quantitative Research,* SAGE, London, 2002.

[2] M. Alkidhi, Konooz Ehbilia, Riyadh. 2005.

[3] M. Alminshawi, "*Cybercrimes in Saudi society"*, 2003, MSc dissertation, Riyadh Prince Naif University.

[4] M. Almuhsin, *Children Online,* College of Education, Banha, 2003.

[5] Y. S. Choi and L. Ross, "Policy and Power: The Impact of the Internet on the Younger Generation in South Korea". *Social Policy and Society*, 5, pp 421-429. 2006.

[6] S. Cranmer, "Children and Young People's uses of the Internet for Homework." *Learning, Media and Technology , p.301-315*, 2006

[7] E. H. Erikson, *Growth and Crises of the Healthy Personality*. SAGE, London, 1950.

[8] G. B. Flander, I. Cosic, and Profana, B. "Exposure of children to sexual content on the internet in Croatia". *Child Abuse & Neglect. Volume 33, Issue 12, Pages 849–856. December 2009,*

[9] A. France, 2009, December 22. *Facebook 'disrespect' led to killing in street.* Retrieved from http://www.thesun.co.uk/sol/homepage/news/2781029/Facebook-insult-led-to-killing-in-the-street.html.

[10] J. Gauz, Maurice "This Would Be Much Funner in Person: A Qualitative Grounded Theory Analysis of Cybergrooming", 2004, Dissertations *and Theses,* Paper 1802.

[11] R. Graham, & K. S. Williams Parents Say they have Control: The Henry Kaizer Family Foundation. Accessed on 28.8.2012 from http://www.kff.org. 2007.

[12] A. Grief, "Cultural Beliefs and the organisation of Society: A Historical and Theoretical Reflection on Collectivist and Individualist Society". *The Journal of Political Economy,* Vol 102, Issue 5. 1995.

[13] M. Jones, "*The Issue of Bias and Positionality in Cross-cultural, Educational Studies Enhancing the Validity of Data through a Reflexive-reflective Approach*," Edge Hill College of Higher Education, Ormskirk, UK. Paper presented at the Higher Education Close Up Conference 2, Lancaster University, 16-18 July 2001.

[14] A. Lassala, *The Ethical Implications of Social Networking Websites* www.univforum.org. On the 9th Conference on Ethics across the Curriculum, Dublin 15-17 Nov 2007.

[15] M. R. Lea.and B.V. Street. "The Academic Literacies Model: Theory and Applications" *Theory into* Practice Vol.45, no 4 pp. 368-377, 2006

[16] H.S. Lin, and Dick Thornburgh, Eds *Youth, Pornography, and the Internet*. National Academies Press, 2000.

[17] Ministry of Planning *Demographic Features of KSA Populations:* Riyadh. 2000.

[18] M. Mitchell, "The Exposure of Youth Unwanted Sexual Material on Internet: National Survey of Risk, Impact and Prevention", Youth *and Society.* Vol 34 (33) pp 330-358, 2003.

[19] Mooney, C. (2009). *Online Social Networking*. New York Cengage Learning.

[20] Muijs, D (2004). *Doing Quantitative Research in Education with SPSS*, SAGE.

[21] Newman, A. and R.Benz, C, (1998) *Qualitative-quantitative Research Methodology: Exploring the Interactive* Continuum, USA.

[22] Rideout, (2010). *Generation M2- Media in the lives of 8-18 year olds*. Menlo Park (CA). Kaiser Family Foundation.

[23] Rideout, V. (2007). *Parents, Children & Media: A Kaiser Family Foundation Survey, Henry* J. Kaiser Family Foundation.

[24] SACE (2010) *Educators in Exile- The role of Refugee Teachers.* Commonwealth Secretariat.

[25] Schneider, L., & Silverman, A. *Global Sociology: Introducing Five Contemporary Societies* (5th ed.): New York, NY: McGraw-Hill, 2010.

[26] Steckler, A. *Toward Integrating Qualitative and Quantitative Methods: An Introduction*. University of North Carolina. 1992.

[27] Surette, R. *Media, Crime, and Criminal Justice*. 4th Edition. Belmont, CA: Wadsworth. 2011.

[28] Taylor, J., Daniel, B. *Child Neglect: Practice Issues for Health and Social Care.* Jessica Kingsley. London, 2005.

[29] Toukhi, A. (2002) "Children motivations to use the Internet", *Journal of Public Opinion,* Fourth Issue October-December 2002.

[30] Melhem, A. (2004) "Kids and crimes online, security and life magazine," MSc dissertation, Prince Naif University, Riyadh, Saudi Arabia.

The Effect of Counterfactual Thinking on the Sunk Cost Effect

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Abstract: *Counterfactual thinking is helpful to comprehend the mistakes have made previously and go toward by proposing future actions to facilitate the success of self-regulation. The sunk cost effect would rationalize the strategy, which is the aim of studies of decision making. However, few of them discussed the influence of counterfactual thinking to sunk cost effect. This study assumed that the downward counterfactual thinking here is to regulate the unhappy mood at the moment to relief, which may reduce the sunk cost fallacy; the upward counterfactual thinking, on the contrary, emphasized on the improvement of future behaviors, which may increase the sunk cost fallacy.*

Introduction

Counterfactual thinking (CT) is the process in which people create alternative outcomes to negative events that have already occurred. For example, an individual that was robbed of his wallet in the subway may produce counterfactuals post facto, such as "What if I hadn't entered this crowded carriage?" "If I had only secured the inside pocket of my jacket!" or "If I had been more attentive to the people around me, things may have been different." This mental creation of alternative outcomes is known as CT. People employ CT to create hypothetical scripts to change a single or numerous prior events (Catellani, Alberici, & Milesi, 2004).

CT is generally triggered when people wish to predict or control future events (Roese & Olson, 1995). When contemplating past events, CT enables us to mentally control past behaviors and create more favorable or unfavorable alternatives. CT does not simply focus on past failures. Rather, it is an associative thinking process that links our past mistakes and future opportunities, thereby increasing our chances of self-regulatory success and functionalizing CT. Functional CT involves a set of situations where one can reflect on past events and imagine future possibilities. A key aspect of a CT's functionality is that insight about past mistakes is converted into plans for future action, thereby improving self-regulatory success (Smallman & McCulloch, 2012). It is therefore apparent that CT is a type of psychological mechanism for self-regulation.

1. Counterfactual Thinking

Miller, Markman, Wagner, and Hunt (2013) found that CT decreases discrimination. In the present study, undergraduate subjects were instructed to complete the Attitude Towards Gay Men (ATG) Scale to test their gender discrimination attitude and establish a baseline for their attitudes towards gay men. The subjects were then randomly allocated into a control group and an experimental group. Subjects in the experimental group were instructed to imagine a situation where they were having a pleasant conversation with a gay man. The gay man informs them that he had recently received a bag of hate mail against his sexual orientation. The subjects were then instructed to think of an alternative in which the sexual discrimination event did not occur and list all their views on the non-occurrence of the event. By contrast, the subjects in the control group were instructed to image a natural scene and list the objects they observe in the scene. Following the completion of the aforementioned test, the subjects were instructed to complete the second-round ATG Scale, as well as the Internal Motivation Scale (IMS) and the External Motivation Scale (EMS) to test their non-discrimination internal and external motivations. Findings indicated that the gender biases of the subjects in the experimental group significantly reduced. The researchers verified that CT mediated negative attitudes. It even mitigated students' discrimination against homosexuals.

CT is directional. Downward CT is when people imagine a worse alternative, and the more common upward CT is when people image a better outcome to negative events (Fraser, 2001). Alternatives produced through upward CT are typically more

favorable than the factual outcome of an event. By imagining upward counterfactuals, individuals are able to identify methods to improve future outcomes. Therefore, upward CT is associated to the preparative function. By contrast, alternatives produced through downward CT are typically less favorable than the factual outcome of an event. The narration formed through this type of thinking includes "What ifs…" Thus, downward CT is correlated to the affective function (Markman, Gavanski, Sherman, & McMullen, 1993).

Yoon and Vargas (2010) indicated that when individuals assume that upward counterfactuals are more likely to occur, they typically deem the factual outcome of an event to be less favorable. By contrast, when individuals assume that downward counterfactuals are more likely to occur, they typically deem the factual outcome of an event to be more favorable. Customers with upward CT may think, "If this store were to offer more discounts, I would save more money," while those with downward CT may think, "If this store were to offer less discounts, I would spend more money." Roese (1994) asserted that people strategically employ downward CT to make themselves feel better and upward CT to improve future performance. When people are expectant of encountering a similar task in the near future, they carefully employ upward CT to prepare for the future, even if the original task concluded positively. Thus, the effects of CT are seemingly beneficial when upward CT and downward CT are employed interchangeably (Roese, 1997).

Roese and Olson (1995) proposed that CT has two major purposes, specifically, (1) to help people learn from their mistakes and (2) to make people feel better when situations may become worse. Subsequently, the primary function of CT is the influence it has on specific emotions, such as regret, relief, and disappointment. The emotions are collectively called counterfactual-thinking-based emotions, or CTEs, because they include those that compare factual situations to counterfactual situations Upward CT occurs when counterfactual situations are more favorable than the factual situation. This mode of thinking generates regret. By contrast, downward CT occurs when counterfactual situations are less favorable than the factual situation. This mode of thinking generates relief (Kasimatis & Wells, 1995).

The aforementioned discussion shows that upward CT and downward CT occur in different situations.

Upward CT typically generates negative emotions, such as regret, because individuals image more favorable counterfactual outcomes than the factual outcome, consequently motivating them to take action to improve the current situation. By contrast, downward CT generates positive emotions, such as relief, because individuals imagine less favorable counterfactual outcomes than the factual outcome, consequently hindering them from taking additional action to improve the current situation.

1.1. Sunk Cost and Decision-Making

Sunk cost (SC) refers to costs that have already been incurred. They can neither influence future costs, nor change from present or future actions (Hilton, 2005). People show a greater tendency to continue an endeavor once an investment has been made. This situation is called the "sunk cost effect" (Arkes & Blumer, 1985).

Arkes and Blumer (1985) divided customers into three groups. The first group of customers spent $15 on tickets, the second group spent $13, and the third group spent $8. Findings showed that the customers who bought discounted tickets attended fewer performances than those who bought their tickets for the normal price of $15. Ticket price should have no influence on performance attendance because payments that have incurred cannot be recovered. However, the findings clearly indicated otherwise. The researchers believed that the reason for the SC effect originates from people's desire not to appear to be wasteful. The following example was a problem proposed by Arkes and Blumer (1985):

"Assume that you have spent $100 on a ticket for a weekend ski trip to Michigan. Several weeks later, you buy a $50 ticket for a weekend ski trip to Wisconsin. You think you will enjoy the Wisconsin ski trip more than the Michigan ski trip. As you are putting your just-purchased Wisconsin ski trip ticket in your wallet, you notice that the Michigan ski trip and the Wisconsin ski trip are for the same weekend! It's too late to sell either ticket, and you cannot return either one. You must use one ticket and not the other. Which ski trip will you go on?"

The findings showed that the majority of the subjects chose to take the less-enjoyable trip to Michigan. A number of the subjects chose to take the less-favorable trip because they believed that they would lose twice the money if they took the cheaper trip to Wisconsin (Arkes & Blumer, 1985).

These results clearly explained SC. Arkes and Ayton (1999) later asserted that explanations for wastefulness received the greatest attention. The overgeneralization of "don't waste" is responsible for the SC effect, which is manifested in the subjects' failure to heed cost-benefit considerations, that is, reinforcement contingencies. Individuals should focus decision-making on enhancing the positive aspects of spending and engagements rather than being concerned with already resources that have already been incurred.

A previous study argued that the sunk-cost fallacy (SCF) changes with age. The development of children's and teenagers' abilities corresponds to their cognitive mechanics. Subsequently, cognitive mechanics are more influential in childhood and adolescence and become less central in adulthood due to increases in automaticity and cognitive pragmatics. In later adulthood, temporal horizons that focus on the "here and now," coupled with motivation to maintain positive emotion may contribute to further decreases in future SCF. Motivation to maximize positive emotion in the "here and now" may decrease rumination about past losses and direct attention to rewarding alternatives in the present. By contrast, temporal horizons that focus on the future may be associated with increases in the SCF, but only when positive consequences of persistence are anticipated (Strough, Karns, & Schlosnagle, 2011).

According to the aforementioned discussion, SCF could be reduced by focusing on the present. Therefore, the researchers of the present study hypothesized that downward CT primarily functions as a mediator for alleviating unpleasant emotions, thereby generating relief and reducing SCF. The researchers also hypothesized that upward CT focuses on improving future performance, which may increase SCF. Reducing the SC effect to increase the rationality of decisions has been a long-standing objective of many studies relating to decision-making. However, few studies have investigated the influences that CT has on the SC effect.

In summary, the following hypotheses are proposed in the present study: upward CT increases the SC effect of the participants; downward CT reduces the SC effect of the participants.

2. Methodology

Research Subjects

The research participants comprised 120 students attending a vocational school in Taoyuan County, Taiwan. The participants were aged between 17 and 20. Among the participants, 70 were men and 50 were women. They were randomly allocated into six groups.

Research Design

The researchers adopted a 2×3 two-factor between-subject research design. The independent variables comprised CT and SC. CT was further characterized into upward CT and downward CT, and SC was characterized into high SC, moderate SC, and low SC. The dependent variable was the willingness to continue studying or learning.

Research Tools

The researchers developed an imagination task as the research tool. Instructions were printed on the worksheet. Instructions for the participants in the high SC groups were as follows: *"Imagine the following situation: You are not interested in the course you are studying at vocational school and you do not want to study this course. You encounter many difficulties in learning, obtain poor grades, and feel demotivated during class. You have been in this course for a year since admission."* Similar instructions were provided to the participants in the moderate SC groups with the exception of study time, which was reduced to six month: *"Imagine the following situation: You are not interested in the course you are studying at vocational school and you do not want to study this course. You encounter many difficulties in learning, obtain poor grades, and feel demotivated during class. You have been in this course for six months since admission"* Instructions for the participant in the low SC groups were as follows*: "Imagine that you are enrolled in a creative arts course, such as music or drawing. The course comprises eight classes over eight weeks. After attending three classes, you find that you do not enjoy the course and the course is dull."* After reading the instructions, participants in the upward CT groups were provided with the following sentence: *"Currently, this course seems boring, but you may gradually become interested. You may _____ in future learning and feel _____. (Complete the*

sentence.)" Participants in the downward CT groups were provided with the following sentence: *"Currently, this course seems boring, and continuing with the course is a waste of time. You may _____ in future learning and feel _____. (Complete the sentence.)"* Finally, the participants were instructed to complete questionnaire to measure their willingness to continue studying or learning (hereafter referred to as "willingness"). They were scored on a scale of 1 to 9, where 1 represented "definite discontinuation" and 9 represented "definitely continuation."

Experiment Procedures

The research participants were randomly allocated into six groups. The groups were provided with different hypothetical scripts. Participants in the high and moderate SC groups were provided with a situation concerning the length of time in which they attended a course in vocational school (e.g., cosmetics and hairdressing or information processing). Subsequently, the participants were not interested with the course and encountered many difficulties in learning. By contrast, the participants in the low SC groups were provided with a situation in which they attended an eight-week creative arts course. However, they found the course to be dull after attending three classes. Based on their experimental groups, the participants then engaged in CT and completed a sentence relating the counterfactual situation. Finally, the participants completed a 9-point willingness questionnaire, where 1 represented "definite discontinuation" and 9 represented "definitely continuation."

Results

The mean and standard deviation results were as follows: Participants in high SC groups obtained M = 6.15, SD =1.76 for upward CT and M = 4.60, SD = 1.93 for downward CT. Participants in the moderate SC groups obtained M = 5.00, SD = 1.89 for upward CT and M = 3.80, SD = 2.21 for downward CT. Participants in the low SC groups obtained M = 4.75, SD =1.86 for upward CT and M = 3.50, SD =2.46 for downward CT.

The two-factor ANOVA results were as follows: The primary effect of SC on willingness achieved significance (F (2, 114) = 4.18; p < .05). A Bonferroni post hoc test indicated differences in the high and low SC groups, where willingness in the high SC groups was higher than that of the low SC

groups. Subsequently, willingness between the high and moderate SC groups, and that between the moderate and low SC groups, failed to achieve significant differences. The primary effect of CT on willingness also achieved significance (F (1, 114) = 12.90; p < .001). Willingness in the upward CT groups was higher than that in the downward CT groups. However, the interaction between CT and SC failed to achieve significance (F (2, 114) = .087; p = .917). The results are illustrated in the following figure.
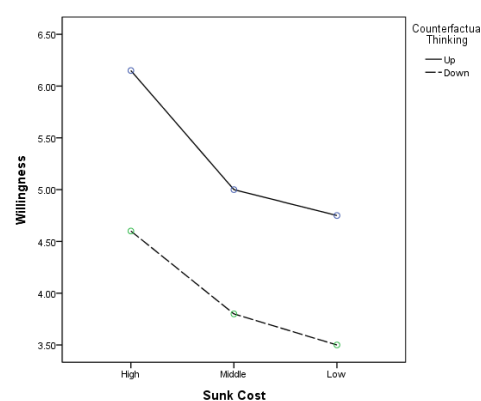
Figure 1. The interaction of sunk cost and counterfactual thinking

3. Discussion

The present study focuses on the influences that CT has on willingness. In the presents study, students who underperform as a result of continuing to study in courses or attend creative arts courses that do not interest them generally continue to invest sunk time and money. The researchers of the present study hypothesized that upward CT increases sunk cost, whereas downward CT reduces sunk cost. The results obtained in the present study supported the proposed hypotheses. Findings indicated that upward CT participants demonstrated increased willingness than downward CT participants. Figure 1 revealed that in the 9-point scale, downward CT groups scored a mean value of less than 5, regardless of the high, moderate, or low SC groups. These results suggest that the upward CT participants may have generated favorable outcomes for continuing to study or desired to improve future performance. Therefore, the participants decided to continue studying, increasing their SCF (Strough, Karns, & Schlosnagle, 2011). By contrast, downward CT improved the participants' emotions, enabling them to shift their focus from improving future performance and

consequently reducing SC. This situation was most apparent in the downward CT, low SC group, where six of the participants selected Option 1 (definite discontinuation). This number of participants who selected Option 1 in the downward CT, low SC group was far greater than those in any other group.

The findings of the present study showed that different levels of SC impose varying levels of influence on participants' willingness. These results suggest that situations with high SC increase participants' willingness. By contrast, participants are less willing to continue studying uninteresting courses in moderate SC situations, and demonstrate the least willingness to continue studying uninteresting courses in low SC situations. Although post hoc comparisons only revealed a significant difference between the high and low SC groups, the mean values obtained in the present study confirmed that the amount of SC invested by participants influences their decision on continuing studying and learning uninteresting courses. These results are consistent with those proposed by Arkes and Blumer (1985), which indicated that participants' decisions are influenced by the amount of SC they invest, and high SC investments stimulate participants to select options they are uninterested in.

The interaction between CT and SC failed to achieve significance. The findings of the present study indicated that upward CT increased participants' willingness. In other words, upward CT increased SC. Only the low SC group scored a mean value of less than 5 for the 9-point questionnaire (4.75). By contrast, downward CT reduced participants' willingness in all three SC groups. In other words, downward CT reduces SC.

4. Conclusion and Suggestions

The researchers of the present study found that CT influences the investment of SC, where upward CT may stimulate people to increase SC investments. Upward CT participants exhibited increased willingness even when they were underperforming as a result of continuing to study in courses or attend creative arts courses that do not interest them. By contrast, downward CT may reduce investment in SC, preventing participants from continuing to invest time and money, wasting time on uninteresting courses, or continuing ineffective learning. Dow-

nward CT may change participants' initial decisions, or even stipulate them to withdraw from continued study. The researcher of the present study believes that such findings hold considerable academic value. A previous study indicated that engaging in upward CT prevent people from making mistakes and aid them in focusing on improving future performance (Roese, 1997), which is a positive function of upward CT. However, the researchers of the present study found that such a positive function of upward CT also stimulates people to continue investing in SC, resulting in them wasting unnecessary time and resources. These results were consistent with the findings of Strough, Karns, & Schlosnagle (2011), which argued that when predictions show continuous, positive outcomes, increased SCF is associated to people's focus on the future. Although downward CT generates less favorable counterfactual situations than the factual outcome, the researcher of the present study found that downward CT had positively effect on reducing SC. The reason may possibly be that downward CT promotes positive emotions (Roese, 1994). Downward CT stimulates people to focus on the present and reduces their continued investment in SC, thereby enhancing their ability to remain positive. These results are consistent with those proposed by Strough, Karns, & Schlosnagle (2011), which asserted that maintaining positive emotional motivations might benefit the future reduction of SCF.

The results of the present study are meaningful to academic research because studies relating to the application of CT in education are scarce. Leung, Hou, Gati, and Li (2011) examined the effects of parental expectations and cultural-values orientation on career decision-making difficulties. In the high schools and vocational schools in Taiwan, the courses that many students were studying may be inconsistent with their aptitude. In actuality, Taiwanese students consider not only personal interest and social development expectation when choosing future career development, but also parents' expectations. Subsequently, students may encounter learning difficulties stemming from the increasing lack of interest and fall into a dilemma. If student are able to disregard already-expended energy and effort, decisively withdraw from the uninteresting course, and enroll in a course that is consistent with their specialization and interests, they may demonstrate better development and performance and make better use of their talents. For

students that remain attached to their already-invested SC, downward CT may help them change their views and promote better career development. As far as designing a CT model and applying this model into the career counseling of students, this problem remains open for further discussion.

4.1. Limitations

Research subjects only comprised 120 students from a vocational school in Taoyuan, Taiwan. Whether these participants can appropriately represent the majority of Taiwanese high school and vocational school students, and whether examining other students also yields similar results, remain to be verified in subsequent research.

Moreover, the researcher of the present study did not measure the validity and reliability of the research tools, as is customary with previous experimental research. Confirming the reliability and validity of the research tools may enhance research comprehensiveness.

Only one experiment was conducted in the present study. Although the results complied with expectations, the researcher was unable to observe the participants' emotional conditions during the course of their decision-making process through the experiment procedures. Subsequently, the researcher was unable to determine the views and factors that influenced participants' decision for or against continued study when they were engaged in CT.

4.2. Suggestions

Findings of the present study indicated no interaction between CT and SC when they were applied students' willingness to continue studying. Although this does not violate the proposed hypotheses, determining whether these factors interact with each has significant value. Moving forwards, researchers can consider employing other verification processes to uncover other potential findings.

The researchers neither examined the decision process of the subjects engaging in CT, nor identified the factors influencing the subjects' decision to continue or discontinue studying their course. Moving forwards, researchers can develop a more comprehensive design to determine the views and

emotions of research subjects during their decision-making processes to further verify the research findings.

If participants' decision models are determined prior to experimentation, then the influences that these models have on participants' decisions could be determined. Additionally, the interactions between different decision models and CT/SC could be examined to increase research comprehensiveness.

Strough, Karns, & Schlosnagle (2011) asserted that SCF changes with age, and that the different cognitive development of teenagers and adults may produce different results. Moving forwards, if the relationship between the CT processes and SC effects of people at various ages can be examined, unexpected findings may be discovered.

5. Reference

[1] Arkes, H.R. & Ayton P. (1999). The sunk cost and concorde effects: Are humans less rational than lower animals? *Psychological Bulletin, 125*, 591-600.

[2] Arkes, H. R., & Blumer, C. (1985). The Psychology of sunk cost. *Organizational Behavior and Human Decision Processes, 35*, 124-140.

[3] Caputi, P., Chan, A. & Jayasuriya, R. (2011). How helpful are error management and Counterfactual thinking instructions to inexperienced spreadsheet users' training task performance?. *British Journal of Educational Technology, 42*(4), 592-597.

[4] Catellani , P., Alberici, A., & Milesi, P. (2004). Counterfactual thinking and stereotypes:The non-conformity effect. *European Journal of Social Psychology, 34*, 421–436.

[5] Fraser, C. O. (2001). Was it my fault? Effects of counterfactual mutation focus and self-presentation strategy. *Journal of Applied Social Psychology, 31*(5), 1076-1095.

[6] Hilton, R. (2005). *Managerial accounting* (6th ed.). Boston: McGraw-Hill Irwin.

[7] Kasimatis, M., & Wells, G. L. (1995). Individual differences in counterfactual thinking. In N. J. Roese & J. M. Olson (Eds.), *What might*

have been: The social psychology of counterfactual thinking (pp. 81–101). Mahwah, NJ: Erlbaum.

[8] Leung, S. A.*,* Hou, Z.-J.*,* Gati, I.*, &* Li, X. *(*2011*).* Effects of parental expectations and cultural-values orientation on career decision-making difficulties of Chinese university students. *Journal of Vocational Behavior, 78,* 11–20.

[9] Markman, K. D., Gavanski, I., Sherman, S. J., & McMullen, M. N. (1993). The mental simulation of better and worse possible worlds. *Journal of Experimen- tal Social Psychology, 29*, 87-109.

[10] McCrea, S. M. (2007). Counterfactual thinking following negative outcomes: Evidence for group and self-protective biases. *European Journal of Social Psychology, 37*, 1256-1271.

[11] Miller, A. K., Markman, K. D., Wagner, M. M., & Hunt, A. N. (2013). Mental simulation and sexual prejudice reduction: the debiasing role of counterfactual thinking. *Journal of Applied Social Psychology, 43*, 190–194.

[12] Roese, N. J. (1994). The functional basis of counterfactual thinking. *Journal of Personality and Social Psychology, 66*, 805–818.

[13] Roese, N. J. (1997). Counterfactual thinking. *Journal of Personality and Social Psychology, 121*, 133–148.

[14]Roese, N. J., & Olson, J. M. (1995). Counterfactual thinking: A critical overview. In N. J. Roese & J. M. Olson (Eds.), *What might have been: The social psychology of counterfactual thinking* (pp. 1–55). Mahwah, NJ:Erlbaum.

[15] Smallman, R. & McCulloch, K. C. (2012). Learning from yesterday's mistakes to fix tomorrow's problems: When counterfactual thinking and psychological distance collide. *European Journal of Social Psychology, 42*, 383-390.

[16]Strough, J., Karns, T. E., & Schlosnagle, L. (2011). Decision-making heuristics and biases across the life span . *Annals of the New York Academy of Siences,1235*, 57-74

[17]Yoon, S. & Vargas, P. T. (2010). Feeling happier when paying more: Dysfunctional counterfactual thinking in consumer affect. *Psychology & Marketing, 27*(12), 1075–1100.

The Social Psychology of Expatriation: Understanding Decision Making Among American Expats

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Abstract: *This paper describes results of an empirical study aimed at understanding the decision making process of Americans who emigrate from the U.S. The research reported here is based on in-depth interviews of eleven American expatriates coupled with historical and archival analyses to identify the psychological, cultural and political factors associated with the decision to emigrate. The eleven cases described here represent a subset of thirty Americans interviewed who have left the U.S. and currently live in different places throughout the world (e.g., Taiwan, Australia, Israel, South Africa, Japan and France). Demographic data was collected for each person. With respondents' permission, tape recordings of the interview responses were analyzed for emergent themes and reports of common experiences. Results of the analysis highlight the role of personal identity in acclimating to the adopted country. Among other things, findings from this study advance theoretical understanding of the emigration process in general and the decision making process of American expatriates in particular.*

Introduction

The experience of the expatriate is complex and rich. It is inevitably colored by distinctive cultural, ethnic, and national elements. Immigrants pick up, travel and land in new countries for a multitude of reasons. People have been moving away from the places they have thought of as home to adopt new homes and identities well before established national boundaries existed.

As for the first generation immigrant, or "expat" living in a foreign country, there are different ways of thinking about their new identity relative to the person they were in their native homeland. Whether or not they see themselves as an "exile" or an "expat" or merely a "long term visitor" will often depend on the circumstances leading up to the move they have made.

1.1. Why Look at American "Expats"?

There are multiple trends currently underway that provide a rationale for looking closely at the experience of *expatriates* or "expats." These trends reflect changes in the global distribution of wealth, the increase in the standard of living that has occurred in many developing countries, and the growth in information communication technologies (ICT).

Because of the internet and its online social networks, as well as the large volume of international travel that is common today, it is relatively easy to look closely at a foreign country's disposition from afar. Even if you don't personally know anyone who has visited a certain country, because of the volume of ICT resources that characterize our current information age, you can "meet" and communicate with someone who has without leaving your home. Nowadays it is feasible to talk personally with someone who has experience or familiarity with a distant land. This makes it much easier to envision what it might be like to actually live in a foreign country.

The popularity of international perspectives is apparent in American higher education as well. Although college students have always expressed an interest in international relations, it has only been in the later decades of the 20th century that popularity of these interests has surged. In response to this, international studies programs began to provide undergraduate and graduate level degrees reflecting the formal recognition of expanding interests and potential applications of study in this area. Today there is increasing recognition among education providers that the fields of study involving international relations and global socioeconomic partnerships are not only relevant, but increasingly necessary in the context of the 21st century. Many of today's students of international relations envision a move out of the U.S. as part of their future plans. U.S.-based colleges and universities have enthusiastically embraced these trends

and in many cases have responded by creating senior administrative positions tasked with all things "international."

As a result of multiple factors including greater economic resources for people around the globe, the way that internet connectivity has ostensibly reduced the size of the world, converging national and international economic and political goals, there are more Americans living as expats and contemplating living as such than ever before. An exploration of the experience of expatriates is timely and warranted.

1.2   Emigration and acculturation

Immigration continues to be a topic of interest in the social sciences, in international relations and in public policy research areas. For example, there is a long history and well-documented literature within the social sciences that explains the experiences of Europeans who left Europe in the 19th and 20th centuries. More recently, a literature that focuses on the experiences of immigrants to the U.S. from Asia, Latin America and Africa has begun to emerge. Thus, for a variety of economic, social and political reasons, the topic of immigration remains a continuing area of study, as well as a topic for public commentary and polemical debate.

Much has been said about immigration and the U.S., and a number of studies, including historical and sociological analyses, have examined immigration to the U.S.[1]. Generally speaking, the historical studies have concluded that much of the diversity and strength, which characterizes the U.S. today is owed to previous waves of immigration. While these waves of immigration have brought different groups of people from different race, ethnic and cultural backgrounds to America's shores, they have contributed to the metaphor of the great melting pot which people use to describe the U.S. Importantly, just as immigration to the U.S. has contributed to America's prowess with the global community, it is also responsible for the drain in intellectual and social capital experienced by those nations who bid farewell to their countrymen and women who settle in the U.S.

Like two sides of the same coin, emigration is the process involving the flow of people from their native countries. People who decide to leave their homelands, emigrate *from* their country *to* some-

place else. Interestingly, far less attention has focused on the emigration experience of Americans who opt to leave the U.S. There are at least three reasons why far fewer efforts at looking systematically at emigration from the U.S. have been undertaken. The U.S. is a relatively large nation, both in terms population and geographical expanse. Currently, it ranks 3rd in land mass (behind Russia and Canada, respectively) and 3rd in population (behind China and India, respectively). Because of its size there is less concern with what are assumed to be relatively smaller numbers of people who decide to leave the U.S.

The second reason that helps to explain the lack of interest in systematically focusing on the emigration process from the U.S. has to do with the popularity of the U.S. as a destination among immigrants. People have been immigrating to the U.S. for hundreds of years, and this steady stream of newcomers ensures continued growth in the U.S. population. Indeed, almost all demographers conclude that there are more people who immigrate to the U.S. than who emigrate from it. At least this seems likely to be the case. It is hard to do more than speculate about this because precise numbers of American emigrants are hard to come by as no official records are kept.

Unlike immigration to the U.S., emigration from the U.S. as a topic of scholarly interest and focus of policy making is relatively absent from the cannon of issues about which people feel deeply or scholars devote systematic analyses [2]. In an effort to focus attention on this understudied aspect of the immigration and emigration process, I wish to look contribute to the small volume of scholarship on this topic –namely, at the process of emigration for Americans who leave the U.S. There is also the matter of considering the unique ways that minority status –in particular, that of African Americans--might mediate this process. Even less scholarship has focused attention on African American emigrants from the U.S. With 1 or 2 exceptions [3], this topic is practically nonexistent in published accounts and scholarly archives.

Immigration and emigration involve complex demographic and geographic factors that have important and long lasting consequences for the economic, social and political vitality of nations around the world. As noted above, these two phenomena represent two sides of the same coin. Whether one chooses to focus on the "approach"

motives (i.e., immigration) or the "leave" motives (i.e., emigration) pretty much depends on the perspective of the individual and country in question. For example, one could envision a study examining the factors that attract White Americans to countries within the United Kingdom or African Americans to African countries like Tanzania or Ghana. The latter country remains a popular destination for African American emigrants who want to move to Africa. In either of these cases, the study would likely be about the various "pull" forces and associated variables drawing in the first case a white American to London or in the second case a Black American to Ghana. Of interest within this current researchis the emigration process and the broader expatriation experience.

1.3 A "Minority of Americans" and "Minority" Americans abroad

There are many common experiences which expatriates share. These range from the everyday mundane challenges associated with navigating a new country and not getting lost to the more philosophical considerations about what it means to be a newcomer or in some cases a perpetual outsider. Chances are that almost all expatriates have wrestled with these issues at one time or another.

Yet, because there continue to be differences in the way that Americans are treated in the U.S. because of their ethnicity and racial status, it is quite possible that the experience of the American expat who is a member of a racial or ethnic minority group (e.g., the African American) will differ in some fundamental way from that of a White American expatriate because of their unique experience as a minority person in the U.S. What some of these differences are and how they are likely to be manifested is also worth a closer look.

When people leave the U.S. to live elsewhere, they take their identity with them. If they are a member of a minority group in the U.S., they take that identity as well. African Americans in the U.S. have a unique history as minorities. They have been collectively scorned, praised and vilified at different times and in various contexts throughout their existence in America [4]. This complex of sometimes contradictory reactions to America's oldest class of "immigrants" has necessarily given rise to a wide swath of emotions among U.S.-born Blacks when it comes to their feelings about their homeland. For a small minority, this ambivalence has

spurred a conscientious decision to emigrate from the U.S., and to look for satisfaction and meaning in life in another country. These people represent a very small number of African Americans and an even smaller percentage of Americans. Deciding to leave the United States for life, love and satisfaction elsewhere is no small feat! In general, it is a mixture of push and pull forces that leads to the decision to leave.

For White Americans who leave the U.S., there is a considerable adjustment in identity that occurs regardless of the country to which they emigrate. Collectively, White Americans have historically enjoyed a superior status relative to American ethnic and racial minority group members. This status is inevitably associated with personal identity, and for White Americans this is typically manifested in a sense of control, and being in a numerical majority. Leaving the U.S. means forfeiting this comfort.

By considering the different reasons people have for deciding to leave the U.S. it is possible to understand more about the factors associated with the expatriation process. And, by exploring the differences that exist among those that leave that may be associated with minority or majority group status, it will be possible to learn a great deal about what it means to be a member of a minority in the U.S. today and a "foreigner" abroad.

2. Method and research approach

In this study,I examined the expatriate experiences of thirty Black and White Americans who have left the U.S. By conducting systematic interviews with individuals who have left the U.S., I learned much about the decision making process and associated challenges first hand. For social scientists and other specialists who study immigration processes, tradetional approaches such as surveys have made significant contributions to understanding the socialization and acculturation processes likely to play a role in the decision to expatriate. But, for the average person who might be curious about what leads a person to leave the U.S., they are far less helpful in explaining the complex, psychosocial motivations that prompt people to engage in decision making about expatriation. My approach here is to share and highlight the personal reflections gleaned from a sub-sample ofin-depth interviews with people who have actually made the decision to expatriate.

In this paper I include the stories of a subsample of those interviewed who have left the U.S. for love, and for work.There is "D.B"for whom love was the primary motivator. The forty-something mother of three shared her personal narrativewith me in a Starbucks in Taiwan's capital of Taipei in 2011. She had lived for more than 4 years in Taiwan at that time, having decided to accompany her husband, the family's primary breadwinner on a corporate move to the East Asia Pacific region.

And, love coupled with a desire to "see the world" was the explanation M.S. gave in deciding 10 years ago to leave the U.S. with 3 small children for Tokyo Japan. She accompanied her husband as he moved to Tokyo for a professional opportunity, and at the same time was able to feed an as yet unfulfilled appetite for travel. When presented with the chance to pull up stakes and relocate around the world, she leapt.

This examination of the American expatriate experience provides an unusual opportunity to consider what it means to be an American, as well as a minority person in the U.S. and to compare and contrast these identities against the cultural backdrop of expatriation.

"In my case, I think my exile saved my life, for it inexorably confirmed something which Americans appear to have great difficulty accepting. Which is, simply, this: a man is not a man until he is able and willing to accept his own vision of the world, no matter how radically this vision departs from others." -----James Baldwin, p. 312, The New Lost Generation, 1961.

The focus here on the emigration process for Americans will shed light on the current landscape for Americans abroad. By talking with expats about their decisions leading up to their move away from the U.S., and culling accounts of their personal experiences in foreign countries, it is possible to discern much about the process of settling in to a new country. What are some of the challenges to doing so? Are there specific and common reactions that those living in their host countries have towards them? Not only can the present focus on emigration and the expatriation process for Americans tell us about the specific experiences of Americans expat, but it will also answer questions about the current global context for Americans. How are Americans abroad treated? Are there certain regional identities prevalent in specific countries that are more accommodating (or more hostile) to American expats?

2.1 Push and pull factors driving decision making

Making the decision to leave the U.S. entails a mixture of push and pull forces that leads to the decision to leave. For some the "push" may result from a desire to distance themselves from their own perceptions about the United States, and for others it might result from a "pull" to explore the distinctiveness of a foreign country's "exotic" culture and its people. Or, for a number of people, it is both. Consider the case of the person who is married and decides to accompany their spouse who is leaving the U.S. for a professional opportunity. The accompanying spouse experiences the pull in their partner's quest for opportunity but also experiences the push from pressure to leave in order to stay married.

2.2. Love and marriage

For some people, the decision to expatriate is prompted by the desire and need to be with a person they care about and love. Such was the case with M.S. who I interviewed in 2014 in Tokyo Japan. Ten years ago, 53-year old M.S. who is White moved to Tokyo with her husband and 3 small children because her husband had been offered an opportunity to open an East Asia office of the U.S.-based company where he was employed. Although I have characterized the motivation for her move as one of "love" and she considered that to be her primary motive for her decision to move across the globe (she was committed to following her husband), she also talked about the wanderlust that girded their overall decision to leave the U.S. As M.S. saw it, by moving to Japan, she was able to accompany her husband *and* fulfill her long-standing desire to travel. What also weighed in on their decision-making was a conscious desire to expose their children to a foreign culture and thereby make them better "global citizens."

She described her roots as humble and began her story by describing her initial decision as a young woman to move to New York right after college in order to pursue a career in fashion.

My parents aren't wealthy, so it was up to me to figure out how to do it. And so I found a job as a flight attendant... and I moved to NY… The job

itself was so erratic, I couldn't get anything in the actual career I was looking for. I eventually moved to the West Coast… and met my husband there... I got a taste for seeing the world when I was a flight attendant and I loved it. And, I always was curious about it growing up. My grandmother, she was single, well her husband passed when she was in her early 50s, so she decided she was going to travel. And she would bring me these little dolls from everywhere she went, and I was smitten. I was just so curious about other cultures. So when this opportunity arose I never paused. I said to my husband when he told me about the offer he received I said 'you said yes, right?' We decided to move here… we thought 'now, that sounds interesting.'

M.S. spoke at length about the initial challenges in arriving to Japan, of the logistics in setting up a household with three small children, and in spending a great deal of time trying to fit in, to learn the language and generally be accepted.

Japanese people, here, usually they're very friendly. But, they are friendly up to a point, and then, it's…it all depends on the situation. But in general, I can join in, I can be a part of something, but there comes a point where, um, I'm the foreigner… And, I know this (sighs heavily), it's... I've cleared an onsen before (laughter). That was the moment when I was like ok, 'here we go.' It depends on where you are too…Tokyo is much more open…as soon as you get out, it just depends on the person. I mean it's probably the same anywhere…

She talked about specific American organizations that she regarded as essential to maintaining her identity as an American.

Hmmm…If I hadn't had things like the American Club and the school (American school) I think it would be really hard. It provides a foundation, a place to keep my identity which is very important to me (quick laugh). I am not Japanese, and neither are my kids. It's [the available American resources] helped for my kids too.

In 2011, I interviewed D.B. in Taipei, Taiwan's capital city where she had been living for the past 4 years. She was a 46-year old African American woman who had accompanied her husband of 23 years to Taiwan. When they moved to Taiwan 4 years ago, they brought their 3 children in tow. After discussing her likely plans for a return to the

U.S., D.B. mentioned how she would miss some of the things about living in Taiwan. High on her list were the Taiwanese people.

Who would have thought we could have come to such a homogenous country and feel so comfortable being here when we obviously stand out? I have to say that I have been very warmly welcomed and accepted. There are young people here who actually want to hang out with me! It's very different…. They seem to see us as "brave." They also think that being "American" is a sort of a trump card…They don't extend the same welcome to Filipinos or Africans.

D.B.'s life as an expat in Taiwan was rich and full and in many ways similar to the life (part time work, PTA, etc.) she'd likely be living had she stayed in the United States. But there was one big difference from that alternative life she may have had. This difference was associated with her identity as an American and as an American who was also a minority person in the U.S. This difference had to do with the way that her status as an American trumped her status as an American from a racial minority group, a matter she discussed at length.To be sure D.B.'s skin color is fair relative to other Blacks and her hair appears straighter than is typical of many Black people. The fact that this kind of appearance likely affected the Taiwanese's acceptance of her was a point not lost on her. She said, *Some people are very confused about what I am. Some people have asked me if I am Mexican-American. I think that if I were of a darker complexion I might have had a different set of experiences. I have actually heard people saying "Oh I saw two African people walking down the street and they were so dark and scary looking." I think they use bleaching agents in just about everything… When they think of Black people they think of basketball players, rap stars and Will Smith.*

We can only speculate about whether she would have been subjected to less warm, less friendly interactions with the Taiwanese if she had happened to be a bit darker with hair a bit coarser.   It is possible. What matters here is the extent to which *she* perceived there to be fewer racial slights directed at her in Taiwan in comparison to the U.S. Apparently in Taiwan, citizenship trumps racial status if you are an American.

In navigating the terrain of a new life in a new culture, the expat is often quite sensitive to subtle

differences between the U.S. and their newly adopted home. There is a tendency to attribute any number of challenges faced to those differences, real or imagined. While this is likely to be experienced in some way by all expats, it's not something that anyone really thinks about when wrestling with the decision to leave the States for life in a foreign country. For M.S., and D.B. (as well as several others included in this study), the decision to move was propelled by their love and commitment to another person who had decided to pursue a professional opportunity.

Like M.S., J.D. also moved to Japan with small children (two) in order to follow her husband who had accepted an offer to work for his company in their Tokyo office. At the time that I'd interviewed her, she had been living in Japan for a little under 9 months. J.D., worked as a speech therapist from a southern state in the U.S. She was 42, White and optimistic about the move. She anticipated living in Japan for 4 years and described for me the circumstances leading up to the move.

We had a long notice which was good…um, so we had a good bit of time to make a decision, and we had a year before we actually moved. I needed that time to adjust… my response was one of surprise at first and lots of uncertainty…

J.D. and I spent time talking about Japanese reactions to her, and whether or not she perceived people in Japan to be friendly. In comparison to her perceptions of people in the U.S., she said: *I think they may be friendlier here, at least as friendly. I would say if you make a mistake people are more forgiving because you are a foreigner as opposed to in the U.S. where I think many Americans would be less forgiving… It's easy to make friends because we're in an ex-pat community. But my Japanese friends are accepting also, and many of them we've met through [son's American school].*

About whether her identity had been altered or affected by the move, J.D. was introspective as she shared her thoughts. I asked her (and each of the people I interviewed) how she currently sees herself given her newly acquired status as an American expat in Japan, away from family members and old friends. Unlike, M.S. who was also living in Japan because of her husband's job, J.D. initially worked outside of the home and although she had

landed a job in her field when she arrived, she had recently made the decision to stop working.

I am starting to feel more like an American woman living abroad and coming to the fact that that's ok. I'm going to let go of my job at the end of the school year and maybe do a little bit of private work because my long commute is tricky with my daughter's short days. That has been a very hard decision, but I found a great person to take my place. So, that's good…I can walk away gracefully…

I asked J.D. more about her identity and experiences because I wanted to hear whether she was sensitive to her status as "outsider" (i.e., non-Japanese). While she clearly spoke positively about making friends with other ex-pats and with Japanese people affiliated with her son's school, she also added the following in a noticeably hushed tone.

I bet you have you heard that it's unlikely that any Japanese friend will invite you to their home? I think that's the case. Even Japanese people that we've gotten to know very well that come to our house, um… usually kind of go to great lengths for us not to go to their house. It's just a difference in privacy…It may be that that's just a private space… Well, and I think too, I have often wondered is it because presentation is important here and a value? Whereas I would feel comfortable having a friend who is an American over, not if there was pig-sty but if there was laundry or something I would still feel comfortable. But if you felt like it had to be you know perfect with prepared, home-made food, then I would be a lot less likely to have company.

While each of the people I have described were motivated to leave the U.S. because of their desire to accompany their spouse, the two people living in Japan discussed thus far, also reported feeling similarly about their status as *outsiders*. This was in spite of their overall impression of the Japanese as friendly. In Japan, foreigners are referred to as "gaijin" –a term that seems to have taken on somewhat negative connotations because it reflects the exclusiveness of Japanese attitudes about who is really a part of their group.

A country's cultural orientation can be categorized according to the degree to which its norms reflect a desire for group cohesion and homogeneity, or in

contrast, a desire for independence and autonomy. In most discussions about these different cultural orientations, the U.S. is regarded as an exemplar of the latter and in contrast Japan is considered to be a country where group cohesion reigns. Countries like Japan for which this is the case are called "collectivistic;" whereas countries like the U.S. are referred to as "individualistic" [5].

The observations that the two women living in Japan made were consistent with this way of thinking about the various differences between countries. They were each sensitive to the cultural norms in Japan that are manifested in a tendency to keep foreigners at a certain distance. The perception of foreigners is that they are not part of the group, and among those who are American, they are believed to be especially likely to behave in ways that are inconsistent with the greater group's efforts toward cohesion and harmony. The observations reported by M.S. and J.D. were quite consistent with this value orientation which social scientists have identified and studied for more than 40 years [6].

In some cases, people decide to leave the United States or to live elsewhere because they have met someone who doesn't live in the States. Although this type of situation differs from the stories recounted thus far in which a person follows their spouse abroad, the move out of the States to be with someone from another country can also be motivated by love. Such was the case for two women interviewed in Europe. In 2013, I made contact with a 32-year old African American woman originally from Kalamazoo, Michigan. She had been living in London for the past 9 years. She had an interesting story to tell and immediately began describing the circumstances of her move once we were settled. C.A. made the decision to actually move abroad because she had decided to marry an African man who called London his home. C.A. met her husband during a visit to his home country of Ghana.

So I, um, met my husband and he is from here, originally from Ghana. And, so we got married and moved over here. I met him in Ghana actually. I was traveling and he was traveling at the same time, and our paths crossed there.

She described the decision to move as one that was as practical as it was motivated by love. She said, *It was fine [the decision to move abroad], I mean that was the decision that I'd made personally, um,*

so once we decided to make a commitment, to get married, it was one place or the other to live, and it was easier for me to move here versus him coming to the States. And, I was at a time, in a place in my career that I felt it was a good time to make that change.

In describing her relative comfort in living in the U.K. instead of the U.S., C.A. brought up what she perceived to be a difference in the meaning and impact of one's racial status in London in comparison to its impact back at home in the States. For her, the U.S. was more race-conscious.

It's not so segregated here as in race, like it is in the States. Here it's more a matter of income. In the States, race is always going to be an issue. One of the things I like aboutbeing here is you don't have the race thing as much.

In some ways, her point bears a certain resemblance to what D.B. in Taiwan described. For her racial status was not the liabilityin Taiwan that it sometimes proved to be back at home in Texas. Any distinctive reactions she perceived from others in Taiwan, she attributed largely to her status as an American –not a *Black* American.

This may well be a recurring observation for African Americans who travel abroad. At some point or another, most African Americans abroad will likely consider whether there is a difference in other people's treatment of them that they attribute to the presence of the particular brand of American anti-Black animus with which they are familiar. Indeed, it is worth noting that from a historical perspective, this issue represents the primary motivation for the exodus of talented Black Americans from the 1940s through 1970s. It was over the course of that time, that such notable Americans like James Baldwin, W.E.B DuBois, and Paul Robeson left the U.S.

Another woman that I interviewed had left the States and moved to the Czech Republic where she had put down roots nearly 5 years ago because of a newfound romance. T.A. was in her 30s at the time that I interviewed her. She was a very slim attractive brown complexioned woman with her hair in long braids. In her case, she had met someone while traveling. T.A. was very clear about having made the leap abroad to be with the special someone she'd met while traveling in Europe. She was also clear about the fact that the relationship itself

hadn't panned out, and that the two were no longer together. However, she was sanguine about the overall experience because as she saw it, it is what accounted for her decision to leave the States and live in Europe where she continued to enjoy her life. She said, *I met someone and the intercontinental distance thing wasn't working. And, then Prague happened... I was very excited about moving to Europe. I did some research about getting work permits here and I learned that the standard of living was lower.*

Although she was excited about moving to Europe, convincing her immediate family of the value of her move was something of a challenge. Her family members --especially her Mom—did not want her to leave. She said, *My Mom was concerned initially because it wasn't Western Europe. Now my family has accepted that I am here at least long-term. I'm happier and they can see it. Our relationship is not anachronistic.*

I asked her what her thoughts were about her identity as an American, as a person of color, and a potential outsider, and whether she observed any distinctive reactions from others that she attributed to that identity. In preparing to answer, she visibly sighed and hesitated before saying, *The funny thing for me about my identity isthat although it's an identifier, here people see me. So, the self-consciousness I had in the States, I don't have any longer. I want to be comfortable in my skin, but here it doesn't have the same meaning... When Czechs see me here they do almost always see me as an American, rather than someone from Africa by way of America.[1] The skin color thing only crops up in terms of some funny notions about what Black women are like –in terms of singing and dancing. At a bar or a club, someone might approach me and ask me to show them some dance or something like that.*

The two African American women I spoke with in Europe described some of their experiences similarly in that they both indicated feeling different (and better) "in their skin" in Europe as compared to the United States. For them, there was an explicit recognition that Europeans responded to them and engaged them as "Americans" rather than as "Africans" or "Black Americans." This

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[1] T.A. was a first generation Nigerian American. She was actually raised in Nigeria until around the age of 9 when she moved with her family to the U.S. Her identity was very much that of an African-American.

observation underscores just how meaningful the decision to leave the States can be for the identity of Americans who are racial minority group persons in the U.S. This is very uniquely an aspect of the expatriation experience for minority Americans. In contrast, what matters for majority group Americans (i.e., Whites) is the experience of being an outsider, an identity that comes with the experience of being an expat in non-Western parts of the world like Asia.

2.3. Professional opportunity

Among American expats there are those who leave in response to an offer of a specific job opportunity or in the absence of a specific opportunity, they leave because of their ambition to discover or create an opportunity abroad. In short, they come with a mindset focused on making a living in a foreign country.

Within this group of people who move abroad for work related reasons, there is the well-known cadre of expats who come for indefinite periods of time to teach English as a second language. These are often, though not always, younger Americans who tend to be encumbered by familial commitments and financial obligations. In addition, among those who leave the U.S. for work related reasons there are those whose entrepreneurial spirit has led them to move in order to start or expand upon an existing business venture. There are also those who are transferred abroad to mann their company's office or market a company's presence in a foreign land. Finally, there are also those people --like members of the U.S. Department of State-- whose job it is to move every few years to a different country to carry out the diplomatic work of their agency or organization in a foreign country.

While I have elected to group these very different types of expatriates together in this one section, linking them by the common thread of work-related interests in precipitating the move, it cannot be overemphasized that there are very different factors that are likely to impact the experiences of these "expats abroad for work". The person who leaves the U.S. to live and work abroad because they are working for a U.S. government agency in an international office or Embassy has a very different approach to moving than the individual who obtains a contract with an international or foreign based organization to teach English in a remote village abroad. The latter is likely to face an en-

tirely different set of challenges and at the same time find themselves to be culturally enriched in ways that differ from and likely exceed that of any U.S. government employees abroad. Similarly, because the person who moves out of the U.S. to start a company or offer a service abroad will need to be particularly industrious and resourceful in making contacts within the local population, their immersion into the culture of their adopted country will need to be more complete and wide ranging.

In July of 2012 I interviewed a successful African American businessman –P.J., who was living and working in Johannesburg South Africa. He initially came to Johannesburg at the age of 26 in 1995.

I came with a trade delegation from Atlanta… We came as uh, when I came I was representing [company] at the time. I came on behalf of [company] in an unofficial capacity looking for potential real estate investments. At the time [company] was growing, and I was working for [company] in another capacity, but I was moonlighting with comercial real estate in Atlanta at the time. My whole reason for working with [company] to begin with was to get in the real estate department. So, they knew I was coming, so they said 'okay'… you know being a part of the delegation I was able to be part of the corporation, so [company] said 'okay, we'll say you're a part of us,' and I was able to view properties on their behalf.... and then unfortunately [company] never grew, they wound up collapsing eventually.

P.J.'s initial trip to Johannesburg was only 4-5 days long, and the delegation was then scheduled to move on to Cape Town. But according to P.J., he was smitten with the city, and sensed the business potential there. He said, *For me though, I felt like I was perfect right here where I was, so I let the delegation move on to Cape Town, I stayed here for another two weeks.*

Whereas P.J. described the idealism he had for a professional opportunity in South Africa that fueled his decision to expatriate, 55-year old D.M., who was White and in his early fifties attributed his move to a desire to continue working for a large IT company from which he was later let go. D.M. described experiencing a few rough patches throughout his career in Asia. He'd left the U.S. when he was 30 years old and at that time had no idea he would stay as long as he did.

I moved to Asia nearly 25 years ago. I worked for a "mega super computer firm" that sold systems to universities and colleges. I was an "old school engineer." We had a distributor here [Taiwan], but the distributor locally was not satisfying the customer needs. They would always call me up in Singapore [where he first lived when he moved to Asia] and it was a cultural thing… the director of their customer service was a moron… so I took care of things in the region…anyway, [company] wanted me to work on their stuff, but they eventually paid me a lot of money to go away quietly. Then I got involved with an international outsourcing company doing security surveillance work…

The fact that he'd spent the last two decades working in Asia at multiple companies doing different kinds of jobs speaks to his comfort in being there. He initially made the move because he enjoyed "playing with electronics," and along the way he acquired an affinity for being in Asia, primarily Singapore and Taiwan. He had also married a Taiwanese woman. About his feelings for the U.S. he said, *I don't dig what's going on in America. I'm a peaceful kind of guy, but I have no respect for the American government whatsoever. I have freedom here not like in the States [where they are] following me around. .. I think its easier to live here in certain respects.*

It was a job that landed D.M. in Taiwan and Asia, and it appears to be a combination of work, marriage and disappointment with the U.S. that seems to keep him there.

Disenchantment with the U.S. and current affairs at home can be a strong motivator for some expatriates who opt to work and live abroad. This was the case for a woman I interviewed living in a city in Taiwan called Chiayi. C.H. was 28 at the time I interviewed her and had been in Taiwan for a little over two years. She came to Taiwan after having lived in Korea where she was teaching English for a year. She had no immediate plans to return to the U.S. when we spoke.

When I first went to Korea, I was annoyed at the U.S., and I just wanted to be out of the U.S...No way, not [returning to the U.S.] right now. For now I'm kind of focused on finding a partner. If anything, I'm probablygoing to try to make a move to Taichung [a larger city in Taiwan].

C.H. spoke about the ease with which she made the move and said,

Actually, oddly enough, it felt easier to leave the U.S. overall rather than to pick up and move to another city and state in the U.S... I was working in Korea for a year and went back to the U.S. for a visit. I tried to return there but I couldn't. I have a DUI and they passed a law in Korea that said you couldn't get a work visa there if you had a DUI. So, that was it for Korea… Later, I met a friend in Thailand who told me about a job in Dou Lieu (small city near the one she is living in Taiwan) and I applied for it, got it and came.

C.H. who was White generally perceived the Taiwanese to be friendly but she was not completely at ease, and this ambivalence was associated with her status as an outsider. As a non-Asian foreigner she was visible to others and her presence elicited other people's attention. She would prefer for this not to be the case.

Well, they're friendly enough I guess. They're just so curious. And, I get annoyed because I don't like people staring. It really freaks me out. I think I'm a little more bothered by this than most people from what I hear.

3. Identifyinggroup-leveldifferences

There are clear similarities in the stories told by this small subsample of American expats. They report experiences that cross age, race and gender lines. For each of the people that I have profiled here, there was an excitement and enthusiasm in making the move and transition abroad. Several women accompanied their spouses who had accepted high level positions within the East Asia offices of international corporations. The two men descrybed so far came for professional opportunities, either a guaranteed job or entrepreneurial spirit to create a professional opportunity.

The substantive differences in the experiences they reported were due largely to the way that their personal identities were affected by the move. D.B., the woman living in Taiwan, reported feeling more at ease and comfortable in her skin in Taiwan than in the U.S. During the interview, she descrybed an incident she had shortly before leaving the U.S. in her neighborhood in Texas which she attributed to a White person's prejudice against her because she was an African American. For D.B.

this exemplified the differences in experiences she had while living in Taiwan as yet another "person of color" albeit an African American. Ironically, although she noted the high visibility associated with her racial status in Taiwan, at no point could she recall experiences with racism.

P.J. reported the "comfort zone" he stepped into when moving to the majority Black city of Johannesburg, South Africa. As an African American, who had spent his most recent time in the U.S. South, his experience in coming to Africa and the city of Johannesburgwas very positive. Indeed, his identity as an American of African descent appeared to have been strengthened.

For M.S. and J.D., moving to and living in Asia required "stretching" in ways that was not required of the African Americans. It required giving up their identity as members of the majority and stepping into a place where they became visible minority group persons. They were not Asians nor were they able to speak the language of their adopted country. As such, they stood out. It was, to be sure, a challenging process.

If M.S., J.D., D.M. and C.H. had moved to a country where they were not visibly distinctive and where they could be more easily assimilated, their experience would likely be somewhat less challenging. Of course, there is still likely to be the matter of differences in language and culture, but someplace in Europe for example, would likely have common Western features which would be familiar to most American expats.

Just as people differ in terms of their likes and dislikes, strengths and abilities, so do expats. Consider the case of L.D. who embraces the challenges of being an outsider living in Japan. I interviewed L.D. in the summer of 2014. He was 69 years of age and had been living in Japan for the past 41 years. L.D., who was White, had initially come to Japan with the U.S. Air Force. After returning to the States, he wanted to return to Japan to live. He moved back to Japan at the age of 28 working first as an English language instructor and then a host of other types of jobs over the years. I met L.D. while he was performing the work that he says he loves the most, as an entertainer at a children's birthday party. In response to me asking him whether he felt at home in Japan and at ease, he said: *I have lived here for 40 years. This has become my home. I love it here. Tokyo has everything. It is clean, modern,*

international and probably the safest metropolis in the world. And besides, I have wonderful occupations that I couldn't do in e U.S. The Japanese health insurance system works… I really enjoy meeting people of different countries on a regular basis. Before coming to Japan, I was just bored. I knew my way around! Everybody spoke English. Coming to Japan was an adventure and a life challenge. Isn't that what life is about? To return now to the U.S. would be like going to live in a foreign country again but instead of it being an adventure it would be a hardship because of my long absence and age.

It is also true that not all of the expats that I interviewed who were African Americans mentioned race or talked about skin color, but among those that did, there was an automatic comparison with how they reported being treated in the U.S. They tended to describe their perceptions of race-related events occurring in the U.S. For example, consider the comments of "Jane" who was interviewed in the fall of 2013.[1]

When they look at me, they [the Japanese] don't see African American. When they address me they address me as an American. Or when they introduce me, I'm always addressed as "American Jane" (said laughing)… There is no racial discrimination [in Japan] against foreigners that is strongly detectible…Being African American in Japan really doesn't have any meaning, like it does in the U.S. Racism will always be present in the U.S. It's a monster that is everywhere, and that's something I've learned in being here. But I don't actually feel so much racism here in Japan, and that's why I have stayed here for so long…

Jane's description of how race loses its significance as a category is instructive and revealing. Although the problems associated with race and her racial categorization as a Black American were not what initially led her to move to Japan, she was clear about appreciating the way it no longer held sway over her identity and experiences in Japan. This was not unlike responses of other Black American expats mentioned above.

To be sure, there are a multitude of experiences that expats have so it is not surprising that some of the responses obtained and reported throughout

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[1]Jane was interviewed in Japan by my research assistant during the summer of 2013.

will vary in content and tone. In contrast to Jane's description of the ease with which she was able to navigate Japan as an American minority person, M.J. (who was also an African American) recounted a very different experience as an expat in Korea. For her, it was the very fact of being a Black person from the U.S. that compromised her level of comfort and ease with being in the Korean city of Donghaethat she called home. This was after having had a pleasant experience in another Korean city called Gwangjuthe previous year. She said: *I experienced… you know, men were very aggressive and they were aggressive in a way because they have little to no interaction with women, with "melanated" women. You know, especially from different countries. I got called at from cars, and I had never experienced that in Gwangju...It was because I was a Black woman. In that, you know, it's basically what they see, they see us in the media and they see everything that is portrayed, and they see the mass media. Then they see us walking down the street in their country where they don't get out of, and then this where they're going to respond to, because this is what I saw on TV… You know it's basically what they see in music videos and they're acting out little snippets of shows, movies here and there…*

Including these last three examples (L.D. Jane, M.J.) is especially helpful in underscoring the diversity of experiences for American expats abroad. Rather than feeling uncomfortable with his status as an outsider in Japan, L.D. seems to have embraced it. Whereas, Jane and M.J. were both African Americans in Asia, their experiences in two different countries were quite different. Indeed, for one of these women, how others responded to her differed according to which city she was living in Korea. Nevertheless, both of their descryptions of the move abroad and experiences living outside of the U.S. are representative of the American expatriation process.

Conclusions

What this brief article shows is the way that personal identities resulting from formative experiences within the U.S. influence the experience in settling in an adopted country. This is likely to be most apparent for American expats who happen to be members of ethnic and racial minority groups, but it is also relevant to the experiences of majority group American expats as well.

As with any study, there are a number of limitations worth noting. First, because this work is based on in-depth interviews with individual expatriates, it is impossible to generalize across all expats. Instead, findings from this work should be used to advance understanding of the richness and complexity of decision-making process and identity adjustment that Americans wrestle with when emigrating to another country.

Because the people I spoke with were either Black or White, the information gathered is similarly limited to members of these two groups. How Asian Americans who move abroad in order to return to their ancestral homelands fare for example, remains a mystery. Thus, the present research is limited to understanding the experiences of Blacks and Whites only.

There is also the matter of the small sample size. I interviewed thirty people whose experiences are discussed in great detail in a book-length manuscript of what is reported here. However, in this article, because of space limitations I elected to cover in detail the experiences of a select sub-sample of the respondents. It is hard to draw very firm conclusions that can be used to make predictions from this small pool of respondents.

Finally, the selection of respondents was based on convenience and availability rather than a systematic approach to identifying them. Given this, it would be inappropriate to draw inferences about whether gender differences exist in propensity to leave the U.S., for example. In the sample I described here, the men I interviewed tended to move abroad for professional opportunities and the women tended to move for love or in order to accompany their spouse. This has less to do with actual rates of expatriation and more to do with convenience sampling. The reader should not conclude that males generally move for professional opportunity and women for love.

It is not possible to answer questions about actual numbers of Americans who expatriate from this type of study. Indeed, apart from information about passports issued which is available through the U.S. Department of State, there is no easy way to gather this information. However, if recent trends in the surge of travel sites and blogs, as well as the numbers of growing numbers of international relocation services reflect actual increases in rates of emigration, it make sense to assume that the number of Americans emigrating is on the rise.

References

[1] M. Gordon,*Assimilation in American Life*, 1964, Oxford University Press, England, 1964.R. Alba &M. Waters, *The Next Generation: Immigrant Youth in Comparative Perspective*, New York University Press, New York & London, 2001; S. Lieberson& M. Waters*, From Many Strands: Ethnic and Racial Groups in Contemporary America*, New York, 1990.

[2] J.R. Wennerstein, *Leaving America: The New Expatriate Generation,* Greenwood Publishing Group, California, 2008.

[3] E. Dunbar, *The Black Expatriates: A Study of American Negroes in Exile*, Dutton, New York, 1968;O. Harrington, *Why I left America and Other Essays*,University Press of Mississippi, Mississippi, 2010; 2010. K.K. Gaines, *American Africans in Ghana: Black Expatriates and the Civil Rights Era*, University of North Carolina Press, North Carolina, 2008.

[4] R. Farley and W.R. Allen, T*he Color Line and the Quality of Life in America*, Russell Sage Foundation, New York, 1987.

[5] H. C. Triandis, *Individualism &Collectivism*, Westview Press, Boulder, CO, 1995.

[6] G. Hofstede,*Culture's Consequences: International Differences in Work Related Values*Sage Publications, Newbury Park, CA,1980.

The method of the "line of least resistance" in the analysis of dreams (development of phenomena: cognitive weirdness, halucinoid imagination and narrative structure)

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Abstract: *This paper presents an original study and insights that are resulted from practice. It elaborates the comparison between the two theories about dreams, Hobson's theory and Freud's theory and as a result of the practice. The main aim is through insights from the group work of dreams until the author has come to emphasize and clarify important insights about the points of contact between these theories in terms of the three processes that are common to both theoretical and practical viewpoints: cognitive weirdness, halucinoid imagination and narrative structure. Analytical method that is used has the original terminology specified by the author – "Method of the line of least resistance". To this method the author came through practical work in the process of finding common ground between theories with using of integration techniques. Findings are authentic and original and say that these two theories differ only terminology and they are psychological phenomena.*

Introduction

Nature has endowed man with the opportunity to self-create, although in rudiments, the unique complex tool that has not been built-in into the genetic composition of gifts – consciousness. Man is the only one that has won the battle with all the other animals in search of an ability to understand the world. Yes, some will say that man owns neuro-physiologic superior system woven by a sequence of simple and complex structures, tissues and organs embodied in the gestalt so-called organism. And yes, it is the only one that is equipped with the entire necessary arsenal to reach the highest aim – discovering the sense of existence and doing that with the help of consciousness. But, at the same time it is true that this massive auxiliary system made of inherent instruments is insufficient on its own for a man to reach consciousness. Consciousness – that autochthonous, original and unrepeatable characteristic that he is distinguished with. The organism with all its aspects of functioning is a uniquely organic basis for starting the struggle that is an impossible mission for many, regardless of the life expectancy due to the fact that consciousness is the youngest offspring of the general human evolution. It represents the pinnacle of the being in every sense with the whole development of all the low and high psychophysical, social and spiritual potentials of a man. It is something that we reach for, in fact it is only reachable only through the long, as much as collective as idiosyncratic, struggle for survival in the most authentic human shape. It was exactly consciousness that obtained the privilege to be expressed through special conditions: wakefulness, sleeping /dreaming and other normal, but as well as pathological conditions of it (coma, delirium, etc.). Hence, consciousness expresses the continuum of the human psychic being in all possible shapes, star-ting from its most limpid layers up until the dar-kest hidden mysteries of man. Due to the necessity of its existence, man is condemned to the greatest joy because of the cognizance, the gnosis of the world and of his internal being, but man is also condemned to a most profound sadness due to the opportunity to discern one's existence in moments of its pathological breakdown and schizoid apar-tness.

Two conditions of consciousness are Alpha and Omega of the whole human functioning on the thin line between the conscious and unconscious – the *wakefulness* and the *dream*. The halo of wakefulness is adorned with its sentient-motor neurophysiologic background in which biology and psychology sup-lement each other like two siblings, thus enab-ling a man to feel the world in himself and out of himself. Then the dream, as an offspring of the subconscious emerges out of the chambers of the deep, the dyna-mic, and the suppressed. It is a psy-chological deri-vation of sleeping as its physiological father who fertilizes him in the wee hours of the night in the kingdom of the REM phase of sleeping – which is the paradox of consciousness. The paradox lies in

the whole dialecticism of this complex phenomenon that has been researched since forever and that has come from the fact that in those moments the body might be asleep, but the spirit is alive.

1. Starting points and knowledge (neurocognitive and psychoanalytical stances)

The so-called paradox of sleeping in the REM phase, the discovery of which altered the fundaments of the neuropsychological sciences, is composed of the conflicted nature of the fact that the soul is actually extremely active during the neurological-physiological lethargy of the cortex. The famous discoveries of series of neuroscientists, psychologists, psychiatrists etc. (Aserinsky, Kleitman; Hobson & McCarley; Solms; Dement, Berger, Oswald and others) for the physiological changes during the REM sleeping (physiological changes of blood pressure, erection of clitoris and penis, accelerated work of the heart); the stages of sleeping, the paradoxical nature of EEG, the EOG (electrooculogram), EMG (electromyogram) that are equivalent when it comes to their frequency and amplitude during wakefulness; the phenomena and disruptions of REM-sleep and others have brought into question all the previous theories about sleeping and dreaming (Freud's, Jung's, Hall's, Steiner's, Boss's, Perls, etc.). Those then new and revolutionary discoveries have raised suspicion first of all in the accuracy of Freud's concepts for the nature of dream. As never by then, especially the theory of Hobson and McCarley has shaken and shifted the grounds of the superior theory, the theory that is a "mammoth" among all the others, and that is the theory of psychoanalysis. If by then it was considered that the dream is the "royal road to the unconscious" and what we dream are repressed libidinous pulses and aggressive segments of the unconscious embodied within the phenomenon for a wish coming true, since then the whole pan-psychological omnipotence of the dream has been turned upside-down. All of the sudden, scientists started to believe that a dream is nothing else, but a product of the sleeping cortex that tries to make sense of the simple and primitive electric discharges coming from the brain stem. At first glance these two theories (Hobson's and Freud's) are not essentially connected; the first is neurocognitive, whereas the latter is psychoanalytic. However, the theoretic conceptions of the author of this scientific work that have come from the group work of dreaming as a complex phenolmenon have brought him to a position of awareness

that there are quite large and significant places of connection between the theories. Above all, that connection emerges when we look at the dream from the aspect of personal meaning that it has for the dreamer. Namely, personal meaning always has an individualistic and personal thread of the psychological in the widest sense of the word and there is no dilemma here from the aspect of the psychoanalytical theory that has always been pan-psychological and has always claimed that a dream is a psychological unconscious reaction of the dreamer. Then again, on the other hand, many phenomena being mentioned from the aspect of neurocognitive theory are essentially psychological. The conclusion of the author is that in their gist, the two theories are only terminologically different in their explanations of the phenomena of sleeping, but they practically come down to the psychological embodied within the personal meaning and sense of dreams. If we make a list of the parts of the process of creation of a dream, which are the structural aspects of the phenomenon according to the neurocognitive theories: 1) halucinoid imagination; 2) narrative structure; 3) cognitive weirdness; 4) hyperemotionality; 5) acceptance of delusions and 6) deficient memory for the content of the dream (incapability to remember), then these findings will be backed up [5], [19] Although the intention here is not to explain the similarity between the theories as to all the elements, but only the similarity of those that are of main interest (cognitive weirdness, hallucinoid imagination and narrative structure), it is safe to claim that all these phenomena apart from Hobson and McCarley's neurocognitive explanation can be explained from a psychoanalytical aspect. Since the three listed phenomena will be considered and explained in more detail in the following chapters of this essay, here we will illustrate the similarity and the common foundation through the phenomena of hyperemotionality, acceptability of delusions, memory deficiency.

Hyperemotionality from a psychoanalytical aspect refers to the meaningfulness of the dream for the dreamer and the connection to his wishes and desires and similar, whereas in the case of neurocognitive theory it refers to the participation of the amygdale in the REM-sleeping [19] The difference is in the starting concept which in the case of psychoanalysis is deeply unconsciously psychologycal, whereas in the case of Hobson's theory there is a neuropsychological concept. Freud starts from the personal meaning of dreams in terms of the hidden

desire, which naturally, carries with itself enormous emotional charge that is adequate to the significance and the importance of the desire, whereas Hobson explains hyperemotionality through the great activity of the amygdale during REM-sleeping. But, essentially, both cases emphasise the importance of the emotional aspect of a dream; it is something that both theories agree upon. The acceptability of delusions, idées fixes and similar from a psychoanalytical aspect refers to understanding that due to the dream work, it is necessary to allow in the manifest content of the dream delusional thoughts and ideas and similar, whereas according to the neurocognitivists, those delusions are the product of connection of diverse and illogical content in the cortex [19] The deficient memory from a psychoanalytical aspect is nothing else, but a censor's work and a psychological amnesia for the unpleasant and unacceptable content of awareness, whereas in the case of neurocognitive theories, the impossibility to remember is understood as if coming from the processes in the cortex during the REM sleep and dreaming and under the work of change of the aminergic and cholinergic excitations, during which the conscious cognitive processes of attention, will, memory and similar have been disabled [19]

2. The method of "line of least resistance"

It's important to emphasize the manner in which were reached these common foundations of the two seemingly incompatible theories. The discovery came along with the use of the so-called "*method of line of least resistance*". It is a term that emphasizes the easiest and simplest manner to discover the first associational currents while interpreting the phenolmena of dream in a psychoanalytical aspect. The author discovered this method indirectly through long years of dream work in groups, starting from the awareness and the insight that the common foundations between the neurocognitive and psychoanalytical theories for dreams appear at the first points of psychoanalytical interpretation of narration. The idea for this original term of the used method came completely by accident when the author gained insight that the method will only appear in case we start from the type of dreams that are the closest for explanation of the connection between the two theories through the personal meaning. The author understood that the theories meet exactly at the spot of the dreams which give material that can be compared (the usual, ordinary dreams according to Freud which were amazingly evocative of the

interpretation of dreams by Hobson and McCarley). Some authors [13] emphasize that even since the days of yore, people in the tribal communities used to call these dreams *small* or *worldly* dreams. But, at the same time, even then there were claims that there existed the so-called somatic/medical dreams [11] The first ones bring to mind the ordinary dreams according to Freud, whereas the latter bring to mind Hobson's understanding that the dream is an organic-neurological product which has no psychology in itself. When this fact for the meeting point was understood, it was already easier and more logical to discover the true method that was used in the analysis of all dreams that the author uses to support his thesis.

The title derives from a famous phrase used when people want to reach the aim more easily. In those situations we say for that person that they were *following the line of least resistance*! This means that in the analysis of dreams of this type, the author saw that it would be best to use a method which does not enter the deepest and infantile unconscious sources of dreams that lead deeply to the personal (and collective) unconscious, but are retained in the freshly suppressed elements of the real/awaken life [19] The theory of Hobson and McCarley relies on the same ideas, all the while claiming that the dream is a product of the neurological processes during sleeping that are composed of images, narratives, sensetions that have been retained in the short-term memory, and are the product of the direct awoken life of the dreamer and their conscious/awoken experience (the day before sleeping) and as such in residues they overwhelm the cortex in chaotic flurries of electric discharges, thus creating the dream as narration and visualization. Hence, this method expresses the comparisons of the two conceptions exactly through the aspect of the personal meaning for the dreamer, using the same idea – that the dream is a product of that which has been experienced in the awoken life immediately before the dream appeared. The difference is in the fact that psychoanalysis explains this phenomenon with the claim that all those sensations, images, impulses have been suppressed in the unconscious whence they come as an unconscious message composed of unfulfilled desires through the use of the processes of so-called "dream work", whereas the activation-synthesis hypothesis elaborates this with the thesis that all those sensations that have remained somewhere in the brain attack the cortex in large electric discharges, thus creating chaos which the cortex is

trying to make sense of through the creation of the senseless scenario of the dream.

The explanations of the listed three phenomena that are of interest for this essay and the comparisons through the prism of the method mentioned above from the aspect of the two theories are represented in the following parts. First of all they are determined from the aspect of the neurocognitive theory of Hobson and McCarley, but also from the aspect of other related theories. Afterwards they are explained from a psychoanalytical aspect so that in the end they will be discussed with a focus on the search for common foundation in the personal meaning of dreams.

3. Cognitive weirdness

"If we could imagine a dreamer walking around and acting his own dream as if he were awake, we would see the clinical picture of dementia praecox
Carl Gustav Jung, 1907

Jung's maxim unarguably reminds us of the fusion in the mental life of a man, especially in the condition of dreaming, when there are no strict borders for separation between the wakeful and the ones who sleep, the healthy and the sick. The cognitive weirdness is exactly one of the dream phenomena that is the prototype of the specific phenomena characteristic for the dream. We have long had scientific evidence for the approximation of the awoken life of the schizophrenic with life in the dreams of a healthy man.

Namely, lots of authors have discovered that there are certain qualitative similarities between the normal condition of sleeping and the pathological condition in the case of psychoses. A series of contemporary psychological, electrophysiological, tomographical and neurochemical research have confirmed this fact and hence the hypothesis that a dreamer's brain is the neurobiological model of psychosis. This hypothesis was tested through research of cognitive weirdness through analysis of written reports and verbal statements of the dreamers for their dreams and verbal statements for the awoken fantasies in 30 schizophrenics and 30 people from a control group. A group of authors, among whom is Alan Hobson [Scarone, Manzone, Gambini, Kantzas, Limosani, D'Agostino, Hobson] have conducted this study through the use of 7 pictures from a TAT test as a stimulus in order to provoke awoken

fantasies and all the participants were asked to write down their dreams after waking up. With this study the authors confirmed the hypotheses that among the awoken fantasies of the psychotics and the visions in the dreams of the healthy subjects there are series of similarities as to the cognitive weirdness.

This introduction does not aim to emphasize the clinical implication of the research for weirdness, but to show the significance of this phenomenon for the whole phenomenology of a dream, not only from a neurological, but also from a psychological aspect. Namely, if we take into consideration the determination that cognitive weirdness is a particular phenomenon that is a characteristic of a dream and that itself is characterized with the following: discontinuity and incongruity of the scenario of a dream (disruption and inconstancy of the story, the narration of the dream) in the thoughts and emotions, losing the associative sequence as well as inexistence of the universals space and time [23], [26] then we are safe to conclude that we are talking about a phenomenon which most often makes the drama and surprise of a dream. Other authors [26] still list the unclear elements and insecurity as particularities of weirdness, i.e. the existence of incompletely formed elements in the scenario of a dream and the insecurity of that scenario as to the possible outcomes (it is well known that the logic of a dream is paradoxical and different from the logic in a wakeful state). That means that weirdness represents an exceptionally unique reality of a dream in which dominate the visual elements shown as weird scenarios, surprising changes of elements, the persons in the dream, but also in the story itself. Weirdness in a dream offers the opportunity for the well-known de-identification of characters, but also a change of the identity of the characters themselves, usually all of the sudden, without any real logic (the character of a person acquires a head of snake, one person changes with another or vanishes etc.). It seems that exactly the weirdness contributes the most to the drama and fantastic nature of the scenario poured off in the visual element supplemented by the possible auditive weirdness and more rarely the other sentient experiences.

In neuropsychology this phenomenon is being researched in the last decades and some findings are very applicative as to the claims that this essay stands for. Namely, with today's most contemporary methods, such as for example the Positron Emission Tomography (PET), it is possible to record the

neurophysiological processes in the brain during the REM sleep. Namely, studies show that some disruptions in the visual-perceptive centres in the big brain, but also in some of the associational regions that are in charge of the visual perception are connected with the possibility of appearance of weird elements in the scenario of a dream. This correlation is made possible by the neurological activity of the pre-frontal parts of the big brain that are active during the REM sleep, with which they directly influence the psychology of dream, i.e. they are inserted in the very content itself. The disorder called Prosopagnosia which represents a dysfunctional ability for recognition of familiar faces and which is due to damages of the visual centres in the right hemisphere is a phenomenon that appears in dreams from a psychological aspect. But, this phenomenon is reminiscent of some of the weird phenomena in the scenario of a dream when the dreamer cannot recognize the face of a person that is close to him in the wakeful state of the real life. Also, the disorder called Capgras delusion is a sort of delusion in which a person substitutes the face of somebody that they know with the face of a con, a robot or an alien which has the same features as the real person [25] as his own equivalent in dreams, and from the aspect of a weird element it has the phenomenon of substituting the characters and a feeling that they mix and/or overlap. The fact that this disorder arises, inter alia because of the abnormal emotional evaluation on the part of the amygdale that carries the emotions in dreams, proves why in the dream there is an emotional exaggeration shown through strong, usually unpleasant emotions (fear, panic, desperation), as well as inability to estimate the true quality and intensity of some emotion. Furthermore, the disorder called Fregoli delusion is a delusional hyper identification in which a man mistakes an unknown face for some close person in spite of the absence of physical similarity, it leads us to the correlation with the phenomenon of weirdly mistaking an unknown person for a known person from the reality of the dream, being enormously confident that we hadn't made a mistake. Schwartz and Maquet emphasise that the Prosopagnosia and Capgras delusion as dream phenomena can only sometimes be clearly identified, registered on the part of the dreamers, whereas Fregoli delusion is almost always present in the statements [25] Sometimes dreamers which most often give oral statements while associating the elements in the dream, give this phenomenon away, a phenomenon that is present in their dreams through the wrong connections of the characters. This fact leads us to the conclusion for the importance of the method of *line of least resistance* that was presented here and that is present in the analysis of dreams as to the discovery of the elements from a neuropsychological and psychological/psychoanalytical aspect and their connection through the personal significance of dreams. Namely, cognitive weirdness that can somewhere be named orientation instability, is explained in psychoanalysis through the processes of dream work (transformation of elements for avoiding the censor, condensation of several elements in one symbol, symbolization of one element with many symbols etc.) that create illogical manifest content that has an unpredictable direction. On the other hand, according to Hobson and McCarley, it refers to the cognitive processes that are stimulated when the brain stem does not receive signals from the outside, and the cortex tries to make sense of the memorized information that come from the brain stem in bundles of electric discharge [19] Still, again we come back to the fact that the psychological and the personal in the dream is the most important thing or just like Hobson emphasizes [12], a dream is never an occasional collection of sensations and emotions experienced in a state similar to confusion, but they have an internal structure that comes from the cognitive processes active during the dream. This determination unequivocally emphasizes the facts that come from the method emphasized here, which enables connection of the psychoanalytical views and the neurocognitive views that refer to the cognitive weirdness in a dream.

But, the reported evidence is not the only confirmation for the neurological aspect of weirdness which can be connected with the psychoanalytical stances. The method of neuroimaging for recording the activity of the cortex in the REM phase demonstrate that the explanations come from the mentioned hypoactivity of the pre-frontal regions which during REM are overlapped with the areas of the brain that are responsible for selection of stimulus-response associations in accordance with the contextual signals, the past events and the integral aims. This inactivity in the prefrontal area disables integration of the parts from the dream scenario into some integral whole episode that has been conceived. That inability from a neurological aspect causes in a psychological sense of the scenario of dream some weird elements of mixing time, space, characters, events that are in temporal discontinuity and are incongruent content-wise. This neural

deactivation disables the dreamer with the help of his will to govern the content of the dream and the sequence of events taking them to some integral aim of his own, or sense. This is only possible in the case of the lucid dreams. From a psychoanalytical aspect an equivalence is imposed exactly in the aspect of inability to willfully control the elements of the dream and hence the weirdness due to the fact that we cannot create the conceived whole. Namely, according to Freud, as far as we know, the unconscious acts unwillingly, i.e. following the principle of primary process and the need for gratification of the suppressed desire. Hence comes the fact that in dreams there is no logic at least not in the sense that logic exists in consciousness and in the awaken state, because through the dream, man has simply an unconscious need to fulfill his desires. Since because of the mentioned neurocognitive processes in REM sleeping, a dreamer does not have the opportunity to make conscious decisions and to organize the content and the flow of the dream, the weird elements appear, which in the efforts to escape the censor of the Ego through the processes of transformation, condensation and symbolization turn out to be illogical, uncomprehensible, discontinued and spaceless-timeless phenomena in the scenario of a dream. Actually, from the findings reported above it turns out that it is impossible to consider the elements from a psychoanalytical aspect that would be brought into correlation with the neurological findings of the activation-synthesis hypothesis (but also other neurocognitive theories), in case we persist in trying to bring them into the consciousness and then understand the deep elements of a dream. With the method of line of least resistance, we create logic through uncovering the individual layers of the latent dream. Hence, the path of interpretation is in inverse proportion with the "dream work", i.e. just as the unconscious tangles, we untangle it with this method through the associational line of least resistance (i.e. "firsthand") we give personal meaning to the messages in dream mostly uncovering them through associational connection with the sensations from the day before the dream and the organic sensations during the sleeping thus creating a narration that has a personal sense, wholeness and integrity.

Also, the inactivity in this part of the brain disables a complete remembrance of the dreams because it works on short-term memory and hence the explanation why experiences and memories from the awaken state immediately before the dream account

for even 64% of the total memorized content of a dream, whereas only 1.5% goes to the memorized information in long-term memory [23],[26] Here once again arises the fact for the importance of the method of line of least resistance as to the fast associative current which brings "firsthand" interpretation of the memorized elements from the awaken life immediately before the dreams, the corporal reactions in time of the REM phase and the stimuli from the environment.

The above-mentioned percentage of memorized parts from the scenario, the content of the dream point out that we remember exactly the significant things from the dreams and the memorized events inversely create the story of the dream, i.e. they give the dream sense. The very fact that the amygdale plays an enormous function in the regulation of the strong emotions exactly in the memorized parts of the dream (we cannot even talk about the other parts!) because in case they weren't as significant, they wouldn't call out so many emotions and these emotions wouldn't be memorized and it shows just how essential is the stated thesis for the importance of the personal meaning of a dream. If we start from the theory that the remembered parts of the content of a dream are those where the amygdale was the most active, i.e. they gave neurological input from an emotional aspect in the time of remembering (that is why they are selected to be unconsciously remembered!) and that on the other hand, those are the parts that are the most significant ones personally, we can presume that these parts are activated during the very creation of the visual aspect of the manifest scenario in the dream, i.e. in other words, they are the content of the dream because as the personally most significant ones, they fought their way into the dream. This claim can be verified through the analysis of the dreams with the method of line of least resistance right after awakening from the REM phase and taking report for the memorized things. The PET-scan will help determine the immensity of functioning in the amygdale so that we can see the proportions of the emotional engagement from a neurocognitive aspect during the referent dream, which would help determine the personal significance of the dream (i.e. of the memorized parts if it hasn't been memorized as a whole). The dreamer that gives the statement for the memory of the dream should be asked how does he estimate phenomenologically the parts of the dream from the aspect of personal significance. If the statements for the level of significance of the dream analyzed

through the method of *line of least resistance* are correspondent with the level of brain activity in the part of the amygdale and the other parts of the brain that are active in REM, i.e. the more significant the dream is and the more activity there is in the amygdale, the easier it would be to confirm the accuracy of the theory for personal significance, which claims that the most important elements of the dream or the most important dreams as a whole are usually memorized exactly because of the veracity of the finding that basically both the neurological and the psychoanalytical theories talk about the same thing, the only difference being the terminology they use.

Also, other research of cognitive weirdness is relevant for the stated findings. For example, in 1995, Revonsuo and Salmivalli researched the degree to which the different types of dreams and their elements were taken by cognitive weirdness [21] All the expressions entailed description of one of the 14 contents where the weirdness was measured in 32 female college students. The recordings for the dreams of the students were categorized in elements which were or weren't weird. The results showed that weirdness in dreams is not arbitrarily distributed in the different types of dreams and that the various types of weirdness had differences of distribution. For example, the finding that weirdness is most expressed as incongruity of language and cognition of dreams, whereas it is least present as to the representations of the Self. This would mean that the speech is the weirdest along with the cognitive elements, which does not come as a surprise taking into consideration that they are representations of the logical, the intellectual part of the manifest content of the dream which in themselves have to carry the most dressed, hidden message in order to avoid the censor. This is confirmed by Lakoff [17] as to the speech, emphasizing the meaning of metaphors in speech that is present in dreams. Unlike them, the representations of the Self in dreams is usually visual through presentation of the face, the Ego of the dreamer or the other dressed characters (through the use of discontinuity, incongruity and the visual delusions) and which is even less liable to rational analyses on the part of the Ego. Namely, the speech and the intellectual processes are the so-called "*offspring of the left chemisphere*", the logic, and they are conscious functions of the Ego. Then again, Space as an element of weirdness is ranked highly, which means that there is a lot of weirdness and changes in the place of the dream, i.e. the place where the scenario of the dream is being played out,

which doesn't come as a surprise because in the logic of the dream there is no Space and Time and exactly because of the psychoanalytical explanation from the aspect of evading the censor, but also from a neurological aspect as the result of deactivation of the centres in the cortex that are in charge of estimation of the Space and Time.

What is interesting is the finding of Bonato, Moffitt, Hoffmann, Cuddy, Wimmer, who examined 43 students for the nightmarish dreams that they dreamt and for which they presumed would contain a larger amount of weird elements. The findings say that there wasn't a statistically significant difference in the amount of weird elements between the so-called usual nightmares and the so-called bad nightmares. This finding confirms the psychoanalytical theory as to weirdness, out of the simple reason that the processes of the so-called dream work function always when the latent content of the dream is turned into manifest content in order to avoid the censor, regardless of the dream being a nightmarish or a regular dream and this is so because these processes are unconscious and have no insight into the type of the dream, but they are guided by the strength of the repressed desires, which impose the type of elements that will be present in the content of the dream. In the context of weirdness, Hunt [13] emphasizes that the intense dreaming exists in two forms: one of them is relatively organized and the other is disorganized. The visual imagination in combination with the social capability and balance enables the dream to move towards the archetypal, deep contents and to be a so-called "big dream" with an expressed transformational power. On the other hand, the low balance could be part and/or the result of the organic mechanisms of repression and self-inhibiting imagination in the form of a low level of weirdness. In that sense, we conclude that the weirdness is not only a heavy, non-comprehensible and pathological aspect of the dream, but also sophistication, depth and quality, because from Hunt's words it turns out that the more organic, primitive and superficial the dream is, the less present weirdness is and vice-versa.

4. The narrative structure in the dream

The testimonies for dream visions given by the dreamers would be impossible without the scenario of the story itself. If we identify dreams with some sort of theatre plays or biographical novels we would unfailingly come upon a specific idiosyncratic strictly

individualized scenario. There are no two people who are able even in equivalent conditions and experiences to dream a dream with the same story. This is confirmed by the fact of the personal phenolmenological thread in the dream as an original and authentic product of the unique personality of the dreamer. Exactly the personal meanings and the presentations go in favour of the argument that the decisive matter in the scenario of a dream is the personal experience and the unique and unrepeatable view of the symbols on the part of the individual dreamer. In this sense the term dream scenario entails the senseful sequence of the story embodied in the visual, auditive, tactile, and of course, the neurological aspects of it. The scenario represents the narrative aspect of seeing the dream as a product of a so-called dreamy sleeping that happens most often in the REM phase. The factors that enable dreaming as a sort of scenario and in the form of a story in this phase have been widely elaborated, most of all among the neuropsychological theoreticians who emphasise that a series of functions of certain centres in the cortex that retain a certain level of activity during sleeping act directly on the story. In short we could just mention the spatial-temporal regions that through the associational centres enable the existence of visual presentations, a feeling of movement in the dream and other sentient sensations. In spite of the sentient illusions in the dreams that have been enabled by the mentioned brain functions, of course in dreams we meet certain cognitive aspects of the scenario such as the thought, the attitudes, the estimations that supplement the sensations through giving them a higher psychological quality and making them analytical, complex and intellectualized. Hence, in dreams Ego in spite of the sensations acts in a cognitive and analytical manner and in some way in spite of its paradoxical nature, it owns a dose of logic although it can sometimes be weird and atypical, yet it is present and original. However, the dreams wouldn't be complete stories were it not for the emotional aspect of the story. Namely, there is a series of neurological aspect that go in favour of the strength of the affective tone of the dreamt scenario. There is almost no typically sentient or even less completely cognitive dream. As if by some unwritten rule, according to research, in each dream a series of strong emotions find their place, most of them unpleasant, which as strong charges attack the ego of the dreamer in certain places overwhelming it. The neurological research has proven that most of the affect of the dreams in the REM phase is caused by the acting and the strong activity of the limb systems that are the most responsible ones for the emotional condition of the scenario in the dream. Some authors from the aspect of the activation-synthesis hypothesis and other neurocognitive theories of dream (Jouvet & Jouvet) emphasise that due to the law of *close physical proximity*, once the brain stem has been activated, it sends signals to the successive neural paths that in the end are connected with parts of the brain that are in charge of emotions. The physiological research that discovered an increased inflow of blood in the amygdale during REM sleeping is a proof for this activity that enables a large affective share in the scenario, the story of the dream. These insights, now considered from a psychological-psychoanalytical aspect point out to the conclusion that the emotions build the so-called *narrative context* of the scenario. This would mean that their presence in quantity and quality gives the liveliness of the representations and the feeling of reality in the very story of the dream. We suppose that were it not for this part, the dreams would be experienced as bad copies of reality and would not have personal significance. The context of narration determines the whole structure of meanings exactly because of the role of emotions. During the analysis, in favor of the significance of the method of line of least resistance goes the fact that it is led by the first associational current that most often give the most authentic interpretation, that comes from the unconscious and that was filtered through the least defensive mechanisms of the Ego, and thus was the closest to unraveling the latent, true message of the dream acquired through integration of the associated meanings of the given elements as symbols in the manifest content of the dream. The claims of the authoritative scientist in this area David Foulkes that the emotions and the feelings in dreams are caused by the so-called *narrative necessity* go in favour of these findings [14] Namely, this means that the scenario, the narration of the dream simply cannot exist on its own as a whole reality without the affective tone of the story. Through the connection of these findings with the function of the limb systems and especially of the amygdale in the time of the REM phase, we come to comprehend why are the emotional aspects always present. On the one hand, they are neurological reality in the time of this sleeping with dreaming, but on the other hand they supplement the personal significance of the scenario of the dream for the dreamer, without which the very processing of the dream would be pointless and superfluous. Foulkes continues to explain that the

emotions were created in order to respond to the narrative context of the dream and its scenario. Here the cortex once again plays an enormous and important role from a neurological aspect; in the overflow of impulses composed of representations, memories and stimuli preserved from the awaken immediate life of the dreamer, the cortex tries to connect them into some senseful and rational entity with the help of emotions that give the personal meaning. This confirms my thesis about the fact that both psychoanalytical and the other psychological theories about dreams on the one hand and the neurological and neurocognitive theories on the other are connected and they are equivalent exactly on the spot of the personal meanings again through the affectivity of the scenario. It is not clear how does the cortex manage to bind a coherent story, but it is supposed that of course here the unconscious of the dreamer plays a role, which through all the mechanisms of transformation, condensation and symbolizing gives a subjective note of the dream, which can be seen through the uniqueness of the meanings even in a situation when most of the dreamers have a similar or almost equivalent scenario. Some theories claim that the cortex fills in the void of the scenario exactly with the emotions enabled with the activity of the limb system and the amygdale that supply it with this information and these impulses. Look at it any way we want, the conclusion would still be that only this integrative psycho-neurological theoretic conception can explain the complexity of the narrative structure of the dream.

After all the above stated, the conclusion arises that it is impossible to see the narration of the dream only from a discursive aspect. Namely, there is a need to determine the narrative structure that is wider than the term scenario. It seems that the scenario is just one of the important aspects of the whole narrative structure of the dream. In that sense, the narrative structure such as the phenomenology and the structure of the present elements in the dream could be determined as *complicated, unrepeatable, individual and original whole, a set that is in peculiar way organized around its structuring elements*.

With a painstaking analysis of the narration, we come to the supposition that there exist the following structural elements of the narrative structure: - *The dream scenario* (its story, its novellike character, the action in the dream, the content. It answers the question What?).

The emotional context of the narration (the affectivity of narration, the emotional tone, the feelings in the dream, the phenomenological boundary of the story. It answers the question How?).

The cognitive context of the narration (the context of the sense of the dream, the meanings from an intellectual aspect, the aims, the values etc. It answers the question Why?).

The motivational context of the narration (the hidden needs and motives in the dream, the desires, the ideals, the directions etc. It answers the questions Wherefrom? and To what?).

The spacio-temporal context of the narration (the distribution in time and space of the action, it answers the questions When? and Where?).

The personal context of the narration (the characters, the personal meanings of the dreamer, the correlation with the other characters, the positions of the Ego in the narration etc. It answers the questions Who? and Whom?).

The social-relational context of the narration (the relations between the characters in the narration, the form of the discourse in monologues and dialogues. It answers the question With whom? And Between whom?).

The collective-unaware context of the narration (the archetypal symbolic in the narration. It answers the question How universal?).

The universal-spiritual context of the narration (the symbols and the elements of the Universe, the transpersonal Self, the spiritual in the dream. It answers the question Where to?).

All the above mentioned and elaborated ideas around the narration of the dream can be used as tools for practical dream work using the method of line of least resistance either in the form of individual work with the dreamer, or as part of the group analysis of dreams or finally, as a guide for self-evaluation and interpretation of the personal meanings of narration in the dream on the part of the very subject - the dreamer himself.

5. Hallucinoid imagination

We have already pointed out that the dream is crowned with some specifics characteristic only to it. Hobson and Pagel & Associates simply say – the dream is "every mental activity which occurs during sleeping" as a general definition to which they go on to add up that a more specific definition would be that it is a formed, multimodal hallucinoid structure, a state of strong emotionality and specific cognitive occurrences.

Many philosophical, psychological, neurological and other discussions led in the past 6-7 decades have been revolving around a very significant question, is the dream a conscious experience during sleeping or is it a compilation of wrong memories which emerge while we wake up. According to most authors [Ichikawa, McGinn, O'Shaughnessy] the largest number of modern day philosophers accept the view that the dream represents a specific phenolmenological state during sleeping, meaning that "it is what is dreamt!". It seems that this question holds scientific weight on the grounds that it is not completely clear and it cannot experimentally correctly be determined as a causal relationship between the statements of the dreamers on the objectivity of the events in the scenario of the dreams and the experience itself. Namely, all acquired data come from statements made by the dreamers because the content of the dream cannot be neurologically confirmed, but only the fact that we do dream, considering all the physiological measures during sleeping mentioned above are taken into consideration (especially during REM sleep). But, it is all too clear that the dream is a separate reality no matter whether we believe that it is a different state of the consciousness, an extension of the wakefulness in a different form and quality or ultimately, that it is a about an important part of the whole psychological system of a human. Another important question especially for this part of the discussion is 'Do dreams need to be conceptualized as imaginative or halucinoid experiences?!

McGinn [2004, 2005] very elegantly explains why the dream needs to be differed from the imagination, supporting the claim with the phenomenon of the so called *immersion in the hallucinogenic space*. According to the author, the difference is due to the fact that such immersion is qualitatively different to the fictive immersion, blackout, which in dreams is similar with the imaginative experience during the

so called daydreaming or also known as reverie, or with fantasies while being awake. Maybe the strongest proof against the claim that the dream is an imagination and not a hallucination is in the assertion that in no type of dreaming, except in the lucid dreams, is there a possibility of the subject having that amount of conscious control which on the other hand is so characteristic and specific for typical imagination. One of the largest criticisms against the authors which claim that the dream is an imagination is in the fact that they allude to a very strict and artificial distinction between, perception, hallucination and imagination. Namely, the empirical findings confirm that the perception, the hallucination and the imagination are very similar in phenomenological, but also in the neurocognitive mechanisms which stand behind these psychological processes. Most authors claim that, for example, the visual imagination behaves in the same manner as visual perception, in terms of the time which is needed to make judgments on similarity or tasks concerning rotation of the visual field, and others [30] Windt nicely indicates that relativizing a such sharp division between the imaginative and perceptive, we come to a reconciliation point in which both the perception and imagination are not viewed as two discreetly divided categories of processes but as allocations based on a dimensional model in which the principle of graduality between them on the scale of experience, for example, such as the issue concerning the question of the intensity of the colors and their saturation in the visual imagination, while only the fact that a certain type of so called *immersive type of spatio-temporal hallucination* constitutes the dream [30] This term points to the fact that during dreaming, as a phenomenon, a specific component of existentialism persists in terms of perception of space and time. Namely, during dreaming, the understanding of these phenomena (space and time) which during wakefulness are experienced objectively and are always physically present, is shifted and relativized. In a dream, the concept of time is universal and infinite, which is shown with the fact that in during dreaming we can go back in time or forward into the future and experience it as real as if it is a perception. The same happens with the perception of space which can change without any rational logic which of course is due to the cognitive bizarreness and other cognitive-neurological phenomena which were mentioned previously in this text. Immersion in the spatio-temporal hallucinogenic zone points to the fact that the dream is more of a hallucination than a imagination because

the perception is experienced real although it doesn't exist in reality (the person who dreams lies in a bed, it doesn't travel through space and time!) while at the same time the dreamer does not have a conscious control over the change of the scenario in the dream in any sense which is possible during imagination which is a process of partial or complete conscious headship and causing pictures and other occurrences. On the other side, the so called *immersion* enabled in the dream due to no contact to any external stimuli during sleeping, which points to the fact that it is a constructed reality and as such, a different type of reality than the one while we are awake. Some authors [Green, McCreere] indicate, and by doing so support the propround facts that during the so called false awakenings or realistic wake up dreams, the bizarre elements which are part of especially REM dreams and also other types of dreams, are often missing. In that sense, the smallest possible distinction which must be made between the typical dreams in which the typical elements of the dreams dominate and the conscious experiences during sleeping or the transitions between the dream and reality which have been considered as non-dreaming phenomena for quite a while. Hobson indicate that the so called residual perceptions and the so called thinking while dreaming which mostly occur during non-REM sleeping stages, are an excellent example for this claim [12] Such are the Hypnagogic and Hypnopompic imaginations which occur at the beginning of the dream (somewhere between the first and the second stage of the so called light sleep) or the ones occurring while waking up. It needs to be noted that these particular "near sleep" phenomena actually interfere with the clear distinction of the dream as a separate phenolmenon with a hallucinative background. Namely, these semi-dream stages act as conscious experiences during which we feel like we control the dream which indicates to a conscious imaginative operation in the cognitive layers, when they are actually stages close to the consciousness, once again pointing out the importance of REM dreams in terms of the typical phenomenology and psychology of a real dream. Turning back to Windt, we can now freely accept her idea that the dream, can ultimately and most simply be defined through these next elements:

1. Immersive spatio-temporal hallucination

2. It occurs during sleeping or during the sleeping-wakefulness transitions

3. Under the assumption that statements about the existence of the dream are correct (the question on whether the dream can exist independently from the memory of the subject [30]

This definition calls for a reconciliation between the two occurrences which are part of the imagination-hallucination dimension. Namely, the closest point of view for the reality of the dream, seems to be in the fact that there is no certain clear fact whether the dream is an imagination or a hallucination, in terms of the phenomenology of the subject and the psychology of understanding this complex occurrence. On one hand the immersive experience and the absence of stimuli and consciousness during REM sleep indicates to its unambiguously hallucinogenic nature. On the other hand, the fact that there are lucid dreams and unclear fringe phenomena during the sleep-wakefulness transition, who are filled with subjectivity during the assessment of the statements made by the examinees on whether they did dream and what, when and how they dreamed, are correct, indicates that the dream represents a kind of imagination. It is still unclear whether that is a product of the imagination and the creativity/fantasy of the subject, shifted with some relevant psychological phenomena (experiences, conflicts, events and etc.) or simply a realistic copying of the dreams during REM sleep.

But, the idea of this article is to explain why we have the right to believe that the personal meaning of dreams have the highest importance and that it de-fines the objectivity-subjectivity dimension of the existence of the dream, especially from a psychological aspect. That significance is more essential than the neurological explanation of the processes of remembering and reporting of the dream as a proof of the existence of the dream as a reality to the dreamer. Namely, some studies, as the one conducted by Solms in 1997 have shown that the partial or complete loss of the ability to dream cannot be attributed to memory deficit [27] His rare study of the so called non-dreamers which have never stated that they had dreamed or what they dreamed during the REM stage of sleeping followed by exact awakenings in that stage, proving that the memory of the dream is independent from the memory deficit. Here, again we can invariably come to the presented claims of this article that the personal significance shows that the subject, with the help of choice and decision to express contributes to the process where the dream is experienced as a reality, with that

being, as it was mentioned previously, the only way for us to know about it (the dream). The personal significance of the dream, in a way, determines what, when and how will be remembered, if nothing, out of a pragmatical aspect as a psychologically valid, essential and dependent on the subject in the given space and time of his phenomenological existence. In some way, it is as if there is an internal consciousness and decision, a choice on that whether the dream and its scenario is personally significant or not. In that sense, with a little help from the *linear method of less resistance* the subject selects and sorts whether the process of imagination or hallucination is behind it. So question is asked, is the experiencing of the significance is what determines what we get through the associative course of this method, during which, as it was highlighted, firstly the most significant, dominant elements of the dream occur. The more significant something is, the easier it is to remember it! Here we can try and connect the existence of the hallucinatory element of the personal meaning. Namely, although these findings are down to exclusively the statements, epistemologically, philosophically and phenomenologically they are most significant due to the fact that the hallucinogenic nature of the dream stems from the absence of stimuli which would prove that the dream is a real perception, and not a hallucination. But, this fact also confirms that in his own world of dreams, the subject, even through hallucination in a neurological sense, phenomenologically lives the hallucinated which can appear as real, especially in the dream. The reality here doesn't stem from the real facts of the experiments, but by the personal messages which are significant for the subject that dreams, because the dreams refer to the dreamer and they do not represent some *cutting edge* metaphysic. Hence the feeling of reality in the whole hallucinogenic bizarreness of the scenario and the emotions of the dream, which we somehow simply intuitively know that they are our, important and real. If we remove the such psychological-phenomenological aspect of the dream, the only this left is the search for some neurological evidence for the liveliness of the dream, which will never happen due to the fact that the dream is a child of the unconscious. On the other hand, the quality and quantity of the significance of the neuropsychology for the dream is brought into question, if we lose the connection deep within us. If from this perspective we look back to the hallucinogen nature of the dream, which has been confirmed by many researchers as the largest poin of difference between

dreaming and not dreaming, we can conclude that the hallucinogenic nature of the dream stems from the subjective distortions of the perception which here loses its sense for space and time. Namely, because the hallucination is a product of the non-perceptive non-stimulated deep imagination, it also represents a fantastic intimate compilation of visions, narratives and elements, which, avoiding the Ego, thread towards the dream to bring the personal message. Figuratively, the hallucination is a derivative of the wished, and not the fulfilled, and with that the unperceived because it does not exist while being awake. It would mean that such dreamed hallucination is not mixed with the pathological due to the fact that it occurs when all the bizarreness, timelessness, spacelessness is in a way allowed – in the dream. If the dream is a product of the subdued and the wished, that hallucination is the most natural way to self-creation in the dream. From the subjectivity and the personal meaning we can get this original product of the scenario due to the simple argument that it is made by the unconscious psychological substrate of the human. From here, the dreams rich with multimodal, especially visual hallucinatory background are most significant, carry the strongest emotional charge and are best remembered. While working on dreams I have noticed that, as most significant, people bring the dreams which are rich with the specific occurrences typical for the dream> hallucinations, cognitive bizarreness and timeless and space less scenario. People rarely remember dreams which are way too real and those are experienced as perceptions due to the fact that most of the time they are a product of the physiological reactions of the organism during dreaming or the external stimuli which indicate their perceptive nature, due to the fact that those stimuli managed to enter the sleeping organism through those few parts of the cortex which are not asleep during sleeping. So, the dreams with a mostly hallucinative-imaginative background are those which are closer to the definition of a typical dream which was explained here.

Conclusions

The task to deal with one of the most mysterious and deepest psychological realities, through which the ability to remember enriches the life of a person, is an impossible mission if we have perfectionistic and omnipotent feelings for our own knowledge in the psychology of the dream. Hence, this article aims to explain and bring together some dream

phenomena from a psychological and phenomeno-logical aspect. The idea that the dream can be seen neurologically and phenomenologicaly-psychologi-cally leads us to a place where these radically oppo-sing views can merge. How? By opening new hori-zons through using the personal meanings and the psychology of the dreamer. Actually, if we do not start from his own reality, we ask ourselves if it is important at all whether the dream is a neurological or psychological reality, is it a hallucination or ima-gination, is its scenario a simple set of random im-pulses or logical sequences? After all, is it necessary to consider all of it without reference to the true subjective importance of the dream to the overall mental world of the people. Hence, this article con-tributes in the analysis of the three phenomena spe-cific to the dream: the narrative structure, the cogni-tive bizarreness and the hallucinogenic imagination which tries to connect them with the idea that the personal significance is the ground which is co-mmon for all phenomena of the dream. Using the *method of least resistance,* as a methodological star-ting point, the article clarifies how with the use of this method, the first layers of memory and the associative course, and by keeping to the personal unconscious we can explain the three mentioned phenomena, whilst proving that the personal signi-ficance influences the creation of these realities. Namely, this article tries to prove how the narrative depends on the personal meaning and why as such for any particular dream and subject of the dream, and that it is a product of the deliberate connection of the visions, the narrative and the scenario of the dream. Hence, using this method it can be explain-ned that it is possible to come to the personal story of the dream by using the interpretations of the elements of the narrative by the subject, having in mind the assumption that the most significant elements are memorized and by no accident do they connect to the whole narrative. Further, the ar-ticle proposed and explained some structural ele-ments of the narra-tive structure of the dream. Regarding the bizarreness, a conclusion can be ma-de that the bizarre elements are not accidently cho-sen and connected, but that they stem by some cu-rrent significances of the subject. In that part, po-ssible researches using these knowledge are pro-posed, in collision to some neurological methods like for example the capacities of the PET-scan to be used for establishing the bizarreness from a psy-chological aspect.

The same can also be concluded for the halluci-nogenic nature of the dream for which the author already established that it is original and authentic for the individual just because of the personal significance and tried to push the boundaries on what was perceived as the hallucinogenic nature of the dream, more from a phenomenological and psychological aspect, not only from a neurological and a cognitive. The thesis that the dream is more of a hallucinogenic nature rather than imaginative, still, with one retention, there is a possibility for both of them to mix in the scenario due to the per-sonal deliberate configurations and systems cons-tructed by the unconscious of the subject that dreams and talks about the dream.

Possible shortcomings and limits of this article are the fact that it is a individual theoretical perspec-tive of the author, deliberately coming from the fin-dings in practice by using the aforementioned me-thod which the author tries to conceptualize as a separate method in the practice of working with dreams, for which he gives certain explanations. Hence, this article with this subjective limitation offers a new heuristic possibility for opening new, interesting and significant questions so as to bring closer the neurological and psychologically-pheno-menological concepts in the field of interest. Be-sides, the fact that it is not a product of empirics, but a pragmatic insight derived from the experience and the findings acquired during the real workshop on working on dreams, offering ideas for new re-searches which would substantiate or reject some of the claims and/or assumptions.

References

[1] A. Bechara, *et al.,* Double dissociation of con-ditioning and declarative knowledge relative to the amygdala and hippocampus in humans, *Science* 1995, 269, 1115–1118

[2] M. Bischof, C. L. Bassetti, Total dream loss: a distinct neuropsychological dysfunction after bila-teral PCA stroke, *Ann Neurol.* 2004, 56, 583–6.

[3] A. Braun, T. Balkin, N. Wesensten, F. Gwadry, R. Carson, M. Varga, P. Baldwin, G. Belenky & Herscovitch, P., Dissociated pattern of activity in visual cortices and their projections during human rapid eye movement sleep. *Science,* 1998, 279, 91-95.

[4] V. Cochen, I. Arnulf, S. Demeret et al, Vivid dreams, hallucinations, psychosis and REM sleep in Guillain-Barré syndrome, *Brain*, 2005,128:2535–45

[5] T. T. Dang-Vu T. T., M. Desseilles, P. Peigneux, Laureys and P. Maquet, PET Activation Patterns. Liege, Belgium©, *Elsevier Ine*, 2009, Ali rights reserved.

[6] E. Dorus, W. Dorus & A. Rechtschaffen, The incidence of novelty in dreams. *Archives of General Psychiatry*, 1971, 25, 364-368.

[7] S. Fisher & R. Greenberg, *Freud Scientifically Appraised*. New York: John Wiley, 1996.

[8] S. Fisher & R. Greenberg, R., *The Scientific Credibility of Freud's Theories and Therapy*. New York: Basic Books, 1977.

[9] C. Hall & R. Van de Castle, *The Content Analysis of Dreams*. New York: Appleton-Century-Crofts, 1966.

[10] C. Hall, A cognitive theory of dream symbols, *Journal of General Psychology,* 1953a, 48, 169-186.

[11] J. Hillmann, *The dream and the underworld*, Harper & Row: New York, 1979.

[12] J. A. Hobson, *The Chemistry of Conscious States: How the Brain Changes its Mind*, Little, Brown & Co., 1994.

[13] H. T. Hunt, Lucidity as a meditative state. *Lucidity Letter*, 1987, 6(2), 105–112.

[14] N. H. Kerr, D. Foulkes & G. J. Jurkovic, Reported absence of visual dream imagery in a normally sighted subject with Turner's syndrome. *Journal of Mental Imagery,* 1978, 2, 247-264.

[15] B. Van der Kolk, R. Blitz, W. Burr, S. Sherry & E. Hartmann, E., Nightmares and trauma: A comparison of nightmares after combat with life-long nightmares in veterans. *American Journal of Psychiatry,* 1984, 141(2), 187-190.

[16] S. LaBerge, *Lucid Dreaming*. Los Angeles: J. P. Tarcher, 1985.

[17] G. Lakoff, How unconscious metaphorical thought shapes dreams. In D. Stein (Ed.), *Cognitive Science and the Unconscious*, 1997, (pp. 89-120). Washington: American Psychiatric Press.

[18] M. Manford, F. Andermann, Complex visual hallucinations. Clinical and neurobiological insights, *Brain*. 1998;121:1819–40.

[19] M. K. Pendaroski, *The personal meaning of dreams: new perspective (a bridge between the Activation-Synthesis theory and Freud's psychoanalytic theory),* Saarbrücken, Lamber Academic Publishing, 2015.

[20] J. Resnick, R. Stickgold, C. Rittenhouse & J. A. Hobson, J., Self-representation and bizarreness in children's dream reports collected in the home setting. *Consciousness and Cognition,* 1994, 3, 30-45.

[21] A. Revonsuo, C. Salmivalli, Dreaming, *American Psychological Association,* Vol 5(3), Sep 1995, 169-187.

[22] L. Robertson, L., Visuospatial attention and parietal function: their role in object perception, In R. Parasuraman (Ed.), *The attentive brain,* 1998, Cambridge: MIT Press.

[23] S. Scarone, M. L. Manzone, G. Orsola, I. Kantzas, I. Limosani, A. D'Agostino, J. A. Hobson, The Dream as a Model for Psychosis: An Experimental Approach Using Bizarreness as a Cognitive Marker, *Schizophr Bull, 2008, 34 (3): 515-522. doi: 10.1093/schbul/sbm116* First published online: October 17, 2007.

[24] S. Schwartz, T. T. Dang-Vu, A. Ponz, A. Duhoux, P. Maquet, Dreaming: a neuropsychological view. *Schweiz Arch Neurol Psychiatr*, 2005; 156:426–39.

[25] S. Schwartz, P. Maquet, Sleep imaging and the neuropsychological assessment of dreams, *TRENDS in Cognitive Sciences*, Vol.6 No.1 January 2002, 23-30. http://tics.trends.com 1364-6613/02/$ – see front matter © 2002 Elsevier Science Ltd. All rights reserved. PII: S1364-6613 (00)01818-0.

[26] B. Sidis, Symptomatology, psychognosis, and diagnosis of psychopathic diseases, *The Gorham*

Press, xix: Boston, MA, US, 468 pp., (pp. 165-174), http://dx.doi.org/10.1037/10720-016

[27] M. Solms, *The neuropsychology of dreams: a clinico–anatomical study*, Erlbaum, 1997.

[28] F. Snyder, The phenomenology of dreaming. In L. Madow & L. Snow (Eds.), *The psychodynamic implications of the physiological studies on dreams,* 1970, (pp. 124-151). Springfield, IL: C.C. Thomas.

[29] P. Whalen, Fear, vigilance, and ambiguity: Initial neuroimaging studies of the human amygdala. *Current Directions in Psychological Science,* 1998, *7*(6), 177-188

[30] J. M. Windt, The immersive spatiotemporal hallucination model of dreaming, *Phenom Cogn Sci*, © Springer Science+Business Media B.V., 2010, 9: 295–316.

[31] M. G. Vita, A. P. Batocchi, S. Dittoni, A. Losurdo, A. Cianfoni, M. C. Stefanini, C. Vollono, G. Della Marca, P. Mariotti, Visual hallucinations and pontine demyelination in a child: possible REM dissociation? *J Clin Sleep Med, 2008*;4(6):588–590

Prediction of Adolescents' Anxiety on the basis of Attachment Styles and Perceived Family Environment

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Abstract: *The study aimed to predict adolescents' anxiety on the basis of attachment styles and perceived family environment; and to study the relationship between attachment styles and perceived family environment with adolescents' anxiety. The population comprised of the adolescents aged 14-18 years of Tehran city (Iran) in academic year of 2014-2015. The sample consisted of 400 high school students who were selected by random clustered sampling method. Attachment Styles Questionnaire, Family Environment Scale and Cattell Anxiety Questionnaire were used. Obtained results showed that there is a significant correlation between attachment styles with anxiety. On the other hand, there are significant corre-lations between components of perceived family environment with adolescents' anxiety. Results also sho-wed that attachment styles could predict 30 percent of adolescents' anxiety; and components of perce-ived family environment (cohesion, expressiveness, conflict, family relationship, achievement orien-tation, intellectual – cultural orientation, control, organization) could predict 16 percent of adolescents' anxiety.*

Introduction

Adolescence has a special importance in human life and psychologists have called it the stage of emotionaloriented,constructive crisis and period of stress and storm [1]. This period typically begins from 13 year old and continues to 19 year old. This stage of development accompanies with physical puberty and cognitive, emotional and behavioral changes [2]. With regarding these changes in this stage, the problems such as anxiety are prevalent. Reference [3] believe that anxiety disorders are most prevalent psychiatric disorders in children and adolescents. The symptoms of anxiety are exhibited in various levels. Anxiety in psychological and behavioral level can be identified by anger, emotional in-stability, hypersensitivity, destructiveness, attention disorder and movment disorder. In physiological level, anxiety accompanies with physiological indexes such as heart rate change, increasing blood pressure, respiration crisis, paleness, mouth dryness and muscle tension. Beside these symptoms, physical disorders are a mask to hide anxiety states. Therefore, whenever confronting with headache, stomachache and digestive disorders which their intensities varies on the basis of different variables, the probability of an anxiety state should be considered.

Noting the prevalence of anxiety in adolescents, effort to identifying the effective factors by researchers have special importance. In present research, the proportion of two variables viz. attach-ment styles and perceived family environment in predicting anxiety have been investigated.

The relationship between attachment styles and psychological pathology is one of the broad research areas in psychology. The main result of interaction between mother and child develops a kind of emotional attachment between them [4]. This attachment which represents an emotional bond between mother and child cause the child seeks the comfort in mother's presence, especially when she/he feels fearful and insecurity [5]. In the frame of developmental viewpoints which has psychoanalytical basis, attachment theorists believe that explanation of adulthood behaviors are based on childhood, with the difference that in their opinion the human motivation inducts by innate behavioral systems. Reference [6] by performing a research which is known as unfamiliar situation, identified three kinds of attachments in children including: Secure, avoidance insecure, and ambivalent insecure. On the basis of adult attachment theory [7] these patterns also continues through subsequent stages of development, viz. adolescence and adulthood and exhibited in interpersonal relationships. Researches also show the relationship between attachment styles and the ways of emotional expression and regulation [8]. Different attachment styles states that special styles of relationship and emotion regulation with regard to the form of attachment would be developed by infant which can adjust him / her with the ability of subsequent emotion regulation [9]. In this regard, secure attachment shows the highly adjustment of

infant with proper emotion presented by mother and insecure attachment shows changing the attachment and emotional states of his / her attachment relationships [8]. Reference [10] reports a significant relationship between insecure attachment patters with disorders like depression and anxiety. Also, in another study, [11] showed that people without depression has secure attachment style and people with depression has ambivalent insecure attachment style. Reference [12] performed a research to study the relationship between attachment styles and anxiety of adolescents. Results of their study showed a significant positive relationship between anxiety and insecure attachment styles. In another study, researchers [13] concluded that people with avoidance insecure attachment style have various problems in self-regulation behaviors.

Other than attachment styles, in the present research the effectiveness of perceived family environment is being studied as well. Perceived family environment is a special pattern which established by family members and presented to children as criterion for social life [14]. Family, is the smallest and the most important social unit. This small but important social unit performing a crucial role in forming children's personality and also accomplishing basic needs of individual and society and generally in their physical and mental needs. Personality of child, is affected directly by real behaviors of parents and is performed through the communication with them [15]. Educational factors including improper family patterns, lack of parent-child relationship, rejecting children, extreme support, emotional deprivation, extreme autonomy of child, parental unrealistic expectations and demands and loss of communication, maladjusted family structure such as inadequate, disintegrated, antisocial families, and primary psychopathology and emotional and mental instability of parents especially mother, and life stresses can be important factors in social adjustment [16]. Research show that family is the most important social factor in growth and cognitive development of child and most of the children's problems come from their families. The presence of perception on the basis of lack of affection, conflict and hostility has a crucial role on their mental health [17]. In general, adolescent's perception of their families mostly has a direct and solid relationship with his / her cognitive functioning [18].

In view of the importance of attachment styles and family environment on various psychological

problems, conducting a research in this regard has a special prominence. Therefore, the most important problem of this research was: Do the attachment styles and perceived family environment have a significant proportion in predicting adolescents' anxiety?

1. Method

1.1. Statistical Population, Sample and Sampling Methods

The present research was a descriptive and a correlational study. The statistical population consisted of adolescent boys and girls in the age range of 14 to 18 years old in Tehran-Iran in academic year of 2014-2015 who were studying at high schools. To determining the sample size, according to Morgan's table with a population size of 150.000 students, 386 were estimated. To avoid the dropping of sample size, 400 students (half girls and half boys) were selected randomly from the population using clustered sampling method. At first, out of the 22 areas of Tehran, 5 area were selected randomly from north, south, east, west and center. Then, out of the high schools of each area 2 schools (1 for girls and 1 for boys) were selected and finally from different classes of each school, 40 students were chosen to attend the study.

1.2. Tests

1.2.1. Adult Attachment Styles Scale – Revised. This scale is constructed by Collins and Read [19] and includes self-evaluation of making relationship skills and self-description of ways of attachment relationship formation toward the closed attachment faces, and includes 18 items which is scored on a 5-point scale from "not at all like me (1)" to "totally like me (5)". This scale measure three attachment styles viz. secure, avoidance insecure, and ambivalent insecure. Reference [19] showed that the subscales of this questionnaire in a time period of two months and even eight months are reliable and the Cronabach alpha was 0.80 and even more for these subscales; this questionnaire has high validity [20]. In the present research, the Cronabach alpha coefficient of the attachment scale is obtained to be 0.78.

1.2.2. Family Environment Scale. This scale which is established by Moos and Moos [21] to measure the social environment of family, consists of 90 "true-false" items, yielding 10 subscales which measure the three underlying sets of

dimensions: (1) relationship dimension, which includes cohesion, expressiveness and conflict; (2) personal growth dimension (or goal-orientation), which includes independence, achievement orientation, intellectual-cultural orientation, active-recreational orientation, and moral-religious emphasis; and (3) system maintenance dimension, which includes organization and control. The relationship and system maintenance, primarily reflect internal family functioning, whereas the personal growth dimension primarily reflect the linkages between the family and the larger social context. Scoring will be done on the basis of a standard pattern. In a study on Americans, with two, four and twelve month intervals, the test-retest reliability of the subscales ranged from 0.52 to 0.91 [21]. In a research in Iran, the reliability coefficients by test-retest method on 48 members belonging to 9 families in a time interval of 8 weeks for the ten subscales were found to range from a low of 0.68 for independent to a high of 0.86 for cohesion. In sum, the scale and its subscales have high content validity [22]. In the present research, the Cronabach alpha coefficient of the scale is obtained to be 0.78.

1.2.3. Cattell Anxiety Scale. To measure the anxiety of adolescents, Cattell Anxiety scale was used. It is the most effective tool which is provided as a short scale and can be a supplementary to clinical diagnosis and yields objective results on the basis of research goals. It has been used in various research studies and its validity and reliability has been confirmed. Moreover, in Iranian standardization in 1988-89 with 16342 boys and 8532 girls, it is known to be a proper tool for diagnosing the anxiety. It has 40 items which will be scored from 0 to 2. The obtained score will be from 0 to 80. In a study by researchers [23], the Cronabach alpha reliability coefficient of the test is obtained to be 0.77. In the present research, the Cronabach alpha coefficient of the scale is obtained to be 0.73.

1.3. Procedure

After selecting the sample group and performing the questionnaires, to describe the obtained data the methods of descriptive statistics (Mean and standard deviation) and to test the study hypotheses the methods of inferential statistics (Pearson correlation coefficient and concomitance regression analysis) were used.

2. Results

Descriptive indexes including mean and standard deviations of studied variables viz. anxiety, attachment styles and subscales of perceived family environment for the sample groups is presented in table 1.

Table 1: Mean and Standard Deviation of Anxiety, Attachment Styles and Subscales of Family Environment

Variables	Mean	SD
Anxiety	46.70	13.58
Secure Attachment	13.34	3.70
Avoidance Insecure Attachment	13.63	9.04
Ambivalent Insecure Attachment	14.54	7.90
Cohesion	5.14	1.60
Expressiveness	4.81	1.66
Conflict	4.35	1.76
Family Relationship	14.31	3.13
Dependence	4.94	1.60
Achievement Orientation	5.45	1.54
Intellectual-Cultural Orientation	4.67	1.93
Active-Recreational Orientation	5.41	1.74
Moral-Religious Emphasis	4.57	1.59
Family Personal Growth	25.00	4.50
Control	4.88	1.65
Organization	5.42	1.73
Family System Maintenance	10.30	2.45

To test the normality of variables, Kolmogorov – Smirnoff test for one sample has been used and the results are presented in table 2.

Table 2: Kolmogorov – Smirnoff Test for One Sample

Variables	Z	Sig.
Anxiety	1.13	0.15
Secure Attachment	1.25	0.09
Avoidance Insecure Attachment	1.25	0.09
Ambivalent Insecure Attachment	1.20	0.11
Cohesion	1.20	0.11
Expressiveness	1.10	0.17
Conflict	0.15	0.15
Family Relationship	0.09	0.09
Dependence	0.09	0.09
Achievement Orientation	0.11	0.11
Intellectual-Cultural Orientation	1.25	0.09
Active-Recreational Orientation	1.25	0.09
Moral-Religious Emphasis	1.20	0.11
Family Personal Growth	1.20	0.11
Control	1.10	0.17
Organization	0.15	0.15
Family system maintenance	1.25	0.09

As the results of table 2 and obtained significance levels show, all subscales data are normal and to test the research variables the parametric tests can be used.

First Hypothesis: There is a significant relationship between attachment styles (secure, avoidance insecure and ambivalent insecure) with anxiety.

Table 3: Pearson Correlation Coefficients for Attachment Styles and Anxiety

Variables	Anxiety	Sig.
Secure Attachment	-0.31	0.01
Avoidance Insecure Attachment	0.12	0.01
Ambivalent Insecure Attachment	0.20	0.01

Second Hypothesis: Adolescents' anxiety can be predicted on the basis of attachment styles.

Noting the significance of the relationship between attachment styles and anxiety, to determine the proportion of attachment styles in prediction of anxiety, the regression analysis has been used.

Table 4: Concomitance Regression Analysis of Anxiety (Criterion Variable) with Attachment Styles

Predictive Variable	B	Constant Value	R^2	t	Sig.
Secure	-0.29	54.44	0.14	-6.12	0.01
Avoidance Insecure	0.14			2.99	0.03
Ambivalent Insecure	0.14			3.09	0.02

Noting the results of table 4, attachment styles are predictors of anxiety of adolescents. Results of concomitance regression analysis show that R square of attachment styles was 0.14; in other words, the components of attachment styles can explain 14% of the variance. The standard coefficient (β) shows the effect size of each variable on the criterion variable.

Table 5: Analysis of Variance for Anxiety with Attachment Styles

Source	SS	df	MS	F	Sig.
Regression	1033.7	3	344.6	21.53	0.01
Residual	6334.2	396	159.95		
Total	7367.6	399			

To test the significance of regression, analysis of variance (table 5) was used. Noting the obtained F value (21.53) and reported significance level, it can be concluded that the obtained regression is significant.

Third Hypothesis: There is a significant relationship between subscales of perceived family environment with anxiety.

As table 6 shows, there is significant correlation between cohesion, expressiveness, conflict, family relationship, achievement orientation, intellectual-cultural orientation, control and organization with adolescents' anxiety; But there was not found any significant correlation between dependence, active-recreational orientation, moral-religious orientation, family personal growth and family system maintenance with anxiety.

Table 6: Pearson Correlation Coefficients for Subscales of Perceived Family Environment and Anxiety

Variables	Anxiety	Sig.
Cohesion	0.21	0.01
Expressiveness	-0.17	0.01
Conflict	0.16	0.01
Family Relationship	0.11	0.01
Dependence	0.006	n.s.
Achievement Orientation	0.19	0.01
Intellectual-Cultural Orientation	-0.10	0.05
Active-Recreational Orientation	-0.05	n.s.
Moral-Religious Emphasis	0.03	n.s.
Family Personal Growth	0.01	n.s.
Control	0.20	0.01
Organization	-0.10	0.05
Family System Maintenance	0.06	n.s.

Fourth Hypothesis: Adolescents' anxiety can be predicted on the basis of subscales of perceived family environment.

Noting the significance of the relationship between subscales of family environment and anxiety, to determine the proportion of any subscale in prediction of anxiety, the regression analysis has been used.

Table 7: Concomitance Regression Analysis of Anxiety (Criterion Variable) with Family Environment

Predictive Variable	β	Constant Value	R^2	t	Sig.
Cohesion	-0.1	45.00	0.16	-3.5	0.001

	β	t	Sig.
	7	5	
Expressiveness	-0.14	-3.08	0.002
Conflict	0.12	2.51	0.01
Achievement orientation	0.18	3.71	0.001
Intellectual-cultural Orientation	-0.06	-1.38	0.16
Control	0.16	-1.05	0.001
Organization	-0.05	3.57	0.29

Noting the results of table 7, subscales of cohesion, expressiveness, conflict, achievement orientation and control have significant proportion in predicting anxiety; and subscales of intellectual-cultural orientation and organization have no significant proportion in predicting anxiety. Results of concomitance regression analysis show that R square for combination of subscales of perceived family environment was 0.16; in other words, these components can explain 16% of the variance of anxiety. The standard coefficient (β) shows the effect size of each variable on the criterion variable.

Table 8: Analysis of Variance for Subscales of Anxiety with Family Environment

Source	SS	df	MS	F	Sig.
Regression	12151.4	7	1735.9	11.03	0.001
Residual	61519.3	391	157.3		
Total	73670.7				

To test the significance of regression, analysis of variance was used. Noting the obtained F value (11.03) and reported significance level, it can be concluded that the obtained regression is significant.

Table 9: Result of Combination Proportion of Subscale of Family Environment and Attachment Styles in Predicting Anxiety (Criterion Variable)

Predictive Variable	β	Constant Value	R²	t	Sig.
Cohesion	-0.21	56.97	0.30	-5.03	0.001
Expressiveness	-0.21			-4.82	0.001
Conflict	0.09			2.25	0.02
Achievement orientation	0.17			3.85	0.001
Control	0.11			2.55	0.01
Secure attachment	-0.30			6.92	0.001
Avoidance insecure attachment	0.14			3.32	0.001
Ambivalent insecure attachment	0.15			3.50	0.001

Noting the results of table 9, subscales of cohesion, expressiveness, conflict, achievement orientation, control, secure attachment, avoidance insecure attachment and ambivalent insecure attachment have significant proportion in predicting anxiety. Results of concomitance regression analysis show that R square for combination of subscales of perceived family environment and attachment styles was 0.30; in other words, these components can explain 30% of the variance of anxiety. The standard coefficient (β) shows the effect size of each variable on the criterion variable.

3. Discussion

The aim of present research was to determine the proportion of attachment styles and perceived family environment in predicting the anxiety of adolescents. Results of correlation and regression analyses showed that: (a) the relationship between secure attachment styles with anxiety was negative and between avoidance insecure and ambivalent insecure attachment styles with anxiety was positive. (b) Also, attachment styles have significant proportions in predicting the anxiety of adolescents and results of concomitance regression ana-

lysis showed that these variables explain 14% of variance of anxiety in adolescents.

This finding of the research can be considered to be consistent with the results of previous researches. Reference [24] showed that samples who have secure attachment have less interpersonal problems in comparison to samples who have in-secure attachment styles. Also, the problems of samples with avoidance insecure attachment styles are less than that of samples with ambivalent inse-cure attachment style. In another research, [11] showed that people without depression have se-cure attachment style and people with depression have ambivalent secure attachment style. In the study of [25] about the correlation of attachment styles and personality characteristics the following results were obtained: secure attachment style was correlated negatively with neuroticism and positi-vely with adjustment, conscientiousness and extra-version and was not correlated with openness. Reference [10] reported significant relationship bet-ween insecure attachment styles with disorders such as depression and anxiety. Reference [12] performed a research with the aim of studying the relationship between attachment styles and anxiety in adolescents. Results showed that there is a po-sitive significant relationship between insecure attachment styles and anxiety.

People with secure attachment style, have close relationship with others, they assure that in their communication with others and also while external anxious situations they are accessible. These peo-ple are also satisfied with their adulthood relation-ships and have various ways of dealing with life's conflicts, they are less alert and are less fearful about being rejected from others and attempt to correlate secure attachment features with their physical health. Secure adults in comparison to others are more comfortable and can be closed to other people easier, they feel relaxed while are attached to them, or they are attached to them. They are not often worried about being rejected or being closed to others. They are able to trust others and know themselves lovable and worthy. Also, secure adults have self-confidence, social skills and ability to make close and emotional stable and satisfactory relationships [26]. Therefore, viewing the mentioned issues it can be expected that people with secure attachment style experience less an-xiety in adolescence.

People with insecure attachment styles are not ve-ry comfortable in making close relationships with others. It is very difficult for them to trust others or let themselves to be attached to others [27]. People who have this style of attachment, have variable behaviors and emotions to whom they are attach-ed, they get attached to them extremely and are worried to be rejected and left by others, they are vulnerable to mistrust in relations, in spite of hazards of making close and warm relations, they eager to make such relations and may improperly turn to warm self-manifestations, they fall in love soon and have repeated dander and reconciles and have failures in love more than others. Ambivalent insecure adults find that others do not tend to be warm with them as they wish and mostly are wo-rried that their spouse does not really love and want them [7]. So, it could be expected that ado-lescents with avoidance insecure attachment and ambivalent insecure attachment styles experience more anxiety.

(C) Obtained findings of correlational analyses showed that there was a significant correlation between cohesion, expressiveness, conflict, achie-vement orientation, intellectual-cultural orienta-tion, control and organization subscales of family environment with adolescents' anxiety. (D) Also, cohesion, expressiveness, conflict, achievement orientation and control subscales of family envi-ronment have significant proportion in predicting anxiety, but intellectual-cultural orientation and organization have no significant proportion in pre-dicting anxiety. Results of concomitance regre-ssion analysis shows that R square for combination of components of perceived family environment is 0.16; in other words it can explain 16% of va-riance of anxiety.

In most researches done in the field of relationship between family environment and anxiety, it is hardly mentioned about the subscales and in most researches the total perceived family environment has been considered. One of the researches which has noticed the relationship of subscales of family environment with different dimensions of psycho-logy is a study by [22] which has investigated the effect of family environment on neurotic tenden-cies of children. Findings showed that there was a significant negative relationship between neurotic tendencies with cohesion and expressiveness of fa-mily; a significant positive relationship between neurotic tendencies and conflict of family and in family personal growth dimension, there was a significant positive relationship between neurotic tendencies with achievement orientation.

Neurotic behavior, is a flexible maladaptive behavior which accompanies qualities such as extreme anxiety, emotional conflicts, unrealistic fears, physical disturbances without organic basis and tendency to avoiding of stressful situations instead of effective coping with them. In general, concept of neuroticism, is not a specific clinical disorder but, it is a set of behavioral characteristics [22]. In a warm and friendly environment of family in which father and mother and other family members have proper and warm relations, generally healthy children, with a positive and active personality grow which reflect love and affection of family. In contrast, disparate family and also living in contamination and deviant circumstances, lack of parental care and their oversight to children's discipline, develop the basis of deviances in childhood which will appear vigorously in adolescence [28]. Finding of research by [29] showed that there was a significant relationship between any of the family dimensions with adjustment; it means healthy functioning of families leads to adjustment of adolescents and if a person feels that family members are capable of solving problems and obstacles and are not instable in solving problems, will be more adjusted. Also, if an adolescent feels that family members are capable of information transaction, they share thoughts and feelings with each other, understand each other, divide responsibilities rightfully among members and these responsibilities and roles are explained clearly to members and family members can represent proper affection to various stimuli, appreciate each other's problems, would be guarantee and helpful in maintaining and performing the standards established by family and thus will have adjustable methods in their lives.

(E) The final finding of the present study was concomitance combination of components viz. cohesion, expressiveness, conflict, achievement orientation, control, secure attachment style, avoidance insecure attachment style and ambivalent insecure attachment style have significant proportion in predicting anxiety. Results of concomitance regression analysis showed that R square for combination of components of perceived family environment and attachment styles was 0.30; in other words it can explain 30% of variance of anxiety.

Noting the results of the present research, it is suggested to other researchers that noting the relationship between attachment styles and perceived family environment in prediction of adolescents'

anxiety, study the proportion of these variables in other behavioral patterns such as venturesome behaviors which has special importance in adolescence.

References

[1] R. Islami, P. Hashemiyan, L. Jarahi, and M. Modares, "Effectiveness of Reality Therapy on Happiness and Quality of Life of Mismanaged Children", *Journal of Medical Science,* University of Shahid Beheshti University, Tehran, 2013, 56 (6), pp. 300-306.

[2] H. Ben-Zur, and K. Michael, "Burnout, Social Support, and Coping at Work among Social Workers, Psychologists, and Nurses: The Role of Challenge/Control Appraisals", *Social Work in Health Care*, 2007, 45(4), pp. 63-82.

[3] C. Essau, J. Conrad and T. Peterman, "Frequency, Comorbidity, and Psychosocial Impairment of Anxiety Disorders in German Adolescents", *Journal of Anxiety Disorders*, 2000, 14, pp. 263-279.

[4] J. Bowlby, *Attachment*, Basic Books, New York, 1969.

[5] M.D.S. Ainsworth, "Attachment Beyond Infancy", *American Psychologist*, 1989, 44, pp. 709-716.

[6] M.D.S. Ainsworth, *Patterns of Attachment: A Study of the Strange Situation*, Eribaum, Oxford, UK, 1978.

[7] M. Mikulincer, and P.R. Shaver, P.R, *Attachment Patterns in Adulthood: Structure, Dynamics and Change*, Guilford, New York, 2007.

[8] P. Vrtička, D. Sander, and P. Vuilleumier, P. "Influence of Adult Attachment Style on the Perception of Social and Non-social Emotional Scenes", *Journal of Social and Personal Relationships*, 2012, 29(4), pp. 530-544.

[9] D.A. Richards, and R.D. Hackett, "Attachment and Emotion Regulation: Compensatory Interactions and Leader–member Exchange", *The Leadership Quarterly*, 2012, 23(4), pp. 686-701.

[10] F.G. Lopez, A.M. Mauricio, B. Gormley, T. Simko, and E. Berger, "Adult Attachment Orientations and College Students' Distress", *Journal of*

Counseling Development, 2002, 49(4), pp. 460-470.

[11] M. Ahmadi, Z. Danesh Pour, L. Karimi, "The Relationship between Attachment Styles and Depression in University Students", *Journal of Medical Science and Therapeutic Services*, Sabzevar, 2011, 18(3).

[12] L. Vulliez-Coady, C. Vidal, A. Vivot, J. Monnin, S. Nezelof, and A. Bifulco, "Anxiety and Hospitalization in Adolescence: Relations to Attachment Style and Parental Support", *Psychiatria Danubina,* 2013, 25, pp. 135-142.

[13] J.D. Jones, B.E. Brett, K.B. Ehrlich, C.W. Lejuez, and J. Cassidy, "Maternal Attachment Style and Responses to Adolescents' Negative Emotions: The Mediating Role of Maternal Emotion Regulation', *Parenting,* 2014, 14(3-4), pp. 235-257.

[14] R.H. Moos, and B.S. Moos, "Family Environment Scale", *Handbook of Measurements for Marriage and Family Therapy*, 2013, p. 82.

[15] K. Dhillon, *Attention Deficit Hyperactivity Disorder in School Children: Prevalence and Family Environment Risk Factors,* Unpublished Ph.D. Thesis, Panjab Universirty, Chandigarh, India, 2005.

[16] S. Adachi, Y. Amasaki, S. Miyatake, N. Arai, and M. Iwata, "Successive Expression and Activation of Neat Family Members during Thymocyte Differentiation", *Journal of Biological Chemistry,* 2000, 275(19), pp. 14708-14716.

[17] D. Gorman-Smith, P.H. Tolan, and D.B. Henry, D. B. "A Developmental-Ecological Model of the Relation of Family Functioning to Patterns of Delinquency", *Journal of Quantitative Criminology*, 2000, 16(2), pp. 169-198.

[18] E. Millikan, M.Z. Wamboldt, and J.T. Bihun, "Perceptions of the Family, Personality Characteristics, and Adolescent Internalizing Symptoms", *Journal of the American Academy of Child & Adolescent Psychiatry*, 2002, 41(12), pp. 1486-1494.

[19] N.L. Collins, and S.J. Read, "Adult Attachment, Working Models, and Relationship Quality in Dating Couples", *Journal of Personality and Social Psychology,* 1990, 58(4), p. 644.

[20] S. Pakdaman, S. *Relationship between attachment and socialism in adolescence*, Ph.D. Thesis of Psychology, Tehran University, Iran, 2001.

[21] R.H. Moos, and B.S. Moos, *Family Environment Scale Manual* (2nd ed.), CA: Consulting Psychologists Press, Palo Alto, CA, 1994.

[22] P. Farokhzad, "Effect of Family Environment on Neurotic Tendencies of Children, *Journal of Thought and Behavior*, 2008, 3(9).

[23] M.H. Salarifar, and H.R. Pouretemad, "Relationship between Meta-cognitive Beliefs with Depression and Anxiety Disorders", *Quarterly Journal of Medical Science,* University of Lorestan, 2011, 13(4).

[24] M.A. Besharat, M. Golinejad, and A.A. Ahmadi, "Study of Relationship between Attachment Styles and Interpersonal Problems", *Journal of Thought and Behavior*, 2006, 8(4).

[25] P.R. Shaver, and K.A. Brennan, "Attachment Styles and the" Big Five" Personality Traits: Their Connections with Each Other and with Romantic Relationship Outcomes", *Personality and Social Psychology Bulletin,* 1992, 18(5), pp. 536-545.

[26] C. Hazan, and P.R. Shaver, "Romantic Love Conceptualized as an Attachment Process", *Journal of Personality and Social Psychology*, 1987, 52, pp. 511-524.

[27] J. Parker, "Attachment and Adult Psychotherapy" *Clinical Social Work Journal*, Academic Research Library, 2002, 30, 271.

[28] H. Sotoudeh, *Social Pathology: Sociology of Delinquencies*, Avaye No, 2008.

[29] M.H. Saghi, and A.R. Rajaie, "Relationship between Adolescent Perception of Family Functioning with their Adjustment", *Journal of Thought and Behavior*, 2008, 3(10), pp. 71-82.

Determining Proportion of Early Maladaptive Schemas and Attachment Styles on Prediction of Mental Health in High School Students

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Abstract: *This research aimed to determine the proportion of early maladaptive schemas and attachment styles on predicting mental health and to study the relationship between early maladaptive schemas and attachment styles with mental health. The population consisted of high school students of Qom (Iran) in academic year of 2014-2015; out of which 380 (190 girls and 190 boys) were selected by random clustered sampling method and were tested by Young Early Maladaptive Schema Questionnaire, Attachment Styles Questionnaire and General Health Questionnaire. Results showed that there were correlations between early maladaptive schemas (except self-sacrifice) and mental health; there were positive correlations between secure attachment style and negative correlations between secure and avoidant attachment styles with mental health. Results of regression analysis also showed that the components of early maladaptive schemas predict 29.7 percent of mental health variance solely; and 30.5 percent of mental health variance along with secure attachment style.*

Introduction

Mental health is one of the important issues in psychology, psychiatry and sociology which is effective on development and maturation of family and society. In recent years it has been pointed out that a vast number of adolescents suffer from emotional and mental problems [1]. Probably most of them are carrying these problems from childhood.

As family plays a pivotal and crucial role on emotional and cognitive development and mental health in childhood and adolescence, parenting styles along with other dimensions of family such as communication patterns, solving conflicts and family cohesion are influential on individuals' development [2]. On the basis of diathesis – stress model in psychopathology, variety of researches have investigated the role of family related factors as a predisposing factor on individual's vulne-rability [3]. In this regard, researchers [4] [5] believed that parental functioning cause estab-lishing and developing models inside the individual's cognitive organization named schema. These schemas function as filters in an individual's life which form his/her interpretations, choices and evaluations on the basis of his/her experiences. It is stated that these bene-ficial or harmful effects, cause extending or restric-ting the development of potential capabilities in children [3].

Reference [6] believed that some of these schemas especially those which are mostly formed as a result of unpleasant experiences of childhood are called "early maladaptive schemas". These schemas are formed by childhood experiences and mostly had a role of inner stroke in child's life and control the individual response to environmental events [7]. He stated that although factors related to society, school and peers are influential in forming such schemas, however their impact are not as extent and stable as family factors [8]. Early maladaptive schemas are developed because of unsatisfying the basic emotional needs of childhood.

Generally these schemas in deepest level of cognition, function out of the awareness level and make individual vulnerable to developing disturbances such as depression, anxiety, inefficient communications and psychosomatic disorders [6]. When the schemas are activated, they could affect reality perception and selfcognitive processes [9]. Reference [10] in a study resulted that inefficient interactions of parents is the best predictor of early maladaptive schemas and less interactions of children in future interpersonal communication. Reference [11] showed that parenting styles have influence on forming schemas and such schemas affect the individual further psychopathology. Variety of research have investigated the relationship between parenting styles and parental functioning with symptoms of psychological disorders and unbalanced behaviors.

In a research [3] to study perceived parenting styles and early maladaptive schemas and depressive symptoms in young adults, it is shown that early maladaptive schemas have intermediate role in relationship between perceived parenting styles and depre-

ssive symptoms [12] [13] [14]. When parental action and social circumstances is in an optimal and desirable level, a healthy pattern would be established in children personality structure. But if parents and social environment are not in an optimal and desirable level, child would be vulnerable to establish early maladaptive schemas in one or more developmental areas [15] [16]. Therefore in viewing the researches, it has been specified that maladaptive schemas which develop in childhood could generate dysfunction in individuals' mental health [17] [18] [19] [20].

One of the other concepts which forms inside family is attachment styles. According to attachment theory on the basis of Bowlby and Ainsworth's works, three attachment styles viz. secure attachment, insecure avoidance attachment and insecure ambivalent attachment are identified [4] [21].

Reference [4] believed that attachment is a bond between mother and child and determines individual's health and mental health [4] [21]. If these bonds form correctly, cause constructive patterns of communication and coping with problems. In his view all children would have feelings of attachment and intense attachment establishes the basis of healthful emotional and social development in adulthood [22]. Ainsworth also proved that attachment reduces anxiety. Reference [23] in justifying the relationship between attachment styles and mental health indicated that the consequences of process of secure attachment, develops a feeling of security in individual and consequences of insecure attachments, provoke feelings of fear and consternation in them [24]. They supported this idea that early communications and experiences in a form of attachment would affect further life experiences and found that childhood memories of 90 percent of females is correlated with their attachment styles in adulthood which could predict the general life satisfaction. These researchers concluded that individuals who had insecure attachment styles, reported high level of rejection by parents, low level of family support and low level of coordination and warmth in family, while individuals with secure attachment styles reported low level of un-satisfaction in their communication and life. Attachment styles are related not only with general life satisfaction, but also with depression and anxiety. Researchers [25] investigated 317 students and found that insecure ambivalent attachment style predicts chronic anxiety directly and indirectly. Also individuals with insecure attachment style reported lo-

wer selfesteem and irrational beliefs which predict anxiety per se. On the other hand, insecure avoidance attachment style predicts depression directly, and indirectly with intermediate of chronic anxiety. A study [26] show that insecure avoidance and insecure ambivalent attachment styles have strong relationship with low health. Also, another study [27] show that insecure attachment style has positive relationship with somatic symptoms.

As primary caregivers of children use their own special communication and interaction styles in relation with child to satisfy their needs, any of these styles has unique impact in personality development of child. Herein many of communication styles used by caregivers are not very efficient and lead to forming maladaptive attachment styles in child which could affect children' mental health in confronting problems in adulthood [28] [29].

In view of the above mentioned issues and researches and the relationship between early maladaptive schemas and attachment styles with mental health, the aim of the present study was to determine the proportion of early maladaptive schemas and attachment styles in predicting high school students' mental health and the other aim was to study that which one of the early maladaptive schemas, and secure and insecure attachment styles could predict mental health?

1. Method

1.1. Statistical Population, Sample and Sampling Method

The present research was a correlational study. The statistical population consisted of student boys and girls in the age range of 14 to 20 years old in academic year of 2014-2015 who were studying at high schools of 4 area of Qom city- Iran. To determine the sample size, according to Cochran's formula with a confidence level of 95%, 380 was estimated. A sample of 380 students (190 girls and 190 boys) were selected randomly from the 4 area of Qom using clustered sampling method. At first, out of each area, one girls' high school and one boys' high school and finally 8 high schools were selected randomly for the study.

1.2. Tests

1.2.1. Young Maladjustment Schemas Questionnaire-Short Form. This questionnaire contains 75 items and constructed by Young [7] to

evaluate 15 early maladaptive schemas. Each item would be scored on a 6-point scale (1 for "completely incorrect" to 6 for "completely correct"). In this questionnaire any 5 items measures a schema. The first global research related to psychometric features of Young schema questionnaire is performed on 1995. For each early maladaptive schema, alpha coefficient from 0.83 (for enmeshment /undeveloped self) to 0.96 (for defectiveness /shame) is obtained and retest coefficient in non-clinical population was 0.50 to 0.82. Primary subscales showed high retest reliability and internal consistency. Also this questionnaire has shown a desirable convergent and differential validity with scales of psychological disturbance, feeling of self-worth, pathology of depression and symptomology of personality disorders [30]. In a study [31] all 15 subscales of short form of Young schemas questionnaire, had sufficient and acceptable internal consistency. Cronabach alpha for all schemas were calculated from 0.76 to 0.93. The validity of the questionnaire also has been proved in various studies [10]. Standardization of this questionnaire has been performed in universities of Tehran (Iran) using Cronabach alpha which is 0.97 for female population and 0.98 in male population [32]. In another study, the questionnaire have been standardized in 593 students of Islamic Azad University of Kashmar (37.44% females and 62.56% males). Results of this study showed that reliability of this questionnaire is calculated to be 0.64. Also in a research in Iran, the relationship of the subscales of this questionnaire with the subscales of SCL-90 were studied which confirmed its validity and reliability [33]. Reference [34] calculated its reliability using Cronabach alpha to be 0.94 and its concomitance validity using the correlation with irrational beliefs test to be o.36 [34].

1.2.2. Adult Attachment Styles Scale-Revised. This scale is constructed by Collins and Read [35] and includes self-evaluation of making relationship skills and self-description of ways of attachment relationship formation toward the closed attachment faces, and includes 18 items which is scored on a 5-point scale from "not at all like me (1)" to "totally like me (5)". This scale measure three attachment styles viz. secure, avoidance insecure, and ambivalent insecure. Reference [35] showed that the subscales of this questionnaire in a time period of two months and even eight months are reliable and a Cronabach alpha was 0.80 and even more for these subscales; this questionnaire has high validity [36]. In the present research, the Cronabach alpha

coefficient of the attachment scale is obtained to be 0.78.

1.2.3. General Health Questionnaire-28. This questionnaire is constructed by Goldberg and Hillier [37]. The text of questionnaire is about the general health state of individuals with regards the psychological issues at present time. In all questions, participants should specify the choices which are more consistent with his/her situation. The responses will be specified in a 4-point scale viz. "much less than usual", "less than usual", "as usual" and "more than usual". In all choices, the lower score shows healthy state and the higher score shows loss of healthy state in an individual. It has four subscales viz. somatic symptoms, anxiety symptoms and sleep disorder, social functioning, and depressive symptoms [37]. The correlation between obtained data of general health questionnaire and SCL-90 mental symptoms checklist on 244 participants is reported to be 0.78 [37]. In another study by same researchers, the bivariate correlation coefficients between four subscales of GHQ-28 were from 0.33 to 0.61 [37]. Also the correlation between GHQ and PSE in Australia is reported to be 0.76 [38]. Reference [39] have studied the factor analysis, reliability and validity of GHQ in Elsalvador on a sample of 732 students and reported the reliability of the questionnaire to be 0.74. Other researchers [40] in a study on 116 university students in Isfahan obtained the retest reliability and Cronbach alpha to be 0.88. The validity of this questionnaire along with life problems checklist and educational problems checklist have been investigated and the obtained correlations are being 0.72 and 0.58 respectively. Also, in another study [41] to determine the validity of questionnaire, the correlation of GHQ and SCL-90 on 244 participants is reported to be 0.78. Reviews of the studies in Iran show that the reliability of the questionnaire is 0.84 to 0.93 with a cutoff point of 6 [42].

1.3. Procedure

After selecting the sample group of the study and performing the questionnaires on students, data collected and analyzed using descriptive and inferential statistical methods. In descriptive part, Mean and standard deviation, and in inferential part, to test the study hypotheses, Pearson correlation coefficient and multiple (step by step) regression analysis were used.

2. Results

Obtained results of analyzing data in descriptive part is presented in the following tables:

Table 1. Statistical Indexes of Early Maladaptive Schemas Specified by Gender

Variables	Girls		Boys		t
	Mean	SD	Mean	SD	
Emotional Deprivation (ED)	12.63	5.19	13.22	5.71	-1.90
Abandonment/ Instability (AB)	14.88	6.44	13.80	5.97	1.70
Mistrust/ Abuse (MA)	12.97	5.05	13.14	5.50	-0.30
Social Isolation/ Alienation (SI)	12.15	5.25	12.10	5.44	-0.96
Defectiveness/ Shame (DS)	10.44	5.77	10.43	5.34	0.03
Failure (F)	10.83	5.40	9.52	4.93	2.47
Dependence/ Incompetence (DI)	10.51	5.15	9.68	5.33	1.57
Vulnerability to Harm or Illness (VH)	10.59	5.28	10.43	5.75	0.29
Enmeshment/ Undeveloped Self (EM)	11.57	4.88	11.74	5.62	-0.31
Subjugation (SB)	10.93	5.28	10.84	5.22	0.16
Self-Sacrifice (SS)	15.63	5.77	15.13	5.62	0.85
Emotional Inhibition (EI)	13.81	6.01	13.45	5.75	0.59
Unrelenting Standards (US)	16.20	5.77	17.07	6.10	-1.44
Entitlement/ Grandiosity (EG)	15.27	6.08	15.58	6.60	-0.44
Insufficient Self-Control/ Self-Discipline (IS)	13.71	5.77	12.83	5.34	1.53

Results of table 1 show that t-test to compare the mean scores of girls and boys on maladaptive schemas represents not significant differences between the means of two groups in most of the schemas except failure which shows a significant difference between the means (t= 2.46) (p< 0.05).

Table 2. Statistical Indexes of Attachment Styles Specified by Gender

Variables	Gender	No.	Mean	SD	t
Secure	Girls	52	14.67	2.33	-0.45
	Boys	44	15.13	1.79	
Insecure Avoidance	Girls	67	14.67	2.15	1.23
	Boys	68	14.37	2.12	
Insecure Ambivalence	Girls	52	17.57	2.64	0.17
	Boys	51	17.19	2.92	
Unspecified	Girls	19	12.80	1.82	
	Boys	26	11.82	1.27	

Results of table 2 show that t-test to compare the mean scores of girls and boys on attachment styles represents not significant differences between the means of two groups in attachment styles.

Table 3. Statistical Indexes of Mental Health Specified by Gender

Variables	Gender	Mean	SD	t
Somatic Symptoms (A)	Girls	8.80	5.25	2.94
	Boys	7.27	4.78	
Anxiety Symptoms (B)	Girls	9.33	5.36	3.26
	Boys	7.57	5.22	
Social Functioning (C)	Girls	9.02	4.17	1.68
	Boys	8.33	3.73	
Depressive Symptoms (D)	Girls	7.46	6.16	1.64
	Boys	6.46	5.67	
Mental Health	Girls	34.62	1.77	27.67
	Boys	29.64	1.69	

Results of table 3 show that t-test to compare the mean scores of girls and boys on mental health represents significant differences between the means of two groups in mental health.

To evaluate the normality of data distributions and homogeneity of variances, Kolmogorov–Smirnoff test and F Levin test have been done and the results are presented in tables 4 and 5:

Table 4. Results of Kolmogorov–Smirnoff and F Levin for Maladaptive Schemas in Girls and Boys

Variables	K-S	Sig.	F Levin	Sig.
Emotional Deprivation (ED)	2.03	0.001	1.83	0.177
Abandonment/ Instability (AB)	1.88	0.002	1.16	0.283
Mistrust/ Abuse (MA)	1.73	0.005	0.80	0.372
Social Isolation/ Alienation (SI)	2.24	0.000	0.11	0.743
Defectiveness/ Shame (DS)	3.04	0.000	2.14	0.144
Failure (FA)	2.97	0.000	4.52	0.034
Dependence/ Incompetence (DI)	3.09	0.000	0.04	0.840
Vulnerability to Harm or Illness (VH)	2.95	0.000	2.05	0.153

Enmeshment/ Undeveloped Self (EM)	2.01	0.001	1.47	0.226
Subjugation (SB)	2.39	0.000	0.42	0.518
Self-Sacrifice (SS)	1.19	0.120	0.56	0.456
Emotional Inhibition (EI)	1.22	0.104	0.42	0.517
Unrelenting Standards (US)	0.94	0.434	1.17	0.280
Entitlement/ Grandiosity (EG)	1.09	0.189	1.97	0.161
Insufficient Self-Control/ Self-Discipline (IS)	0.83	0.494	1.33	0.249

It should be noted that Kolmogorov–Smirnoff test to study the normality of distribution and Levin test to study homogeneity of variances of early maladaptive schemas were calculated as antecedent of t-test which results represent the normality of distribution and homogeneity of variances of early maladaptive schemas in the two groups of girls and boys.

Table 5. Results of Kolmogorov–Smirnoff and F Levin for Attachment Styles in Girls and Boys

Variables	K-S	Sig.	F Levin	Sig.
Secure	1.79	0.003	0.21	0.645
Insecure Avoidant	1.82	0.003	0.03	0.863
Insecure Ambivalent	1.06	0.212	0.34	0.560

Also the results of Kolmogorov–Smirnoff test and Levin test represent the normality of distribution and homogeneity of variances of attachment styles in the two groups of girls and boys.

In the next part, the study hypotheses have been tested using the inferential statistics methods. The correlation is used to study the relationship between variables and stepwise multiple regression is used to determine the proportion of early maladaptive schemas and attachment styles (predictive variables) to predict mental health (criterion variable).

First Hypothesis: There is a significant relationship between early maladaptive schemas with mental health.

Table 6 shows the results of correlation between early maladaptive schemas and mental health. The correlation coefficients between all early maladaptive schemas with mental health are positively significant in level of $p<0.01$ and $p<0.05$; except self-sacrifice (r= 0.067) (p<0.195) which is not significantly related with mental health.

Table 6. Pearson Correlation Coefficients of Early Maladaptive Schemas and Mental Health

Variables	Mental Health	Sig.
Emotional Deprivation (ED)	0.304	0.000
Abandonment/ Instability (AB)	0.363	0.000
Mistrust/ Abuse (MA)	0.311	0.000
Social Isolation/ Alienation (SI)	0.446	0.000
Defectiveness/ Shame (DS)	0.435	0.000
Failure (FA)	0.381	0.000
Dependence/ Incompetence (DI)	0.351	0.000
Vulnerability to Harm or Illness (VH)	0.412	0.000
Enmeshment/ Undeveloped Self (EM)	0.289	0.000
Subjugation (SB)	0.369	0.000
Self-Sacrifice (SS)	0.069	0.195
Emotional Inhibition (EI)	0.302	0.005
Unrelenting Standards (US)	0.144	0.005
Entitlement/ Grandiosity (EG)	0.183	0.000
Insufficient Self-Control/ Self-Discipline (IS)	0.325	0.000

Second Hypothesis: There is a significant relationship between attachment styles with mental health.

Table 7 shows the results of correlations between attachment styles and mental health. The correlation coefficients between secure attachment style with mental health are negatively significant in level of $p<0.01$. As the low scores in General health questionnaire represents higher mental health, thus increasing the level of secure attachment leads to more mental health in an individual. On the other hand, correlation coefficient between insecure avoidance attachment and mental health represents a significant and direct relationship between the two variables in $p<0.011$ level. The correlation coefficient between insecure ambivalent attachment and mental health also represents a significant and direct relationship between the two variables in $p<0.01$ level. Therefore, as an individual goes to insecure ambivalent attachment style, he/ she has lower mental health.

Table 7. Pearson Correlation Coefficients of Attachment Styles and Mental Health

Variables	Mental Health	Sig.
Secure	-0.169	0.001
Insecure Avoidance	0.130	0.011
Insecure Ambivalence	0.237	0.000

Third Hypothesis: Mental health of students can be predicted on the basis of early maladaptive schemas and attachment styles.

Table 8. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 1)

Model	Predictive Variables	β	Part	T	Sig.
1	Constant	14.441		7.24	0.000
	SI	1.459	0.446	9.69	0.000

R^2= 0.199, F= 94.025, sig.= 0.000

In table 8, the results of first step of multiple regression analysis is presented. In the first step the variable which has the most correlation with criterion variable viz. social isolation/alienation (SI) is entered. According to calculated R^2 (0.199), the proportion of first predictor in explanation of criterion variable (mental health) is 19.9%. Calculated F in first model (94.025) in the level of $p<0.01$ represents the significance of the model.

Table 9. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 2)

Model	Predictive Variables	β	Part	t	Sig.
2	Constant	11.59		5.671	0.000
	SI	1.033	0.266	5.914	0.000
	VH	0.763	0.203	4.512	0.000

R^2= 0.240, F= 20.356, sig.= 0.000

The variable which is entered in second step in regression equation is the predictor variable which the most explains the significant proportion of the variance. In this step, vulnerability to harm or illness (VH) is entered. The proportion of these two variables simultaneously in second model explains 24% of variance. Calculated F in this model (20.356) in the level of $p<0.01$ represents the significance of the model. The proportion of each of these two variables solely in explaining the variance of mental health were SI= 7.07% and VH= 4.12%

respectively (Part squared) which means their common variance is about 12.81%.

Table 10. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 3)

Model	Predictive Variables	β	Part	t	Sig.
3	Constant	7.597		3.334	0.000
	SI	0.850	0.210	4.762	0.000
	VH	0.652	0.170	3.862	0.000
	AB	0.514	0.165	3.729	0.000

R^2= 0.267, F= 13.906, sig.= 0.000

In third step abandonment/instability is entered in the analysis. The proportion of these three variables simultaneously in third model explains 26.7% of variance. Calculated F in this model (13.906) in the level of $p<0.01$ represents the significance of the model. The proportion of each of these three variables solely in explaining the variance of mental health were SI= 4.41%, VH= 2.89% and AB= 2.72% respectively (Part squared) which means their common variance is about 16.68%.

Table 11. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 4)

Model	Predictive Variables	β	Part	t	Sig.
4	Constant	4.094		1.628	0.104
	SI	0.733	0.177	4.066	0.000
	VH	0.589	0.153	3.505	0.001
	AB	0.473	0.151	3.452	0.001
	IS	0.465	0.137	3.134	0.002

R^2= 0.286, F= 9.821, sig.= 0.002

In forth step, insufficient self-control/self-discipline is entered in the analysis. The proportion of these four variables simultaneously in forth model explains 28.6% of variance. Calculated F in this model (9.821) in the level of $p<0.01$ represents the significance of the model. The proportion of each of these four variables solely in explaining the variance of mental health were SI= 3.13%, VH= 2.34, AB= 2.28% and IS= 1.87% respectively (Part squared) which means their common variance is about 18.98%.

Table 12. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 5)

Model	Predictive Variables	β	Part	t	Sig.
5	Constant	3.229		1.280	0.201
	SI	0.611	0.142	3.287	0.001
	VH	0.468	0.117	2.688	0.008
	AB	0.492	0.156	3.609	0.000
	IS	0.377	0.108	2.487	0.013
	FA	0.444	0.107	2.457	0.014

R^2= 0.297, F= 6.038, sig.= 0.014

In fifth step, failure is entered in the analysis. The proportion of these five variables simultaneously in fifth model explains 29.7% of variance. Calculated F in this model (6.038) in the level of p<0.05 represents the significance of the model. The proportion of each of these five variables solely in explaining the variance of mental health were SI= 2.01%, VH= 1.36%, AB= 2.43%, IS= 1.16% and FA= 1.14% respectively (Part squared) which means their common variance is about 21.6%.

Table 13. Summary of Multiple (Stepwise) Regression Analysis to Predict Mental Health on the Basis of Early Maladaptive Schemas and Attachment Styles (Step 6)

Model	Predictive Variables	β	Part	t	Sig.
6	Constant	10.929		2.448	0.015
	SI	0.592	0.138	3.192	0.002
	VH	0.464	0.115	2.674	0.008
	AB	0.486	0.155	3.584	0.000
	IS	0.346	0.098	2.283	0.023
	FA	0.442	0.106	2.458	0.014
	Secure	-0.560	-0.90	-2.086	0.038

R^2= 0.305, F= 4.353, sig.= 0.038

In sixth and final step, secure attachment style is entered in the analysis. According to calculated R^2 the proportion of these six variables simultaneously in this model explains 30.5% of variance. Calculated F in this model (4.353) in the level of p<0.05 represents the significance of the model. The proportion of each of these six variables solely in explaining the variance of mental health were SI= 1.90%, VH= 1.32%, AB= 2.40%, IS= 0.96%, FA= 1.12% and secure attachment= 0.81% respectively (Part squared) which means their common variance is about 21.99%. Therefore, mental health can be predicted on the basis of SI, VH, AB, IS, FA and secure attachment style. Also, Beta (unstandardized regression coefficient) show that the amount of one standard deviation change in pre-

dictive variables lead to changes in criterion variable (mental health) which are calculated as: SI= 0.592, VH= 0.464, AB= 486, IS= 0.346, FA= 0.442 and secure attachment= -0.560.

3. Discussion

The main aim of the present research was to determine the proportion of early maladaptive schemas and attachment styles in prediction of mental health of high school students and the other aim was to study the relationship between early maladaptive schemas and attachment styles with mental health of high school students. To analyze data, descriptive statistical methods (mean, variance, standard deviation) and inferential statistical methods were used; as to study the relationship between variables, the Pearson correlation coefficient and to predict the variations of variance of subscales of early maladaptive schemas and attachment styles, the stepwise multiple regression analysis have been used.

Obtained results using Pearson correlation coefficient show that all the correlation coefficients of early maladaptive schemas and mental health of students except self-sacrifice (r= 0.067) (sig.= 0.195), are positively significant at the levels of p< 0.05 and p< 0.01. As higher scores of general health questionnaire is related to lower scores of mental health, thus it could be concluded that increasing the early maladaptive schemas leads to decreasing the mental health of the individual. Results of the present research is consistent with obtained results of other researches in Iran [43] [44] [45] [46] and in other countries [47] [48].

Results also showed that the correlation coefficients between secure attachment style and mental health (r= -0.169) (sig.= 0.001) are significant and the relationship between the two variables are indirectly significant in p< 0.01 level. Thus increasing the level of secure attachment style leads to higher mental health. On the other hand, correlation coefficient between insecure avoidance attachment style and mental health (r= 0.130) (sig.= 0.011) represents a direct significant relationship between the two variables in p< 0.05 level and also the correlation coefficient between insecure ambivalent attachment styles and mental health (r= 0.237) (sig.= 0.000) represents a direct significant relationship between the two variables. Therefore, as the individual has more insecure attachment styles would report a lower mental health. Results of the research is consistent with obtained results of

other researches in Iran [49] [50] [51] [52] [53] and in other countries [18] [23] [26] [54] [55] [56] [57].

Adolescents with secure attachment styles have better mental health and on the other hand those with insecure avoidance and ambivalent attachment styles have less mental health.

Schemas are the most generalized level of cognition which are stable against changes and have deep and strong influence on individual's cognitions and emotions. Beck believed that our emotions and behaviors develop through cognitive schemas which comes from our past experiences and affect our perception of the world. Reference [6] stated that some of these schemas especially those which are generally the results of unpleasant experiences may be the main nucleus of personality disorders and some chronic disorders of axis I. Early maladaptive schemas arise because of unsatisfying the basic emotional needs of childhood. These schemas act in the deepest level of cognition and generally out of awareness level and psycho-logically make the individual vulnerable to develop disturbances such as depression, anxiety, dysfunctional relationships and psychosomatic disorders. Young with regard to five unsatisfied emotional needs, has divided the early maladaptive schemas into five areas and believed that each psychopathological symptoms is related to one or more early maladaptive schemas.

Early maladaptive schemas are inefficient mechanisms which directly or indirectly leads to psychological disturbances. Adler believed that psychopathology is a reflex of psychogenic unhealthy schemas which are the basics of life style. In sum, the early maladaptive schemas are self-destructive emotional and cognitive patterns which are formed in mind at the beginning of growth and development and recur in life current. Reference [30] stated that family harmful experiences, personal life events, peers and society increase the risk of these schemas. Therefore, the origin of a schema locates in negative social interactions such as irritations and impairments. So it could be concluded that early maladaptive schemas have prominent effects on individuals' mental health and the results of present research confirmed it and showed that increasing the individuals' scores in early maladaptive schemas results in reduction of mental health.

On the basis of theory of Bowlby [58] this finding can be explained in a way that individuals whose safety and needs are provided in their interpersonal relations with their own family, have more mental health and less psychological problems in physical function, level of social function, depression and anxiety and conversely those who have insecure attachment style, with re-gards to qualities of such kinds of attachment, would be in lower levels of mental health.

As one of the features of people with insecure attachment styles is high anxiety and anxiety is a sign of lack of health and cause reduction of mental health, according to the results of this research regarding the positive relationship between secure attachment style and mental health, the more secure attachment style the more mental health and the previous researches also have pointed out such issue.

Any research in human science area has some limitations and considering them could be effective in improving the trend of further researches. One of the limitations of this study was its population bounded to one city and a small age range. There-fore, it is suggested that studies to be done in broader population and larger age ranges. Also, according to the positive relationship between secure attachment style and mental health, it is necessary to consider the priority of family training and also the researches should be done to study the parenting styles and its effects on developing early maladaptive schemas and attachment styles in children.

References

[1] P.C.L. Heaven, *Adolescent Health: The Role of Individual Difference,* Rout Ledge, London, 1996.

[2] A.R.M. Kapanee, and K. Rao, "Attachment Style in Relation to Family Functioning and Distress in College Students", *Journal of the Indian Academy of Applied Psychology*, 2007, 33(1), pp. 15-21.

[3] Harris, and Curtin, "Parental Perception, Early Maladaptive Schemas and Depressive Symptoms in Young Adult", *Cognitive Therapy and Research*, 2002, 26 (3), pp. 405-416.

[4] J. Bowlby, *Attachment and loss*, Basic Books, New York, 1969.

[5] A.L. Gunty, and J.R. Buri, "Parental Practices and the Development of Maladaptive Schemas", Online Submission, *Paper Presented at the Annual*

Meeting of the Midwestern Psychological Association, Chicago, IL, 2008.

[6] J.E. Young, *Cognitive Therapy for Personality Disorders: A Schema-Focused Approach,* Professional Resources Press, Florida, 1999.

[7] J.E. Young, "The Young Schema Questionnaire: Short Form", Available at A. Lalvi, S.B. khan, M.A. Hussain, and T. Baig, "Relationship between Hollands Typology and Cognitive Styles*", International Journal of Psychology*, 1998, 13, pp. 449-459.

[8] C. Torres, *Early Maladaptive Schemas and Cognitive Distortions in Psychopathy and Narcissism.* A Thesis Submitted for the Degree of Doctor of Clinical Psychology, Australian National University, 2002.

[9] A. Cormier, B. Jourda, C. Laros, V. Walburg, and S. Callahan, "Influence between Early Maladaptive Schemas and Depression", *L'Encéphale*, Article in Press, Corrected Proof com.au/young.pdf, 2010.

[10] J. Baranoff, and O. Tian, "Young Schema Questionnaire: Review of Psychometric and Measurement Issues", *Australian Journal of Psychology,* 2007, 59(2), pp. 78-86.

[11] Wright, et al., "Childhood Emotional Maltreatment and Later Psychological Distress among College Student: The Mediating Role of maladaptive Schemas", *Child Abuse and Neglect: The International Journal*, 2009, 33(1), pp. 59-68.

[12] Prevatt, "The Contribution of Parenting Practices in a Risk and Resiliency Model of Children' Adjustment", *British Journal of Developmental Psychology*, 2003, 21, pp. 469–480.

[13] Heidgerken, "Direct and Indirect Effects of Parenting and Children's Goals on Child Aggression", *Journal of Clinical Child and Adolescent Psychology*, 2004, 33(4), pp. 684-693.

[14] A. Farzadfard and H. Houman, "The Role of Child Rearing Parenting Skills in Reducing Mothers' Stress and Children's Behavioral Problems", *Journal of Iranian Psychologist,* 2008, 15(4), pp. 277-292.

[15] J.E Young and V. Brown, *Cognitive Therapy for Personality Disorders: A Schemas- Focused Approach*, Professional Resource Exchange Inc., 1990.

[16] J.E. Young, *Schema Therapy: Conceptual Model*, Available in www.therapisttraining. com. au/young.pdf, 1994.

[17] M. Zolfaghari, M. Fatehizadeh, and M. Abedi, 'Determining the Relationship between Early Maladaptive Schemas with Marital Dimensions in Couples of Isfahan", *Quarterly Journal of Family Research",* 2008, 4(15).

[18] W.L. Crayton, "Attachment Style in College Students: Family Origins and Mental Health Correlates", *Annual Review of Undergraduate Research, School of Humanities and Social Sciences, School of Languages, Cultures, and World Affairs*, College of Charleston, 2010, 9, pp. 204-226.

[19] G.B. Mans, C. Breat, and L.V. Lierberqne, "Attachment and Symptoms of Psychopathology: Early Maladaptive Schema as a Cognitive Link", *Journal of Clinical Psychology and Psychotherapy*, 2010, 17, pp. 374-387.

[20] R. Dalirian, *Relationship between Early Maladaptive Schemas and Automatic Thoughts with Educational Self-Concept in Brilliant Boy Students of Middle Schools and Comparing with Normal Boy Students in Qom City*, Thesis Submitted for Master in Psychology, Islamic Azad University, Saveh, 2012.

[21] M.D. Ainsworth, M.C. Belhar, E. Waters, and S. Wall, *Patterns of Attachment: A Psychological Study of the Strange Situation,* Ltillsdale, NJ: Erlbaum, 1978.

[22] R. Eidi Khatibi, *Comparing Marital Satisfaction in Difference Attachment Styles,* Thesis Submitted for Master Degree, Dept. of Psychology and Educational Science, Tabriz University, 2001.

[23] J. Cassidy, and P.R. Shaver, *Handbook of Attachment: Theory, Research and Clinical Applications*. Guilford, New York, 2008, pp. 101-200.

[24] C. Hinnen, R. Sanderman, and M.A.G. Sprangers, "Adult Attachment as Mediator between Recollections of Childhood and Satisfaction with Life", *Clinical Psychology and Psychotherapy,* 2009, 16, pp. 10-21.

[25] S.A. Riggs, and G. Haan, "Predictors of Anxiety and Depression in Emerging Adulthood", *Journal of Adult Development,* 2009, 16, pp. 39-52.

[26] L.A. McWilliams, and S.J. Bailey, "Associations between Adult Attachment Ratings and Health Conditions: Evidence from the National Co morbidity Survey Replication", *Health Psychology*, 2010, 29(4), pp. 446–453.

[27] J.A. Feeney, "Implications of Attachment Style for Patterns of Health and Illness", *Child: Care, Health and Development,* 2000, 26, pp. 277–288.

[28] D. Griffin, and K. Bartholomew, "Models of Self and other Fundamental Dimensions Underlying Measures of Adult Attachment*", Journal of Personality and Social Psychology*, 1994, 67, pp. 430-445.

[29] M. Mikulincer, N. Horesh, H. Eilati, and M. Kotler, "The Association between Adult Attachment Style and Mental Health in Extreme Life-Endangering Conditions", *Personality Individual Differences,* 2001, 27, pp. 831-42.

[30] J.E. Young, J. Kolsko, M.E. Wissher, *Schema Therapy: Practitioner's Guide*, New York, 2003, pp. 73-75.

[31] K. Welburn, M. Coristine, A. Jourdan, et al., The Schema Questionnaire-Short From: Factor Analysis and Relationship between Schemas and Symptoms. *Cognitive Therapy Research,* 2002, 26, pp. 512-530.

[32] G. Aahi, *Standardization of Young Schemas Questionnaire-Short Form: Study of Factor Structure among Tehran University Students,* The-sis submitted for the Master Degree, Allameh Tabatabaee University, Tehran, 2005.

[33] H. Hamidpour, "Cognitive Therapy and Current Misunderstandings", *Journal of Psychology and Educational Science,* Ferdosi University of Mashhad, 2001, 6(24), pp. 5-6.

[34] H.L. Barazandeh, *Study Communication Criteria and Early Maladaptive Schemas with Marital Adjustment,* Thesis Submitted for Master in Clinical Psychology, Ferdosi University of Mashhad, 2005.

[35] N. Collins, and S.J. Reed, "Adult Attachment, Working Models and Relationship Quality in Dating Couples", *Journal of Personality and Social Psychology,* 1990, 58(4), pp. 644-663.

[36] S. Pakdaman, "Study Relationship between Attachment and Socialism in Adolescence", *Research Journal of Dept. of Educational Science,* Tehran University, 2001.

[37] D.P. Goldberg, and V.F. Hillier, "A Scaled Version of General Health Questionnaire", *Psychological Medicine*, 1979, 9, pp. 131-145.

[38] N. Yaghoubi, M. Nasr, and D. Shah Mohammadi, "Study Epidemiology of Mental Disorders in Urban and Rural Areas of Some Sara City of Gilan", *Quarterly Journal of Thought and Behavior,* 1995, 1(55), pp. 54-64.

[39] P. Gibbons, H.F. Arevalo, and M. Monico, "Assessing of the Factor Structure and Reliability of the 28-Item Version of the General Health Questionnaire (GHQ-28) in Salvador EL", *International Journal of Clinical Health Psychology*, 2004, 4, pp. 389-398.

[40] A. Ebrahimi, H. Molavi, G. Mousavi, A.R. Bornamanesh, M. Yaghoubi, "Psychometric Characteristics, Factor Structure, Clinical Cutoff Point, Sensitivity and Features of General Health Questionnaire (GHQ-28) in Iranian patients of Psychiatric Disorders, *Journal of Behavioral Science Research,* 2007, pp. 5-12.

[41] H.A. Houman, *Standardization of Mental Health Questionnaire in Bachelor's Students of Tehran Tarbiyat Moalem University, Educational* Research Institute of Tarbiyat Moalem University, Tehran, 1997.

[42] N. Shams Alizadeh, J. Bolhari, and D. Shah Mohammadi, "Study Epidemiology of Mental Disorders of Rural Areas of Tehran State", *Journal of Thought and Behavior,* 2001, 25 & 26, pp. 19-21.

[43] R. Lotfi, et al., "Comparing Maladaptive Schemas in Patients of B-Clustered Personality Disorders and Normal People", *Research Journal of Military Medical Science University*, 2007.

[44] R. Kazemi, and S. Dideh Roshani, "Comparing Early Maladaptive Schemas and Mental Health in Drug Abusers and Normal People", *Journal of Iran Psychiatric Association,* 2010, 16(3).

[45] F. Shahamat, "Prediction of General Health Symptoms (Somatization, Anxiety and Depression) on the basis of Early Maladaptive Schemas", *Quar-*

terly Journal of Psychological Research, University of Tabriz, 2010, 20, p. 240.

[46] Abedi, *Study of Schema Therapy on Anxiety 3rd Grade Girl Students of Middle School,* Thesis Submitted for Master Degree, Allameh Tabatabaee University, Tehran, 2011.

[47] M. Calvete et al., "The Schema Questionnaire-Short Form: Structure and Relationship with Automatic Thoughts and Symptoms of Affective Disorders", *European Journal of Psychological Assessment*, 2005, 21(2), pp. 90-99.

[48] J.J. Cecero, M. Beitel, and T. Prout, *Exploring the Relationships among Early Maladaptive Schemas, Psychological Mindedness and Self-reported College Adjustment*, The British Psychological Society, 2008.

[49] E. Danesh, et al., "Relationship of Attachment Styles with Happiness and Conformity in Marital Problems in Female Married University Students", *Journal of Counseling Research,* 2005, 4(14). Pp. 69-90.

[50] A. Rahimian Bogar, "Relationship of Adult Attachment Styles with Job Satisfaction and Stress in Nurses", *Journal of Iran Clinical Psychology and Psychiatry,* 2007, 1(5).

[51] K. Aslani, et al., The Relationship between Attachment Styles with Family Function and General Health, *Quarterly Journal of Clinical Counseling and Psychotherapy,* 2012, 2(2).

[52] D. Hoseini, et al., "Relationship of Attachment Styles and Religious Coping Styles with Mental Health in HIV Patients", *Journal of Mental Health principles*, 2012, 14, pp. 5-6.

[53] M.H. Asayesh, *Attachment Styles and Mental Health in Student and Non-students Couples,* 6th National Seminar on Students' Mental Health, 2012.

[54] G. Armsden, and M.T. "The Inventory of Parent and Peer Attachment: Relationship to Well-being in Adolescent. *Journal of Youth and Adolescents,* 1987, 6(5), pp. 427-454, Available at http://home.sprynet.com/sprynet/schema/ysqs.htm.

[55] R.G. Heimberg, T.A. Hart, and F.R. Schneier, "Attachment in Individuals with Social Anxiety Disorder: The Relationship among Adult Attachment Styles, Social Anxiety, and Depression', *Journal of Emotion,* 2001, 1(4), pp. 365-80.

[56] A. Haaland, P. Vogel, G. Launes, S. Solem, J. Himle, "The Role of Early Maladaptive Schemas in Predicting Exposure and Response Prevention Outcome for Obsessive-Compulsive Disorder, *Behavior Research and Therapy,* 2011, 4(11), pp. 781-788.

[57] M. Camara, and M. Calvate, "Early Maladaptive Schemas Moderators of the Impact of Stressful Events on Anxiety and Depression in University Students, *Springer Science*, 2011, 34, pp. 58-68.

[58] J. Bowlby, *Attachment and loss*, Basic Books, New York, 1982, pp. 23-25.

Prediction of Depression on the basis of Attachment Styles and Perceived Family Environment on Adolescents

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Abstract: *The present research aimed to predict adolescents' depression on the basis of attachment styles and perceived family environment and to study the relationship between attachment styles and perceived family environment with adolescents' depression. The population comprised of the adolescents (girls and boys) aged 14-18 years of Tehran (Iran) in 2014-2015. Sample consisted of 400 students who were selected by random clustered sampling method. Collins and Read Attachment Styles Questionnaire, Moos and Moos Family Environment Scale and Coax Depression Inventory for Children and Adolescents were used. Results showed that there was a negative correlation between secure attachment style and a positive correlation between insecure and avoidant attachment styles with depression. On the other hand, there were significant correlation between components of family environment with depression. Results also show that attachment styles could predict 10 percent of adolescents' depression; and components of family environment could predict 12 percent of depression in adolescents.*

Introduction

Depression is one of the most prevalent disorders in adolescents. In recent years research and prevailing evidence represent the high prevalence and chronic trend of this disorder among children and adolescents. The prevalence of depression is reported 1% to 2% in children and 15% to 20% in adolescents [1]. The highest age of beginning of depression is between 15 to 18 year old [2]. Depression in childhood and adolescence could be the best predictor for depression in adulthood as well [3].

Noting the prevalence of depression in adolescents, effort to identifying the effective factors by researchers have special importance. In present research, the proportion of two variables viz. attachment styles and perceived family environment in prediction of depression of adolescents have been investigated.

The relationship between attachment styles and psychological pathology is one of the broad research areas in psychology. The main result of interaction between mother and child develops a kind of emotional attachment between them [4]. This attachment which represents an emotional bond between mother and child cause the child seeks the comfort in mother's presence, especially when she/he feels fearful and insecurity [5]. In the frame of developmental viewpoints which has psychoanalytical roots, attachment theorists believe that explanation of adulthood behaviors roots in childhood, with the difference that in their opinion

the human motivation inducts by innate behavioral systems. Reference [6] by performing a research which is known as unfamiliar situation, identified three kinds of attachments in children including: secure, avoidance insecure, and ambivalent insecure. On the basis of adult attachment theory [7], these patterns also continue through subsequent stages of development, viz. adolescence and adulthood and exhibited in interpersonal relationships. Researches also show the relationship between attachment styles and the ways of emotional expression and regulation [8]. Different attachment styles states that special styles of relationship and emotion regulation with regard to the form of attachment would be developed by infant which can adjust him/her with the ability of subsequent emotion regulation [9]. In this regard, secure attachment shows the highly adjustment of infant with proper emotion presented by mother and insecure attach-ment shows changing the attachment and emotional states of his / her attachment relationships [8]. Re-ference [10] reports a significant relationship between insecure attachment patters with disorders like depression and anxiety. Also, in another study, [11] showed that people without depression has secure attachment style and people with depression has ambivalent insecure attachment style. Reference [12] performed a research to study the relationship between attachment styles and anxiety of adolescents. Results of their study showed a significant positive relationship between anxiety and insecure attachment styles. In another research [13] concluded that people with avoidance insecure

attachment style have various problems in self-regulation behaviors.

Other than attachment styles, in the present research, the proportion of perceived family environment is being studied as well. Perceived family environment is a special pattern which established by family members and presented to children as criterion for social life [14]. Family, is the smallest and the most important social unit. This small but important social unit performs a crucial role in forming children's personality and also accomplish basic needs of individual and society and generally in their physical and mental needs. Personality of child, is affected directly by real behaviors of parents and is performed through the communication with them [15]. Educational factors including improper family patterns, lack of parent-child relationship, rejecting children, extreme support, emotional deprivation, extreme autonomy of child, parental unrealistic expectations and demands and loss of communication, maladjusted family structure such as inadequate, disintegrated, antisocial families, and primary psychopathology and emotional and mental instability of parents especially mother, and life stresses can be important factors in social adjustment [16]. Research show that family is the most important social factor in growth and cognitive development of child and most of the children's problems come from their families. The presence of perception on the basis of lack of affection, conflict and hostility has a crucial role on their mental health [17]. In general, adolescent's perception of their families mostly has a direct and solid relationship with his / her cognitive functioning [18].

In view of the prevalence of depression in adolescence performing researches in this field has special importance. Also, as various researches mentioned above show, attachment styles and family environment are related with various dimensions of mental health. Therefore, the most important problem of this research was: have the attachment styles and perceived family environment a significant proportion in predicting adolescents' depression?

1. Method

1.1. Statistical Population, Sample and Sampling Methods

The present research was descriptive and a correlational study. The statistical population consisted of adolescent boys and girls in the age range of 14 to 18 years old in Tehran-Iran in academic year of 2014-2015 who were studying at high school. To determine the sample size, according to Morgan's table with a population size of 150.000 students, 386 was estimated. To avoid the dropping of sample size, 400 students (half girls and half boys) were selected randomly from the population using clustered sampling method. At first, out of the 22 areas of Tehran, 5 area were selected randomly from north, south, east, west and center. Then, out of the high schools of each area 2 schools (1 for girls and 1 for boys) were selected and finally 3 classes of different ages from each school (total of 40 students) were chosen to attend the study.

1.2. Tests

1.2.1. Adult Attachment Styles Scale – Revised. This scale is constructed by Collins and Read [19] and includes self-evaluation of making relationship skills and self-description of ways of attachment relationship formation toward the closed attachment faces, and includes 18 items which would be scored on a 5-point scale from "not at all like me (1)" to "totally like me (5)". This scale measure three attachment styles viz. secure, avoidance insecure, and ambivalent insecure. Reference [19] showed that the subscales of this questionnaire in a time period of two months and even eight months are reliable and a Cronabach alpha was 0.80 and even more for these subscales; this questionnaire has high validity [20]. In the present research, the Cronabach alpha coefficient of the attachment scale is obtained to be 0.78.

1.2.2. Family Environment Scale. This scale which is established by Moos and Moos [21] to measure the social environment of family, consists of 90 "true-false" items, yielding 10 subscales which measure the three underlying sets of dimensions: (1) relationship dimension, which includes cohesion, expressiveness and conflict; (2) personal growth dimension (or goal-orientation), which includes independence, achievement orientation, intellectual-cultural orientation, active-recreational orientation, and moral-religious emphasis; and (3) system maintenance dimension, which includes organization and control. The relationship and system maintenance, primarily reflect internal family functioning, whereas the personal growth dimension primarily reflect the linkages between the family and the larger social context. Scoring will be done on the basis of a standard pattern. In a study on

Americans, with two, four and twelve month intervals, the test-retest reliability of the subscales ranged from 0.52 to 0.91 [21]. In a research in Iran, the reliability coefficients by test-retest method on 48 members belonging to 9 families in a time interval of 8 weeks for the ten subscales were found to range from a low of 0.68 for independent to a high of 0.86 for cohesion. In sum, the scale and its subscales have high content validity [22]. In the present research, the Cronabach alpha coefficient of the scale is obtained to be the average of 0.74.

1.2.3. Children and Adolescents Depression Inventory. This inventory is a self-measure of depression for the age range of 7 to 17 year which is constructed by Maria Coax in 1997. It has 27 items and each item has 3 sentences which are designed to assess depressive symptoms such as crying, suicidal thought and ability to concentrate on school tasks. Children and adolescents choose one of the 3 sentences which represents their feelings, thoughts and behaviors during two weeks. Scoring will be done from 1 to 2; 0 represents the lack of symptoms, 1 represents the average symptoms; and 2 represents obvious symptoms; therefore, the score rages from 0 to 54 and high score shows high depression. Performing the inventory takes less than 15 minutes time. It has been investigated by many researchers and its reliability and validity is confirmed in various researches. Positive test is a score of more than cut-point and negative test is a score of less than cut-point. In various researches, differrent cut-points have been 10 to 20. Obtained results of researches show that the best cut-point in general population is 20. In a research in Iran, to study the psychometric characteristics of this inventory by researchers, results show a proper internal consistency. The internal consistency of the subscales are 0.38 to 0.60. Noting the low number of items (4 to 6 items) this amount of internal consistency coefficient is acceptable. To study the reliability of the inventory and its subscales, researchers have used the Cronabach alpha and test-retest methods. The Cronabach alpha coefficient of the inventory is reported to be 0.83 and Cronabach alpha coefficient for subscales is 0.38 to 0.60.

1.3. Procedure

After selecting the sample group and performing the questionnaires, to describe the obtained data the methods of descriptive statistics (Mean and standard deviation) and to test the study hypotheses the methods of inferential statistics (Pearson correlation coefficient and concomitance regression analysis) were used.

3. Results

Descriptive indexes including mean and standard deviations of studied variables viz. depression, attachment styles and subscales of perceived family environment for the sample groups are presented in table 1.

Table 1: Mean and Standard Deviation of Depression, Attachment Styles and Subscales of Family Environment

Variables	Mean	SD
Depression	20.01	5.28
Secure Attachment	12.00	3.57
Avoidance Insecure Attachment	13.28	3.19
Ambivalent Insecure Attachment	14.18	5.97
Cohesion	5.55	1.79
Expressiveness	4.25	1.84
Conflict	3.54	1.88
Family Relationship	13.34	2.73
Dependence	5.16	1.67
Achievement Orientation	6.22	1.41
Intellectual-Cultural Orientation	4.69	1.82
Active-Recreational Orientation	4.47	1.97
Moral-Religious Emphasis	5.23	1.75
Family Personal Growth	25.85	4.86
Control	4.91	1.55
Organization	5.52	1.84
Family System Maintenance	10.43	2.64

To test the normality of variables, Kolmogorov–Smirnoff test for one sample has been used and the results are presented in table 2.

Table 2: Kolmogorov–Smirnoff Test for One Sample

Variables	Z	Sig.
Depression	1.10	0.15
Secure Attachment	1.20	0.09
Avoidance Insecure Attachment	1.25	0.09
Ambivalent Insecure Attachment	1.20	0.11
Cohesion	1.20	0.09
Expressiveness	1.10	0.17
Conflict	0.15	0.15
Family Relationship	1.20	0.11
Dependence	1.20	0.09
Achievement Orientation	0.11	0.11
Intellectual-Cultural Orientation	1.25	0.09
Active-Recreational Orientation	1.22	0.10
Moral-Religious Emphasis	1.20	0.11
Family Personal Growth	1.20	0.11
Control	1.10	0.17
Organization	0.15	0.15
Family System Maintenance	1.29	0.08

As the results of table 2 and obtained significance levels show, all subscales data are normal and to test the research variables the parametric tests can be used.

First Hypothesis: There is a significant relationship between attachment styles (secure, avoidance insecure and ambivalent insecure) with depression.

Table 3: Pearson Correlation Coefficients for Attachment Styles and Depression

Variables	Anxiety	Sig.
Secure Attachment	-0.18	0.01
Avoidance Insecure Attachment	0.20	0.01
Ambivalent Insecure Attachment	0.29	0.01

As table 3 shows, there was significant relationship between all attachment styles (secure, avoidance insecure, ambivalent insecure) with depression in 0.01 level. The relationship between secure attachment style with depression was negative (or reverse) and between avoidance insecure attachment style and ambivalent insecure attachment style with depression is positive (or direct).

Second Hypothesis: Adolescents' depression can be predicted on the basis of attachment styles.

Noting the significance of the relationship between attachment styles and depression, to determine the proportion of attachment styles in prediction of depression the regression analysis has been used.

Table 4: Concomitance Regression Analysis of Depression (Criterion Variable) with Attachment styles

Predictive Variable	β	Constant Value	R²	t	Sig.
Secure	-0.07	15.44	0.10	-1.49	0.13
Avoidance Insecure	0.15			3.04	0.002
Ambivalent Insecure	0.22			3.09	0.001

Noting the results of table 4, avoidance insecure and ambivalent insecure attachment styles were predictors of depression of adolescents, but secure attachment style have no significant proportion in predicting depression. Results of concomitance regression analysis show that R square of attachment styles was 0.10; in other words, the components of attachment styles can explain 10% of the variance of depression. The standard coefficient (β) shows

the effect size of each variable on the criterion variable.

To test the significance of regression, analysis of variance (table 5) was used. Noting the obtained F value (15.37) and reported significance level, it can be concluded that the obtained regression is significant.

Table 5: Analysis of Variance for Attachment Styles with Depression

Source	SS	df	MS	F	Sig.
Regression	1130.23	3	376.74	15.37	0.001
Residual	96.04	396	24.50		
Total	10735.0	399			

Third Hypothesis: There is a significant relationship between subscales of perceived family environment with depression.

Table 6: Pearson Correlation Coefficients for Subscales o Family Environment and Depression

Variables	Anxiety	Sig.
Cohesion	-0.25	0.01
Expressiveness	-0.01	0.00
Conflict	0.28	0.01
Family Relationship	-0.01	0.00
Dependence	-0.04	0.00
Achievement Orientation	0.06	0.00
Intellectual-Cultural Orientation	-0.02	0.00
Active-Recreational Orientation	0.17	0.01
Moral-Religious Emphasis	0.01	0.00
Family Personal Growth	0.06	0.00
Control	0.11	0.05
Organization	-0.06	0.00
Family System Maintenance	0.06	0.00

As table 6 shows, there was significant correlation between cohesion, conflict, and control with adolescents' depression; but there was not found any significant correlation between other subscales of family environment with depression.

Fourth Hypothesis: Adolescents' depression can be predicted on the basis of subscales of perceived family environment.

Noting the significance of the relationship between subscales of family environment and depression, to determine the proportion of all the subscale in prediction of depression the regression analysis has been used.

Table 7: Concomitance Regression Analysis of Depression (Criterion Variable) with Family Environment

Predictive variable	β	Constant value	R²	t	Sig.
Cohesion	-0.12	20.14	0.12	-2.19	0.02
Conflict	0.23			4.52	0.001
Active-Recreational Orientation	-0.11			-2.30	0.02
Control	0.05			-1.20	0.22

Noting the results of table 7, subscales of cohesion, conflict, and active-recreational orientation have significant proportion in predicting depression; and other subscales of family environment had no significant proportion in predicting depression. Results of concomitance regression analysis show that R square for combination of subscales of perceived family environment was 0.12; in other words, these components can explain 12% of the variance of depression. The standard coefficient (β) shows the effect size of each variable on the criterion variable.

Table 8: Analysis of Variance for Subscales of Family Environment with Depression

Source	SS	df	MS	F	Sig.
Regression	1380.01	4	345.00	13.96	0.001
Residual	9759.94	395	22.70		
Total	73670.7	399			

To test the significance of regression, analysis of variance was used. Noting the obtained F value (13.96) and reported significance level, it can be concluded that the obtained regression is significant.

3. Discussion

The aim of present research was to determine the proportion of attachment styles and perceived family environment in predicting the depression of adolescents. Results of correlation and regression analyses showed that: (a) the relationship between secure attachment styles with depression was negative and between avoidance insecure and ambivalent insecure attachment styles with depression was positive. (b) Also, attachment styles had significant proportions in predicting the depression of adolescents and results of concomitance regression analysis showed that these variables explain 10% of variance of depression in adolescents.

This finding of the first research hypothesis can be considered to be consistent with the results of previous researches. References [23] and [24] showed that samples who have secure attachment have less interpersonal problems in comparison to samples who have insecure attachment styles. Also, the problems of samples with avoidance insecure attachment styles are less than that of samples with ambivalent insecure attachment style. In another research, [16] showed that people without depression have secure attachment style and people with depression have ambivalent secure attachment style.

Reference [10] reported significant relationship between insecure attachment styles with disorders such as depression and anxiety. Reference [12] performed a research with the aim of studying the relationship between attachment styles and anxiety in adolescents. Results showed that there is a positive significant relationship between insecure attachment styles and anxiety.

People with secure attachment style, have close relationship with others, they assure that in their communication with others and also while external anxious situations they are accessible. These people are also satisfied with their adulthood relationships and have various ways of dealing with life's conflicts, they are less alert and are less fearful about being rejected from others and attempt to correlate secure attachment features with their physical health. Secure adults in comparison to others are more comfortable and can be closed to other people easier, they feel relaxed while are attached to them, or they are attached to them. They are not often worried about being rejected or being closed to others. They are able to trust to others and know themselves lovable and worthy. Also, secure adults have self-confidence, social skills and ability to make close and emotional stable and satisfactory relationships [25]. Therefore, viewing the mentioned issues it can be expected that people with secure attachment style experience less anxiety in adolescence.

People with insecure attachment styles are not very comfortable in making close relationships with others. It is very difficult for them to trust others or let themselves to be attached to others [26]. People who have this style of attachment, have variable behaviors and emotions to whom they are attached, they get attached to them extremely and are worried to be rejected and left by others, they are vulnerable to mistrust in relations, in spite of hazards of

making close and warm relations, they eager to make such relations and may improperly turn to warm self-manifestations, they fall in love soon and have repeated dander and reconciles and more than others have failures in love. Ambivalent insecure adults find that others do not tend to be warm with them as they wish and mostly are worried that their spouse does not really love and want them [7]. So, it could be expected that adolescents with avoidance insecure attachment and ambivalent insecure attachment styles experience more anxiety.

(C) Obtained findings of correlational analyses showed that there was a significant correlation between cohesion, conflict, active-recreational orientation, and control subscales of family environment with adolescents' depression. (D) Also, results of regression analysis showed that cohesion, conflict, and active-recreational orientation subscales of family environment have significant proportion in predictting depression. Results of concomitance regression analysis showed that R square for combination of components of perceived family environment is 0.12; in other words it can explain 12% of variance of depression.

In most researches done in the field of relationship between family environment and depression, it is hardly mentioned about the subscales and in most researches the total perceived family environment has been considered. One of the researches which has noticed the relationship of subscales of family environment with different dimensions of psychology is a study by [23] which has investigated the effect of family environment on neurotic tendencies of children. Findings showed that there is a significant negative relationship between neurotic tendencies with cohesion and expressiveness of family; a significant positive relationship between neurotic tendencies and conflict of family and in family personal growth dimension, there is a significant positive relationship between neurotic tendencies with achievement orientation.

Research has shown that family dynamics is one of the most important factor which affects the healthy development of children. Family positive functionning could modify the effects of other factors on children development, such as family income and family structure [27]. Researches show that family functioning system and parental behavior both are related with adolescent mental health [28]. Culture affects the child rearing strategies and developing

emotions and self-concept, which are all the key components of adolescent life.

It is been a long time that child rearing styles are known as a crucial role in developing competences and problematic behaviors in children and adolescents. In spite of that, recently the researchers have considered to understand the differences of child rearing in various cultures and the way it is related to psychological consequences of children and adolescences [24].

Researches in the field of child psychopathology state that most of the families use undesirable discipline methods which would be the basis of fear, mistrust, dissatisfaction, pessimism and anxiety in their children. Parents who are insecure, instable and have lack of security in their communications, do not coincide in child rearing, use parenting styles consist of rejection, extreme support with condo-nation or dominance, double discipline, weakness in moral standards, illogical perfectionism and anger and emotional instability, they settle the neurotic behavior in their children and provoke children to need more emotional and sentimental, and in such situations miscarry the feelings of trust and security which is a basis of emotional development [29].

Noting the results of the present research, it is suggested to future researchers that noting the relationship between attachment styles and perceived family environment in prediction of adolescents' depression, perform studies in therapeutic methods of modifying the avoidance insecure attachment and ambivalent insecure attachment styles and also develop healthful and growing emotional environment for adolescents.

References

[1] R.C. Kessler, S. Avenevoli, and K.R. Meri-kangas, "Mood Disorders in Children and Adolescents: An Epidemiologic Perspective", *Biological Psychiatry,* 2001, 49, pp. 1002-1014.

[2] B.L. Hankin, L.Y. Abramson, T.E. Moffitt, P.A. Silva, R. McGee, and K.E. Angel, "Development of Depression from Preadolescence to Young Adulthood: Emerging Gender Differences in a 10-year Longitudinal Study", *Journal of Abnormal Psychology*, 1998, 107 (1), pp. 128-140.

[3] J. Kim-Cohen, A. Caspi, T.E. Moffitt, H. Harrington, B.J. Milne, and R. Poulton, "Prior Juvenile Diagnoses in Adults with Mental Disorder: Developmental Follow-back of a Prospective-Longitudinal Cohort", *Archives of General Psychiatry*, 2003, *60*(7), pp. 709-717.

[4] J. Bowlby, *Attachment*, Basic Book, New York, 1969.

[5] M.D.S. Ainsworth," Attachment beyond Infancy", *American Psychologist*, 1989, 44, pp. 709-716.

[6] M.D.S. Ainsworth, et al. *Patterns of Attachment: A Study of the Strange Situation,* Eribaum, Oxford UK, 1978.

[7] M. Mikulincer, and P.R. Shaver, *.Attachment Patterns in Adulthood: Structure, Dynamics and Change*, Guilford, New York, 2007.

[8] P. Vrtička, D. Sander, and Vuilleumier, "Influence of Adult Attachment Style on the Perception of Social and Non-Social Emotional Scenes", *Journal of Social and Personal Relationships,* 2012, 29(4), pp. 530-544.

[9] D.A. Richards, and R.D. Hackett, "Attachment and Emotion Regulation: Compensatory Interactions and Leader–Member Exchange", *Leadership Quarterly,* 2012, 23(4), pp. 686-701.

[10] F.G. Lopez, A.M. Mauricio, B. Gormley, T. Simko, and E. Berger, "Adult Attachment Orientations and College Students Distress", *Journal of Counseling Development,* 2002, 49(4), pp 460-467.

[11] M. Ahmadi, Z. Danesh Pour, and L. Karimi, "The Relationship between Attachment Styles and Depression in University Students", *Journal of Medical Science and Therapeutic Services,* Sabzevar, 2011, 18(3).

[12] L. Vulliez-Coady, C. Vidal, A. Vivot, J. Monnin, S. Nezelof, and A. Bifulco, "Anxiety and Hospitalization in Adolescence: Relations to Attachment Style and Parental Support. *Psychiatria Danubina,* 2013, 25, pp. 135-142.

[13] J.D. Jones, B.E. Brett, K.B. Ehrlich, C.W. Lejuez, and J. Cassidy, "Maternal Attachment Style and Responses to Adolescents' Negative Emotions: The Mediating Role of Maternal Emotion Regulation", *Parenting,* 2014, 14(3-4), pp. 235-257.

[14] R.H. Moos, and B.S. Moos, "Family Environment Scale", *Handbook of Measurements for Marriage And Family Therapy*, 2013, 82.

[15] K. Dhillon, K. *Attention Deficit Hyperactivity Disorder in School Children: Prevalence and Family Environment Risk Factors.* Unpublished Ph.D. Thesis, Panjab Universirty, Chandigarh, India, 2005.

[16] S. Adachi, Y. Amasaki, S. Miyatake, N. Arai, and M. Iwata, "Successive Expression and Activation of Neat Family Members during Thymocyte Differentiation", *Journal of Biological Chemistry,* 2000, 275(19), pp. 14708-14716.

[17] D. Gorman-Smith, P.H. Tolan, and D.B. Henry, "A Developmental-Ecological Model of the Relation of Family Functioning to Patterns of Delinquency", *Journal of Quantitative Criminology*, 2000, 16(2), pp. 169-198.

[18] E. Millikan, M.Z. Wamboldt, and J.T. Bihun, "Perceptions of the Family, Personality Characteristics, and Adolescent Internalizing Symptoms", *Journal of the American Academy of Child and Adolescent Psychiatry*, 2002, *41*(12), pp. 1486-1494.

[19] N.L. Collins, and S.J. Read, "Adult Attachment, Working Models, and Relationship Quality in Dating Couples", *Journal of Personality and Social Psychology,* 1990, 58(4), pp. 644.

[20] S. Pakdaman, S. "Relationship between Attachment and Socialism in Adolescence", Ph.D. Thesis of Psychology, Tehran University, Iran, 2001.

[21] R.H. Moos, and B.S. Moos, *Family Environment Scale Manual*, (2nd ed.), Consulting Psychologists Press, Palo Alto, CA, 1994.

[22] P. Farokhzad, "Effect of Family Environment on Neurotic Tendencies of Children", *Journal of Thought and Behavior*, 2008, 3(9).

[23] Z. Andouz, and H. Hamid Pour, "The Relationship between Basic Maladaptive Schemas, Attachment Styles and Marital Satisfaction", Paper

presented at 2nd Congress of Family Pathology in Iran, Shahid Beheshti University, 2005, pp. 25-29.

[24] M.A. Besharat, M. Goli Nejad, and A.A. Ahmadi, "Study of Relationship between Attachment Styles and Interpersonal Problems", *Journal of Thought and Behavior*, 2006, 8(4).

[25] C. Hazan, and P.R. Shaver, "Romantic Love Conceptualized as an Attachment Process, *Journal of Personality and Social Psychology*, 1987, 52, pp. 511-524.

[26] J. Parker, *"Attachment and Adult Psychotherapy"*, *Clinical Social Work Journal*, 2002, 30, p. 271.

[27] Schaffer, M. E. (1998). Do firms in transition economies have soft budget constraints? A reconsideration of concepts and evidence. *Journal of Comparative Economics*, *26*(1), 80-103.

[28] Muris, P., Roelofs, J., Rassin, E., Franken, I., & Mayer, B. (2005). Mediating effects of rumination and worry on the links between neuroticism, anxiety and depression. *Personality and Individual Differences*, Academic Research Library, *39*(6), 1105-1111.

[29] S.J. Sadrosadat, H. Shams Esfandabad, and S. Emami Pour, "Comparing Parenting Styles and Family Functioning in Mismanaged Families, Families with Behavioral Disorders, and Normal Families"*, Journal of Medical Science,* University of Shahr-e-kord, 2005, 7(2), pp. 43-49.

Effectiveness of Problem-Solving Skills Training on Social Adjustment of High School Students

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Abstract: *The study aimed to evaluate the effectiveness of problem-solving skills training on social adjustment and its different dimensions on high school students in 2014-2015. It was a semi-experimental study and pre-test post-test design with control group. A sample of 320 students was selected from high school students of 4th area of Karaj city (Iran) by random clustered sampling method. After screening, 30 students who were low in adjustment were selected and assigned randomly to experimental and control group. The California social adjustment inventory was used to collect data. After performing it as a pre-test, 6 sessions of training of the problem- solving skills were done on experimental group and thereafter both the groups were performed the post-test and obtained results were analyzed. Results showed that problem-solving skills training could improve the social adjustment of experimental group in post-test in comparison with pre-test. Details are discussed.*

Introduction

Social adjustment is a mental state which is related with various internal and external variables and could be consisted of lack of disease to feelings of satisfaction and pleasure in life. The importance of social adjustment has been shown in various studies; as the people who have higher social adjustment, experience more positive emotions and more precise evaluations of events around them, feeling of restraint and higher control and more academic achievement and satisfaction of life, and finally have healthier immune system and higher creativity. Ferish believed that study of people's adjustment and societies and its improvement is the biggest challenge of human being after improvement and achievement in technology, medical science and fortune which itself leads to better function in life. Therefore it's better for today's intervention to concentrate on modification and improvement of people's adjustment in social life and developing capabilities and satisfaction of life in them.

Social adjustment reflects the interaction of an individual with others, satisfaction of his/her roles and the way he/she functions in those roles which mostly is affected by previous experiences, culture and family expectations. Generally social adjustment is conceptualized with the terms such as social roles, role function, dealing with others and satisfaction of a person in various roles [1].

Specialists believe that adjustment is an organism tendency to change its activities to adapt to environment which in fact is considered as a response to environment changes. This feature of an individual's interaction and adjustment with other individuals and worth structures, is a kind of social skill which provide the interaction of his /her bonds and fits with others and worth dimensions of a society in which he/she is living. With regards to this definition, physiological adjustment and social adjustment should be distinguished; because if satisfaction of needs become impossible for organism, the survival of organism would be at risk but unlike physiological needs, if social adjustment could not be satisfied, there would not be any biological disturbance for organism but would make its behaviors maladaptive [2].

Psychological characteristics of human being have many relations with their social circum-stances in minor and major levels. Social changes and evolutions have strong influence on psychological characteristics of human being espe-cially in adolescence period in inner and outer le-vels of families. Socialization is a mutual process of relationship between individual and society. Therefore, it has been considered as a complex flow which has various dimensions and aspects such as achieving social skills, how to commu-nicate with other people, and social adjustment [3].

A variety of factors influence personal and social adjustment which various educational, psycho-logical and sociological theories and approaches have insisted on it. Although many theoretical and experimental efforts have been done for

identifying the related factors of social adjusttment, however these efforts hardly consider identifying belief systems, values, customs and conventions and individuals attitude to their personal and social adjustment and mostly have considered the general population without much regards to populations like students. It is when various researches have shown that many unfavorable factors such as anxiety, tension, distress, lack of self-confidence, personal and social adjustment and educational function threaten the students and not only cause most of them not to achieve their education courses well-timed, but leads to mental tension in them and provoke a kind of worry, emotional instability and even some mental problems and intensively adventure there psychological and social adjustment [4].

In various researches it has been shown that training the different methods of problem-solving is significantly related with general health, depression, anxiety, achievement motivation, psychological distress, stress and psychological adjusttment in adolescents [5] [6] [7] [8] [9] [10].

Many researches have been performed to study the relationship between methods of problem solving and psychological variables such as general health [11] [12] [13], conflict solving [14], depression [15], anxiety, anger and aggression [16], and self-esteem [17] [18] [19]. Most of these researches shown that learning effective methods of problem-solving had positive effects on reduction of psychological disturbances, improving general health and reduction of communication and behavioral problems.

References [2] [14] [20] [21] believed that people with constructive methods of problem-solving can easily control their emotions such as anxiety, frustration, anger and aggression which leads to communication impairments; but people with unconstructive methods of problem-solving lack these skills and abilities.

Studies done by [8] [22] [23] shoed that the therapeutic method of problem-solving significan-tly can improve depression and aggression in adolescents and even this improvement is tran-smitted to their mothers.

Therefore, in view of the mentioned research literature, the aim of present research was to determine the effectiveness of problem-solving skills training on social adjustment and its dimensions viz. social frames, social skills, antisocial ten-

dencies, family relationships, school relationships and social relationships in high school students. So, the researcher was meditated to study whether training of problem-solving skills could help to improve the social adjustment and its dimensions in high school students?

1. Method

1.1. Statistical Population, Sample and Sampling Method

The statistical population of present study consisted of high school boys students of Karaj city (Iran) in academic year of 2014-2015. Sampling was done through clustered random sampling method. First, out of multiple areas of Karaj, 4th area was selected randomly as the first cluster. Then after determining the number of boys' high schools, 4 schools were chosen randomly. Finally, out of the students of those schools, a sample of 320 (using Cochran sampling formula) were selected and were performed the social adjustment inventory and demographic questionnaire. In the next step, out of these sample group, 30 students who had lowest scores in social adjustment invent-tory and after interviewing with their parents and teachers, were identified and assigned randomly in two groups of experimental and control.

1.2. Tests

1.2.1. Demographic Questionnaire. This questionnaire consisted of open and closed questions about physical and mental problems background of the person and his/her family, socio-economic status and family income.

1.2.2. California Social Adjustment Inventory. This inventory is constructed by Gough [24] which the social section of it has 90 items to determine the social adjustment. It has six subscales: social frames, social skills, antisocial tendencies, family relationships, school relationships and social relationships. It will be answered in a "yes/No" format and scored according to scoring key of the subscales (1 for correct and 0 for wrong responses). The summation of 15 items for each subscale would be the score of that subscale. The validity of the inventory is confirmed by judgment of teachers, principals and students' reaction and there is no experimental evident for that. In Iran a study [25] has been done on students of Tehran University and internal consistency of the inventory by half-split correlation and Cronabach

alpha for subscales of social adjustment are reported from 0.87 to 0.90 which show that all items of six subscales have acceptable internal consistency. Before calculating reliability of the inventory, its constructive and content validity have been confirmed by university teachers in the field of social adjustment. Also, another study [26] on students of Karaj city has obtained the Cronabach alpha of the questionnaire to be 0.84 and confirmed the constructive validity using factor analysis of subscales.

1.3. Procedure

This research was an applied study and a quasi-experimental research (pre-test post-test with control group). After selecting the sample group the steps for conducting research were as follow:

Pre-test: Before conducting the therapeutic intervention, the California social adjustment inventory was presented to sample groups to be completed.

Intervention: The therapeutic intervention was conducted on experimental group for 6 sessions, while control group did not received any intervention.

Post-test: One week after therapeutic intervention, again both the groups were give the California social adjustment inventory to be completed.

The sessions of intervention included:

Session 1: Introducing the concepts of personal and social adjustment, self-awareness and process of problem-solving

Session 2: Sensitizing the students about their problems and identifying them

Session 3: Identifying primary feelings and orientation which includes the stage of ability to recognize problem, accepting it as a potential, natural, changeable and open to struggle, believing that problem-solving framework is a proper way of coping with problems, high self-efficacy expectations to perform model stages, habituation of thought stopping, and then making effort to solve a problem which is contradicting with acting rashly or frustrating and quitting the cope with problems

Session 4: Defining and formulating problem, representing proper remedies through determining a spectrum of probable responses and possibility of most effective response among the other responses

Session 5: Decision and performing the remedies

Session 6: Review and evaluation of the groups

In next section, after collecting data, for being confident of consistency of variances, after primary matching of the two groups of experimental and control, the Kolmogorov-Smirnoff test has been used. Then to analyze obtained data descriptive statistics method (mean and standard deviation) and inferential statistics method (covariance analysis) have been used.

2. Results

Mean and standard deviation of both the groups in social adjustment and its dimension on the two steps of pre-test and post-test are presented in table 1.

Table 1. Mean and SD of the Two Groups in Social Adjustment and its Dimensions

Variables	Experimental		Control	
	Mean	SD	Mean	SD
Social Adjustment Pre-test	57.47	8.44	53.92	9.41
Social Adjustment Post-test	65.58	7.55	50.07	5.23
Social Frames Pre-test	10.13	1.50	8.46	2.22
Social Frames Post-test	12.80	1.74	8.76	2.65
Social Skills Pre-test	8.06	1.79	9.07	2.39
Social Skills Post-test	10.26	1.75	8.76	1.58
Antisocial Relations Pre-test	12.73	1.62	9.53	2.29
Antisocial Relations Post-test	9.13	1.12	8.23	2.24
Family Relations Pre-test	9.80	1.56	9.69	1.88
Family Relations Post-test	12.26	1.38	9.46	1.12
School Relations Pre-test	7.73	2.05	8.38	2.10
School Relations Post-test	9.80	1.74	6.76	2.10
Social Relations Pre-test	9.46	1.59	8.76	2.04
Social Relations Post-test	11.93	1.83	8.07	1.65

In this section before studying the research hypotheses, the pre-assumptions of covariance analysis

has been considered. One of the most important pre-assumptions of covariance is normality of the variables. In the present research, to study the normality of distribution of the scores, Kolmogorov- Smirnoff test and variance consistency have been used and the results are present as follow.

Table 2. Statistical Indexes to Study Normality of Distribution of Scores in total Sample

Variables	Variance	S	K
Social Adjustment Pre-test	79.2	-0.32	-0.70
Social Adjustment Post-test	103.9	-0.10	-1.32
Social Frames Pre-test	4.1	-1.11	-0.90
Social Frames Post-test	9.1	-0.63	-0.27
Social Skills Pre-test	3.9	-0.29	1.14
Social Skills Post-test	3.1	-0.05	-0.68
Antisocial Tendencies Pre-test	6.6	-0.59	1.33
Antisocial Tendencies Post-test	2.9	-1.45	3.21
Family Relations Pre-test	2.8	-0.67	-0.30
Family Relations Post-test	3.9	-0.08	1.00
School Relations Pre-test	4.0	0.22	0.08
School Relations Post-test	4.5	0.36	-0.81
Social Relations Pre-test	3.2	-0.98	0.29
Social Relations Post-test	6.3	-0.17	-0.67

As the skew and kurtosis of the variables are in the range of -2 to +2, then probably the distribution is normal.

Obtained results of Kolmogorov-Smirnoff Test are shown in table 3 in which the observed significance levels of all variables are more than critical amount of 0.05; so it could be stated that distribution of scores are normal and to analyze the research data and to test the hypotheses, covariance analysis could be used.

Table 3. Results of Kolmogorov-Smirnoff Test to Study Normality of Distribution of Scores

Variables	Mean	SD	K-S	Sig.
Social Adjustment	55.93	8.90	0.74	0.63
Social Frames	9.50	2.02	1.00	0.19
Social Skills	8.46	1.97	0.65	0.78
Antisocial Tendencies	11.43	2.58	1.27	0.07
Family Relations	9.80	1.68	1.06	0.20
School Relations	8.00	2.00	0.73	0.66
Social Relations	9.20	1.78	1.03	0.23

To study the consistency of variance of experimental group, Levine test is being used. Results are presented in the following table:

Table 4. Results of Levine Test to Study Consistency of Variances

Variables	Levine	df 1	df 2	Sig.
Social Adjustment	0.23	1	28	0.633
Social Frames	2.01	1	28	0.166
Social Skills	0.52	1	28	0.476
Antisocial Tendencies	1.49	1	28	0.232
Family Relations	0.34	1	28	0.562
School Relations	0.08	1	28	0.778
Social Relations	1.33	1	28	0.258

Obtained data in table above show the consistency of group variances. If the significance level of Levine test is more than 0.05, it could be stated that group variances are consistent. Considering the results of the table, it could be concluded that group variances in all variables are consistent.

Main Hypothesis: Problem-solving skills training can increase social adjustment of students.

Table 4. Summary of Covariance for the Two Groups in Social Adjustment

Source	df	F	Sig.	Eta
Interaction Effects	1	29.95	0.000	0.526
Test steps	1	94.74	0.000	0.778
Groups	1	120.17	0.000	0.817

The obtained results of table 4 show that the mean scores of social adjustment of experimental group in post-test is more than pre-test and this differrence is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly increase the amount of social adjustment. As the observed F (94.74) in significant level of 0.000 is smaller than 0.01, then the research hypothesis indicating the influence of intervention on social adjustment has been confirmed with confidence level of 0.99 and probable error of 0.01.

Hypothesis 1: Problem-solving skills training can decrease the social frames of students.

The obtained results of table 5 show that the mean score of social frames of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly decrease the amount of social frames. As the observed F (71. 42) in significant level of 0.001 is smaller than

0.01, then the research hypothesis indicating the influence of intervention on social frames has been confirmed with confidence level of 0.99 and probable error of 0.01.

Table 5. Summary of Covariance for the Two Groups in Social Frames

Source	df	F	Sig.	Eta
Interaction Effects	1	1.61	0.215	0.056
Test steps	1	71.42	0.000	0.726
Groups	1	24.74	0.000	0.478

Hypothesis 2: Problem-solving skills training can increase the social skills of students.

Table 6. Summary of Covariance for the Two Groups in Social Skills

Source	df	F	Sig.	Eta
Interaction Effects	1	22.89	0.000	0.459
Test steps	1	5.82	0.023	0.177
Groups	1	29.25	0.000	0.520

The obtained results of table 6 show that the mean score of social skills of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtain-ned results of covariance show that the given intervention could significantly increase the amount of social skills. As the observed F (5.82) in significant level of 0.023 is smaller than 0.05, then the research hypothesis indicating the influence of intervention on social skills has been confirmed with confidence level of 0.95 and probable error of 0.05.

Hypothesis 3: Problem-solving skills training can decrease antisocial tendencies of students.

Table 7. Summary of Covariance for the Two Groups in Antisocial Tendencies

Source	df	F	Sig.	Eta
Interaction Effects	1	28.55	0.000	0.510
Test steps	1	25.93	0.000	0.490
Groups	1	63.85	0.000	0.700

The obtained results of table 7 show that the mean score of antisocial tendencies of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly decrease the amount of antisocial tendencies. As the observed F (25.93) in significant level of 0.000 is smaller than 0.00, then the research hypothesis indicating the influence of intervention on antisocial tendencies has been confirmed with

confidence level of 0.99 and probable error of 0.01.

Hypothesis 4: Problem-solving skills training can increase family relations of students.

The obtained results of table 8 show that the mean score of family relations of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly increase the amount of family relations. As the observed F (11 .32) in significant level of 0.002 is smaller than 0.01, then the research hypothesis indicating the influence of intervention on family relations has been confirmed with confidence level of 0.99 and probable error of 0.01.

Table 8. Summary of Covariance for the Two Groups in Family Relations

Source	df	F	Sig.	Eta
Interaction Effects	1	18.96	0.000	0.410
Test steps	1	11.32	0.002	0.290
Groups	1	36.71	0.000	0.570

Hypothesis 5: Problem-solving skills training can increase school relations of students

Table 9. Summary of Covariance for the Two Groups in School Relations

Source	df	F	Sig.	Eta
Interaction Effects	1	22.14	0.000	0.451
Test steps	1	1.28	0.268	0.045
Groups	1	29.49	0.000	0.522

The obtained results of table 9 show that the mean score of school relations of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly increase the amount of school relations. As the observed F (1. 28) in significant level of 0.268 is smaller than 0.05, then the research hypothesis indicating the influence of intervention on school relations has not been confirmed with confidence level of 0.99 and probable error of 0.05.

Hypothesis 6: Problem-solving skills training can increase social relations of students

Table 10. Summary of Covariance for the Two Groups in Social Relations

Source	df	F	Sig.	Eta
Interaction Effects	1	21.05	0.000	0.517
Test steps	1	7.04	0.000	0.052
Groups	1	25.02	0.000	0.614

The obtained results of table 10 show that the mean score of social relations of experimental group in post-test is more than pre-test and this difference is trivial in control group. Also, considering the obtained results of covariance show that the given intervention could significantly increase the amount of social relations. As the observed F (7.04) in significant level of 0.000 is smaller than 0.01, then the research hypothesis indicating the influence of intervention on social relations has not been confirmed with confidence level of 0.99 and probable error of 0.05.

3. Discussion

The present research was aimed to determine effect of problem-solving skills training on increasing social adjustment in high school students of Karaj city. Obtained results of the research showed that problem-solving skills training could increase social adjustment of students. These results are consistent with the results of the previous researches [13] [27] [28] [29] [30] [31] [32] [33]. Another research [8] showed that impairment in problem-solving skills are significantly related with depression and frustration. An intervention based on training of problem-solving skills can have influential effect on improving such problems. The other researches [9] [33] represented that Creative problem-solving methods are significantly related with beliefs and well-being orientation. But there was not found any significant positive relationship between problem-solving methods of frustration, management (control) and avoidance with personal well-being. The negative relationship between problem-solving method of frustration and general health represent that people in problematic situations, have feelings of helpless and loneliness, have less general health, are vulnerable to various mental disorders. References [9] and [14] in there research found that problem-solving skills training is effective in reducing depression and tension. Reference [7] also showed that relaxation training, self-control training and problem-solving training have influential effects on treatment of an 18 year old adolescent who had lost one of his parents. In another study also [34] it is concluded that problem-solving skills training can be effective as a short term therapeutic intervention in depression. It is obvious that improvement of depression is accompanied with increasing the level of social adjustment and improving the level of operation. The study of [17] which has investigated the relationship between problem-solving skills and psychological health of university students, concluded

that there is a significant relationship between the mentioned variables. The results of that research have shown that confidence in problem-solving and ability in it have the most relationship with mental health.

Although the volume of researches done on investigating the effectiveness of problem-solving as a therapeutic approach is small, but all mentioned researches are along with the effect of this therapeutic approach or comparing its effect with other therapeutic researches on logical functioning and increasing attention and this is when components such as proper mood and adaptation with inner and outer environment, having logical function and having attention and concentration toward around environment, are a part of social adjustment. Studies shown that insufficient skills in problem-solving itself increase the problems of individual's social adjustment and cause tension in circumstances. The ability of problem-solving in a proper manner can reduce the intensity of stress. This therapeutic effect is a simple process which could be learned and be trained. In the process of problem-solving training, the person learns to define the problem precisely, then evaluate the various remedies of the problem, and select the most influential remedy; this capability leads to self-confidence and more feelings of worth-fullness and reduce the frustrations of unsolving daily problems.

Based on the research literature in the present study, "problem-solving" is a cognitive-behavioral process which would be directed by individual itself and with the help of that, the individual tries to find effective or adjusted remedies for solving his/ her daily problems. Therefore, problem-solving is a conscious, logical, and purposeful process. Knowing benefits and mental and social effects of problem-solving and preventive factors of problem-solving have rightful effect on achieving the power of adjustment and researches done on the role of problem-solving on adjustment state that adolescents and adults who possess the sufficient ability of reasoning and problem-solving, have better adjustment and mental health.

In the sample of present research who were high school students, certainly with regards to the needs of this age period in one hand, and the problems of changes in educational level on the other hand, there would be many challenges and tensions. Thus, training of these skills as expected, would help to enrichment of their behavior and increasing adjustment. Some of the

evaluations proved that attending the sessions of problem-solving skills training leads to develop self-esteem. According to a theory, self-esteem can strengthen motivation and increase the flexibility of changes and improve the positive attitudes toward achieving self-efficacy feeling. In another same research, results showed that problem-solving skills leads to increasing social support and efficacy feeling which is the importance of this program. Therefore, problem-solving should be learned and practiced beside the other skills so that the individual would have the ability of applying adjusted coping responses.

As this research has been done in the area of behavioral and human science, it has some limitations such as limited sample with regard to age and area, and also participating normal people in the study. Therefore, it is suggested that considering these issues in future researches, the obtained results would be applied in training parents for rearing children and to be considered by specialists in counselling and psychotherapy as well.

References

[1] A.B. Beeder, and B.R. Millman, *Patient with Psychopathology*, In J.H. Lowinson, P. Ruiz, R. B. Millman, and I.G. Langrod (Eds). Substance Abuse: A Comprehensive Text book, pp. 551-562, Williams and Wilkins, Baltimore, Maryland, 1997.

[2] R.T. Elliott, E. Sherwin, W.S. Harkins, and C. Marmarosh, "Self–appraised Problem–solving Ability, Affective States, and Psychological Distress", *Journal of Counseling Psychology*, 1995, 42, pp. 105-115.

[3] S. Naziri, *Personality Development and Mental Health,* Parents and Teachers Association Publication, Tehran University, 2009.

[4] A. Eslami Nasab, *Psychology of Adjustment,* Bonyad Publishing Organization, Tehran, 1994.

[5] A. Deilami, *Study the Effectiveness of Peer Counselling on Social Adjustment and Self-concept of 1st Year Boys Students of Dezfoul High Schools,* Thesis Submitted for Master's Degree, Dept. of Psychology and Educational Science, Allameh Tabatabaiee University, Tehran, 2001.

[6] A. Farghadani, *Study the Relationship between Emotional Intelligence and Social Adjustment of Bachelor's Students of Education Dept. of Allameh University,* Thesis Submitted for Master's Degree, Allameh Tabatabaie University, Tehran, 2004.

[7] P.L. Ansburg, and R.L. Dominowski, "Implementation and Outcome of Training Problem-solving for Adolescents with Depression", *Journal of Adolescence*, 2000, 58, pp. 678, 696.

[8] F.H. Biggam, and G. Power, "A Control, Problem- solving Group Based Intervention with Vulnerable in Cancer Rated Young Offenders", *International Journal of Offenders Therapy and Comparative Criminology*, 2000.

[9] Nezula, "Problem–solving and Behavior Therapy", *Revisited Behavioral Therapy*, 2004, 35(1).

[10] M. Chiraveh, "Training Problem-solving to Enhance Quality of Life Implication towards Diverse Learners", *Proceeding of Social and Behavioral Sciences*, 2010, 7(1), pp. 302-310.

[11] H.R. Poor Dehghan, *Study of Educational Adjustment and Identity Style of Tehran University Students,* Thesis Submitted for Master's Degree, Tarbiyat Moalem University, Tehran, 2004.

[12] A.S. Hoseini, "Study the Effect of Creativity Training Program for Teachers on Creativity, Academic Achievement and Self-concept of Students", *Quarterly Journal of Educational Innovations,* 2007, 6(23), pp. 147-168.

[13] A.L. Agha Yousefi, and N. Sharif, "Relationship of Problem-solving Methods and Personal Well-being in University Students", *Journal of Thought and Behavior*, 2011, 6(22), pp. 79-88.

[14] J.M. Malouff, E.B. Thorsteinsson, and N.S. Fsehutte, "The Efficacy of Problem-solving Therapy in Reducing Mental and Physical Health Problem: Meta-analysis", *Clinical Psychology Review,* 2010, 21(1), p.4.

[15] F. Kahrazehi, P. Azad Fallah, and A.A. Allahyari, "Study the Effectiveness of Problem-solving Skills Training on Reducing Depression in Students", *Journal of Psychology,* 2003, 7(2), pp. 127-142.

[16] S. Heidari, and Rasoul Zadeh Tabatabaie, "Study the Effect of Problem-solving Skills Training on Reduction of Escape Tendencies in

Adolescent Girls who are at Risk", *Quarterly Journal of Family Research,* 2007, 3(1).

[17] T.S. Fonouni, *Study Relationship between Self-concept and Social Adjustment with Academic Achievement of high School Girls Students of 10th Area in Tehran,* Thesis Submitted for Master's Degree, Tarbiyat Moalem University, Tehran, 2001.

[18] P. Sharifi Daramadi, "Effect of Problem-solving Method Training on Self-esteem of 12-13c year Students having Communication Behavioral Problem in Middle School", *Quarterly Journal of Academic Innovative,* 2005.

[19] F. Eidian, *Study and Comparing the Relationship between Adjustment and Self-esteem and Academic Achievement of Boys and Girls Students of Esfarayen City High Schools in 2005-2006,* Thesis Submitted for Master's Degree, Shahid Beheshti University, Tehran, 2006.

[20] N. Ghasemi and H. Vahedi, "Study the Process of Problem-solving Skills Development and Meta-cognitive Strategies of 3-11 year old Children", *Knowledge and Research in Psychology,* Islamic Azad University of Khorasgan, Isfahan, 2003, 15, pp. 39-60.

[21] C.D. Daley, and A.G. Marlatt, *Relapse Prevention.* In J.H. Lowinson, P. Ruiz, R.B. Millman, and J.G. Langrod (Eds), Substance Abuse: A Comprehensive Text Book, pp. 430-442, Williams and Wilkins, Baltimore, Maryland, 1992.

[22] S. Armeli, A.M. Carney, H. Tennen, G.O. Affleck, and P.T. Neil, "Stress and Alcohol use: A Daily Process Examination of the Stressor Vulnerability Model", *Journal of Personality and Social Psychology*, 2000, 78, pp. 978-994.

[23] W. Fals–stewart, J. Ofarrell, T.T. Freitas, K.S. Mcfarlin, and P. Rutigliano, "The Time Line Follow-back Reports of Psychology Substance Use by Drug-Abusing Patient: Psychometric Properties*", Journal of Counseling and Clinical Psychology,* 2000, 68, pp. 734-740.

[24] H.G. Gough, *California Psychological Inventory: Administrator's' Guide,* Counselling Psychologists Press, Palo Alto, CA., 1957.
[25] M. Khodayari Fard, A. Rahimi Nejad, H.A. Houman, and B. Ghobari Bonab, *Study the Influential Factors on Social Adjustment of University*

Students of Martyrs and Non-martyrs, Research Project in Psychology and Educational Science of Tehran University, 2006.

[26] F. Boujariyan, V. Farzad, and S. Emami Pour, *Validation of California Mental Inventory on Pre-university Students and its evaluation with Their University Entrance Test and Average Scores,* Thesis Submitted for Master's Degree, Islamic Azad University of Tehran Center, 2011.

[27] F. Dorosti, *Effect of Group Therapy Training on Self-assertion of Social Adjustment in Escapee Girls of Isfahan City,* Thesis Submitted for Master's Degree in General Psychology, Islamic Azad University of Khorasgan, Isfahan, 2004.

[28] M. Shademan, *Study of Social Adjustment of Students of Roudehen Islamic Azad University,* Thesis Submitted for Master's Degree, Islamic Azad University, Roudehen, 2004.

[29] P. Meknati, *Study the Effect of Group Cognitive-Behavioral Counselling on Social Adjustment of Girl Adolescents Residing Circadian Centers of East Tehran,* Thesis Submitted for Master's Degree, Islamic Azad University (Science and Research Branch), Tehran, 2005.

[30] H. Zare, A.R. Pir Khaefi, D. Mobini, "Study effectiveness of Problem-solving Skills Training on Improving Creativity of Engineers with regards to their Personality Type", *Quarterly Journal of Innovations in Industrial/Organizational Psychology,* 2010, 1(3), pp. 49-56.

[31] M. McMurren, M. Blair, V. Egan, *Investigation between Aggression, Impulsivity and Social Problem– solving,* Wiley, 2002.

[32] R. Skiba, and J. McKelvey, *Anger Management.* Indian Education Policy Center, 2002, www.haworthpress.com/store/ArticleAbstract.

[33] M.A. Kandemir, and H. Gur, "The Use of Creative Problem-solving in Mathematics Education: Views of some Prospective Teachers", *Social and Behavioral Science*, 2009, 1.

[34] M.T. Hegel, J.E. Barret, and T.E. Oxman, "Training Therapists in Problem-solving Treatment of Depressive Disorders in Primary Care", *Family System and Health*, 2000, 18(6), pp. 423-435.

Comparing the crisis of identity and motivation of male and female students

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Abstract: Objective: This study aimed to compare the crisis of identity and motivation of male and female students were enrolled. Methods: In a cross-Ali – a comparison of 58 female students and 58 male students who were matched for age and sex were randomly selected for sampling And motivation questionnaires completed AhmadiHrmans and identity crisis. The data obtained from the t-test and Pearson correlation analysis was performed using spss software.Results:Independent t-test and Pearson correlation showed that the mean scores of male and female students achievement motivation there And mean student achievement is higher. Similarly, the mean identity crisis of male students than female students' mean scores, but the difference was not significant.

Introduction

Motivation refers to internal states of an organism causes his behavior lead to a certain goal. Generally, motivation can be defined as a driving force of and directing factor for human activities. It can be resembled as car's motor and steering and in this case force and direction are major concepts of motivation. Thus, it is activation factor of human behavior. Motive and motivation are often used interchangeably. However, motive can be defined more precise than motivation as a certain state leading to a defined behavior. In other words, motivation is viewed as a general factor in behavior generation while motive is an especial state of one's person behavior. For example, when we ask why such a person did a certain behavior, we are seeking his motive[1].

Different theories have been suggested for the motive. One of which concerning to the different motives of students in school is achievement[2]. Achievement motive theory is based on the primary investigations of Hoppe, Sears and Atkinson. It is our basis for attaining success and all of our desires in life. It can affect the manner which a person doing a job or want to show his competency. It is fundamentally for some people passion, emotion and goal.Inspiration is the cornerstone of self-motivation. It means that motivation expresses much personal feeling about which one likes or wants something make his own individuality. When one is in trouble, excitement can enable one to persevere in his work and generate enthusiasm to do his dutisdesirably [4].

In Murray's view, the need is a hypothesized construct explaining objective and subjective realities. He suggested a list of needs one of which is the need for achievement. Murray described need for achievement as the desire to accomplish something difficult. To master, manipulate or organize physical objects, human beings or ideas. To do this as rapidly and as independently as possible.To overcome obstacles and attain a high standard.To rival and surpass others. Murray believed that some may experience it completely while other can never experience it[5]. Horney states the need for success in his classification of needs making ground for achievement motive and causes one to be personally health by performing according to it. Fromm discusses the need for transcendence which its incidence depends upon situations generated by every society's culture. To sum up, all three needs in juvenile students appear as a motive for academic achievement[6]. This research assumes that one of the factors affecting achievement motive is the crisis of identity in adolescence. In Erikson's view, identity is the distinction made by a person between himself and others. Identity is a social and psychological construct including one's attitude, beliefs and the manner he connects with others. Individual identity is an aspect of identity which helps one to be isolated from others and includes one's values, beliefs and goals visible to other persons [7]. Identification process is not separate from

social environment. Human is a social being and his identity forms in connection with society.[6]

Development includes wide variety in social and individual contexts that can endanger adolescent's health. One of these threats is, according to Erikson's view, the malformation of the ego concept and its consequences i.e. the crisis of identity. Erikson regards it normal but abnormal when he couldn't encounter with it because deprives one from a firm identity, and if not resolved successfully, it would lead to role confusion, home escape, delinquency and severe mental illnesses. Daneshvar (1996) examined the crisis of identity and factors affecting on it in Shiraz's adolescents and concluded that the lower economic class of family, the more crises in them and by increasing the age, the crisis of identity increases and they have often crisis in sexual role.[8] Esmaili(1997)compared the crisis of identity in quick-witted and normal students of Tehran and concluded that there are different level of identity crisis among them and the findings are consistent with psychologist opinion such as Piaget and Erikson according to which higher abstract intelligence can be an element for more identity crisis in adolescence but it is required more examinationdue to complexity specially in different cultures and socio-economic classes[9]. Studies show that identity is effective in academic achievement.Tabatabaeiet. al (2011) showed that there is a relationship between identity styles and responsibility and this relationship is a function of sex[10].

Berzonsky and Cook (2000) found that difference in identification is a reason for changing signifycantly in academic achievement and autonomy, educational engagement and interpersonal development[11]. Also, there is an inverse and significant correlation between identity crisis and achievement[12].If persons fail in this regard, they suffer from behavioral and psychological problems such as education, drug abuse and depression[13].The results of other researches showed that there is a significant correlation between identity styles with some stimulating factors and success feeling whether positively or negatively[14].

According to the above-mentioned studies, since a part of each country budget is assigned to the students, so their psychological aspects are of great importance for improving achievement. In Virginia

Satir's(2004)view, identity is one of the most important aspects of students[8]. Identification and its process are one of the important subjects of research in recent decades. It is of great importance in our country. On the other hand, since it is one of the most important needs of development times, our awareness about how to identify and its difference in the male and female students can increase our knowledge about this characteristic of youth and can be considered in planning affairs.

1. **Research method**

This research was a non-experimental study of comparative-causative which performed for comparing identity crisis and the motive for achievement in the male and female students. For this reason, the 58 students have been selected from all students of the 14-16 ages in Tehran high schools by means of clustering-random sampling. First one region is randomly selected among all regions (for example, region 3), then six schools are selected randomly in this region (3 female and 3 male) and two classes and in each class 4-5 students are selected. Then, questionnaire for identity crisis and motive for achievement have been run as research tool among students. Finally, obtained data has been analyzed in terms of descriptive statistics, t-test and Pearson correlation procedure.

Herman's Questionnaire Measure of Achievement Motivation and Ahmadi's Questionnaire measure of identity crisis have been used in order to compare these measures in the male and female students.

Identity crisis questionnaire: a 30-items questionnnaire has been constructed through Adams's, Berzonsky and Jackson's identity questionnaire. This is standardized by Ahmadi in 1999. Its advantage is personal and collective performability and its rapid answering during 5 to 10 minutes which is applicable for both sexes. The maximum score of the test is 30 and its minimum is 9 and lower score than 9 indicates no identity crisis. In this case, various diagnostic aspects of identity have been categorized (in the form of difficulty in the long-term goals, hesitancy in job selection, loss of appropriate model for competition, inappropriate sexual behavior, difficulty in religious knowledge).

In order to determine its validity and reliability, this test has been performed in 60 students of secondary schools in Isfahan. In this case, the question has been understandable, simple and obvious and its formal reliability has been affirmed. The scores have been obtained through dividing the examination (odd and even)and 78 validity coefficient. Again, this has been distributed among the 30 students and correlation coefficient was obtained 89%. The validity coefficient of the test personal identity was calculated as 92%. Ahmadi(1995), Jarareh and Shabani (2001) have confirmed its validity and reliability in their researches[15].

Herman'sQuestionnaire ofAchievement Motivation: this questionnaire has been provided by Her-mans (1977) base on the theoretical and experimental knowledge on the need for achievement. Hermans selected ten distinguishing features of persons having high achievement motivation as the basis for selection of questions. There are as follows: high level of desires, strong motive for upward mobility, long endurance in confronting the tasks of intermediate-level difficulty and so forth.

After testing and computing the individual questions, the 20 items have been selected as final questionnaire for achievement motivation. It should be mentioned that after analyzing no significant question were entered in connection to the tenth feature, thus final questionnaire was constructed by only nine features. The questions were stated as incomplete sentence and each sentence was followed by some items. For equalization of question value, for every 29 questions a 4-item questionnaire was presented. Each item is assigned 4 to 1 or 1 to 4 depending the intensity of achievement motivation from high to low or low to high. The final questionnaire has 29 incomplete sentence and items for each material is varied between 4 to 6. This questionnaire has been translated by Shokrkon et.al in the psychology department of ShahidChamran University of Ahvaz and its validity and reliability have been determined. Reliability coefficient calculated has been reported as 84% and 82% [16].

2. Findings

The results were obtained based in descriptive statistics, t-test, and the Pearson's Correlation Test. As the results as to demographical information indicated, distribution of girl and boy students' point as to identity crisis test is skewed to positive side and tends more to normal distribution as to development motivation test.

Table 1. Descriptive statistics of the participants regarding identity crisis and development motivation(n = 116)

Group	Variables	Mean	SD
Boys	Identity crisis	6.07	4.511
	Development motivation	84.24	9.185
Girls	Identity crisis	5.38	5.36
	Development motivation	89.48	8.48

Table 2. The elements for comparing mean point of identity crisis among boy and girl students

Groups	Mean	SD	Standard error	DF	t-value	Sig.
Boys	6.07	4.511	0.593	114	0.750	0.45
Girls	5.38	5.36	0.704			

Given obtained t value (t = 0.750) with DF of 114, and the t value listed in the table (1.65), no significant difference between mean point of identity crisis is observed between boys and girls (p<0.045). Thus, H0 is supported.

Table 3. The elements for comparing mean point of development motivation among boy and girl students

Groups	Mean	SD	Standard error	DF	t-value	Sig.
Boys	84.24	9.185	1.206	114	3.193	0.002
Girls	89.48	8.48	1.113			

Given obtained t value (t = 3.193) with DF of 114, and the t value listed in the table (2.61), there is a significant difference between mean point of identity crisis is observed between boys and girls (p<0.002).

Table 4. Summary of the Pearson Correlation test of two variables of crisis identity and development motivation

Identity crisis and development motivation	N	R	P
	116	-6.28	0.05

As listed in the table above, there is a negative correlation between identity crisis and development motivation; that is the higher the latter, the lower the former and vice versa.

3. Discussion and conclusion

Identity crisis and development motivation of boy and girl students was compared. To this end, a sample group of 58 boy and girl students were selected from high schools in Qazvin Province and identity crisis and development motivation questionnaire was used for data gathering. The findings showed that girls had higher development motivation than boys and regarding identity crisis, there was no significant difference between boys and girls. To elaborate more on the results Erickson's theory comes useful.

According to the theory, one of the main issues that the juvenile encounters with is the issue of evolution of personal identity. That is, they need to find answer to questions like "Who am I?" or "What is my goal?" To describe this phenomenon, Erickson coined the term identity crisis, while he believed that the crisis of identity is an integral part of social-mental growth. In this regard, many psychologists believe that juvenile stage is the time of experiencing different role. As the results of the study showed, the both groups had identity crisis.

Abolghasemi (2011) stated that in primitive communities with limited social roles, identity crisis is less serious, while in complicated societies, it is a tough job to overcome the stage of identity crisis [17].

According to Golmohammadi (2004), there is a tight spatial, time, cultural ties in traditional communities, which is very helpful to cover identity needs and people tend to find their identity more easily in the small social worlds with higher stability and integrity. The trend of globalization has been threat to this process and traditional identity finding is not as common as it was. As recommended by other studies, development of identity in different social cultural background is different between boys and girls. For instance, in closed and traditional communities, girls are faster than boys in finding their identity, while in open and modern communities, boys and girls need more time to find their identity. As to development motivation, according to Messlo, man's needs can be placed in a hierarchy including physiological needs, safety and security needs, need for love and attachment, self-pride and self-respect, needs for self-development are some of the individual's need to realize their potentials and also to find, search, learn, and understand.

These needs are arranged from strongest to weakest and before the needs at higher level are satisfied, those at lower level should be met [18]. The results showed that girls had higher motivation than girls to cover their lower level needs and mainly self-pride, self-respect. Therefore, they were at higher growth level.

Gig and Berlainz (1991) defined development motivation as a desire to be successful in a special field [1]. Studies in this field have indicated that people are very different in this regard. Some are highly motivated and some are not and so that the former are very hardworking and the latter find no reason to work hard or take risks. This is confirmed by several works

4. References

[1] Seif A.A,*Modern education psychology, (learning and education psychology),* PublisherDouran, Tehran,2011.

[2] A.Khadivi, A.Vakili Mafakheri A,"The relationship between development motivation, control source, self-image, and educational development of first year high school students in Tabriz*", Educational Science Journal*, TabrizAzad Islamic University, 2011, 4(13), p 45-66.

[3] F. Daierpour,"*Analyzing the factors effective in educational development motivation of girl high schood students using multi-level approach",* 2012, M.Sc dissertation, Hormozgan University.

[4] Broer A H. *Motivating children, tools and methods to help self-motivation in children,* translated by NahidiJavaneDaneshPublisher, Tehran, 2005.

[5] Karvar,Ch.S., Sier, M.F, *Theories of personality,* translated by Rezvani A., Astan Qods Razavi Publisher, Mashhad, 2008

[6] Shoultz, D.P., Shoultz, S.A ,*Theories of personality,* translated by Seyed Mohammadi, Publi-sher Viraiesh, Tehran, 2009.

[7] B. Jokar, M.Latifian, "Relationship between the aspects of identity and goal setting among high school students", *Political and Humanities Journal*, Shiraz University,2006, No. 49, pp. 27.46

[8] M. Hossein Pour, T. Darvishi, M.Soudani, "Effectiveness as responsibility training using reality therapy on controlling identity control of students"¸*Novel Findings Journal of Psychology*, Ahvaz Azad University, 5th series, No. 13, 2009, p. 97-106.

[9] J.Esmaeili,"*Comparing identity crisis among extraordinary and normal students of high school",* *1997,* M.Sc dissertation, Theran, TarbiatMoalem University.

[10] N. Tabatabaei,S.H.Tabatabaei. Y. Kakaei, A .Mohammadi,*"The relationship between identity style and responsiveness and educational development of juveniles between 15-18 years old in Tehran"*, *Social Welfare Journal*, Iran Rehabilitation Science University, 2011, NO, 12, P 23-42.

[11] M.D. Berzonsky,L.S.Kuk,"Identity status, identity processingstyle, and the transition to university". *Journal Adolesc Research,* 15, 2000, 81-98.

[12] S. Madahi, M.Kazemi, J.Salehi,A.Ramezani, A survey or relationship between identity crisis and

educational success of students*, Education Development in Medical Science Journal,*2010, 3(4), p. 47.52.

[13] Lioras,C. " Identity and Young adult well-being: a closer Look at Identity style and identity structure", Unpublished Doctoraldissertation, Alabama, Auburn University, 2005.

[14] J. BarghiMoghadam, J.B.Mosharaf,S.A. Mozafari, F. Grousi,"Relationship between identity styles and motivating factors and sense of success"*, Farasouie Modirat Journal*, Tabriz Azad University, 2009, 3(11), 135-155.

[15] L. Kadia, " The effect of group consultation based on reality therapy on identity crisis among high school students"*, Psychological Health Journal,* Mashhad Medical Science University,2010, 12(45), p. 430-437.

[16] H.Zare, R. Mohammadzde,"Role of personality traits on predicting development motivation of students", *Psychological Achievement Journal*, Ahvaz Chamran University, 2012, 19(1), p. 117-138.

[17] B. Behzadi, S.Sarvgad," Surveying relationnship between family flexibility and the styles of identity crisis with median role of tendency to critical thinking among juvenile girls", *Women and Family Studies Journal*, Tabriz Azad University, 2012, 4(15), 63-80.

[18] H, Mirpakdehi," Identity crisis and development identity among juveniles",*2013,*M.Sc dissertation, Abhar Azad University.

Managerial skills and cultural diversity

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Abstract: The first factor included in this study is the importance of cultural diversity management skills and forming attitudes towards workers with different cultural backgrounds. The second important factor of this study is the level of education of the individual in shaping attitudes towards other ethnicities. Composition of working teams is quite complex for the person who has the duty to maintain the balance of the team, respectively for managers or supervisors of the company. For the purpose of effective leadership is preferable that people with this task to be well educated, prepared and have the ability to keep control of their leadership. Exactly these leadership skills are an important part of this research. The main technique used for the collection of this information is a questionnaire which is designed to measure these factors. Are used a number of statistical methods, as Pierson correlation, T-test etc. Regarding the data obtained, it was concluded connection between cultural diversity management skills and attitudes to employees. Also the data obtained reveal that the level of education plays a role in how will shape attitudes towards people with other cultural diversity.In everyday life we are constantly in the whirlwind of ideological opinions, moral opinions, daily face prejudice and discrimination of race, ethnic, nationality, etc. We encounter attitudes elements, without which there cannot be explained behaviors today and cannot be predicted what will happen tomorrow. These elements can generate dissatisfaction among the people where the impact of educational level can play an important function in the way of not accepting these attitudes.

Introduction

To create a working arena, in which diversity groups can perform as a homogenous group, it is not an easy road. Cultural diversity in the workplace does not just mean differences of race, ethnicity, nationality, gender, religion etc. this term also specify many other aspects of team composition that must be careful. Proper management of cultural diversity is not enough only heterogeneous demographic composition of employees, but also the impact of cultural diversity in communication between employees, ways of managing conflicts between them, the attitudes of workers towards one another, the way their motivation and prevention stressful methods [1].

Composition of working teams is quite complex for the person who has the duty to maintain the balance of the team, respectively for managers or supervisors of the Company. For the purpose of effective leadership, preferably people with this task to be well educated, prepared and possess the ability to keep control of their leadership. Eather these skills or leadership skills are an important part of this research.

The impact of education in shaping attitudes towards other ethnicities is another important factor of this study. In everyday life we are constantly in the whirlwind of opinions like ideological or moral, every day we face with prejudice, discrimination, racial, ethnic, national, etc. We encounter attitudes elements, without which there can be explained today's behaviors and cannot be predicted what will happen tomorrow. These elements can generate dissatisfaction among the people and the impact of educational level can play an important function in the way of disputing this positions [2].

1. Theoretical framework

Promoting cultural diversity at work is problem faced by a number of institutions, companies, etc. [3]. Working in an environment with different cultural differences, ethnic respectively enables employees to work and collaborate with different people, and learn to appreciate the cultures, norms, different traditions. However, the promotion of cultural diversity is not an easy task, but it can be achieved with commitment, selection and proper communication.

Good management of diversity can increase productivity at work, and the support of an equitable environment for all. Viewing global industrial trends can emphasize that the promotion of cultural diversity in the workplace is mandatory. One of the ways of management is to increase organizational commitment by offering communication

between workers with different ethnic backgrounds.

On the other hand, institutions, corporations need to recruit people with different ethnic backgrounds offering encouragement to all minority applicants.

In constant communication is necessary that corporate managers to inform employees about new procedures and policies in the company. Manager must be well educated in relation to various other diversity groups and knows how to awareness the working team for the removal of negative attitudes towards each other, which views may be strong arms for organizational imbalances.

Anna Morrison in her book "The News Leaders, leadership diversity in America" (Diversity new leaders leadership in America), gives some management tools with character education about cultural diversity in general [4].

From them more useful to supervisors are:

a. Training program for cultural diversity - This is one very important tool for managing diversity. This training and educational program used to make employees aware about the flow of diversity.

b. Mentoring - In this case the mentoring role played by the manager or supervisor. They should provide protection, support, challenge and encouragement to all employees regardless. And if you notice any problem, be willing to solve the problem in a correct way.

There is the possibility of providing that, with the implementation of these educational forms on the abovementioned elements and their strict application, the company will achieve great success, so much so, workers will not only respect each other, but also will admire cultural differentiation.

1.1. The positive effect of cultural diversity

Diversity is in the interest of all parties, including individual sense of how a person perceives themselves and the people around him, the communication within the group in the company and outside the company, the distribution of resources within the group, the group performance and many other interests [5].

1.2. Decision making and choosing of the problem

Decision-making processes are central to the functioning of multidisciplinary teams. Indeed, it is often because diverse perspectives are presumed to improve decision processes that organizations employ multidisciplinary team structures. If one adopts a rational view of the decision-making process, diverse perspectives seem to be beneficial on several counts. For example, during the environmental scanning that occurs in the earliest phase of decision-making, members with diverse perspectives should provide a more comprehensive view of the possible issues that might be placed on the team's agenda, including both threats and opportunities.

Once potential threats and opportunities have been identified, discussion among members with diverse perspectives should improve the team's ability to consider a variety of alternative interpretations of the information gathered by the team and to generate creative solutions that integrate the diverse perspectives [6].

Professors Taylor and Cox [7], gives four reasons about the positive effect of cultural diversity in an organization:

a. Increase creativity and ability of different problem solving - in a group where there are various differences, has different talents and energy, which inspire many ideas towards achieving the goal of the organization.

b. Comprise multiple views ethical, moral and socio - Starting from the fact that the human being has the tendency to incline usually from the group of people that are the same as those in organizations with different culture there is a draw equatorial. From the composition of the large number of cultures all taught to treat and respect each other for their identity they have, and no culture is not given the opportunity to feel inferior and the other to dominate.

c. Organization of cultural diversity is more economical - In Western European countries, where the number of different cultures is great, equal opportunity initiatives for all is the rate that the market requires. If an organization fails to timely implementation of rate equal opportunities for all, then to make such a move will have to pass a long

while to achieve the organization's change of perspective.

d. Increase the number of clients - advantage of organizations dominated by large number of employees with different cultural affiliation is also the possibility of increasing the customer. This may occur because the customer when will notice that the employees of the organization or company are the same origin as himself, then the possibility that the customer will feel like part and permanent client of the company.

1.3. Upper Echelons Theory (Hambrick& Mason, 1984)

According to this theory the organization is a reflection of higher executive. Characteristics of high echelons that underline this theory are: age, their experience, education, values and their potential, their intelligence, leadership style.

Regarding the education of the manager, Hambrick and Mason, have argued that managers who are formed with a good education, they can manage with a great precision all situations. Also, for those managers with higher education level are thought to have great ability to display, analyze and benefit from more knowledge of human differrentiation, and be more flexible and open about various diversities [8].

2. Research methodology

2.1. The aim of the research

This study aims to describe and analyze the educational role of top management on the management of cultural diversity and attitudes among employees. In this paper, as an important dimension of cultural diversity is specifically ethnicity.

Having realized these purposes, our goal was to identify several factors that have a relationship between attitudes toward cultural diversity, namely ethnicity. Another factor is the importance of measuring the level of education and attitude towards cultural diversity

2.2. Research question

1. Is there a connection between cultural diversity management skills and attitudes among employees?

2. Does it affect the level of education in shaping attitudes towards cultural diversity?

2.3. Hypotheses

1. There is a connection between cultural diversity management skills and attitudes of workers towards people with different ethnic backgrounds.
2. Subjects with higher education are associated with persons of other ethnicities, as opposed to those with lower education.

2.4. The sample of subjects participating in research

Sample of subjects participating in this research do employees of several companies that have expanded structure with multiethnic business in the city of Tetovo and Gostivar. Testing was conducted in February 2011 with a total sample of 260 subject. Population of choice for research are only the working class, which exclude the participation of managers, supervisors, owners.

2.5. Variables research

Managerial skills on cultural diversity this variable also is one of our key variables that define leadership skills of the company in relation to persons who have different backgrounds, respecttively ethnicity. Variable in question gives us the possibility of measuring how high echelons manage its work in a multiethnic environment.

Operability this variable is operationalized through the average achieved in the allegations presented in the questionnaire to measure managerial ability to workers with multiethnic.

The attitude of employees is as important variable in this research and is defined as having workers stand against people with different ethnic backgrounds, whether this attitude is with positive or negative direction.

Operability will be defined by the arithmetic average obtained through the questionnaire for the position of workers to other workers who are from different ethnic backgrounds.

2.6. Way of measuring

Variables such as managerial ability on cultural diversity, the attitude of workers to persons with different ethnic backgrounds, were measured by

questionnaire consisted precisely allegations that collect information on these variables.

3. Graphic presentation of results

3.1. Presentation of the achievements in managerial skills and attitudes towards other ethnicities

In order to analyze the correlates between variables such as skills or company management skills and attitudes of workers to other persons with different ethnic backgrounds, in this study is used correlation analysis, namely Correlation of Pierson, for setting the correlation of these variables.

H1. There is a relationship between company management skills to cultural diversity and attitude of employees towards people with different ethnic backgrounds.

**Table 1.Tabular presentation of Pierson correlation managerial skills and attitudes to ethnicity.**

Pearson Correlation		OAMS	OAAE
OAMS	Pearson Correlation	1	,506**
	Sig. (2-tailed)		,000
	N	260	260
OAAE	Pearson Correlation	,506**	1
	Sig. (2- tailed)	,000	
	N	260	260

**. Correlation is available on the degree of freedom 0:01 (2 - side)

Results in Table 1 show us correlation analysis between the main research variables such as cultural diversity management skills and attitudes towards people with different ethnic backgrounds. Statistics correlation values between variables show that this correlation is statistically significant at the level (r = 0:51 p <0:01), which means that the existence of the relation between these two variables is reasonable. These achievements prove our hypothesis and provide the possibility of emphasis, that with the growth of the company's managerial skills become even increase positive attitudes of workers towards people with different ethnic backgrounds.

Graph 1. The graphic representation of the correlation between managerial skills and attitudes of employees
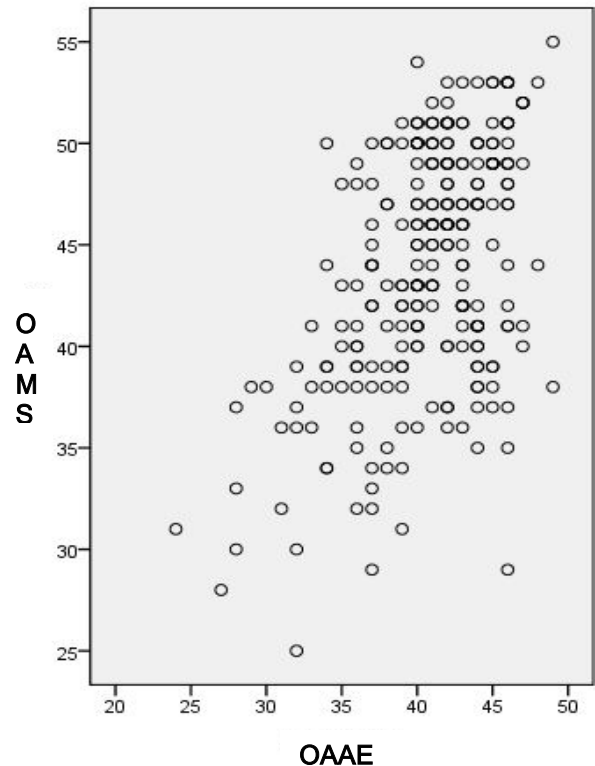
Starting from this relationship between variables, Graph 1 shows the graphical representation of managerial skills and attitudes of employees. We see that the appearance of the graph has positive direction in the form of ellipses. These achievements point to the fact that the correlation between these variables is positive and statistically significant.

4.2. Presentation of achievements on the level of education and attitudes towards other ethnicities

H2. Subjects with higher education are associated with persons of other ethnicities, as opposed to those with lower education.

To prove the above hypothesis is making the comparison between the averages of the variables II.2, II.9, II.10 and overall averages of education. Average education of the subjects of this research is secondary education subjects.

Table 2. Averages of subjects totaling II.2 variables, II.9 , II.10 and averages on the basis of the average general education

	Education	N	Average	Standard Deviation	The difference of standard errors
II.2 I spend time (during break) , with people who have different ethnic backgrounds.	>=4 <=4	161 99	4,53 4,31	,633 ,680	,050 ,068
II.9 I want to talk to people who are of different nationalities	>=4 <=4	161 99	4,39 4,03	,751 ,920	0,59 0,92

	Education	N	Average	Standard Deviation	The difference of standard errors
from me.					
II.10 I feel more motivated at work when I cooperate with people from other nationalities.	>=4 <=4	161 99	4,29 3,87	,780 1,075	,061 ,108

Looking at the results in Table 2, we can say that the number of subjects that are above average education (secondary education and above) are in greater number (161), when compared with the number of subjects that are below the average education (99). Focusing on Table 3, we see that the value of t-test to all tested variables is statistically significant for the degree of reliability (p> 0.01).

Table 3. Table Presentation of the t - test for averages of subjects at variables II.2 , II.9 , II.10 and average of education

		Levene's Test for Equality of Variances		t-test for Equality of Means						
						Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
		F	Sig.	t	df				Lower	Upper
II.2	Equal variances assumed Equal variances not assumed	,638	,425	2,658 2,613	258 196,130	,008 ,010	,221 ,221	,083 ,085	,057 ,054	,385 ,388
II.9	Equal variances assumed Equal variances not assumed	,509	,476	3,392 3,233	258 176,545	,001 ,001	,355 ,355	,105 ,110	,149 ,138	,561 ,571
II.10	Equal variances assumed Equal variances not assumed	10,822	,001	3,668 3,405	258 161,302	,000 ,001	,423 ,423	,115 ,124	,196 ,178	,650 ,669

When analyzing the averages of the allegation (II.2), which variable shows how workers during the break associated with other employees who have different ethnic backgrounds, we see that the

highest average of this claim is the workers who are above average educational level (4.53) in contrast to the average of subjects with secondary school education under (4.31) which shows that educated people have more positive approach

towards communication with people of different cultures.

From the t-test (t = 2.658 p> 0:01), which is important as statistics may emphasize that there is a difference between workers with education on secondary education and those with secondary school education under, and that this difference is in favor of workers who are educated above secondary education.

In terms of analyzing the claim (II.9) that highlights how employees want to talk with other persons and entities from the average score of the subjects (see Table 2) we see that the highest average have subjects that are of secondary education and higher (4.39) in comparison of averages under secondary school subjects (4.03). Based on t-test whose value is (t = 3,392 p> 0:01), we can conclude that this value is statistically significant and that this difference is present between the education level (above and below secondary education) and the desire to communicate with persons other cultural diversity.

One of our hypotheses was finding possible to see that a motivated employees from cooperating with the workers of other ethnicities. Analysis of the claim (II.10) shows that higher average have subjects that are higher level of education (4.29), unlike workers who have lower levels of education (3.87), whereas the value of the t-test is (t = 3.668 p> 0:01) with significant statistical value (see table 2 and 3).

Results obtained from assertions (II.2, II.9, II.10), are in favor of our claim and we can conclude that the subjects that are of higher education are associated with persons of other ethnic groups, were more ready in time sharing and collaboration with groups that opposed diversity composition of the subjects of this research are educated lower secondary schooling (see Table 2 and 3).

Conclusion

Regarding the importance of cultural diversity managerial skills and attitudes of employees to other ethnicities, according to data obtained was observed that there is an intimate relation between them. With the growth and strengthening one variable have increased and other variable reinforcement. In order to improve these skills, special analyze should be given to the leading layer, to have special care in handling them in relation to workers who are from different ethnic identities. Their leadership should be enriched with new skills, which skills will mitigate ethnic negative attitudes and affect the growth of the contribution and commitment of employees to the company (see Tablet 1 and Chart 1).

Also all companies to be in conformity and to recognize cultural diversity, primary importance should devote selection of workers with secondary education and above. Only in this form attitude, prejudices and ethnic stereotypes can begin their process of fading. Or at least to workers in the secondary school level to use effective methods to be used in removing negative attitudes towards ethnicity.

References

[1] G.W. Allport, *The nature of prejudice. Mass Addison-Wesley*. Cambridge, 1958. p.213

[2] L.L. Thurstone, The *measurement of attitudes*. Journal of Abnormal and Social Psychology. 1931

[3] M. Moon, (eds). *Understanding The Impact of Cultural Diversity on Organizations*. A Research Paper Present To The Research Department Air Command and Staff College. New York. 1997

[4] Ann M. Morrison, *The New Leaders—Guidelines on Leadership Diversity in America*. San Francisco: Jossey-Bass Publishers. 1992. p.439

[5] T. Diamante, L. Giglio, *Managing a diverse workforce: Training as a cultural intervention strategy*. The leadership & organization development journal.Vol.15. 1994.

[6] J.M.B. Hanover, D.F. Cellar, *Environmental actors and the effectiveness of workforce diversity training. Human Resource Development Quarterly*. 1998

[7] Jr. Cox, & Taylor*, Cultural Diversity in Organizations-Theory, Research and Practice*.Berrett-Koehler Publishers. San Francisco. 1993. p.4

[8] D. Hambrick, P. Mason, Upper echelons: *The organization as a reflection of its top managers*. Academy of Management Review. 1984. pp. 70-81

The relationship between Stress and Cardiovascular Diseases

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Abstract: Stress has become a discussing subject among psychologists and professionals of mental health. Stress is present in human's life at any time and its influence on human life is undoubtedly multi-dimensional. Stress triggers different physical and mental reactions in women and men with heart disease. So in this paper we wanted to determine the relationship between the stress and the degree of cardiovascular diseases. Methodology: In this research, 40 subjects took part, 20 female and 20 male, aged from 35 to 50 years. Patients are diagnosed with angina pectoris (20patients) and myocardial infarction (20 patients) and have been treated at the Clinical Hospital in Tetovo from September to December 2014. Cohen's questionnaire of stress perception which encloses 10 questions is used to prove the presence of stress symptoms. Every item is ranked on 5 point scale, from 0-4.Results: Based on our research study we found that from 19(95%) female patients had high and medium level of stress comparing with male patients where the percentage of stress was less (80%). At the same time stress had more influence on employed individuals (85%) compared to unemployed individuals (15%). The final finding is that patients diagnosed with angina pectoris experience medium and high level of stress (95%) than patients who have experienced myocardial infarction (75%). Pearson correlation between these two groups is significantly significant at the level of 0,01.Conclusions: Based on the findings we saw that stress is highly present at patients with heart diseases. We think that to reduce the stress level, it is necessary to increase the active presence of psychologists and other professionals in undertaking appropriate measures to treat stress.

Introduction

In our modern world, science has begun to evaluate and re-examine traditional concepts and beliefs about 'stress'. In particular, the suggested relationship between stress and patho physiological disease processes has come under detailed investigation. Albeit common opinion, this relationship is still scientifically questioned and only in the past decades, the stress concept and its association with health restrictions and diseases has become a major focus in medicine [5].

Scientific research on the relationships between stress, psychosocial factors and cardiovascular disease has been ongoing for several decades. Physicians, psychologists and psychiatrists and heart patients themselves all agree that stress plays a significant role in the incidence and course of heart disease. Determining the precise nature of that role, however, is complex as it depends on the interaction of numerous factors, both personal and societal [7].

Despite clinical 'intuition', an 'easy and clear' relationship between stress and cardiovascular diseases had not been delineated, and this may have been due to the complexity of the stress phenomenon [12; 9]. The situation changed somewhat when the concept of different behavioral patterns involved in cardiovascular diseases occurred [11]. Thereby, stress is now used as an umbrella term that summarizes the effects of psychosocial and environmental factors on physical or mental well-being. In particular, stressors and stress reactions are distinguished [6].

Cardiovascular diseases are presently the leading cause of death in industrialized countries and are expected to become so in developing countries by 2020. Lifestyle factors, such as high cholesterol, hypertension, depression, physical activity, and tobacco and/or alcohol intake, are contributing factors to the onset of myocardial infarction .[10]. However, most patients with cardiovascular disease and stroke can at best only be well-controlled and not cured. Therefore, many experts have suggested

that maintaining and even improving the stress for those patients, especially the elderly, might be one of the major goals of treatment [3].

1. Aims of the research

The purpose of this paper is to determine the correlation between the level of stress and cardiovascular diseases.

2. Materials and Methods

2.1 Participants

In this prospective, observational, comparative, randomized (random selection) and controlled clinical study 40 patients were analyzed. There were 20 males and 20 females. Aged from 35 to 50 years. All had been treated in the Tetovo Clinical Hospital and admitted to the Coronary Unit Hospital of the Internal Diseases Department. Patients are diagnosed with angina pectoris (20 subjects) and with myocardial infarction (20 subjects). The research was conducted during period of September to December 2014. In each patient there following clinical-laboratory examination has been conducted:

1. The recording of the patient's medical history and clinical states
2. Electrocardiogram
3. Biochemical parameters.
4. Instruments

2.2 Instrument of research

Perceived Stress Scale [1] is one of the more popular tools for measuring psychological stress. It is a self-reported questionnaire that was designed to measure "the degree in which individuals appraise situations in their lives is stressful" [2]. The PPS items evaluate the degree to which individuals believe their life has been unpredictable, uncontrollable and overloaded during the previous month.

PPS is a 10 item scale measuring the perception of stress on a 5 point scale from never to quite (from 0-4) of ten. The PPS total scores ranges from 0 to 40. The score equal between 0 and 13 corresponds with low level of stress, but the score greater than 20 corresponds with a high perceived stress. Coronbach's scale for PPS on our population was 0.754. Questions are directed on feeling and thoughts during the last month. It is not a diagnostic instrument, but intended to make comparisons of subjects' perceived

stress related to current, objective events. The higher the degree and longer duration of self-perceived stress, indicated by a higher score, is considered a risk factor for a clinical psychiatric disorders [2].

3. Results

This clinical research studied 40 patients, 20 males and 20 females. Most of the patients with cardiovascular diseases had moderate and high level of stress. PPI scores ranged from 0 to 40. After scores of the entire samples were subdivide into three categories: 5% of patients had low stress (score 0-13), 17% had moderate stress (score 14-20) and 78% had high level of stress (Figure 1).

Figure 1. The prevalence of stress among the patients
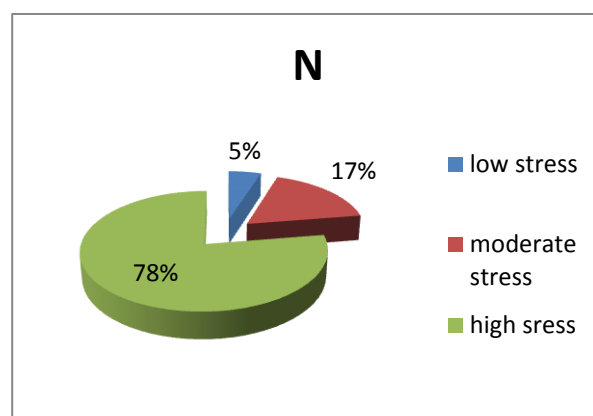
The prevalence of stress between the patients with angina pectoris and myocardial infarction is given on figure 2. We can see the patients with angina pectoris has high level of stress than patients with myocardial infarction.

Figure 2. The prevalence of stress among patients with heart diseases
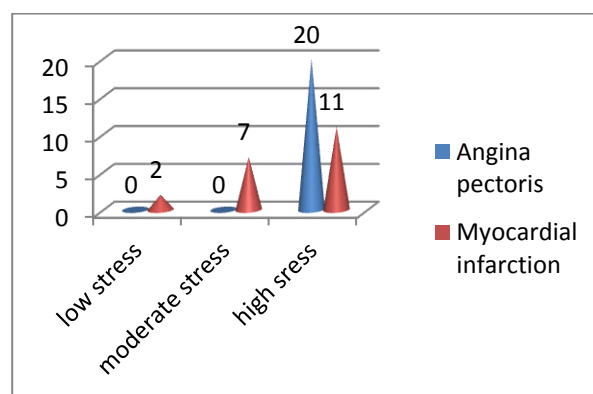
As shown in table 1 the PPS mean scores in patients with angina pectoris was 27.2 points, with values ranging between 0 and 40 points. The mean average of PPS among patients with myocardial infarction was 19.9.
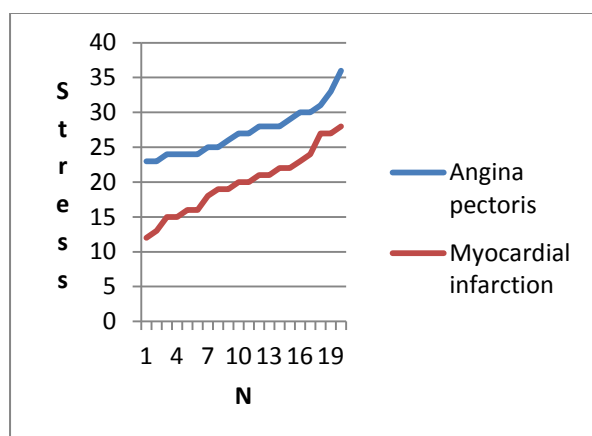
Table1.The relationship between stress and the type of heart diseases

One-Sample Test

| | Test Value = 0 | | | | | |
| | t | Df | Sig. (2-tailed) | Mean Difference | 95% Confidence Interval of the Difference | |
					Lower	Upper
Stress_AP	34.744	19	0.000	27.250	25.608	28.892
Stress_IM	19.45	19	0.000	19.900	17.759	22.042

From figure3 it is very clear that patients with angina pectoris manifested a much higher incidence of stress than the patients with myocardial infarction, which is statistically significant at the level of p<0.01.

Figure 3. Correlation between stress, angina pectoris and myocardial infarction


4.1 It is very interesting that the level of stress in patient with heart disease depends of the gender. As shown in table 2 the mean PPS scores of female was 24 points, while for male was 22 points.

Table 2. Gender and stress

One-Sample Test

| | Test Value = 0 | | | | | |
| | t | df | Sig. (2-tailed) | Mean Difference | 95% Confidence Interval of the Difference | |
					Lower	Upper
Stress Male	18.176	19	0.000	22.100	19.555	24.645
Stress Female	18.959	19	0.000	24.150	21.484	26.816

From figure 4 we can see that the correlation of statistical signification between the level of stress and gender is at the level of p<0.01.

Figure 4. Correlation between the level of stress and gender of patients
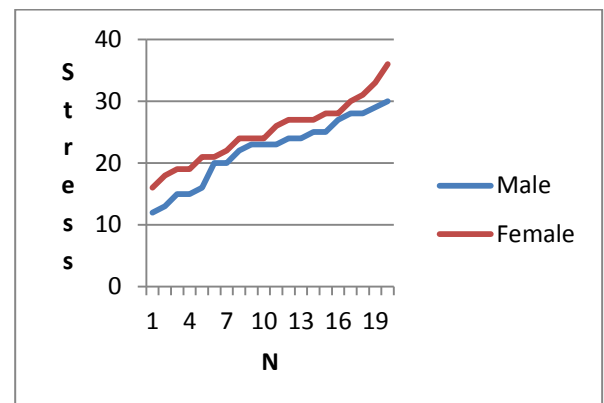
One of the most interesting findings in our research was that employed patients with heart disease had higher level of the stress then unemployed patients. The mean average of PPS among employed patients was 25.3 points, while in the unemployed patients was 9.5 points (Table 3). Job status together with stress appear to be important predictors of ischemia during daily life among cardiac patients.

Table 3. Job status and stress
One Samle Test

	Test Value = 0					
	T	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
Stress_Employed patients	28.884	26	0.000	25.333	23.531	27.136
Stress_Unemployed patients	4.602	12	0.000	9.593	5.308	13.878

There was a significant positive correlations between job status of patients and stress is at the level of p<0.01 (Figure 5).

Figure 5. Correlation between job status and level of stress
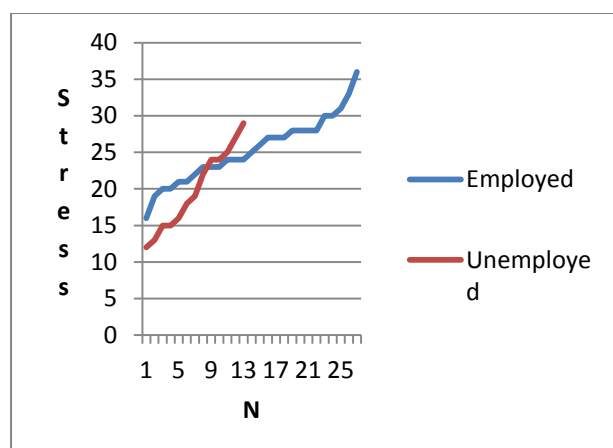
3. Discussion and conclusion

Stress has a major impact upon the circulatory system. Moreover, we find strong evidence for an importance of stress in disease processes related to the circulatory system. Stress plays a significant role in susceptibility, progress, and outcome of cardiovascular diseases [8].

Based on the results, we saw that stress is greatly present in our patients with heart coronary disease recovering at the Clinic hospital in Tetovo. A higher scale of stress was present in female patient compared to male ones, it is not entirely clear why, some evidence suggests that it might be because the natural estrogen in a woman's body helps protect her from heart disease. As a woman ages, and particularly after menopause, this lack of estrogen may leave her more vulnerable. Many researchers believed that the use of supplemental estrogen (hormone replacement therapy) would help provide protection, but the use of hormonal therapy (HT) has been the object of much debates over the last decade, because of heart safety concerns. The risks associated with HT depend very much on a woman's personal health status, another reason is because women are more active in life, much more is expected from them, from the industrialization of villages and cities.

Employees who experience work-related stress and individuals who are socially isolated or lonely have an increased risk of a first Coronary heart diseases event. In addition, short-term emotional stress can act as a trigger of cardiac events among individuals with advanced atherosclerosis. Work sometimes can be overloaded factor for the person who had coronary heart disease, the workers that feel fatigue in a long and hard work are most stressfully. A study of an industrial workers aged under 45 years old says that the ones that work more than 48 hours weekly have twice more risk of a coronary heart disease that causes death [4].

There was also a difference in the stress scale of patients with angina pectoris and those with myocardial infarct. Patients with angina pectoris experience higher scale of stress that the patients with myocardial infarct because the patients with angina pectoris feel pain which is more frequent and last from 5 to 15 minutes and more depending on the type of angina pectoris; during the chest pain phase, which is typical to patients with angina, they face worries and fear that something bad may happen.

We think that to decrease stress it is necessary increase the active presence of psychologists and other professionals in undertaking appropriate measures to treat stress. The aims of rehabilitation follo-

wing a coronary heart diseases is to reduce the risk of infarction and cardiovascular death and to increase the quality of life of the patient.

Recommendations for dealing with stress on a personal and societal level include:

1. Relaxation training; 2. Good sleep hygiene; 3.Healthy lifestyle, including physical activity, a healthy diet, avoiding excessive caffeine and alcohol, not smoking; 4. Reduction of type A behavior and hostility; 5. Improved social support, backed by community programs; 6. Improved work environment, aiming at an improved relationship between psychological demands and decision latitude/social support, by educating managers or whole organisations. Improved relationship between effort and rewards, and shift work schedules that go "clockwise", and for groups with high demands for attention or fear avoidance, avoidance of long work weeks.

References

[1] S. Cohen., Kamarach, T. @ *Mermelstein, R. A global measure of perceived stress*. Journal of Health and Social behavior, (1983). 24,385-396.

[2] S. Cohen, D. Janicki-Deverts, G.E. Miller. *Psychological stress and disease*. Journal of the American medical Association, 298, 1684-1681 (2007).

[3] D.D Smedt, E. Clays , L.. Annemans , F. Doyle, K. Kotseva, et al. (2013) *Health related quality of life in coronary patients and its association with their cardiovascular risk profile*: results from the EUROASPIRE III survey. Int J Cardiol 168: 898–903. doi: 10.1016/j.ijcard.2012.10.053

[4] E.R. Eichner., *Exercise and heart disease*. Epidemiology of the "exercise hypothesis". Am J Med. Dec;**75**(6): 1983, 1008–102

[5] T.Esch : *Health in Stress: Change in the Stress Concept and its Significance for Prevention*, Health and Life Style. Gesundheitswesen, 2002; 64: 73-8

[6] T.Esch : *Bestimmung von Vorgaengen zum aktiven Erhalt der zellulaeren Autonomie und Organisation mit Hilfe des Schwesterchromatid-Austausch-Verfahrens [Dissertation]*. GeorgAugust-Universitaet, Goettingen, 1999

[7] W.R. Harlan.: *Physical and psychosocial stress and the cardiovascular system. Circulation*, 1981; 63: 266A-271A

[8] W.M. Hopman, M.B. Harrison, H. Coo.,E. Friedber, M. Buchana, et al. *Associations between chronic disease, age and physical and mental health status*. Chronic Dis Can 29, 2009, 108–116.

[9]F. Jones, J. Bright., A. Clow.,: *Stress: Myth, Theory and Research. Prentice Hall,* New York, 2001

[10] H. Manev., The Heart-brain connection begets cardiovascular psychiatry and neurology. Cardiovasc Psychiatry Neurol. 2009:54673 ed. 2009

[11] D.B. Newlin ,R.W. Levenson.: *Cardiovascular responses of individuals with type A behavior pattern and parental coronary heart disease*. Journal of Psychosomatic Research, 1982; 26: 393-402

[12] H. Selye: *The Evolution of the Stress Con-cept*. American Scientist, 1973; 61: 692-699 4.

Implicit Theories of Intelligence and Personality, Attitudes towards Uncertainty, and Academic Achievement in College Students: A Cross-Cultural Study

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Abstract: *Implicit theories of personality and intelligence and goal orientations constitute an important part of the complex system of personality predictors of academic achievement. The goal of our cross-cultural study was to compare the relationships between these theories, tolerance/intolerance for uncertainty, and academic achievement in Russian and Azerbaijani students. We established the cross-cultural invariance of the factorial structure of Implicit Theories Inventory in Russian and Azerbaijani samples. 265 Azerbaijani students and 359 Russian students participated in the main study. Azerbaijani students showed higher levels of performance goals (compared to mastery goals), compared to Russian students. They also showed higher levels of belief that intelligence is malleable and develops in learning contexts. At the same time, Russian students had significantly higher tolerance and significantly lower intolerance for uncertainty, compared to Azerbaijani students. However, we argue that these group differences could potentially be attributed to gender-specific cross-cultural differences in intolerance for uncertainty in men, but not women.*

Introduction

1.1. Implicit theories of intelligence and personality

Implicit theories include an unconscious set of lay beliefs used to reason about self and other people. In every day contexts, people establish complex schemata of assumptions about other people's behavior that are in turn used to guide reasoning and action The concept of implicit theories is connected with the idea of personal constructs developed in Kelly's personality theory [32]. The first systematic study of implicit theories of intelligence was conducted in 1947 [16]. Implicit theories were contrasted with explicit theories developed as part of the advancement of scientific knowledge in a set of other studies conducted by R. Sternberg in the 1980s [42]. Nowadays implicit theories of intelligence are viewed as a factor that influences one's expectations from and evaluations of other people. They were also proposed to affect self-evaluations of intelligence and, consequently, achievement and success in multiple different domains of life, including the academic one [36].

C. Dweck studied implicit theories as factors of the internal determination of students' learning [15, 24]. Her studies showed that people differ in their conceptions of intelligence and personality, thinking of these psychological attributes as either constant (entity theorists) or malleable (incremental theorists). These components of self-concept were proposed as significant sources of individual differences in educational attainment.

In her studies of the influence of implicit theories of intelligence on a process of formulating life and educational goals, Dweck noted that many individuals tend to choose goals that are oriented towards the end-result (performance goals). For these individuals, a positive self-esteem and avoidance of failure are of key importance. Others choose goals that are focused on learning (correspondingly, learning or mastery goals).

Individuals that view intelligence as a constant (quantitative) trait appreciate easy success and strive to be better than others in every activity they engage in. Obstacles on their way to achieve their goals and peer success might force them to doubt their inte-

llectual ability, Conversely, people who view intelligence as a changeable trait that can be enriched /developed through learning have less fear of challenges and obstacles.

Studies that investigate the impact of personality traits and self-assessed intelligence (SAI) on academic achievement, are frequently based on Dweck's idea that implicit theories precede and regulate goal setting and motivation, with significant consequences for learning [8]. For example, Furnham and colleagues [23] reported a significant positive correlation ($r = .35$) between the incremental theories of intelligence and the level of SAI.

Dweck developed several questionnaires for measuring incremental and entity theories of intelligence and personality [15]. She also developed a scale for measuring learning goals as oriented performance or learning. She showed that mastery goal orientation is linked to the motivation to solve complex problems and challenging tasks, unlike the performance orientation that leads to avoidance of such tasks. These findings correspond to the main approach in the field. Most often in publications concerned with goal orientations (as per our estimate of about one third of the total number of the published studies) they are viewed as specific goals related to achievement motivation and discussed in the framework of contrasting mastering vs. performance goals (the orientation to improve the competence vs. to demonstrate the competence to other people) [12].

During the validation of Dweck's scales in Russian student samples we added the academic self-concept scale to the inventory [36, 38]. The main reason for this addition was the to take into consideration the functional role of the Self-concept in the processes of goal formation. We suggested that the representation of one's place in the students academic 'hierarchy' and self-evaluations of one's efficiency and value of learning efforts should be measured together with learning goals as parts of the united system of the self-regulated learning.

1.2. Learning goals and academic achievement

Subjective representations of learning goals and academic self-concept are included into a more broad concept of self-efficacy. In Bandura's approach, the concept of self- efficacy includes the assumption of its motivational effects on the processes of learning through goal formation [4]. Goals provide the basis for self-regulation of learning effort through implicit standards that are used to control and adjust relevant learning strategies. Students with high academic self-efficacy use more effective learning strategies (both cognitive and motivational meta-strategies) and manage time better; generally, they are more efficient in the exploration of the environment, self-control, and in effort regulation [9]. Thus, we assume that goal orientations as part of self-efficacy should be considered as integrated in the united system of the self-regulated learning that also draws on self-concept and implicit theories. Our previous studies found that incremental theories of intelligence and self-assessed intelligence in Russian student samples were positively related with the level of conscious self-control whereas learning goals were correlated with the control flexibility [38].

Goal orientations are related to successful knowledge transfer from a learning situation to a real one [17]. Thus, students with mastery goals are characterized by high levels of metacognitive activity. For these students, similarity of skills acquired during the training series with skills required in the test task was considered as more important than the similarity of elements of these different tasks. Thus, they were hypothesized to gradually increase the complexity of training tasks to gain a fuller understanding of the matter and acquire the required competence. However, the resulting model did not demonstrate the relationship between goal orientation and learning strategies. Instead, the only one significant relationship observed was obtained the negative relationship between performance goals and self-efficacy.

Blackwell with coauthors aimed to examine the relationships between motivational variables, implicit theories of intelligence, and academic achievement [5]. Results of their two studies were combined using methods of the structural equation modeling in the unified model. In this model, learning goals mediated the relationship between incremental theories of intelligence and positive coping strategies. Positive strategies, in their turn, mediated the relationship between learning goals and academic achievement. The third mediational effect was observed for the belief in efficiency of learning efforts: it mediated the relationship between incremental theories of intelligence and positive strategies of coping with a failure. The main conclusion was that incremental intelligence theorists tended to have mastery goals (i.e., to learn as much as possible even if it is difficult). They also believed that intelligence was necessary for learning and leads to higher achievement. When they failed, these students did not consider their failures to be a consequence of the insufficiency of their ability, but

rather were ready to work further to avoid similar situations in the future.

Aronson, Fried and Goode performed a comparison of students who learned the incremental theory of intelligence with two control groups [3]. The results of the SAT exam showed that students trained in the incremental theory of intelligence got significantly higher scores than students in other groups. This result suggests that implicit theories of intelligence can be changed, and that, in turn, can influence academic achievement.

Dupeyrat and Marine [14] showed that performance goals lead to the realization of facile strategies in a sample of adults who did not finish school for various reasons and decided to resume their education. These authors reported two interesting results. First, different types of learning strategies were unrelated to academic achievement. Second, unlike Dweck, these authors did not obtain a correlation between the incremental theory of intelligence and mastery goals. They explained this fact through the idea that respondents' implicit theories of intelligence could be multidimensional and domain-specific as it was originally suggested by R. Sternberg [42]. According to this idea, in some areas participants considered their abilities as developing and incremental, and in other areas – as constant and invariable.

1.3. Implicit theories, learning goals and tolerance/intolerance for uncertainty

The concept of tolerance/intolerance for ambiguity has changed since its the first introduction in E. Frenkel-Brunswick's studies [18, 19]. The distinction between tolerance for ambiguity (TA) and tolerance for uncertainty (TU) has been noted in different fields of psychology [22, 25, 40]. TA is concerned with the response to the ambiguity of stimulation in the actual situation whereas TU is considered as the perception of uncertainty in the future and as the person's emotional experience that is evoked by this uncertainty.

We previously showed that traits related to coping with uncertainty were connected to multiple components of self-concept [35]. Using SEM, we found that the latent variable of Uncertainty and Risk Acceptance (which was manifested in tolerance for uncertainty, risk readiness and faith in intuition) was related to self-assessed intelligence [37]. We hypothesized that self-assessment of intelligence requires overcoming uncertainty as the part of the internal dialogue during self-concept formation and, at the same time, is rooted in implicit theories of intelligence. Viewed implicit theories as regulatory representations of the self-consciousness [24] we suggested that self-assessed intelligence and implicit theories of intelligence should be closely related, as the latter relies on the implicit theory of what intelligence and intelligent behavior are.

Based on this cursory review of the literature, we hypothesized that students that have the incremental theory of intelligence and mastery goals should have high tolerance for uncertainty since all three are oriented towards the future (as opposed to, for example, the present reflects in the current self-concept and its evaluations).

1.4. Cross-cultural context of implicit theories and tolerance/intolerance for uncertainty

The idea of cross-cultural differences in attitudes towards uncertainty has been originally developed in economic and management studies [28, 29]. In 1980s, Hofstede developed the Uncertainty Avoidance Index for different cultures that tapped into the national specifics of attitudes towards uncertainty [28]. This index is used in empirical studies of cultural differences in economic decisions. For instance, Frijns with colleagues [20] showed that CEOs of firms based in countries with lower levels of uncertainty tolerance, as measured by Hofstede's index, require higher premiums on takeovers. Another study [30] found that countries with high uncertainty avoidance grow disproportionately slower in industrial sectors where information is generally less available. Based on the work of Guiso and colleagues [26], who found that national uncertainty avoidance is significantly and substantially (in terms of the effect size) lower in countries with a higher fraction of Protestants, and significantly higher in countries with a higher fraction of Catholics, Huang tested a hypothesis that confessional composition has an effect on the Hofstede's index. Results showed that the fractions of Protestants, Catholics, and Muslims in the population predicted national uncertainty avoidance. We believe that the next step in the developing field of psychology of uncertainty it would be to attribute cross-cultural differences in attitudes towards uncertainty to those in its other personality correlates.

A set of comprehensive studies of cross-cultural differences in implicit theories of intelligence in different countries of Africa, Asia and Europe was reviewed by Sternberg and Ruzgis [43]. They showed that non-European countries were characterized by

higher attention to social manifestations of intelligence. Dweck reported results of the comparisons of the relationships between implicit theories and lay dispositionism in the United States (a more individualistic culture) and Hong Kong (a more collectivistic culture) and showed that this relationships was generalizable across cultures [10]. Another study that compared cross-cultural differences in the Western vs. Eastern cultures [39] showed that Korean adults emphasized social skills in implicit intelligence theories to a greater degree than Americans and several other Asian samples studied previously. Comparisons of implicit theories of creativity in American and Indian samples results revealed significant cross-cultural differences for intellectual and attitudinal clusters of adjectives that describe creativity [41]. Thus, the obtained profile of results is highly complex and heterogeneous, necessitating further studies. Correspondingly, the aim of our study was to compare implicit theories of intelligence and personality, goal orientations and tolerance/intolerance for uncertainty in two samples of Azerbaijani and Russian students. Importantly, we relied on the identity of the educational programs used in Moscow and Baku (as branches of the same institution that also commissions visiting professors that teach at the main branch) and the fact that we observed significant cross-cultural differences in self-regulation of learning in these two samples. The identity of the educational programs and the commonality of the language (i.e., Russian was used for teaching in both samples) allowed us to conduct a cross-cultural study of learning regulation that was at least partially free from the influences from linguistic factors and factors related to the differences in the educational systems.

Russia and Azerbaijan share nearly seven decades of the common history in the Soviet Union. These circumstances pulled together social representations in these cultures in many aspects. In contrast, before the Soviet Union formation these two cultures were very different: Azerbaijan was more traditional and religious country than Russia. Nevertheless, the countries have been evolving independently for over twenty years. A comparison of socio-economic variables in these countries suggests they exhibit differences in several indexes that are proximal to uncertainty avoidance. For instance, Azerbaijan has higher levels of the Index of Economic Freedom than Russia [1, 31] that suggests that its economic environment provides more options for its citizens. Conversely, Russia is a more secular country than Azerbaijan: 83% religious citizens in Russia vs. 99% religious citizens in Azerbaijan [27]. Thus, studying possible cross-cultural differences in attitudes towards uncertainty bet-

ween these countries could be informative in further studies, especially given the fact that the Uncertainty Avoidance Index has not yet been computed for Azerbaijan [2].

We tested the following hypotheses in our study:

H1. Russian and Azerbaijani students differ in the psychological texture of implicit theories and goal orientations. We expected

1) a higher level of incremental theories in the Russian sample as Russian students have more opportunities for the confirmation of their intellectual competence due to the wider/larger sphere/network of professional communication;

2) a higher level of performance goals in the Azerbaijani sample since for them academic achievement is potentially the most informative indicator of their learning efficiency.

H2. Russian and Azerbaijani students differ in attitudes towards uncertainty. We expected to observe higher tolerance for uncertainty/ambiguity in the Russian sample and higher intolerance for uncertainty/ambiguity in the Azerbaijani sample due to the differences in the religiosity.

H3. Students that hold incremental implicit theories were expected to be more tolerant of uncertainty than students with entity theories within both samples.

H4. Students with incremental implicit theories and tolerant attitudes toward uncertainty should demonstrate higher academic achievement than students that hold entity theories and are intolerant of uncertainty within both samples.

Our complementary aim was to examine the cross-cultural invariance of Dweck's inventory with the added self-concept scale [36, 38]. This paper thus also presents such an analysis.

2. Method

2.1. Study design

At the first step, we performed an evaluation of the cross-cultural invariance of the self-concept scale and Dweck's scales united in the Implicit Theories Inventory [38]. In the second step, we performed a cross-cultural comparison of Russian and Azerbaijani

students with respect to implicit theories, goal orientations and the attitude towards uncertainty.

2.2. Participants

1149 undergraduate students from Moscow State University named after M.V. Lomonosov from Moscow and from Baku (the Baku branch) participated in this study.

For the first step of the study, we recruited 884 Russian undergraduates (724 females and 150 males, 10 students did not specify their gender) in the age range from 17 to 60 years old ($M = 21.10$, $SD = 4.87$). We also recruited 265 Azerbaijani undergraduates (180 female, 85 male) from 16 to 27 years old ($M = 19.20$, $SD = 1.83$). The proportion of men and women in samples represents the preference of the education in psychology. The aim of the first step was to establish cross-cultural invariance of Implicit Theories Inventory.

For the second step, 359 Russian students (303 females and 56 males) aged from 17 to 25 years ($M = 19.35$, $SD = 0.98$) from the original sample participated in the study and were contrasted with 265 age-matched Azerbaijani students (also part of the original sample). The aim of the second step was to compare Russian and Azerbaijani samples according our hypotheses.

2.3. Measures

2.3.1. Implicit Theories Inventory. Implicit theories, goal orientations, and academic self-concept were assessed using the Russian version of Smirnov's translation of Dweck's brief questionnaires [15, 36, 38]. Acceptance of the implicit theory of incremental intelligence (INT) and enriched personality (PER) reflect whether a student holds an "entity" or "incremental" theory of these attributes. Performance or mastery goals measure (*MAS*) reflects goal orientations: mastery goals aim at increasing competence, whereas performance goals are related to confirming competence and avoiding negative judgments. Seven additional items added in our previous studies form the academic self-concept scale (*ASC*). This measure measures students' beliefs about their overall effectiveness in learning and a subjective value of effort invested into it.

2.3.2. Tolerance for ambiguity. Tolerance and intolerance for ambiguity were measured using Budner's Intolerance of Ambiguity Scale [6], adapted into Ru-

ssian [34]. Unlike the initial version of the questionnaire with one bi-polar scale, the Russian version distinguishes between tolerance for ambiguity (*TA*) and intolerance for ambiguity (*ITA*).

2.3.3. Tolerance for uncertainty. To asses tolerance and intolerance for uncertainty, we used the New Questionnaire of Tolerance for Uncertainty (NQTU) [33], which combines four different measures of tolerance for uncertainty [21]. NQTU consists of three scales: Tolerance for uncertainty (*TU*) as the ability to function in uncertain situations, Intolerance for uncertainty (*ITU*) as the desire to avoid uncertainty in the "world of ideas," and Interpersonal intolerance for uncertainty (*IITU*) as the desire for certainty and clarity in interpersonal communication and relationships.

2.3.4 Academic achievement. The baseline measure of academic achievement was students' GPA for the three semesters through official transcripts. Preliminary analysis of the distribution of GPA scores for the Russian sample has shown that it significantly differs from a normal distribution (*Kolmogorov-Smirnov Z with Lilliefir's correction* = .142, *p* < 0.001; *skewness* = -.87; *kurtosis* = -.13). Preliminary analysis of the distribution of GPA scores for Azerbaijani sample showed that it did not significantly differ from a normal distribution (*Kolmogorov-Smirnov Z with Lilliefir's correction* = .069, *p* = 0.095; *skewness* = .04; *kurtosis* = .40). The obtained non-normality of the GPA distribution in the Russian sample is consistent with our previous findings [36] and other research reports concerned with academic achievement in Russian students.

3. Results

3.1. Cross-cultural invariance of the Implicit Theories Inventory

We conducted verification of the cross-cultural invariance of the inventory in four steps [7]. At the first step, we used confirmatory factor analysis (CFA) to establish the 4-factor structure for the Implicit Theories Inventory for each of two samples as separate baseline models. At the second step, we verified the configural invariance of the inventory in two samples. At the third step, we estimated the measurement invariance of the inventory. Finally, at the fourth step, we verified the structural invariance of the inventory.

3.1.1. Factorial structure of the Implicit Theories Inventory. For both samples, we tested the original

structure of the Inventory reported for Russian version of the scales in 2008 [38].

The 4-factor model of the Inventory (M1) demonstrated satisfactory fit indices in the Russian sample: $S\text{-}B\chi^2_{(317)}$ = 1277.26 p < .0001, CFI = .952, $RMSEA$ = .059, 90% CI .055, .062. Nonetheless, based on Lagrange's modification indices (Lagrange Multiplier, LM), we added 6 parameters into the model. These were error covariances for items with similar wordings: 1-6, 3-7, 7-21, 11-17, 16-20 and 23-27. The new model (M2) demonstrated significantly better fit than model M1: $S\text{-}B$ $\chi^2_{(311)}$ = 879.16 p < .0001, CFI = .972, $RMSEA$ = .046, 90% CI .042, .049, and was used in the cross-cultural invariance analysis as the baseline model for Russian sample.

The 4-factor model of the Inventory (M3) did not demonstrate satisfactory fit in the Azerbaijani sample: $S\text{-}B$ $\chi^2_{(317)}$ = 866.17 p < .0001, CFI = .827, $RMSEA$ = .082, 90% CI .075, .088. Based on LM, we added error covariances for items with similar wording (1-6, 1-12, 6-12, 7-14, 7-25, 10-18) into the model. The new model (M4) demonstrated significantly better fit than model M3, yet still far from satisfactory: $S\text{-}B$ $\chi^2_{(311)}$ = 685.92 p < .0001, CFI = .882, $RMSEA$ = .068, 90% CI .061, .075.. Further LM-based modifications of the model did not result in model fit improvement. Thus, we decided to use model M4 in the cross-cultural invariance analysis as the baseline model for Azerbaijani sample, according to suggestions in the invariance testing literature [7].

3.1.2. Configural invariance of the Implicit Theories Inventory.
The same parameters estimated on the first step in baseline models were estimated in the multigroup model. The aim of this analysis was to establish the invariance of the general structure of the inventory. Model M5 was identical to models M2 and M4 and united data from the two samples Model M5 showed satisfactory fit: $S\text{-}B$ $\chi^2_{(616)}$ = 1490.00 p < .0001, CFI = .962, $RMSEA$ = .050, 90% CI .047, .053. Thus, we observed configural invariance of the inventory in Russian and Azerbaijani samples. The fit of model M5 was used to compare other nested models to it in order to determine the extent of invariance.

3.1.3. Measurement invariance of the Implicit Theories Inventory.
The aim of this analysis was to estimate the invariance of the factor loadings in the two samples. All estimated factor loadings and one error covariance (for items 1&6) were constrained to be equal for Russian and Azerbaijani samples (model

M6). Model M6 demonstrated satisfactory fit: $S\text{-}B$ $\chi^2_{(645)}$ = 1598.76 p < .0001, CFI = .959, $RMSEA$ = .051, 90% CI .048, .054. Model M6 did not significantly differ from model M5 in term of fit ($\Delta S\text{-}B$ $\chi^2_{(29)}$ = 13.2526 p = .995, ΔCFI = .003). For model M6 nine constraints were found to be non-equivalent (i.e., factor loadings for items 1, 6, 8, 12, 18, 21, 26, 28, plus one error covariance). We tested the partial equivalent model (M7) while releasing those factor loadings[7]. Model M7 demonstrated satisfactory fit: $S\text{-}B$ $\chi^2_{(635)}$ = 1526.06 p < .0001, CFI = .961, $RMSEA$ = .050, 90% CI .046, .053. Model 7 did not significantly differ from model M5 in terms of fit, ($\Delta S\text{-}B$ $\chi^2_{(19)}$ = 10.7270 p = .933, ΔCFI = .001). Thus we established the partial measurement invariance of the inventory in the two samples.

3.1.4 Structural invariance of the Implicit Theories Inventory.
The aim of testing structural invariance was to verify the invariance of the factor covariances (i.e., latent structure). Thus, in addition to constraints imposed on model M7, we constrained factor covariances to be equal in both samples. This model (M8) also showed satisfactory fit: $S\text{-}B$ $\chi^2_{(641)}$ = 1526.45 p < .0001, CFI = .962, $RMSEA$ = .049, 90% CI .046, .052. Model M8 did not significantly differ from model M5 ($\Delta S\text{-}B$ $\chi^2_{(25)}$ = 5.877 p = .999, ΔCFI = 0).

Thus, our results revealed the cross-cultural configural, measurement and structural invariance of the Implicit Theories Inventory across Russian and Azerbaijani samples.

3.2. Cross-cultural differences in academic achievement and personality variables

Table 1 and Figure 1 present descriptive statistics for Russian and Azerbaijani students.
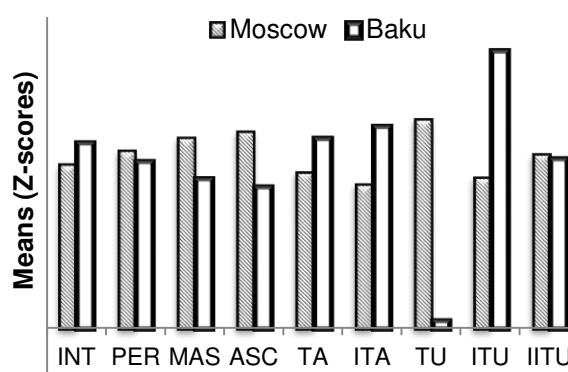
Figure 1. Means for personality variables in Russian and Azerbaijani samples (z-scores)
**Table 1. Descriptive statistics for GPA and personality measures in Russian and Azerbaijani students**

	Moscow, Russia			Baku, Azerbaijan		
	M	*SD*	N	*M*	*SD*	N
GPA	4.40	.54	339	3.69	.73	143
INT	6.22	6.44	359	7.02	6.23	265
PER	1.53	6.64	359	1.13	7.06	265
MAS	3.88	4.62	359	2.77	4.87	265
ASC	6.55	5.80	359	4.77	5.30	265
TA	29.93	4.30	107	30.79	4.32	107
ITA	27.45	6.34	107	29.47	5.50	107
TU	63.86	7.66	359	54.01	7.65	77
ITU	57.76	9.58	359	64.90	8.39	77
IITU	33.60	6.85	359	33.44	5.47	77

We found that Russian students had higher academic achievement than Azerbaijani students ($t_{(214.77)}$ = 10.418 $p < .001$, *Cohen's d* = 1.423). INT, PER and IITU did not significantly differ between Russian and Azerbaijani students ($t_{(622)}$ = -1.550 $p = .122$, $t_{(622)}$ = .726 $p = .468$ and $t_{(434)}$ = .186 $p = .853$, respectively). Russian students showed higher scores on MAS, ASC and TU than Azerbaijani students ($t_{(622)}$ = 2.896 $p = .004$, *Cohen's d* = .232, $t_{(622)}$ = 3.934 $p < .0001$, *Cohen's d* = .315 and $t_{(434)}$ = 10.234 $p < .0001$, *Cohen's d* = .982, respectively). Azerbaijani students had higher scores on ITU and ITA than Russian students ($t_{(434)}$ = -6.058 $p < .0001$, *Cohen's d* = .582 and $t_{(207.78)}$ = -2.488 $p = .014$, *Cohen's d* = .345, respectively).

Thus, both measures of the attitudes towards ambiguity/uncertainty (TA/ITA and TU/ITU) showed that Azerbaijani students were more intolerant of uncertainty than Russian students. We did not find any significant cross-cultural differences in implicit theories of intelligence and personality. However, Russian students demonstrated higher mastery goals, academic achievement, and academic self-concept than Azerbaijani students.

3.3. Cross-cultural comparison of GPA and personality variables controlled for gender differences

Due to the inequality of the gender distributions in the two samples, we decided to verify the impact of gender on observed differences. Descriptive statistics for each sample separately are presented in Table 2. We used MANOVA with two independent variables: gender (male/female) and country (Russian/Azerbaijani) for each measured variable.
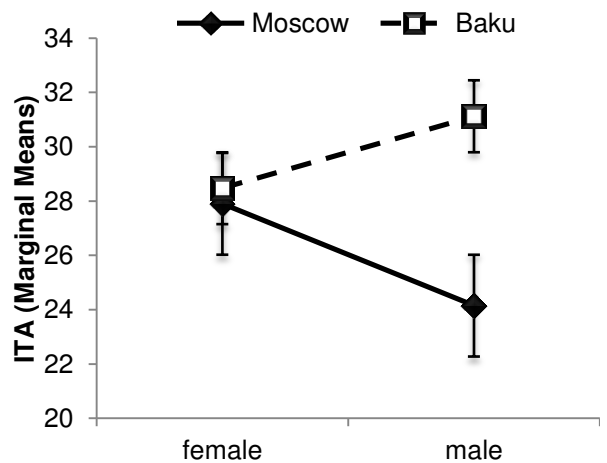
Figure 2. Interaction between gender and country for ITA

We found a significant interaction between gender and country factors combined for ITA (F_{model} = 1280.382, $p < .0001$, F_{sex} = .281, $p = .597$, F_{sample} = 13.152, $p < .0001$, $F_{sex \times sample}$ = 9.458, $p = .002$). This

Table 2. Descriptive statistics for personality variables split by country and gender

| | Moscow, Russia | | | | | | Baku, Azerbaijan | | | | | |
| | Female | | | Male | | | Female | | | Male | | |
	M	SD	N	M	SD	N	M	SD	N	M	SD	N
GPA	4.46	.51	290	4.05	.61	49	3.86	.67	91	3.40	.73	52
INT	6.25	6.03	303	6.04	8.42	56	7.14	5.44	180	6.74	7.68	85
PER	1.24	6.32	303	3.11	8.04	56	1.15	6.59	180	1.08	8.00	85
MA~	3.97	4.41	303	3.93	5.65	56	3.27	4.79	180	1.73	4.91	85
ASC	7.14	5.53	303	3.34	6.24	56	5.61	5.20	180	2.99	5.11	85
TA	30.00	4.27	94	29.00	4.40	40	31.42	4.38	67	29.73	4.04	40
ITA	27.90	6.30	94	27.00	6.25	40	28.48	5.64	67	31.13	4.86	40
TU	64.09	7.78	303	62.61	6.88	56	53.55	7.73	64	58.00	8.79	28
ITU	57.46	9.60	303	59.36	9.41	56	65.20	8.23	64	64.50	8.12	28
IITU	33.81	6.84	303	32.43	6.85	56	33.69	5.53	64	35.50	6.48	28

interaction is presented graphically in Figure 2. Russian men were less intolerant of ambiguity than Azerbaijani men. Women in both samples did not differ with respect to ITA.

Also we found a significant interaction between gender and country factors combined for TU (F_{model} = 36.710, $p < .0001$, F_{sex} = .965, $p = .327$, F_{sample} = 59.548, $p < .0001$, $F_{sex \ x \ sample}$ = 5.769, $p = .017$). This interaction is presented graphically in Figure 3. Differences in TU were obtained mostly for women: Russian women were more tolerant for uncertainty then Azerbaijani women. Men in both samples were more similar.
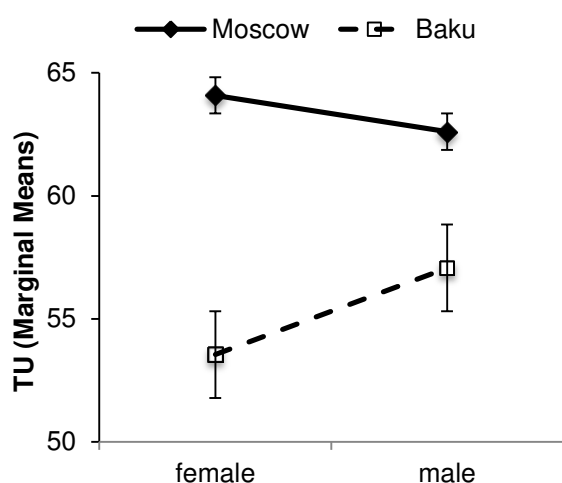
Figure 2. Interaction between gender and country for TU

In the Russian sample, men demonstrated lower, GPA and ASC than women ($t_{(59.80)}$ = 4.445 $p < .0001$,

Cohen's d = 1.150, and $t_{(357)}$ = 4.635 $p < .0001$, Cohen's d = .491, respectively).

In the Azerbaijani sample, men demonstrated higher ITA and lower GPA and ASC than women ($t_{(105)}$ = -2.468 $p = .015$, Cohen's d = .482, $t_{(141)}$ = 3.794 $p < .0001$, Cohen's d = .639, $t_{(263)}$ = 3.846 $p < .0001$, Cohen's d = .474, respectively). Additionally, men in the Azerbaijani sample had lower TA and MAS than women ($t_{(105)}$ = 1.988 $p = .049$, Cohen's d = .388 and $t_{(263)}$ = 2.418 $p = .016$, Cohen's d = .298s, respectively).

Thus, we assume that gender differences in tolerance for ambiguity are culture-dependent. Conversely, the gender differences in GPA and ASC seem to be similar in both countries: women had higher academic achievement and higher evaluation of their learning efficiency in both samples.

3.4. Cross-cultural comparison of the relationships between implicit theories and attitudes towards uncertainty

We divided each sample into two groups using the median split on the four scales of the Implicit Theories Inventory (INT, PER, MAS, ASC) separately. Using Student's t-test for independent samples, we compared attitudes towards uncertainty (TA/ITA and TU/ITU/IITU) between these groups Russian and Azerbaijani samples separately.

3.4.1. INT. Means for scores for attitudes towards uncertainty variables for students holding entity (E-INT) and incremental (I-INT) implicit theory of intelligence are presented in Table 3.

In the Russian sample, students holding the incremental implicit theory of intelligence had higher TU than students holding entity implicit theory ($t_{(357)}$ = -2.984 p = .003, *Cohen's d* = .316). In the Azerbaijani sample, students with the incremental implicit theory of intelligence demonstrate higher ITU than students with the entity theory ($t_{(75)}$ = -2.287 p = .025, *Cohen's d* = .528).

Table 3. Means for attitudes towards uncertainty variables for students with entity and incremental implicit theories of intelligence

	Moscow, Russia		Baku, Azerbaijan	
	E-INT	I-INT	E-INT	I-INT
TA	29.57	30.31	30.27	31.33
ITA	28.50	26.29	29.49	29.44
TU	62.65	65.04	54.93	52.97
ITU	57.04	58.46	62.90	67.17
IITU	34.25	32.95	33.24	33.67

3.4.2. PER. Mean scores for attitudes towards uncertainty for students holding entity (E-PER) and enriched (En-PER) implicit theories of personality are presented in Table 4. In the Russian sample, students holding the enriched implicit theory of personality had lower IITU than students with entity implicit theory ($t_{(357)}$ = 2.406 p = .017, *Cohen's d* = .255). In the Azerbaijani sample, we did not find any significant differences between these groups.

Table 4. Means for attitude towards uncertainty variables for students with entity and enriched implicit theories of personality

	Moscow, Russia		Baku, Azerbaijan	
	E-PER	En-PER	E-PER	En-PER
TA	30.12	29.67	30.94	30.56
ITA	27.85	26.91	28.69	30.63
TU	63.22	64.54	54.02	54.00
ITU	57.45	58.09	63.37	66.64
IITU	34.43	32.70	33.49	33.39

3.4.3. MAS. Mean scores for attitudes towards uncertainty for students with performance (PG) and mastery (MG) goals are presented in Table 5. In the Russian sample, students with mastery goals showed

Table 5. Means for attitudes towards uncertainty variables for students with performance and mastery learning goals

	Moscow, Russia		Baku, Azerbaijan	
	PG	MG	PG	MG
TA	29.52	30.72	30.06	31.91
ITA	28.47	25.44	30.29	28.19
TU	62.19	65.77	53.39	54.28
ITU	58.94	56.40	65.87	64.48
IITU	34.81	32.20	35.00	32.78

higher TU and lower ITA, ITU, and IITU than students with performance goals ($t_{(357)}$ = -4.528 p < .00001, *Cohen's d* = .479, $t_{(96.85)}$ = 2.697 p = .008, *Cohen's d* = .548, $t_{(357)}$ = 3.651 p < .00001, *Cohen's d* = .386, and $t_{(357)}$ = 2.521 p = .012, *Cohen's d* = .267, respectively).

In the Azerbaijani sample, students with mastery goals had higher TA than students with performance goals ($t_{(357)}$ = 2.406 p = .017, *Cohen's d* = .255).

Thus, mastery goals were positively linked to tolerance for ambiguity in the Azerbaijani sample and with tolerance for uncertainty in the Russian sample. Additionally, in the Russian sample, students with mastery goals had lower intolerance for uncertainty/ambiguity than students with performance goals.

3.4.4. ACS. Means scores for attitude towards uncertainty variables for students with high (H-ASC) and low (L-ASC) academic self-concept are presented in Table 6.

Table 6. Means for the attitudes towards uncertainty variables for students with high an low academic self-concept

	Moscow, Russia		Baku, Azerbaijan	
	L-ASC	H-ASC	L-ASC	H-ASC
TA	29.38	30.57	30.54	31.08
ITA	27.91	26.90	29.75	29.13
TU	63.28	64.51	54.22	53.83
ITU	57.79	57.73	65.36	64.49
IITU	33.40	33.82	33.61	33.29

Our analyses did of the ASC median groups did not identify any significant differences in attitudes towards uncertainty in these groups for both samples. Thus, there was no significant relationship between attitudes towards uncertainty and students' beliefs about their efficiency in learning.

3.5. Cross-cultural comparison of the relationships between academic achievement and personality variables

Pearson's bivariate correlations between study measures for the two samples are presented in Table 7. In both samples, GPA demonstrated significant positive correlations with MAS, ASC and TA (r = .152, .592 and .218 for the Russian sample and r = .253, .476 and .258 for the Azerbaijani sample, respectively), and significant negative correlation with ITU (r = -.190 for the Russian sample and r = -.625 for the Azerbaijani sample; all p's < .05).

In line with Dweck's hypothesis [15] and previous studies [14, 36], students with mastery goals had higher academic achievement than students with performance goals. Academic achievement was also positively related to students' beliefs in the effectiveness of their learning efforts, in line with research suggesting that self-concept plays an important role in achievement.

GPA was related to two components of attitudes towards uncertainty: TA and ITU. Thus, students who tolerate situational ambiguity better and accept the unpredictability in the future demonstrate higher academic achievement. In the Azerbaijani sample, we obtained several additional correlations between GPA and personality variables. Specifically, academic

On the one hand, we can assume that this dimension of individual differences in implicit theories suggested by C. Dweck could be considered culture-free. On the other hand, we found cross-cultural differences in learning goals and academic self-concept. Supporting our first hypothesis, Azerbaijani students demonstrated higher performance goals and, respectively, lower mastery goals than Russian students. They also showed lower self-evaluation of the efficiency of their learning efforts than Russian students.

Thus, we found cross-cultural differences in goal orientations and academic self-concept but not in implicit theories between Russian and Azerbaijani students.

Table 7. Correlations between GPA and personality variables

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
(1)	GPA	1	-.066	-.051	.152**	.592**	.218*	-.074	.050	-.190**	.075
(2)	INT	.164	1	.558**	.296**	.221**	-.011	-.140	**.164****	.052	**-.147****
(3)	PER	**-.184***	.425**	1	.204**	.053	-.101	**-.262****	.099	-.017	**-.181****
(4)	MAS	.253**	.276**	.196**	1	.330**	.085	**-.247***	**.292****	**-.163****	-.271**
(5)	ASC	.476**	.185**	**.158****	.494**	1	.097	-,114	.064	.014	-.020
(6)	TA	.258*	.151	-,148	.177	.123	1	-.056	**.468****	**-.248****	.264**
(7)	ITA	**-.404****	-.112	.135	-,151	-.136	-.056	1	**-.522****	**.389****	**.372****
(8)	TU	.091	-.187	.016	.125	.015	-.047	-.287	1	**-.196****	**-.221****
(9)	ITU	-.625**	**.235***	.122	.006	-.083	.134	.370	.011	1	.275**
(10)	IITU	**-.438***	-.041	-.177	-.243*	-.124	.452*	.150	.059	.484**	1

Note: * is used for *p* < .05, ** is used for *p* < .01. Correlations for the Russian sample are presented above the diagonal and correlations for the Azerbaijani sample are presented bellow the diagonal. Bold style is used for significant correlations that differ in studied samples.

achievement was negatively related to PER, ITA and IITU (*r* = -.184, -.404 and -.438, respectively; all *p*'s < .05).

Thus, Azerbaijani students with higher intolerance for situational ambiguity and with higher desire for clarity and predictability in personal relationships demonstrated lower academic achievement. Surprisingly, we found that Azerbaijani students that hold enriched implicit theory of personality had lower GPA than entity theorists. This fact is in contradiction with Dweck's initial hypothesis and requires further investigation.

4. Discussion

4.1 Cross-cultural differences in implicit theories of intelligence and personality, goal orientations, and academic self-concept

In our study, we did not obtain significant differences in implicit theories of intelligence and personality between Russian and Azerbaijani samples. This result is partially consistent with previous findings [10, 39].

We previously found [36] that implicit theories were related to learning goals and self-assessed intelligence but were not included in the structural model of self-regulated learning. We assumed that the relationship between implicit theories and learning goals could be mediated by self-assessed intelligence or other personality variables. This indirect relation can explain the differences in implicit theories and learning goals between Russian and Azerbaijani students obta-ined in the present paper and specify Dweck's hypo-thesis about the regulatory role of implicit theories in learning

The crucial cross-cultural difference was observed for academic achievement: Azerbaijani students demon-strated markedly lower GPA than Russian students. Considering the selective nature of the sample from a top-ranking university and the identity of educational programs and educators who assessed learning outcomes in both samples, we assume that cross-cultural differences in personality variables can partially explain differences in the self-regulated learning and academic achievement. This hypothesis is partially supported by the observed cross-cultural differences

in mastery goals. We suggest that goal formation is driven by personality traits that define or influence the development of the representation of the actual situation [11]. Thus, cross-cultural differences in attitudes towards uncertainty could lead to cross-cultural differences in self-regulation of learning.

4.2 Cross-cultural differences in attitudes towards uncertainty

As predicted, Russian students demonstrated higher tolerance for uncertainty and lower intolerance for uncertainty/ambiguity than Azerbaijani students. This result supports the general hypothesis regarding the role of religiosity in uncertainty avoidance [26]. Nevertheless, we did not find any cross-cultural differrences in tolerance for ambiguity. We also found that cross-cultural differences in intolerance for ambiguity were partially explained by the culture-specific gender differences in this trait. Given the noted differrences between concepts of tolerance/intolerance for ambiguity and tolerance/intolerance for uncertainty [25, 40], we assume cultural influences are stronger for the attitude towards the unpredictability of the future than in the attitude towards the ambiguity in the actual situation.

According to results of the correlational analysis reported in Table 7, Russian students also have a more integrated attitude towards uncertainty. The correlational pattern demonstrated the high internal consistency of this multifaceted trait complex: almost all measures of tolerance/intolerance for ambiguity/uncertainty were related to each other in a predictable way. Conversely, in the Azerbaijani sample, we found partial independence of the different facets of attitude towards uncertainty. This suggests that there are pronounced cross-cultural differences in the psychological texture of attitudes towards between Russian and Azerbaijani students.

4.3 Association between implicit theories and attitudes towards uncertainty

In the third hypothesis of our study, we proposed that students holding incremental implicit theories should be more tolerant of uncertainty than students who hold entity theories (within both samples). Our results were only partially consistent with this hypothesis. The suggested pattern was obtained in the Russian sample. Students holding the incremental implicit theory of intelligence demonstrated higher tolerance for uncertainty than entity theorists. Incremental personality theorists also had lower interpersonal intolerance for uncertainty than entity theorists. However, we obtained the reverse patter in the Azerbaijani sample: students holding the incre-mental

implicit theory of intelligence demonstrate higher intolerance for uncertainty than entity theo-rists.

To explain this inconsistency, we must first discuss the relationships between implicit theories and the attitudes towards uncertainty within the framework of obtained cross-cultural differences. A graphical generalization of our results is presented in Figure 4.

As discussed earlier, Russian students were more tolerant of uncertainty than Azerbaijani students. We suggest that they consider uncertainty as an opportunity for developing their intellectual expertise. This representation of uncertainty is reflected in the relationship between intolerance for uncertainty and the incremental implicit theory of intelligence. The more the student appreciates the uncertainty as a environment for his/her development, the more he/she believes in the malleability of intelligence through learning.

On the other hand, Azerbaijani students were more intolerant of uncertainty and ambiguity. They tended to seek predictability and clarity, potentially rendering intelligence the primary coping mechanism for reducing uncertainty. Thus, the higher the need to reduce uncertainty, the more likely it is viewed as a resource that can be used to achieve this goal.

4.4 Relationships among implicit theories, attitudes towards uncertainty, and academic achievement
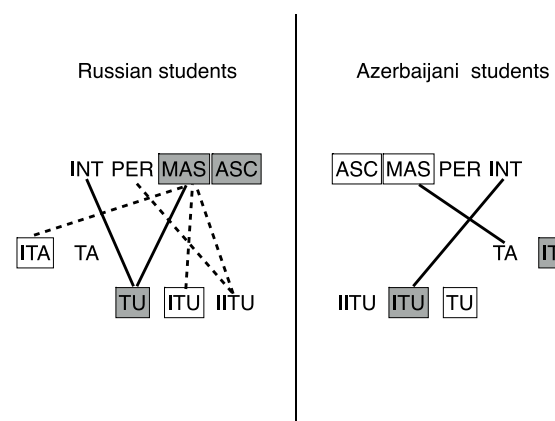
Figure 4. Relationships among implicit theories, goal orientations, academic self-concept, and attitude towards uncertainty in the Russian and Azerbaijani samples

Note. In Figure 3, boxes indicate variables with observed cross-cultural differences. Filled boxes represent higher scores. Solid lines indicate positive relationships and dotted lines represent negative relationships.

We suggest that the obtained pattern of results is indicative of the general representation of uncertainty being more conducive of learning in Russian com-pared to Azerbaijani students. This argument is based on the observation that Russian students had higher levels of mastery goals, academic selfconcept, and academic achievement, than Azerbaijani students. We also obtained a positive correlation between academic achievement and tolerance for ambiguity in both samples. Thus, we argue that attitudes uncertainty play a role in learning and academic achievement: The readiness to cope with ambiguity and complex situations promotes learning outcomes.

In the Azerbaijani sample, we obtained several correlations that were absent in the Russian sample. Two of them also reflected the relationship between learning outcomes and attitudes towards uncertainty. Azerbaijani students with higher academic achievement demonstrated lower intolerance for ambiguity and lower intolerance for uncertainty in interpersonal relationships. This pattern also speaks in support of the importance of representing uncertainty in learning. In combination with high intolerance for uncertainty in the Azerbaijani sample, it suggests that cultural attitude towards uncertainty moderates self-regulated learning. Because of this moderating effect, learning requires more personality 'resources' to cope with challenges in learning in the Azerbaijani sample, and that is reflected in additional relationships observed for academic achievement and personality traits.

The only result that contradicts our hypotheses was the negative relationship between academic achievement and the enriched implicit theory of personality in the Azerbaijani sample. Thus, in this sample, students with high academic achievement were more likely to be entity rather than incremental theorists. These students also showed higher mastery goals that were in turn positively related to the enriched implicit theory of personality. These inconsistencies suggest the existence of additional constructs that mediate and/or moderate relationships between implicit theories, mastery goals, and academic achievement [36]. Future studies will benefit from considering these additional factors.

Thus, we suggest that the Western education system requires a tolerant attitude towards uncertainty due to the necessity to cope with learning challenges inherent to the very process of education [13]. Learning can be considered as the ecological situation of the evolution of such tolerance. The learning process can be viewed as a way to decrease cultural uncertainty avoidance that should in turn lead to the economic and cultural progress. According to this view, education in general might benefit from nurturing the development of positive representations of uncertainty in students and setting explicit aim of developing a tolerant attitude towards uncertainty, which should be especially beneficial in cultures with high uncertainty avoidance.

Acknowledgements

References

[1] *2015 Index of Economic Freedom*. [cited 2015 25/02/2015]; Available from: http://www.heritage.org/index/.

[2] *The Hofstede Centre*. [cited 2015 25/02/2015]; Available from: http://geert-hofstede.com/index.php.

[3] Aronson, J., C.B. Fried, and C. Good, "Reducing stereotype threat and boosting academic achievement of African-American students: The role of conceptions of intelligence". *Journal of Experimental Social Psychology*, 2002. 38(2): p. 113-25.

[4] Bandura, A., *Self-efficacy: The exercise of control*. 1997, New York: Freeman.

[5] Blackwell, L.S., K.H. Trzesniewski, and C.S. Dweck, "Implicit theories of intelligence predict achievement across an adolescent transition: A longitudinal study and an intervention". *Child development*, 2007. 78(1): p. 246-263.

[6] Budner, S., "Intolerance of ambiguity as a personality variable". *Journal of personality*, 1962.

[7] Byrne, B.M., *Structural equation modeling with EQS*, ed. L. Harlow. 2008, New York London: Psychology Press.

[8] Chamorro-Premuzic, T. and A. Arteche, "Intellectual competence and academic performance: Preliminary validation of a model". *Intelligence*, 2008. 36(6): p. 564-573.

[9] Chemers, M.M., L.-t. Hu, and B.F. Garcia, "Academic self-efficacy and first year college student performance and adjustment". *Journal of Educational psychology*, 2001. 93(1): p. 55.

[10] Chiu, C., Y. Hong, and C.S. Dweck, "Lay dispositionism and implicit theories of personality". *Journal of personality and social psychology*, 1997. 73(1): p. 19.

[11] Chumakova, M.A. and S.A. Kornilov, "Individual differences in attitudes towards uncertainty: evidence for multiple latent profiles". *Psychology in Russia: State of the Art*, 2013. 6(4): p. 94-108.

[12] DeShon, R.P. and J.Z. Gillespie, "A motivated action theory account of goal orientation". *Journal of Applied Psychology*, 2005. 90(6): p. 1096-1127.

[13] Dewey, J., *Democracy and education*. 2004: Courier Corporation.

[14] Dupeyrat, C. and C. Mariné, "Implicit theories of intelligence, goal orientation, cognitive engagement, and achievement: A test of Dweck's model with returning to school adults". *Contemporary Educational Psychology*, 2005. 30(1): p. 43-59.

[15] Dweck, C.S., *Self-theories: Their role in motivation, personality, and development*. 2000, Philadelphia: Psychology Press.

[16] Flugel, J., "An inquiry as to popular views on intelligence and related topics". *British Journal of Educational Psychology*, 1947. 17(3): p. 140-152.

[17] Ford, J.K., E.M. Smith, D.A. Weissbein, S.M. Gully, and E. Salas, "Relationships of goal orientation, metacognitive activity, and practice strategies with learning outcomes and transfer". *Journal of applied psychology*, 1998. 83(2): p. 218.

[18] Frenkel-Brunswik, E., "Intolerance of ambiguity as emotional perceptual". *Personality of assessment*, 1948. 40: p. 67-72.

[19] Frenkel-Brunswik, E., "Intolerance of ambiguity as an emotional and perceptual personality variable". *Journal of personality*, 1949. 18(1): p. 108-143.

[20] Frijns, B., A. Gilbert, T. Lehnert, and A. Tourani-Rad, "Uncertainty avoidance, risk tolerance and corporate takeover decisions". *Journal of Banking & Finance*, 2013. 37(7): p. 2457-2471.

[21] Furnham, A., "A content, correlational and factor analytic study of four tolerance of ambiguity questionnaires". *Personality and Individual Differences*, 1994. 16(3): p. 403-410.

[22] Furnham, A. and J. Marks, "Tolerance of Ambiguity: A Review of the Recent Literature". *Psychology*, 2013. 04(09): p. 717-728.

[23] Furnham, A., J. Moutafi, and T. Chamorro-Premuzic, "Personality and intelligence: Gender, the Big Five, self-estimated and psychometric intelligence".

International Journal of Selection and Assessment, 2005. 13(1): p. 11-24.

[24] Good, C. and C.S. Dweck, "A motivational approach to reasoning, resilience, and responsibility", in *Optimizing student success with the other three Rs, Reasoning, resilience, and responsibility*, R.J. Sternberg and R.F. Subotnik, Editors. 2006. p. 39-56.

[25] Grenier, S., A.-M. Barrette, and R. Ladouceur, "Intolerance of Uncertainty and Intolerance of Ambiguity: Similarities and differences". *Personality and Individual Differences*, 2005. 39(3): p. 593-600.

[26] Guiso, L., P. Sapienza, and L. Zingales, "People's opium? Religion and economic attitudes". *Journal of monetary economics*, 2003. 50(1): p. 225-282.

[27] Hackett, C., B. Grim, M. Stonawski, V. Skirbekk, and M. Potančoková, *The Global Religious Landscape*. 2012, Pew Research Center. http://www.pewforum.org/2012/12/18/global-religious-landscape-exec.

[28] Hofstede, G., "Culture and organizations". *International Studies of Management & Organization*, 1980: p. 15-41.

[29] Hofstede, G., "What did GLOBE really measure? Researchers' minds versus respondents' minds". *Journal of international business studies*, 2006. 37(6): p. 882-896.

[30] Huang, R.R., "Tolerance for uncertainty and the growth of informationally opaque industries". *Journal of Development Economics*, 2008. 87(2): p. 333-353.

[31] Johnson, B.T. and T.P. Sheehy, *The index of economic freedom*. 1995, Washington, DC: Heritage Foundation.

[32] Kelly, G., *Principles of personal construct psychology*. 1955, New York: Nor.

[33] Kornilova, T.V., "Noviy oprosnik tolerantnosti k neopredelennosti [New questionnaire for tolerance to uncertainty]". *Psikhologisheskiy zhurnal [Psychology journal]*, 2010. 31(1): p. 74-86.

[34] Kornilova, T.V. and M.A. Chumakova, "Tolerance and Intolerance of Ambiguity in the modification of Budner's questionnaire [Shkali Tolerantnosti i Intolerantnosti k neopredelennosti v modificatsii oprosnika Badnera]". *Experimental Psychology (Russia)*, 2014. 7(1): p. 92-110.

[35] Kornilova, T.V., M.A. Chumakova, S.A. Kornilov, and M.A. Novikova, *Psihologiya neopredelennosti: Edinstvo intellektualno-lichnostnogo potenciala cheloveka [Psychology of Uncertainty: Unity of human intellectual and personal potential]*. 2010, Moscow: Smisl.

[36] Kornilova, T.V., S.A. Kornilov, and M.A. Chumakova, "Subjective evaluations of intelligence and academic self-concept predict academic achievement: Evidence from a selective student population". *Learning and Individual Differences*, 2009. 19(4): p. 596-608.

[37] Kornilova, T.V. and M.A. Novikova, "Self-assessed intelligence, psychometric intelligence, personality, and academic achievement: Two structural models", in *Educational Achievement: Teaching Strategies, Psychological Factors and Economic Impact*, M. Gowda and A. Khanderia, Editors. 2013, Nova Science Publishers: New York. p. 197-212.

[38] Kornilova, T.V., S.D. Smirnov, M.A. Chumakova, S.A. Kornilov, and E.V. Novototskaya-Vlasova, "Modifikatsia oprosnika implitsitnikh teoriy C. Dweck (v kontekste izuchenia akademicheskikh dostizheniy studentov) [Modification of C. Dweck's implicit theories questionnaire (in the context of studying students' academic achievement)]". *Psikhologisheskiy zhurnal [Psychology journal]*, 2008. 29 (3): p. 106-120.

[39] Lim, W., J.A. Plucker, and K. Im, "We are more alike than we think we are: Implicit theories of intelligence with a Korean sample". *Intelligence*, 2002. 30 (2): p. 185-208.

[40] Rosen, N.O., E. Ivanova, and B. Knauper, "Differentiating intolerance of uncertainty from three related but distinct constructs". *Anxiety Stress Coping*, 2013. 27(1): p. 55-73.

[41] Runco, M.A. and D.J. Johnson, "Parents' and teachers' implicit theories of children's creativity: A cross-cultural perspective". *Creativity Research Journal*, 2002. 14(3-4): p. 427-438.

[42] Sternberg, R.J., "Implicit theories of intelligence, creativity, and wisdom". *Journal of personality and social psychology*, 1985. 49(3): p. 607.

[43] Sternberg, R.J. and P. Ruzgis, *Personality and intelligence*. 1994: Cambridge University Press.

Women as Prosecutors and Judges in Kuwait: Aspirations and Obstacles

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Abstract: *Women in Kuwait would like to become prosecutors and judges. In January 2013, the Kuwaiti Ministry of Justice accepted applications, for the first time, from women to train as prosecutors. They were sworn in on 4 November 2014. This development may eventually lead to women becoming judges. However, since then, no further women have been allowed to apply. The obstacles and aspirations of Kuwaiti women to become judges are addressed in this paper. A conservative understanding of Shari'a and its place in Kuwaiti law is probably the major obstacle to women's judicial aspirations, but it should not be so. Various arguments in favour of women judges are put forward here. Kuwait stands on the threshold of a monumental shift in its legal system: one of the last frontiers for women is on the verge of being crossed. The debate is as intense as ever.*

Introduction

For the first time in Kuwait's history, there are now female prosecutors. In 5-15 years time, some of those women may become judges. The entry of women into this field has come very recently and women are still struggling to find acceptance. In section two, this paper will outline the history of these recent developments and their context within the broader struggle for women's rights in Kuwait. Then the paper will discuss the three main objections to women being appointed as judges in Kuwait; Shari'a-based objections are discussed therein. In section four, the main benefits of appointing women are briefly reviewed followed by a brief conclusion in section five.

1. Women's participation in the judiciary

There are currently no women serving as judges in the State of Kuwait. Kuwait is a civil law legal system although it is usually classified as a mixed or hybrid legal system. Various classifications have been put forward asserting that Kuwait has a mixed civil/common/customary legal system or a civil/customary/Islamic system. This paper is not attempting to address the issue of which legal classification best fits Kuwait; that is beyond the remit of the current research. What is clear is that Kuwait is predominantly a civil law legal system, having adopted a modern legal system in 1961 (the year of Kuwait's independence from the United Kingdom) based heavily upon the Egyptian legal system, which in turn is based heavily upon the French legal system. Kuwait is a Muslim-majority country and by virtue of Article 2 of the Kuwait Constitution 1962, Islam is the state religion.

Kuwait's legal system is similar to Egypt's and France's in many ways. For instance, Kuwait's Public Prosecution Service is the only source from which the government appoints judges. In a common law system such as the United States or the United Kingdom, judges are drawn from all types of lawyers (criminal defence lawyers, public prosecutors, commercial lawyers, even academics). But in Kuwait, all judges are former prosecutors and they make the transition from prosecutor to judge anywhere between 5 and 15 years after being selected to join the prosecution service. Kuwait's legal system is different to its 'parent' legal systems, the French and Egyptian legal systems, in at least one area: the role of women within the judiciary. Women play a leading role in the French judiciary (and to a lesser extent in the Egyptian judiciary, although there are female Egyptian judges).

Data from a recent report published by the European Commission for the Efficiency of Justice (CEPEJ), which compares the judicial systems across 47 Council of Europe states, shows that of France's professional judges, 64% are women. Yet this is not the highest proportion in the European countries: four Council of Europe states have judiciaries where more than 70% of their professional judges are women. According to the CEPEJ report, 15 European states have more than 50% female judiciaries. Women make up the majority of the professional judiciary in the following states (percentage of women judges is

shown in brackets): Slovenia (78%), Latvia (76%), Romania (73%), Serbia (71%), Hungary (69%) Croatia (67%), Greece (65%), France (64%), Bosnia and Herzegovina (63%), Poland (63%), Estonia (63%), Slovakia (63%), Luxembourg (62%), Czech Republic (61%), Lithuania (58%), The Former Yugoslavia Republic of Macedonia (57%), Portugal (55%), Montenegro (55 %) and The Netherlands (52%). As a point of comparison, the United Kingdom (England and Wales) has a professional judiciary consisting of only 26% women. It is third from the bottom on this ranking, the only poorer performers being Armenia, the United Kingdom (Scotland) and Azerbaijan.

Kuwait has something in common with the above mentioned states that have 'female-majority' judiciaries: like them, Kuwait also has a civil law legal system. The data clearly shows that women are much better represented in the judiciaries of civil law legal systems than of common law legal systems. This is especially so at the first level of courts, the courts of 'first instance', as women's participation drops significantly in the second and third tier courts. Women's strong representation in European courts is in large part due to the selection process. In civil law countries (most of Europe), entrance to the judiciary is usually based on exams, which are taken within a few years of acquiring a law degree. This is known as a 'professional judiciary' since individuals can choose judging as a profession by undergoing the relevant training and passing the required exams. Women, it seems, tend to fare better on exams than men.

By comparison, in the United Kingdom (a common law legal system which is typical of other common law systems such as New Zealand and Australia), judges are selected without formal exams and their selection is based on accomplishments during their career. In the United Kingdom, the process of appointing new judges used to be rather mysterious, consisting of a 'tap on the shoulder'. It has become more transparent since the Judicial Appointments Commission (JAC) was established ten years ago. The JAC advertises vacancies and invites applications for new judging positions. Any lawyer who meets the criteria may apply. Since women often cannot continue in their career path with an uninterrupted progression as consistently as men can, women are still underrepresented in judiciaries, such as the United Kingdom's, when the selection criteria is career-based. According to Baroness Hale speaking in June

2014, 21 out of 107 High Court judges and seven out of the 43 Lord Justices of Appeal and Heads of Divisions in England and Wales are women. There is only one female (Baroness Hales) out of 12 justices in the UK's Supreme Court. But it's a common law system.

Since Kuwait is a *civil* law legal system with a professional judiciary and exam-based entrance criteria based on the outcomes of training at the Kuwait Institute for Judicial and Legal Studies, it should afford good opportunities for women's participation. Yet, there are no women judges in Kuwait. Until 2013, women were not allowed to train as prosecutors and since all judges in Kuwait are taken from the ranks of prosecutors, the ban on female prosecutors was automatically a ban on female judges.

The drastic change occurred in 2013 when the Ministry of Justice allowed women to apply to train as prosecutors for the first time. Until then, women had not been permitted to even apply. Since the first intake, no further women have been allowed to apply. Subsequent advertisements inviting applicants clearly stipulate that only men may apply. This was challenged by Aisha Fawaz Jassem Al-Yaseen who brought a suit to have her application accepted. She won her case in the court of first instance (Hearing on 22 June 2014, Case number 1583/2014 Administrative/7), but lost on appeal (Hearing on 24 March 2015). The judges on appeal did not consider that there were issues of gender quality at stake. Rather, the Court of Appeal felt that this was an employment issue and if the Ministry of Justice felt that no women were presently needed for the position of prosecutor, then that was sufficient to dispose of the matter. The Court of Appeal did not uphold al-Yassen's appeal because it found that the decision not to accept applications from women did not violate the law or the constitution and, moreover, it complied with the Supreme Judicial Council's decisions.

At first glance, all of this may seem rather surprising and – for some – disturbing. But it has to be understood in light of the wider context of women's rights in Kuwait. It was only relatively recently that women were regarded as being entitled to equal political rights to men. Women were granted the right to vote for, and stand as, members of the National Assembly in 2005 when an amendment to Law No. 35/1962 was passed in Kuwait's National Assembly. The vote to change

the law, and thus allow women to vote and stand for election, was a hard fought battle. Over the years, the electoral law which only allowed men to vote had been challenged with amendment several times but the National Assembly repeatedly refused to pass the proposed amendment. Eventually, change was achieved on 15 May 2005 by a vote of 35 in favour, 24 against and one abstention. Thus, it is only ten years since women have been able to vote and stand for parliament. Changing the criteria for eligible voters by removing the requirement of being male was a ground-breaking achievement for Kuwaiti women.

Four years later, in 2009, the first four women (out of a total of 50 seats) won election to the National Assembly. That was the first time in Kuwaiti history that women had been elected to parliament. Currently, there are no female members of parliament but there are female ministers. Ministers in Kuwait are not elected and are appointed by the Prime Minister, who is also not elected, but rather is appointed by the Amir (the hereditary Head of State). So, since 2009, women in Kuwait have been able to participate in the legislature and the executive branches of government, but the judicial branch remains off-limits – at least for now.

It is worth noting that the opposition to women's political rights was based largely on culture and religion: some of the same arguments are raised in relation to women's aspirations to become prosecutors and judges.

2. Why can't women be judges in Kuwait?

There are three main obstacles between women and their goals of becoming judges in Kuwait They are discussed below. The order in which the arguments are discussed is deliberate, corresponding to the perceived strength of the argument, from weakest to strongest.

3.1 Woman's place is in the home

When debate in Kuwait took place over whether women should be able to vote and stand for parliament, one popular argument against their political participation was based on the role of women. There was (and still is?) a feeling within some circles in Kuwait that the "woman's place is in the home". This is literally what several members of the National Assembly said in opposition to the

voting reform law. In 2000, Mr Ahmed Baqer, a member of the National Assembly who opposed granting women the right to vote, was quoted as saying that: "the men take the responsibility for politics, the women take the responsibility for the family". Another member of the National Assembly, Mr Saadoun Al-Otaibi, was quoted as saying that women would be forced to mingle with men if they were allowed to vote and stand for Parliament. He opined that he would be insulted if a male constituent called his home and sought to speak to his wife or daughter (presumably, if they were elected). These comments represent patriarchal, traditional views of where a woman should remain: at home.

Although these types of views still exist, they are not considered serious obstacles to women becoming prosecutors and eventually judges. Compared with the other Arab states, Kuwait fairs quite well on independent and reliable measures of gender equality. For example, in the 2014 Global Gender Gap Report (GGGR), Kuwait is ranked at 113 – it is currently the top-performing Arab country. The estimated earned income ratio is largely responsible for this high ranking, and according to the GGGR's authors, Kuwait experienced the biggest increase (between 2006 and 2014) on this indicator compared with all other countries. So, women are getting paid a lot more than they used to, when compared with their male counterparts and they must be doing better in their roles outside the home. When it comes to 'Economic Participation and Opportunity', Kuwait is one of only three Arab countries that ranks above average. On the other hand, Kuwait is one of the 10 worst performing countries when it comes to the 'Political Empowerment' index.

In the area of labour force participation, Kuwait currently ranks at 122 out of 142 countries in the GGGR, obviously not a great performance, but it *is* ranked above the United Arab Emirates, Bahrain, Turkey, Tunisia, Oman, Yemen, Morocco, Lebanon, Egypt, Pakistan Saudi Arabia, Jordan, Iran, Algeria and Syria – all of which round out the twenty worst performing countries in the world (in that order) for gender equality in the labour force. Muslim-majority countries – and the Middle East and North Africa region specifically - are at the bottom of the table, *literally*, in terms of gender equality, but it is interesting that all of the countries ranked below Kuwait (except Saudi Arabia) have women judges.

It is hard to measure what the general population's view is towards women working outside the home. It is suggested that one should not read too much into the comments of a couple of lawmakers who wished women would stay home instead of concerning themselves with voting rights or running for elected office. The statistics show that women are working and getting closer to pay parity as they do so. This progress cannot happen without the help of men, so, one can assume that many or even perhaps most people in Kuwait do not hold the same views as Mr Ahmed Baqer and Mr Saadoun al-Otaibi. That being the case, such outdated and conservative opinions probably don't represent the mainstream public opinion in Kuwait and probably don't pose a serious obstacle to Kuwait's women achieving positions on the bench, although more research in this area would be helpful.

3.2 Women are too emotional and are not capable of judging rationally and fairly

A second reason why women are supposedly not able to become judges is because of their very nature – which is apparently completely different to men's nature and completely unsuitable for judging. This seems to be a more pervasive challenge than the one articulated at paragraph 3.1 above. This author's experience of teaching law in Kuwait for the past three years has shown that many students (male and female) seem to regard women as 'too emotional' to be able to make the tough, impartial decisions required of judges. One student, in a mid-term exam paper, recently explained that women should not be judges because of their 'mood swings' – their biological propensity for irrational moods once a month means that they are inherently and forever unsuitable for the serious, manly business of judging. It seems to be a deeply embedded social belief, in Kuwait, about women in general: if appointed as judges, their emotional tendencies would overpower them and they would be unable to make proper, impartial decisions.

This basis for objection to women judges is not confined to Kuwait. In a recent book (Gender and Judging by Shultz and Shaw) the German authors note that at the international level, women becoming members of the judiciary was even more difficult than women becoming lawyers. Shultz and Shaw note that 'in all countries' there were heated debates over whether women could be judges. A common basis for objection was that "women would not be able to judge objectively due to their emotionality and their biologically-based mood swings". It seems that it is not only a Kuwaiti-held view that women are inherently unsuitable for judging. As noted in Shultz and Shaw, until very recent times the perception has been that the 'male gender was part of the judicial model'. Women are perceived as being suspect, because of their supposed emotionality, and are therefore quite incapable of being impartial and objective.

However, there is a debate over whether *any* judge can be impartial. Quite aside from the question of gender, academics have long discussed the concept of judicial impartiality and whether it even exists. There are some who assert that a judge is neutral, or a supra-human figure, who is not affected by the likes of their social background, upbringing, political and economic views. The Legal Realist movement of the 1930s exploded that myth, yet it persists. Notable and respectable jurists have openly and honestly doubted the concept that judicial impartiality ever exists. Judge Rosalie Abella (former Chair of the Ontario Law Reform Commission) once stated that "[e]very decision-maker who walks into a courtroom to hear a case is armed not only with the relevant legal texts, but with a set of values, experiences and assumptions that are thoroughly embedded". It has been strongly argued by judges and academics that no judge is ever impartial – if that is case, then men have no special claim on impartiality over women and the latter should not be excluded on this basis alone.

On the question of whether women judges behave like men judges, or whether women judge differently, the research is conflicting. Many studies have been carried out in various countries which have shown that some women (for example, judges in Canada) see themselves as behaving judicially just like men whereas others see themselves as bringing different qualities to the bench. In Canada, two of the first female judges ever appointed confirmed that they worked within the traditions of a 'gentlemen's profession' and they accepted gender neutrality as being fundamental to the ideals of modern legal professionalism.

In Australia, a comprehensive study of the Australian judiciary by Mossman showed that there was a considerable similarity among all judicial officers, regardless of gender. By contrast, a study in Germany in the 1980s and 1990s showed that

female judges see themselves as having a different 'working style' to their male colleagues. The first (and so far, only) female Supreme Court Justice in the United Kingdom, Lady Hale, has stated that the incorporation of women on the bench "subtly changes and, ultimately improves, the judicial product."

It is very difficult to say for certain whether women, once they become judges, perform their task in exactly the same way as men do, and whether they reach exactly the same decisions, or whether they bring something different to the job because of their 'femaleness'.

Perhaps this question cannot yet be definitively answered since the social-legal research in this area is conflicting. But it is more than just conflicting research: women themselves are clearly divided on whether they should see it as a positive or a negative attribute that women may decide cases differently to men. One high-ranking French judge is reported to have said: "I challenge you to find any difference between a decision taken by a male judge and a decision taken by a female judge" (see Anne Boigeol "Strategies in the Face of the Feminisation of a Profession"). Clearly, she did not feel that a male or a female judge would make any difference to the decision.

On the other hand, a female US Supreme Court Associate Justice, Justice Ruth Bader Ginsberg, is reported to have said that, "there are perceptions that we have because we are women. It's a subtle differrence". Thus, it can be stated with some confidence that female judges themselves disagree on whether women judge differently than men.

The essential problem here is that it is very difficult to evaluate judgments – how can one measure how, or how well, judges are performing? One approach is to assess judgments against the criteria of opinion production, influence outside their jurisdiction and independence. To determine whether women make a difference to the actual decisions being reached one could survey areas of the law where women judges are more prevalent (for example, in family law, in immigration and asylum law) and then compare the decisions of female judges with those of male judges. This methodology has been adopted in the context of US courts with interesting results. Researchers Choi, Gulati, Holner and Posner conducted research which evaluated judgments on the basis of three measures of judicial output: opinion production, outside state citation and co-partisan disagreements. The researchers found that there were no significant gender effects on judicial performance. Interestingly, where they *did* find gender effects, the results showed that female judges performed better than male judges with regard to outside state citation and co-partisan disagreements. An analysis of the US Court of Appeals and the federal district courts produced similar results.

This empirical research shows that women do not do a worse job than men due to their so-called 'female' qualities. In fact, where comparisons can be made, women outperform men. This should be evidence enough to support the notion that women ought not to be excluded from the bench in any country based solely on their gender and any particular qualities that their gender may or may not entail.

3.3 Sharia' objections: women are not allowed to be judges in Islamic Shari'a

This is the perhaps the strongest objection to women being appointed to the judiciary in Kuwait. According to the Kuwait Constitution, Kuwait is an Arab State (Article 1), the religion of the State is Islam and Islamic Shari'a shall be a main source of legislation (Article 2). This part of the constitution allows objectors to claim that if women are not permitted to be judges in Shari'a, then women are not permitted to be judges in Kuwait.

There are two important points to be made here. First, there is no clear prohibition in the Qur'an or Sunnah (way of life) of Prophet Mohammed[**] that would prevent women from acting as judges. Second, even if the Shari'a clearly prohibits women from being judges, that is not a fatal blow to their aspirations since Shar'a is only *a* source of legislation, it is not *the* source of legislation.

3.3.1 Objections based on the Qur'an. As for the first point, there is no statement in the Qur'an that categorically creates a prohibition on women judges. There are verses in the Qur'an which state that "men are the protectors and maintainers of women" (Surah al-Nisa 4:34) which some claim means that since men are the maintainers of women, women cannot be in charge (or, they say, judge) men. Another verse states that "men have a degree of responsibility over them" (Surah al-Baqarah 2:228) which some interpret to mean that if a woman were appointed as a judge that would contradict the Qur'an because it would give wo-

men a degree over men. Others disagree and state that to interpret this verse as a prohibition on women judges is a misinterpretation: it falls into the error of assuming that men are superior to women when in fact the verse is only establishing that men have some responsibility for women in a social context. Men are charged with providing for women but it cannot be thus inferred that women may never have a leadership role. A further argument here is that judging is not a leadership role at all – judges are civil servants. They are just performing a public function. In the UK, a recent decision of the UK Supreme Court categorized judges as 'workers' for the purpose of an 'equal pay' argument. Thus, being judges does not give women a 'degree' over men, any more than any other position. In any case, most judges' decisions may be appealed to a higher court so there is always someone above the judges who can reverse their decisions.

It is suggested that neither of the abovementioned verses in the Qur'an refer to judging in particular and arguments could be raised that they are both very general verses, protecting women from having to provide for men and establishing that men have a responsibility to look after and provide for their women-folk. However, it is acknowledged that three out of the four founding jurists in Islam (Imam Shafi, Malik and Ibn Hanbal) agreed that on the basis of Surah al-Nisa, women were ineligible to become judges. On the other hand, the view of Imam Abu Hanifa was that women could be judges in all types of cases except two (criminal cases classed as 'hudud' and 'qisas'). Hudud crimes are crimes of illicit sexual encounters such as adultery and homosexuality as well as theft and false claims of illicit sexual encounters whereby the Qur'an provides a punishment. Qisas crimes are crimes where a private dispute between two people allows retribution as a punishment. Women would be barred from these cases even according to Imam Abu Hanifa because she would lack the capacity to be a full witness in such cases, thus, it would follow that she would lack the capacity to be a judge. But in other cases, where she would fulfil the criteria to be a witness, it follows that she would also be eligible to sit as a judge.

Certainly there are differences of opinion as to whether the Qur'an prevents the appointment of female judges. What is apparent is that there is no clear statement in the Qur'an that states that women cannot be judges. There are statements that indicate that men have some responsibility for men but on the other hand there are also statements that Muslim men and women are the protectors (awliya) of one another, thus emphasizing the equality between men and women, rather than the superiority of one over the other.

3.3.2 Objections based on the Hadith. The main argument from the Hadith is based on a saying which could be referred to as the "no nation will prosper if women are appointed its rulers" hadith. The hadith related by Abu Bakr apparently states that the Prophet Mohammed once said, upon hearing that the people of Persia had appointed the daughter of Chosroes as their ruler: "No people will prosper who appoint a woman in charge of their affairs" (narrated by al-Bukhari 4425).

For hundreds of years since, this hadith has been relied upon to prevent women from taking up leadership roles in some Muslim nations, including Kuwait (note that eight Muslim-majority countries, namely, Pakistan, Turkey, Indonesia, Senegal, Bangladesh, Kosovo and Kyrgyzstan have elected female leaders). The argument goes that since she cannot be a nation's leader (khalifah) then she cannot be a judge, since judging is part of the duties of the leader.

There is dispute over the meaning and intention of this hadith as well as over its authenticity, not to mention the logic that modern judging is a form of leadership. Some writers (for example, Aishath Muneeza, a post-graduate law student from the International Islamic University of Malaysia) have examined this hadith and dispute its authenticity on the basis that it is an isolated (ahad) hadith, meaning, that the narrators of this hadith do not exceed two persons in each generation. Therefore, some authors do not consider this to be a reliable hadith. Moreover Muneeza argues that if this hadith were authentic and binding, then women would not have been allowed to command the army in battle. Yet, in the Battle of the Camel, Aisha was in charge of the army, which included many companions of the Prophet, including Abu Bakr. The argument is that if the hadith were meant to prohibit women from leading, then the Companions of the Prophet would have objected to riding into battle under a woman's command. Apparently, they did not do so. Another point is that modern judging is a lot different from judging at the time of classical Islam. Historically, the judge had complete discretion in handing down penalties whereas these days judges are rather

constrained (especially in civil law countries) by a detailed code, and the judge has much less power and discretion than he did historically.

There is much more to this area of argument than can be discussed here. Suffice to say that there are strong arguments to suggest that there is no explicit prohibition in the Shari'a against women serving as judges. However, let us assume for a moment that the Qur'an and Hadith *do* prohibit women from becoming leaders of any kind, including judges. Let's assume that it *is* against Islamic law, for the sake of argument. What does that mean in the Kuwaiti context? That is discussed in the next section.

3.4 Shari'a is *a* source not *the* source of legislation

In Kuwait, Shari'a is only *a* source of legislation, it is not *the* source of legislation. This statement in Article 2 of the Kuwait Constitution means that laws do not have to match up with Shari'a. In fact, there are many laws in Kuwait that do not match up with Shari'a and even clearly contradict Sharia.

Without entering into the criminal law, where there are definitely disconnects between Shari'a and the Kuwaiti penal code, a few examples will suffice. First, from the realm of constitutional law, it is questionable as to whether there is any basis in Islam for hereditary kings and amirs to take the title of 'head of state'; there is definitely no basis or precedent amongst the early Muslims (the Sahaba) for a hereditary head of state. Nevertheless, Kuwait's head of state is the Amir and he must be appointed from the decedents of the first ruler of Kuwait, Mubarak Sabah (Article 4 of the Kuwait Constitution). This part of the Constitution cannot be amended (Article 175). Islamically, the head of state is supposed to be the most pious and is supposed to be chosen by consensus. One could argue that the very basis of the state including the head of state, is founded on principles that conflict with Shari'a, so why would someone object to something relatively minor by comparison, such as the appointment of women judges?

Second, as per Article 102 of the Commercial Law No 68 of 1980, a basic 'legal interest' of 7 percent of the amount ruled by the court in favour of the plaintiff can be awarded to a successful litigant. In 1992 the Kuwait Constitutional Court heard a case (Case No. 8/1992/Constitutional Court) challenging the provisions of the Kuwaiti Civil Code that allows charging of interest. The defendant argued that these provisions were inconsistent with Shari'a and should therefore be declared void under Article 2 of the Constitution. The Court emphasized the wording of Article 2 and the Explanatory Memorandum, which both state that Shari'a is merely *a* source of law and not "the only source of law". The Court held that the government could adopt rules such as this one regarding interest, even though they are inconsistent with traditional interpretations of Shari'a.

In the Qur'an, interest (rib'a) is clearly condemned in several places such as in Surah al-Baqarah (2:275-280) where it says: "Those who eat riba (usury) will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitan (Satan) leading him to insanity. In Surah Al-Imran (3:130) it says: "O you who believe! Eat not riba (usury) doubled and multiplied, but fear Allah that you may be successful". In Surah An-Nisa (4:161) it says: "And their (the Jews') taking of Riba (usury) though they were forbidden from taking it….". These are only three examples but there are 12 separate verses in the Qur'an that deal with interest and numerous more statements against it in the Hadith. Nonetheless, interest can be sought in legal proceedings in Kuwait. Also, in a commercial context, interest is charged by many conventional Kuwaiti banks in private and commercial lending transactions. Interest, then, is an example of something that is clearly prohibited by Shari'a being nonetheless allowed by law. That is presumably because the law does not always have to match-up with Shari'a – Shari'a is only *a source* not *the source* of legislation in Kuwait.

Thus, even if there is a clear prohibition on women being appointed as judges, it would still be possible for them to take up their positions by virtue of Article 2 of the Kuwait Constitution and by arguing by analogy with the 'interest' laws and cases pertaining thereto.

3. Reasons why women should be appointed to the Kuwaiti judiciary

This section sets out a brief list of reasons why women should be appointed to the judiciary in Kuwait.

4.1 Judicial diversity and independence

Judges are public servants; they are supposed to serve the people. Confidence in them rests on their impartiality and independence but they should in turn reflect the diversity of the society they serve. Kuwait's judiciary does not currently reflect the society that it serves. As Baroness Hale puts it, "In a democracy governed by the people and not by an absolute monarch or even an aristocratic ruling class, the judiciary should reflect the whole community, not just a small section of it. The public should be able to feel that the courts are their courts; that their cases are being decided and the laws are being made by people like them…". Here, here!

Kuwait's judiciary should include women, and people from *all* backgrounds. Currently, the vast majority of judges and prosecutors (the future judges) are from individuals whose family members were/are judges. It is exceedingly difficult to get access to the path that leads to the judiciary unless one comes from a family with judicial connections. In Egypt, the Minister of Justice resigned in May 2015 after he stated that sons of garbage collectors could not become judges. Mahfouz Saber said that 'judges are lofty and have status'. Last year in Egypt, 138 applicants for a position in the public prosecution service were declined because their *fathers* lacked university degrees! As in Egypt, an elite rules in Kuwait, too: this weakens faith in the justice system as a whole because of a lack of diversity and a lack of independence. Appointing women will increase judicial diversity and independence. I agree with Baroness Hale: this should *enhance* rather than *undermine* the public's confidence in the law and legal system.

4.2 Solve the judiciary's staffing problems

Judges in Kuwait are currently around one third Egyptian expatriates, working in the judiciary on short-term (usually two year) contracts whilst the other two thirds are Kuwaiti citizens. Many countries require their judges to have citizenship before serving on the judiciary (e.g. the US, UK, New Zealand). Kuwait requires members of the National Assembly to be Kuwaiti citizens (Article 82) but says nothing about the members of the judiciary. If the reason for recruiting Egyptian expats is because of a lack of manpower (literally), then allowing women to join will help to address this issue.

The current temporary appointment of non-Kuwaitis to the judiciary also has implications for judicial independence. The Egyptian judges must renew their contracts with the Ministry of Justice every two years. In this situation, they may not want to make decisions that are critical of the government for fear of losing their jobs. Judicial independence in many countries is enhanced by allowing judges to keep their positions until they retire or die (as in the US Supreme Court, for example) or until they reach the age of 70 or 75 (depending on when they joined, as in the UK Supreme Court). Clearly, a judiciary staffed with expats on two-year renewable contracts is not conducive to securing judicial independence.

4.3 For the sake of internal consistency

According to a source known to the author, women already serve as detectives in Kuwait, which means that women already prosecute misdemeanors and there seems to be no problem with women in that role. It is strange that women can prosecute minor crimes but not major ones. The only reason why women have until recently been excluded from the Pubic Prosecution Service is because it will inevitably lead to them becoming judges. As discussed above, all judges in Kuwait are recruited from the ranks of prosecutors. But since they are already prosecuting minor crimes the way should be open for them to prosecute all crimes and, if they are qualified, to eventually judge. It seems that the recent attempts to shut women out are akin to shutting the stable door after the horse has bolted. It would also be consistent with the decision to allow women to take leadership roles in the legislature - if judging is a form of leadership (which is not accepted here) then women are already in leadership positions by being Members of Parliament and Ministers. Therefore, it would be consistent to allow them to serve in the judicial branch of government as well.

4.4 Women are less corrupt

Research by Transparency International (TI) has shown that women are less susceptible to bribery and corruption than men, but they suffer more at the hands of corrupt officials than men. TI carried out a study of over 60,000 households in 60 plus countries and found that women are less likely than men to pay bribes. Transparency International's research has been corroborated by the research of others. For instance, a study by the World Bank of 150 countries in Asia, Africa and

Europe concluded that women are more trustworthy and that "higher rates of female participation in government are associated with lower levels of corruption" (David Dollar et.al., "Are Women Really the Fairer Sex?", World Bank Working Paper Series 4, 1999). The Arab world, including Kuwait, is struggling with corruption. The Global Corruption Perceptions Index 2014 ranks Kuwait at 67 out of 174 states, which doesn't seem too bad, but it is the worst-ranked Gulf Co-operation Council (GCC) state. Since women are less corrupt and less likely to be bribed, appointing women to prosecutorial and judicial positions may help Kuwait with its corruption issues.

4.5 To eliminate gender bias

Article 7 of the Kuwait Constitution asserts that, "justice, freedom and equality are the pillars of society". That being the case, everything that *can* be done to promote those values *should* be done. Many countries acknowledge that there is gender bias in their legal systems, even developed countries with decades of experience with women judges. A systemic bias against women is difficult to ascertain and difficult to eliminate but if it exists it endangers the very notion of impartiality and independence.

In the US, the first ever judicially instigated taskforce to examine gender bias was established in New Jersey in 1982. Shortly after that, gender-bias taskforces were established in 20 more states. At its 1988 meeting, the Conference of Chief Justices adopted a resolution recommending that *every* state Chief Justice establish a gender bias taskforce to uncover the gender bias in the state and federal courts. Schafran reports that even judges who "start out with no notion of gender bias in the courts, or even a conviction that the idea is nonsense, emerge from the data collection process convinced that the problem is real and has deeply serious implications for the administration of justice." The first conference in Canada to examine the connection between judicial impartiality and gender bias took place in Alberta in May 1986. It found that there was judicial acceptance of traditional stereotypes concerning women, and this had a significant impact in areas such as family law, constitutional equality litigation, criminal law, tort law and human rights (Martin and Mahoney, *Equality and Judicial Equality,* 1987).

To this author's knowledge, there are no gender bias taskforces in Kuwait. The idea that judges and prosecutors could be gender-biased does not seem to formally exist. That is probably evidence enough that it *does* exist.

It is interesting to note that although 22 women have been practicing as prosecutors since November 2014, so far none of them have been permitted to appear in court. This is because the male judges refuse to permit a woman prosecutor to sit in their courtrooms. The judges have made it known that women are not welcome in the courtroom, so the judges have used their influence to ensure that the women prosecutors are not allowed to perform all aspects of the job at this time. By anyone's measure, that counts as gender bias.

Judges who fail to acknowledge bias are lulled into a false sense of security. Acknowledging bias is the first step to countering it. Women prosecutors and judges can and should be at the forefront of the battle against gender bias. They can help to identify and eliminate this bias and ultimately improve judicial impartiality.

4.6 Women make different decisions

This might be the most controversial reason of all since the jury is out on whether women *do* make different decisions to men. As discussed above, some women believe that women judge exactly as men do, whilst others believe that women bring something different to the bench. One Canadian woman judge with 14 years experience (Judge Bertha Wilson, writing in 1990) stated that "there are probably whole areas of the law where there is no uniquely feminine perspective…In some areas of the law, however, a distinctly male perspective is clearly discernable." She observes that this has resulted in "legal principles that are not fundamentally sound and that should be revisited when the opportunity presents itself". She identified in particular some aspects of the criminal law that were 'crying out for change'.

4.7 To improve Kuwait's human rights' record

If we consider Judge Wilson' remarks in the Kuwaiti context, we might observe that Kuwait has a number of laws that are anti-women and are 'crying out for change'. Examples of anti-women laws include the Nationality Law that only permits nationality to be passed to a child of a Kuwaiti male, or a Kuwaiti female if she has

divorced her foreign husband or her foreign husband has died). The Nationality Law does not allow a Kuwaiti woman to pass her nationality to her husband in any circumstances, but a Kuwaiti man may pass his nationality to his foreign-born wife after 10 years of marriage. According to the Kuwait Society of Anti-Racial Discrimination (KSARD), the General Directorate of Nationality has increased the obstacles for women to pass on their nationality to their children: seven years must now elapse after an irrevocable divorce, or five years after the death of her husband. Such laws might not exist, or might at least be challenged, if there were more women in the government, especially in the legislature and the judiciary.

Marriage laws in Kuwait are often criticized as being discriminatory: no Kuwaiti woman, regardless of her age, may marry without the consent of her guardian (her 'wali'). This may limit her freedom of choice. In addition, the marriage age is 15 for a woman and 17 for a man, in contravention of international standards, which recommend a marrying age of 18 for both men and women.

Kuwait has no laws that criminalise domestic violence, sexual harassment or rape within marriage. Furthermore, Article 153 of the Penal Code allows a reduced sentence for a man who kills his wife if she is caught in a compromising situation with another man - a sentencing discount for so-called "honour killings" – but the same discount is not available for women who kill men in similar situations. It is worth noting that Shari'a does not give men the right to kill their womenfolk when caught in compromising positions with other men, so the sentencing discount available to men is not in keeping with Shari'a principles. On top of all that is the fact that Article 29 of the Kuwait Constitution prohibits discrimination on the basis of race, origin, language or religion but it does not prohibit discrimination on the basis of gender, something that most other states do consider is worth prohibiting. The law in Kuwait generally does not prohibit discrimination against women.

Kuwait's overall human rights record is fairly poor. In January 2015, when Kuwaiti representatives went to Geneva to discuss Kuwait's second periodic review to the United Nations' Human Rights Council (National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21), they received a massive 278 recommendations. That is a very long "to do" list. It is an increase on the 151 recommendations that followed its previous report (first cycle) in 2010. Appointing women to the judiciary and allowing more women to join the Public Prosecution Service would be a positive development and would provide something tangible to be able to report to both the UN Human Rights Committee and CEDAW Committee.

Conclusions

Women in Kuwait aspire to be both prosecutors and judges. They are equally capable as law students and they deserve the opportunity to pursue a legal career on equal terms with their male colleagues. The benefits of allowing women to become prosecutors and eventually judges (some of which are outlined above) are consderable. Appointing women to visible public leadership roles will help to combat the stereotypes that women are only suitable for the home and child-rearing. Those are important jobs but women can be both mothers and prosecutors/judges, it is not an 'either/or' choice. In Lebanon, working mothers find judging to be a most agreeable and family-friendly profession and a good way to provide for themselves and their families. Gender stereotypes in Kuwait are frequently criticized by UN bodies and allowing women free access to the prosecution service and judiciary would be a positive step towards changing attitudes and assumptions about women's capabilities.

Real equality for women will not be achieved in Kuwait until the legal system recognizes that women can prosecute and judge as well as men can, or, in the words of the first Latina US Supreme Court Judge, Justice Sonya Sotamayor, maybe even better. The obstacles being placed in their way are many but none are insurmountable. There are no clear-cut reasons why women should be excluded from the judiciary and, on the contrary, there are likely to be many positive outcomes. Kuwait should move forward and allow women to take a full part in its judiciary – it is, as one source told me, their destiny. The Kuwaiti Ministry of Justice should even consider quotas, of race and gender, such as those being considered in the UK right now, to ensure that a properly diverse judiciary is achieved. Judicial impartiality, independence, justice and equality must mean something in reality - it is not enough to simply write them in a constitution.

**All references to the Prophet Mohammed should be read as encompassing the parenthetical salutation 'peace be upon him' and all references to Aisha should be read as encompassing 'May Allah be pleased with her', in keeping with the Muslim habit of honouring these individuals whenever they are mentioned.

References

[1] Mossman, M. J., "Becoming the First Women Judges in Ontario: Women Lawyers, Gender and the Politics of Judicial Appointment" in *Gender and Judging,* at 61

[2] Martin, S. and Mahoney, K., (eds), *Equality and Judicial Equality,* Toronto, Carswell,1987.

[3] Shultz U., and Shaw, G., eds. *Women in the World's Legal Professions* Hart, Oxford, 2003.

[4] Schultz, U. and Shaw, G., *Gender and Judging* Hart, Oxford, 2014.

[5] Choi S.J., Gulati, M., Holman M., and Posner , E. A. "Judging Women" 8(3) *Empirical Legal Studies* 504-532 (2011).

[6] Clark B. Lombardi "Constitutional Provisions Making Sharia "A" or "The" Source of Legislation: Where did they Come from? What Do They Mean? Do They Matter?" 28 American University International Law Review (2013) 733

[7] Cardinal, M., "Women and the judiciary in Syria: appointments process, training and career paths" 15 *International Journal of the Legal Profession* (2008) 123

[8] Damon, A., and Hume, T., "Lebanese women take on Muslim judges who call rape a 'marital right', *CNN.com* 18 February 2013, available at http://edition.cnn.com/2013/02/17/world/meast/lebanon-womens-rights-law/

[9] Dollar, D., Fisman R., and Gatti, R. *"Are Women Really the Fairer Sex? Corruption and Women in Government"*, Policy Research Report on Gender and Development, World Bank Working Paper Series No. 4 (1999), available here: http://siteresources.worldbank.org/INTGENDER/Resources/wp4.pdf

[10] Muneeza, A. "Appointment of Female Judges in Muslim Countries, May 9, 2010, "Rehendi" s3/1 available here https://rehendhi.wordpress.Com/2010/05/09/appointment-of-female-judges-malaysia/

]11] Pells, R. "More Women Judges Will Improve Law'': Britain's only female Supreme Coutr judge calls for more diversity' *The Independent,* 27 July 2014 available at: http://www.independent.co.uk/news/uk/home-news/more-women-judges will-improve-law-britains-only-female-supreme court-judge-calls-for-more-diversity-9630884. html

[12] Swamy, A. et.al., "Gender and Corruption", Centre for Institutional Reform and the Informal Sector, Working Paper No. 232 (1999) available here: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=260062

[13] Wilson, B., "Will Women Judges Really Make a Difference?." *Osgoode Hall Law Journal* 28(3) (1990): 507-522:http://digitalcommons.osgoode.yorku.ca/ohlj/vol28/is

Cases

[14] Aisha Fawaz Jassem Al Yaseen v Minister of Justice, Chairman of the Supreme Judicial Council of the Magistracy, the Attorney-General and the Undersecretary of the Ministry of Justice, Court of First Instance, 22 June 2014, Case No. 1583/2014/Administrative/7

[15] Minister of Justice, Chairman of the Supreme Judicial Council of the Magistracy, the Attorney-General and the Undersecretary of the Ministry of Justice v Aisha Fawaz Jassem Al Yaseen, Court of Appeal, 24 March 2015, Schedule No. 2003 /2014/Administrative/3

[16] Case No. 8/1992/Constitutional Court

Speeches

[17] "Lady Hale gives the Fiona Woolf Lecture for the Women's Division of the Law Society, "Women in the Judiciary", 24 June 2015, available at: https://www.supremecourt.uk/docs /speech-140627.pdf

Websites and reports available online

[18] Juan Cole "Bill O'Reilly Says Muslims Will Diss Hillary; but 8 Muslim countries chose Muslim leaders" March 2015 http://www.juancole .com/2014/03/muslims-publics-leaders.html

[19] Equality.now, "Kuwait: The Struggle for Women's Suffrage", available at http://www. equalitynow.org/node/230

[21] Transparency International, Global Corruption Perceptions Index 2014 http://www.transparency.org/cpi2014/results

[22] National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21, UN General Assembly doc: A/HRC/WG.6/21/KWT/1 Available at: http: //daccessddsny.un.org/doc/UNDOC/GEN/G14/19 6/59/PDF/G1419659.pdf?OpenElement

[23] Legal Momentum, "Gender Bias in the Courts" https://www.legalmomentum.org/gender-biascourts

Traders and ProfessionalsAccordingto the Romanian Civil Code

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Abstract: *The current Romanian Civil Code, which entered into force on the 1st of October 2011, regulates not only the legal relationships of a civil nature, but also of commercial law, among others such as family law, thereby establishing a unified regulatory system. Therefore, currently, the legal relationships between professionals - which include both traders and other business participants in legal relations, are regulated directly by the Civil Code. If, in the previous regulation, namely, the Commercial Code repealed once the new Civil Code entered into force, the distinction between the legal relationship of civil law and the legal relationship of commercial law was based on objective criteria, namely the fact of trade and the trader, currently, the delimitation of commercial legal relationship is based on the notion of professional. This notion includes the trader, meaning the person which usually performs acts of trade as professional, as well as the company. Notion of professional is larger because it includes, besides the trader, any other person authorized to perform economic and professional activities, being included also liberal professions. Therefore, any trader is professional but not every professional is a trader. The former is a species of professional. In practice, the distinction between the two concepts is the fact that only the traders must register at the Romanian Trade Register in this capacity, according to Romanian law.*

Introduction

The coming into force of the current Romanian Civil Code on 1 October 2011, gave rise to numerous discussions in the Romanian legal literature regarding the need and opportunity to introduce tru-ly major changes from the standpoint of the regulatory principles, in particular in the commercial law matters.

The change is significant if we take into account that it concerns fundamental private law institutions, aiming at harmonising them with the European legislation: the status of persons, family, filiation, property and real rights, inheritance, field of obli-getions, etc.

All these institutions are placed on new bases, in which the principles of legal security, protection of the fundamental rights and obligations, defence of private property, guarantee of contractual freedom, good faith in exercising the rights underlie the entire regulation [2].

These amendments are determined by the change of the concept underlying the regulation of the Romanian private law, namely they gave up the dualist concept of regulation of this law branch and have adopted the so-called monist concept, which led to the unitary regulation of private law rules. All these changes are now contained in the Civil Code.

The new concept underlying the Civil Code was subject of debates in the recent Romanian legal literature, some authors [3] considering that the dualist concept of regulating these relationships was erroneously eliminated, because this is neither the regulatory tradition of the Romanian law, nor in full compliance with the European norms, in particular in respect of regulating the norms of commercial law.

However, at any rate, the discussion does not seem to be finally settled and only the application in time of the new Code shall establish if the amendments are totally grounded and, in particular, which shall be the effects of this change, possibly which difficulties shall arise in its application.

Undeniably, the major change brought by the current Civil Code is the unification of the basic rules in private law by eliminating the difference known until now between a civil legal relationship and a commercial legal relationship.

These changes made some authors assess in the literature that we are in fact in the presence of an actual "code of private law" with an important trend of integration of several substantial law fields [4].

1. New conception of regulation according to the Civil Code

After the Commercial Code was repealed and the regulation was grounded on a new concept – the monist concept of regulation – the matter of obligations was restructured and the principles underlying the activity of some persons conducting comercial activities was also restructured.

From the standpoint of the matter of obligations, it was aimed to ensure a protection as high as possible to the law subjects entering such relationships. Since the idea was to eliminate the dualism Civil Code – Commercial Code, it was necessary to include in the Civil Code some contracts which were not included in it before: commission contract, contract of consignation, dispatch, transport, agency, intermediation, contracting, report, provisions, hotel deposit, as well as some banking contracts.

It should be noticed that the Romanian specialized literature employs, besides the name of commercial law, the name of business law, the latter being used in particular by the academic economic environment [5], but from the legal standpoint, the name of commercial law was not replaced with another name not even in the current regulation.

With regard to this notion, we mention that the definition of business law is not unanimously recognized and sometimes it is identified with the notion of commercial law. It may be considered an economic law, including the general legal framework of the economy with regulations regarding the currency, loan, competition, pricing; also, it would include the economic agents – enterprises and companies of all known types; the economic objects – goods and services; activities of production, distribution and consumption. Moreover, the internal and external commercial relationships would be taken into account also and, consequently, this notion is mostly used in the economic education environment, where the stress is more on the economic nature and less on the legal nature.

By reference to civil law, it should be noticed that this law branch establishes the general rules on goods, contracts, legal regime, legal capacity etc.

By reference to the commercial law, it should be noticed that business law is related to the techniques in the environment of traders and companies, thus including several disciplines and reuniting private law elements as well as public law elements, more precisely the fiscal law, labour law, consumer protection, management, etc.

Even called as such, the business law is not an autonomous law, does not have its own concrete field and it includes several disciplines. It is more a combination between the private law and the economic life.

2. The concept of professional - delimitation criterion between civil and commercial

Since the current Civil Code no longer includes the traditional division between a civil law relationship and a commercial law relationship, the difference is made this time by reference to the notion of professional and, respectively, non-professional when speaking of parties of a legal relationship involving obligations.

Precisely because of the difficulty to assess such notions, the literature debated the relations between the commercial law and the civil law. Some authors [6] consider that the commercial law is a branch of the Romanian private law, while other authors [4] speak of a process of "commercialisation" of the civil law and even of the merger of the civil law in the wide field of private law; from the law of a determined category - the traders, the commercial law becomes the law of all and its fundamental principles have become common law principles.

It is true that the Romanian Civil Code takes over several principles known until present as principles of strict commercial law and which, this time, are applied to professionals and even to non-professionals, while their scope has extended to all private law relationships.

Thus, for instance, based on Article 1535 of the Civil Code, *de jure* accumulation of interest was extended to all private law relationships; the anatocism was taken over in the Civil Code from the comercial law and capitalisation of interest is allowed if provided by the law or by the contract between the parties; also, pricing in the relationships between professionals, irrespective of their category – Article 1233 of the Civil Code – is made by reference to the price usually practiced or, more precisely, the current price in the commercial law; another example is the application of the acceptance theory to conclusion of remote contracts and which

applies to all the categories of professionals; co-mercial law regulations which are not found in the Civil Code are added to all these, as for instance, some special contracts – leasing, franchise etc., cooperative companies, insurance companies, groups of interests, *regies autonomes*, securities etc.

So, the Civil Code uses the notion of professional in order to determine the general application of this normative act. However, it should be noticed that in order to delimit the notion of professional, the Code uses the notion of enterprise, as well as the exp-ression "operation of an enterprise".

"Professionals" are considered all those which operate an enterprise within the meaning of syste-matic exercise of an organized activity, consisting in production, management or alienation of goods or provision of services, irrespective of whether the respective undertaking aims at obtaining profit or not (Article 3 of the Civil Code).

The legal classification of a professional is very im-portant because, depending on this classification, there are some professional obligations that a sim-ple individual does not have. For instance, the free-dom of trade is subject to economic and social limi-tations.

A professional may be a holder of a goodwill or professional fund, as well as of dedicated assets, which may not be identified at a simple individual. By reference to an individual, a professional is a person exercising an organized, continuous activity, assuming risks, (s)he/it is at the same time subject to obligation of registration or authorization etc., for the protection of the interests of third parties, and has a patrimony dedicated to the exercise of the enterprise.

In order to conduct its activity – legally operating an enterprise – the professional should fulfil several requirements, namely to register first in the public registers, to have professional assets and to observe obligations regarding consumer protection rules, to conduct fair competition, to observe the public oder norms, to lawfully keep the accounting, to pay the taxes and duties, to register in the public records the information of interest to third parties in relation to the activity performed.

A professional is identified in the Civil Code by reference to the operation of an enterprise, the latter being constituted as organized activity of pro-duction, trade or provision of services organized at own risk as entrepreneur.

Thus, the category of professional, according to Article 8 of Law no. 71 /2011 for the implement-tation of the Civil Code, includes the categories of trader, entrepreneur, economic operator as well as any persons authorized to conduct economic or pro-fessional activities, as such activities are regulated the special laws [7].

3. The concept of trader in the Romanian civil law

According to these regulations, "trader" means a professional – individuals or legal entity – which conducts activities of production, trade or provision of services and which has the obligation to register in the trade register according to special law (in the case at issue Article 1 of Law no. 26/1990 on the trade register) namely: authorized individuals, in-dividual undertakings and family undertakings, bu-siness entities, national companies, European coo-perative companies, European groups of economic interest with their headquarters in Romania and other individuals or legal entities provided by the law.

Traders also include other persons conducting acti-vities regulated by other special laws, as for instan-ce in the field of consumer protection, trademarks etc. The regulations of the respective special laws are applicable to them.

Precisely the manner in which the Romanian law defines the notion of professional, by reference to a formal criterion – *i.e.* registration to the trade regis-ter, to the detriment of an objective criterion of de-termining the fact of trade and the trader, as previ-ously stipulated in the former Commercial Code – gave rise in the specialized literature to the discu-ssions mentioned above regarding the relationships between the civil law and the commercial law.

Moreover, although this formal criterion is used for defining the notion of professional, not all the per-sons qualified as professionals conduct a com-mercial activity, some of them conducting exclu-sively civil activities, like for instance the coope-rative companies having as their object civil acti-vities.

But, sometimes, it may happen that a trader, included in the scope of professionals, also conducts activities of production or provision of services and then the formal criterion used for defining a trader seems at least inadequate.

In this situation, the Romanian legal literature uses another expression, namely "professionals – traders" which designates a particular category of professionals, more precisely those conducting also activities of production, trade or provision of services and which may be exercised both by trader and by other professionals, persons operating an enterprise within the meaning of the Civil Code [8].

It is currently undisputable that the current Civil Code represents the common law for all private law branches and regulates the legal relationships between persons as civil law subjects. Its norms represent the "common law" for all the fields to which it refers and whenever the special norm includes no provision in a certain respect, the provisions of the Civil Code shall apply.

However, it is true that the legal regime of traders forms the object of special legislation – Law no. 31/1990 on companies, Law no. 85/2005 on insolvency proceeding, Law no. 26/1990 on the trade register etc. – all of them conferring particular features to these legal relationships. Although they are not a distinct branch of the law, their features allow us, from a didactic standpoint, to study them separately as subject matters and to differentiate the science of commercial law from the science of civil law.

Considered as a genre of the civil law, the comercial law is much more extended in terms of volume and value, "predominates over the civil law" and contaminates it by its own rules [9]. If the civil legal acts are more rarely concluded by simple individuals or, at any rate, most of the times their value is low the individuals frequently conclude, as consumers, legal acts with professionals for the purchase of goods or services provided by them So the individuals are parties in legal relationships concluded by such professionals.

All these contracts are currently regulated by the Civil Code but, however, they are not traditional civil contracts; on the contrary, as shown in the literature [9], the classical civil contracts involve a process of "commercialisation", as they acquire the features of a classical commercial contract.

An example in this respect is the classical principle of full equality between parties in civil law, principle which was replaced in the current Civil Code by the principle of interest in concluding the contract. Equality of parties was a hallowed principle of civil law in the 19th century and involved the absolute freedom in negotiation. This equality implies the equality of negotiation, free will in contracting and not contracting.

Under the current conditions, such equality is rarely met; currently the contracts become more adhesion contracts or are even forced. In these cases, either the will does not exist because a certain contract has to be concluded and, as such, one of the parties is forced to conclude it, or the party's will is altered, as for instance in adhesion contracts. In this situation the will is not free and includes the interest in concluding the contract.

Since we also consider that the use of the expression "professional – trader" is grounded in the current regulation, we notice that there are two categories of traders, namely the natural person/individual traders and business entities, the latter as legal entity traders, plus the *regies autonomes*, cooperatives, groups of economic interest etc.

4. Conditions to acquiring the capacity of trader

As regards the capacity as trader, such capacity is acquired differently when it comes to individual or legal entities. In case of individuals, in order to acquire the capacity as professional – trader, it is necessary to cumulatively fulfil several conditions, namely: (i) Holding the capacity required by law; this is the capacity of exercise as capability to acquire and ex-ercise civil rights, to undertake obligations by con-clusion of civil legal acts [10].

Consequently, this is the capacity of an individual to conclude civil legal acts, which is fully acquired at the age 18 years, but also from 16 years of age in some situations. In the case of minors who turned 14 years of age, the capacity of exercise is limited, since such may conclude legal acts only with the consent of their parents, of the guardian and sometimes with the consent of the guardianship authority.

It should be noticed that minors who turned 16 years of age may also be currently traders and may conduct economic activities as members of a family undertaking.

What happens is a minor inherits goodwill? In this case, the literature [11] showed that if that trade is profitable, it shall be continued, in the name of the minor, by his/her legal representatives, obviously with the authorisation of the competent court and with registration made in the trade register. In this case, the minor shall be a trader, but his/her legal representative shall be liable for any potential criminal facts.

In case of a woman or man married before turning 18 years of age, although s(he) acquires the capacity of exercise, s(he) may not be trader until s(he) turns 18 years of age [11]. However, it should be mentioned that, exceptionally, according to Article 31 of Government Emergency Ordinance no. 44/2008, if a minor who turned 16 years of age is a member of a family undertaking, s(he) acquires the capacity as trader. (ii) Exercising the activities of production, trade or provision or services in a professional, systematic, continuous and organized manner as an undertaking.

Consequently, the activity conducted should be permanent, the operation of the enterprise should not be only temporary; this does not exclude the situations in which such an activity may only be conducted occasionally, due to its nature. In this case the period of time is also essential and concerns the nature of the activity of the professional – trader which operates an enterprise. (iii) Conducting the activities of production, trade or provision of services in their own name. The respective person should not conduct those activities as representative of another trader or employee thereof.

It is necessary to fulfil this condition because a commercial activity implies taking some risks related to this capacity, which is not taken, for instance, as an employee of another trader.

As regards the legal entities, they acquire the capacity as professional-trader by their establishment according to special laws and by their registration with the trade register in the respective capacity.

As regards the proof of the capacity as trader, such is made, in the case of both individuals and legal entities, by certificate of registration issued by trade register.

As regards the cessation of the capacity as professional – trader, for individuals, this occurs in case of death, by a unilateral act of will or by a court decision for de-registration. As regards the cessation of such capacity for a legal entity, this occurs by de-registration from the records of the trade register, as a result of their dissolution and liquiddation.

Conclusion

It is obvious that the coming into force of the current Romanian Civil Code resulted in significant changes in the Romanian legislation, this moment representing the first big legislative reform after one century and a half.

However, at any rate, the discussion does not seem to be finally settled and only the application in time of the new Code shall establish if the amendments are totally grounded and, in particular, which shall be the effects of this change, possibly which difficulties shall arise in its application.

It is essential that the current regulation waives the traditional division between civil and commercial legal relationship, the basic rules of private law being currently unique. The distinction between the civil and commercial legal relationship is done, in the current regulation, through the concept of professional within the civil legal relationship, by reference to the notion "enterprise" and the "operation of an enterprise".

We conclude that the current legislation is step forward on theoretical ground by allowing a better understanding of these concepts and a clearer delimittation of civil legal relationship from other legal relationships. The positive aspects which worth mentioning are that along with these amendments, the Civil Code succeeds in reconciling the Romanian legislation with social and economic realities in Romania, but also with the European legislation.

References

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iova, Faculty of Law and Social Sciences, Romania.

[2] M. Nicolae, "Principiul neretroactivităţii şi noul Cod civil" in *Noile coduri ale României*, Universul Juridic Publishing House, Bucharest, 2012, p. 82 *et seq.*

[3] Gh. Buta, Smaranda Angheni, "Noul Cod civil şi unitatea dreptului privat*",* in *Noul Cod civil. Comentarii*, Universul Juridic Publishing House, Bucharest, 2011; Eugenia Florescu, "Noul Cod civil- Qui prodest un cumul cu norme de drept comercial*",* in *Noile coduri ale României*, Universul Juridic Publishing House, Bucharest, 2011, p. 55 *et seq.*

[4] M. Duţu, "Noul Cod civil-o etapă importantă în dezvoltarea dreptului privat roman*",* in *Noul Cod civil. Studii şi comentarii*, Volume I, Universul Juridic Publishing House, Bucharest, 2012, p. 8 *et seq.*

[5] I. N. Militaru, *Dreptul afacerilor. Introducere în dreptul afacerilor. Raportul juridic de afaceri. Contractul.* Universul Juridic Publishing House, Bucharest, 2013.

[6] Gh. Piperea, „Dreptul civil comercial-specie a dreptului civil*",* in *Curierul judiciar no. 7-8/2011*, p. 363 *et seq.*; St. D. Cărpenaru, "Dreptul comercial în condiţiile noului Cod civil*",* in *Curierul judiciar no. 10/2010*, p. 543.

[7] S. Popa, *Drept comercial. Introducere. Persoana fizică. Persoana juridică,* Universul Juridic Publishing House, Bucharest, 2014, p. 6.

[8] S. Angheni, *Drept comercial. Profesionişti-comercianţi,* C.H. Beck, Publishing House Bucharest, 2013, p. 4 *et seq.*

[9] Gh. Piperea, *Drept comercial. Întreprinderea în reglementarea noului Cod civil*, C.H. Beck Publishing House, Bucharest, 2012, p. 7 *et seq.*

[10] Gh. Beleiu, *Drept civil român. Introducere în dreptul civil. Subiectele dreptului civil,* Şansa Publishing House Bucharest, 1993, p. 289.

[11] D. Cărpenaru, *Drept comercial roman,* Universul Juridic Publishing House, Bucharest, 2007, p. 83.

Defining Legal Negotiation and its Individuality

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Abstract: The goal of this research is to analyze definition of legal negotiation, distinguish main characteristics of legal negotiation that make it unique and different from other types of negotiations not related to law or lawyers. The research is composed of introduction, two parts and conclusions. Introduction provides a brief overview of the object of that research and its goal, part one describes main elements of legal negotiation definition, proposes universal definition of legal negotiation, in part two individuality of legal negotiation is overviewed, differences of legal negotiation from other types of negotiation distinguished and presented. Conclusion gives main ideas of the assignment of that work in brief.

Introduction

Very few lawyers work only as professional negotiators. But in practice lawyers have to negotiate unavoidably. For most of us it is an integral part of the job. Lawyer and negotiation is a classic combination. Negotiation is used to end commenced court proceedings peacefully, to enter into the contract and execute it successfully, in relationships with private and public entities and institutions, foreign partners. Negotiation may bring positive results even if the dispute had not finished by a settlement. For instance, even if the case is already in the court, bargaining discussions, which did not end by a settlement, may help the parties to clarify controversial moments of the case, the object of evidence in judicial proceedings, to reject non-contentious matters and thus speed up litigation. In such cases not the final result of the negotiation, but the process itself and the interim results of negotiation are important.

Negotiation on the contract, even if it failed to give immediate results, i.e. conclusion of the contract, may lay foundation for future negotiation on other or new business matters, particularly in cases where negotiators managed to establish positive relationship with each other. Even in cases where clients were represented by lawyers and the contract was not signed, though the clients may not intend to continue relationship in the future, lawyers that were representing clients can take advantage of positive contact established and use it in new negotiations but already representing other clients. It is obvious that in such case probability of success of new negotiation will be higher.

The nature of civil law, which is based on the principles of autonomy of the parties, disposition and freedom of contract, causes the need for the lawyer working in this field, in addition to its general competence, to be able to negotiate effectively. After all, knowledge of the classic procedure of concluding the contract that takes the form of exchange by offer and its acceptance, then counter-offer and acceptance of it, stipulated in most of the civil codes of European countries - do not explain all patterns and subtleties of legal negotiating (e.g., who first and when should submit initial proposal, what to do if an opponent does not reciprocate to your initial proposal but at the same moment does not refuse to negotiate a contract). In the field of civil law negotiation take place more frequently than in others - administrative or criminal law, and, as a rule, has a property or monetary nature. In such branches of law negotiation occurs far less often as long as parties to the disputes have lower degree of freedom, also their legal relations are limited by public interest.

Accordingly, there is no doubt that there is a great need for a lawyer to have a well-developed negotiating skills and knowledge of legal negotiation process. But what is so special about legal negotiation process? What makes legal negotiation different from other types of negotiation (e.g. business negotiation) and allows it to be characterized as legal? This article addresses these issues. The goal of this research is to analyze definition and concept of legal negotiation, distinguish main characteristics of legal negotiation that make it unique and different from other types of negotiation not related to law and lawyers.

While reviewing scholars' works dedicated to analysis of legal negotiation we have noticed that usually negotiation as a process of interaction between people is an object of research of such sciences as psychology and sociology, as their interest is man

and his behavior, also management and even mathematics ("game theory" or social science whose aim is to understand the behavior of inte-racting decision-makers[23]). Significantly less ne-gotiation is studied by legal science. Some scientists analyze legal negotiation using data and empirical findings gathered by other social sciences, e.g. psychology. As such, the authors Richard Birke and Craig R. Fox explored psychological barriers to rational legal settlements – what impact do psychological principles like anchoring and positive illusions make on lawyers as they approach litigation in civil disputes [1]. Russell Korobkin and Chris Guthrie examined how human psychology and bias may affect decision-making in legal negotiation [17], as well as how psychological barriers hinder party's abilities to settle in legal negotiation [18]. A symbiosis of psychology and legal negotiation research can be also found in Jeffrey J. Rachlinski [24], Mark Kelman [15] and other's works. Negotiation analysis from legal and economic perspectives was performed by Michael L.Wachter and George M. Cohen [29].

Scientific analysis of legal negotiation has intensified over the past three decades. However, as Rebecca Hollander-Blumoff notices, typically, law review articles on negotiation have mostly descriptive elements (e.g., how legal negotiation does work) and prescriptive elements (e.g., how legal negotiation should work) [13]. Some legal scholars analyze legal negotiation in a recommendations' format. Among the works of such practical format the most distinguished are works of Roger Fisher and William Ury [7; 28], sometimes called "bible" of negotiation in which authors combine negotiation theory with practical tips how to deal with problematic moments of negotiation process - dead ends, opponents' hostility and so on.

Positive legal negotiation theory was developed by Russell Korobkin [16]. Number of works dedicated to the topic of legal negotiation was published by Carrie Menkel-Meadow [19; 20; 21; 22]. Monography about negotiation for lawyers in civil matters was written by polish scientist Aneta Jakubiak-Mirończuk [14]. The works of Donald Gifford [10; 11; 12], Charles B. Craver [4; 5], Jay Folbreg and Dwight Golann [8], also Larry L. Teply [26], where legal negotiation is analyzed from lawyer-client relationship perspective, became classics of literature on legal negotiation.

Despite the fact that it can be concluded that there is a sufficient number of works dedicated to legal negotiation, only couple of them, and barely fragmentarily, address one of the main theoretical question that should become a primary and basic point analyzing legal negotiation – what is legal negotiation, how it should be defined, what are main characteristics of that type of negotiation that make it individual and special? That is why these issues were chosen to become an object of this research.

The author present their research based on the following classical methods of social research: analytical, documental, logical, systematic method and method of generalization.

1. Definition of Legal Negotiation

Different kinds of definitions of negotiation can be found in legal literature. It can even seem that often authors, who write about negotiation, consider it necessary to create a new, their own definition of the negotiation in a legal context. For instance, in Black's Law Dictionary negotiation is defined as "1) A consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter; 2) Dealings conducted between two or more parties for the purpose of reaching an understanding" [2]. Roger Fisher and William Ury state that "Negotiation is a basic means of getting what you want from others. It is back-and-forth communication designed to reach an agreement when you and the other side have some interests that are shared and others that are opposed" [7]. According to Donald Gifford "Negotiation can be defined as a process in which two or more participants attempt to reach a joint decision on matters of common concern in situations where they are in actual or potential disagreement of conflict" [10; 11].

However, the analysis of a wide range of definitions of legal negotiation allows as concluding that most of negotiation definitions consist of four or five basic elements: *1) process, 2) communication, 3) parties, 4) conflict of interest and 5) willingness to reach an agreement.* The latter element is found far less often than the first four, but we believe that presence of this element depends on the answer to the question whether the parties to the negotiation correctly perceive the aim of the negotiation process (which is an achievement of an agreement on disputed issues). As some negotiators may use the process of negotiation not to reach a

settlement to the dispute but to extract information from an opponent, demonstrate their power or even intimidate the other party - in such cases it would be wrong to say that true process of negotiation happens between the parties. On the other hand, some authors believe that improper exploitation of negotiation is merely unethical conduct of the parties to negotiation, but still falls in to the category of negotiation.

Larry L. Teply proposes one more element characterizing legal negotiation process – a compromise. He states that in a legal negotiation, the parties involved engage in discussion and exchange to reconcile the possibility competing or conflicting interests. The purpose of this interchange is to reach an acceptable voluntary solution or agreement among the parties [26]. We believe that compromise is not always an aim of interaction in legal negotiation. In some cases it is more favorable for the party to withdraw from negotiation than to conclude compromise-based but disadvantageous settlement. That is why we do not consider a compromise to be a "critical" element defining legal negotiation.

Thus, using the above distinguished elements it is possible to construct a universal definition of legal negotiation: *legal negotiation is a process in which two or more parties having a legal dispute, communicate with each other attempting to reach an agreement or reconciliation.*

Let us consider each of the elements the definition of legal negotiation was made up.

Process. Negotiation is not a static phenomenon. It is more a movement or development, which begins with a proposal to meet for negotiations and ends with the parties reaching an agreement or a brake-up in negotiation. Usually negotiation process consists of several stages, which logically follow one after the other or interlace each other.

Two or more parties. Negotiation always involve choice (both of the subject of negotiation and of the process of negotiation itself). However the negotiation process is not controlled by single party, since negotiation is a two-way process. Ignoring the other party - this is a mistake, which is sometimes made by even experienced negotiators. Therefore, no matter how well you are prepared for negotiation there are still things that you either do not know or cannot predict. That is why you should

always think about existence of the other party in negotiation.

It is believed that due to the fact that negotiation process involves more than one party, it is complex, sufficiently difficult and unpredictable process [6]. And the bigger is the number of parties involved in the negotiation, the more complex the process becomes. Hence we always have to "bear in mind" the other party - what he says; how behaves; what actions takes etc. We are just as dependent on another party, as he depends on us, because only by interacting (if not to say, working) together in negotiation this process may happen and succeed. Otherwise, the negotiation that takes place in the form of one party's monologue, is not a negotiation, but is merely a one-man show.

Communication. In order for the negotiation to happen the presence of parties with conflicting interests is now enough. It is necessary that these parties engage into interaction with each other, i.e., communicate. If you don't move a finger to start negotiation or become involved in it, you won't be able to reach a result that satisfies you and your client. Therefore, doubts of some negotiators as to whether the offer to negotiate is a sign of weakness can be dispelled by an argument that if you did not board the plane, you would not be able to fly to the destination required. By analogy, if you did not make an effort to commence negotiation, it is likely that you would finish dispute resolution in court or would not get a necessary transaction.

If communication is an essential element of negotiation, the question is - what communication should it be? In Larry L. Teply's view, the communication in legal negotiation should be meaningful, i.e., both parties are expected to submit offers, consider arguments, and make counteroffers [26]. We agree that communication in negotiation is not only a non-binding conversation about the weather or politics, but also a meaningful communication with the aim to move toward an agreement in the negotiation.

Conflict of interests. If parties' aspirations and desires do not interfere – there is nothing to negotiate, there is no object of interest that can be claimed by both parties. On the other hand, it could happen that initially you think that the other party wants to get the same thing as you do in negotiation (e.g. you and your brother inherited a house, thus expecting the worst you are afraid that you brother would

want to live in the part of house that has windows facing the sea, and you would also like very much to choose this part). However after meeting the opponent it appears that he has absolutely no interest in the object that is of interest to you and does not ask for anything in return, because his interests are completely opposite (e.g. brother starts conversation about the fact that they would like to live in another part of the house with the family because rooms overlooking the sea in summer become unbearably hot, thus he asks you whether you and your family are not against to take the part of the house with a sea-view). So, where there at least a moment of negotiation between opponents in the given example? Presumably not, because there was no competition for the estate being distributed. There was no conflict of interest.

Willingness to reach an agreement. There is a saying that love cannot be forced. Therefore, if the opponent does not want to reach an agreement or reconcile because such result of negotiation is useful for him, there is no negotiation in the true sense of that word. E.g. an insurance company may not want to create a precedent of settling the dispute on reimbursing the damages suffered by an insured person trying to avoid future demands of other clients to settle; an employer may not wish to settle the case against former employee, who breached the conditions of the non-compete agreement wishing to give a lesson for other employees.

As already mentioned, the practice shows that sometimes negotiation is exploited not for the purpose of agreement or reconciliation, but for other selfish purposes – e.g. to get meaningful information out of the opponent in order to use it later during the trial; to intimidate the opponent; to swamp less experienced opponent into a lengthy negotiating process and thus make him to be late to bring an action to the court due to the end of a limitation period etc. However we believe that in these cases, even though at first sight it may seem that there is a negotiation between the parties, the communication between the parties cannot be classified as true negotiation because one or both parties misuse negotiation intentionally being aware of such wrong purpose.

2. Individuality of Legal Negotiation

What makes legal negotiation different from business negotiation and other kinds of negotiation? Before distinguishing features that make legal

negotiation unique, let us analyze when lawyers usually negotiate. If asked so you would hear the answer - when they are involved into negotiation process representing interests of their clients.

Hence, it is no coincidence that legal scholars distinguish the following typology of legal negotiation: 1) negotiation creating legal relationships on behalf of the client (for instance, establishment of joint ventures, partnerships, corporations, franchises); 2) negotiation effecting transactions on behalf of a client (for instance, real estate purchase and sale, commercial contracts, corporate mergers, employment agreements); and 3) negotiation representing clients while resolving legal disputes with or without resort to litigation [26].

However, this classification includes only one type of lawyer's activities using negotiation – negotiation representing clients. Therefore, although this proposed typology is logical and reasonable, it cannot be considered comprehensive enough as long as does not include full range of other cases when lawyers negotiate in practice while not representing clients.

Lawyer uses his negotiation skills not only representing interests of a client. Lawyer establishes and maintains relationship with clients, negotiating with the client on financial and strategic issues of rendering legal services. Even in the workplace (law firm or company) the lawyer has to negotiate with his law practice partners, other lawyers, assistants, secretaries and other staff. Thus, a large part of the lawyer's professional life is spent negotiating. In his personal life the lawyer also cannot distance himself from a necessity to negotiate (for instance, taking a loan to buy a house or demanding a discount from internet provider).

Yet, notwithstanding the fact that lawyers engage in a quite wide range of negotiation activities, the most important feature distinguishing legal negotiation from other types of negotiation is that during negotiation lawyers ordinarily represent clients, not themselves [26]. Certainly, the lawyer can negotiate for his own benefit, but legal negotiation in its classical sense take place when a lawyer acts in the negotiation as another person's (e.g. client) representative.

Relationships between the parties and their representatives in legal negotiation are graphically depicted in the Figure No. 1.
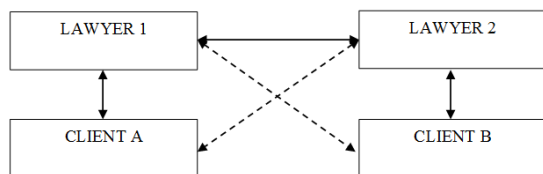

Figure No. 2. Relationships in legal negotiation

In legal negotiation lawyer communicates not only with the opponent (another lawyer or another lawyer and his client), but also with his own client. At the same time to lawyers' contact with each other, clients may communicate independently with each other. Such contacts in the scheme are marked by black two-direction arrows, as long the contacts usually take place in both directions. Such contacts in legal negotiation are perfectly legitimate and acceptable. However, in practice there are cases when one of the party's representatives in negotiation process may try to contact the other party directly bypassing the lawyer representing such party in order to gain an advantage in the negotiation or to influence the opponent party. Although such cases are considered to be in breach of the lawyers' rules of professional ethics, such breach cannot deny the mere fact of the existence of such "sinful" connections in legal negotiation process. Such contacts in the scheme are marked by black dotted arrows, because they should be avoided by lawyers-negotiators, who behave ethically in negotiation.

Due to such complex legal relationship between the participants in the negotiation process the following differences of legal negotiation from other types of negotiation can be distinguished:

1) Decisions in negotiation are made by the client, not the lawyer.

This means that only the client may decide whether to engage into negotiation, accept an offer, settle the dispute by negotiation or not. It is obvious that such decision-making process in legal negotiation is more complicated and longer than in negotiation taking place between the parties directly. The negotiator must work not only with the opponent, but also with his client and get his approval for certain actions in the negotiation.

However, in practice the problem arises – what if the client makes irrational decision in negotiation? E.g. the client participates together with the lawyer in the negotiation, after a period of not effective discussions and exchange of initial mutually unacceptable proposals, client hears the first acceptable offer, though satisfying only his minimum needs, he rushes into settlement being afraid that its' denial could terminate negotiation. But the lawyer representing him in negotiation knows that if negotiation continues, he, if successful, could help the client to achieve even better results. Thus, how to treat such cases, when the client, who is a decision-maker in negotiation process, decides to accept minimally satisfactory offer, while his lawyer believes in the potential of further negotiation and possibility to reach several times more favorable agreement for his client?

The general law of agency rules that apply to the relationship between a lawyer and his client require the lawyer to act according to the terms of the contract on legal representation and client's instructions. Therefore, even when the lawyer expects to win 100 thousand euro for his client in court, it is the client who decides whether to be satisfied by a 25 thousand euro compensation offered in negotiation. So, the right to decide whether to choose "a bird in the hand" or "two birds in the bush" rests solely in the hands of the client in legal negotiation.

If the lawyer exceeds his power in negotiation or acts contrary to the will of the client, there is a risk that the lawyer may be required to pay damages caused by inappropriate legal actions in negotiation. E.g. in 1980 the Supreme Court of Illinois in case Rogers v. Robson, Masters, Ryan et al. held lawyers that were representing a physician liable for damages suffered by a client when lawyers settled the action without his consent and contrary to his express instructions [25].

However, in our opinion the rule that decisions in negotiation are made by the client, not the lawyer may have some exceptions. In order for lawyer-negotiator to deviate from the instructions given by his client in negotiation there must be several conditions: 1) objective inability to know the client's instructions in certain situation unforeseen before; and 2) critical need to protect client's interests by way of derogation from the representation contract or client's instructions. If the situation is not critical, before entering on behalf of the client into an agreement, which is contrary to

client's instructions, the lawyer is obliged to get client's approval.

One more important aspect is important when we speak about client's right to make decisions in negotiation. *In order to make a decision in legal negotiation the client has to know (be informed) and understand (it should be explained to the client) all relevant circumstances that may affect his decision also consequences of such decision.*

Acting on behalf of the client in negotiation lawyer is required to inform the client about progress of negotiation, its interim results, explain all further action alternatives and consequences. In our opinion lawyer should also discuss with the client not only legal, but also moral, economic, social and even political aspects of the dispute and negotiation as long as in practice disputes and decision-making may be influenced by a large range of different factors. Thus, the layer is obliged to supply his client with all necessary info in order to allow the client to have opportunity to make "informed" decision concerning further steps in the negotiation.

Besides information about negotiation the lawyer should help his client to understand the court process, possible results of solving the dispute by litigation, other dispute resolution procedures. We believe that even strategy chosen by lawyer in negotiation should be explained to the client (e.g., adversarial or cooperative) before negotiation starts. All written documents obtained from the opponent during negotiation should be made available to the client and, preferably, a brief explanation of such documents' essence and meaning should be delivered to the client.

2) In negotiation lawyer must obey not only client's instructions and conditions of agency contract, but also comply with law and ethical rules of legal profession.

Unlike in other types of negotiation in legal negotiation lawyers are bound not only by the will of the client, but also by the existing legislation and professional ethical rules.

In negotiation lawyer's loyalty to his client is limited by a professional obligation to pursue agreements that are fair and honest to both parties, not violate any of their interests. Therefore, the lawyer cannot endeavor to reach an agreement, which is knowingly unfair to the other party (e.g., cannot

mislead the opponent about the facts existing in reality). As well as lawyer-negotiator cannot absolutely follow the typical business negotiation rule that negotiator can negotiate anything [3]. Even representatives of "negotiate anything, with anybody and anywhere" position acknowledge that except when we talk about specific type of negotiation with extremists (e.g. hostage-taking negotiation), negotiator cannot negotiate such things as life, health, feelings. However, for lawyers there is one more relevant exception from "negotiate anything" rule – imperative legal norms that may be not changed by parties' agreement (e.g. legal norms concerning persons' legal status and capacity, issues related to public policy).

As lawyer in legal negotiation often communicates with opponents-lawyers, the rules of legal profession require from lawyer to comply with legal and moral obligations not only in relationship with the client but also with fellow lawyers, courts and other institutions, whose representatives may have to negotiate with a lawyer, not to discredit his name and lawyer's profession. Therefore, negotiators-lawyers on the one hand tend to achieve optimum result for their clients, but on the other hand - try to save important ongoing professional relationships with colleagues or at least not damage them.

3) A lawyer has a duty to negotiate on behalf of his client in good faith, reasonably and competently.
An obligation to represent client reasonably and in good faith is required from all persons providing remunerated services. The ego involvement of lawyers, the lawyer's inadequate level of risk taking, anger with the opposing negotiator, or personal financial or social considerations – these are the problems that arise if a lawyer does not follow his duty to negotiate on behalf of his client in good faith, reasonably and competently. If the lawyer follows the rule that client's interests always prevail over his personal needs, in the hands of such lawyer negotiation never ends in failure because of the listed reasons. Thus, personal needs of the lawyer can obstruct adherence to client's interests and undermine his obligation to act in good faith in accordance with client's instructions in negotiation.

No less important is the requirement for a lawyer to negotiate competently. Competent representation requires legal knowledge, proper preparation for negotiation and due diligence. But how the professional competence of lawyer-negotiator should be assessed? Larry L. Teply suggests that one way

of assessing negotiating competence or effect-tiveness is to focus on the outcome [26]. However negotiation does not always end by an agreement between the parties. Whilst failure to reach an agreement does not mean that negotiation was conducted incompetently. In some cases absence of an agreement is more favorable to the client than conclusion of an unfavorable agreement. Also there may be cases where the negotiated agreement meets equally interests of both parties. Thus only if we speak about clearly adversarial (e.g. win-lose) negotiation, where the winning of one side means a loss for another, we can talk about possibility to measure the result of the negotiation by client's level of satisfaction.

The second suggested criterion to access negotiator's competence is negotiation process [26]. However we would add: not only the process of negotiation itself but also evaluation, how effect-tively the negotiator used available information, resources, communication and negotiating techniques, his legal knowledge in negotiation process, was negotiation conducted at minimal time and monetary costs for the client or not.

Both of the criteria suggested by Larry L. Teply are of subjective nature, as long as depend on the client personal perception of negotiation process and its outcome. That is why we suggest one more criterion to access negotiator's competence in negotiation in more objective way - a general measure of professional conduct of an agent. Such standard would allow evaluating how in such dispute or negotiation situation would act or behave honest, reasonable and caring qualified lawyer-negotiator.

Conclusions

Negotiation forms an important and integral part of the lawyer's professional activity.

The analysis of a wide range of definitions of legal negotiation allows as concluding that most of negotiation definitions consist of four or five basic elements: 1) process, 2) communication, 3) parties, 4) conflict of interest and 5) willingness to reach an agreement. Using the above distinguished elements is possible to construct a universal definition of legal negotiation: legal negotiation is a process in which two or more parties having a legal dispute, communicate with each other attempting to reach an agreement or reconciliation.

The research enabled also to state that legal negotiation in its classical sense take place when a lawyer acts in the negotiation as another person's representative and that is one of the most important differences between legal and non-legal negotiation. Other differences that distinguish legal negotiation from other types of negotiation are: 1) decisions in negotiation are made by the client, not the lawyer; 2) in negotiation lawyer must obey not only client's instructions and conditions of agency contract, but also comply with law and ethical rules of legal profession; 3) a lawyer has a duty to negotiate on behalf of his client in good faith, reasonably and competently.

References

[1] Birke R., Fox C.R. Psychological principles in negotiating civil settlements. Harvard Negotiation Law Review, 1999, 4. P. 1-57.

[2] Black's Law Dictionary. Ed. Garner B.A. 8 ed., St.Paul: West, a Thomson business, 2004.

[3] Cohen H. You can negotiate anything: the world's best negotiator tells you how to get what you want. Bantam Books, 1980.

[4] Craver B. C. Effective legal negotiation and settlement. LexisNexis/Matthew Bender, 2009.

[5] Craver B. C. Skills and values: legal negotiating. 2 ed. LexisNexis/Matthew Bender, 2012.

[6] Fells R. Effective negotiation: from research to results. Cambridge University Press, 2010.

[7] Fisher R., Ury W. Getting to yes: negotiating agreement without giving in. 2 ed., New York: Penguin, 1992.

[8] Folberg J., Golann D. Lawyer negotiation: theory, practice, and law. Walters Kluwer, 2010.

[9] Gifford D. G. A context-based theory of strategy selection in legal negotiation. Ohio State Law Journal, 1985, 46. P. 41-94.

[10] Gifford D. G. Legal negotiation theory and practice. 2 ed., Thomson/West: St. Paul, 2007.

[11] Gifford D. G. Legal negotiation: theory and applications. St. Paul, Minn: West Publishing, 1998.

[12] Gifford D. G. The synthesis of legal counseling and negotiation models: preserving client-centered advocacy in the negotiation context. UCLA Law Review, 1987, 34. P. 811-862.

[13] Hollander-Blumoff R. Legal Research on Negotiation. International Negotiation, 2005, 10. P. 149-164.

[14] Jakubiak-Mirończuk A. Negocjacje dla prawników–prawo cywilne. Wolters Kluwer Polska, 2010.

[15] Kelman M., Rottenstreich Y., Tversky A. Context-dependence in legal decision making. The Journal of Legal Studies, 1996, 25. P. 287-318.

[16] Korobkin R. A positive theory of legal negotiation. Georgetown Law Journal, 2000, 88. P. 1789-1831.

[17] Korobkin R., Guthrie C. Heuristics and biases at the bargaining table. Marquette Law Review, 2004, 87. P. 795-808.

[18] Korobkin R., Guthrie C. Psychological barriers to litigation settlement: an experimental approach. Michigan Law Review, 1994, 93. P. 107-192.

[19] Menkel-Meadow C. Lawyer negotiations: theories and realities – what we learn from mediation. The Modern Law Review, 1993, 56. P. 361-379.

[20] Menkel-Meadow C. Legal negotiation: a study of strategies in search of a theory. Law and Social Inquiry, 1983, 8. P. 905-937.

[21] Menkel-Meadow C. Toward another view of legal negotiation: the structure of problem solving. UCLA Law Review, 1984, 31. P. 754-842.

[22] Menkel-Meadow C. When winning isn't everything: the lawyer as problem solver. Hofstra Law Review, 2000, 28. P. 905-924.

[23] Osborne M.J., Rubinstein A. A course in game theory. Massachusetts Institute of Technology, 1994.

[24] Rachlinski J.J. Gains, losses, and the psychology of litigation. Southern California Law Review, 1996, 70. P. 113-184.

[25] Rogers v. Robson, Masters, Ryan et al. 81 Ill. 2d. 201, 407 N.E. 2 d. 47 (1980). Available at: <http://www.leagle.com/decision/198028281Ill2d201_1257> [23 July 2015].

[26] Teply L. L. Legal negotiation in a nutshell. Thomson/West: St. Paul, 2005.

[27] Teply L. L. Legal negotiation in a nutshell. Thomson/West: St. Paul, 2005.

[28] Ury W. Getting past no: negotiating in difficult situations. New York (N.Y.): Bantam Books, 2007.

[29] Wachter M.L., Cohen G.M. The law and economics of collective bargaining: an introduction and application to the problems of subcontracting, partial closure, and relocation. University of Pennsylvania Law Review, 1988, 136. P. 1349-1417.

Apology and Forgiveness in Mediation as Factors for its Success

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Abstract: The aim of this article is to analyze how apology and forgiveness affect dynamics of mediation process, also to distinguish main characteristics of effective apology and forgiveness in mediation while solving civil disputes. We are stating that if apology is properly used in mediation it has a power to move both parties closer to their settlement and that sincere apology and its acceptance in the form of forgiveness in the context of mediation is an important premise for successful conflict resolution and recovery of the relations between conflict participants. The research is composed of introduction, two parts and conclusions. Introduction provides a brief overview of the object of that research and its goal, part one is devoted to the role of apology in mediation, describes origins, main characteristics of apology in mediation, in part two the role of forgiveness in mediation is being elaborated, main characteristics of forgiveness in mediation are overviewed. Conclusion gives main ideas of the assignment of that work in brief.

Introduction

What is simple but at the same time difficult act? To say you are deeply sorry. It is natural for most of us to say sorry if we do something wrong in our daily life, in communication with children, spouse and neighbors. In such circumstances we use an apology instinctively but we tend to forget that simple tiny word when we deal with legal disputes. We often overlook the power of genuine apology while solving legal disputes.

It is strange but sometimes it seems that lawyers are afraid of true and sincere apology in dispute resolution as long as there is a risk of being misunderstood if somebody holds your apology as recognition of your fault. Especially when several legal scholars even make statement that an effective apology must include an admission of responsibility for the injuries suffered [27; 32]. That is why in some literature on legal negotiation it is proposed that parties, who are afraid of making an apology should say sorry not for what they have done but for how the other party feels. For instance, William Ury advises to say that a person is sorry that a disgruntled customer had this problem [35]; Charles B. Craver recommends by apologies to indicate remorse for the difficulties suffered by the prospective plaintiffs without admitting liability for those difficulties [7]. On the one hand such evasion of real apology looks like one more trick in the arsenal of a lawyer to win the dispute without

giving in, but on the other hand it is a signal to take a thought about attitude of lawyers towards an apology. If lawyers are comfortable with it and if believe that apology can create necessary conditions for a constructive resolution of the dispute?

Nowadays problem is that in several countries courts can order parties to apologize but enforcement of such court decisions is rather problematic. In order to receive evidence that the party has executed an order of the court to apologize publicly, parties are publishing apology statements in newspapers and magazines but can these actions be named as a true and sincere apology? Does such apology allows parties to resolve their disputes or just makes a vision of apology but actually has only legal but not personal value to the parties?

Mediation in civil law is a dispute resolution procedure assisted by a third neutral person-mediator, where the parties are given the chance to communicate openly between each other, share their thoughts and sincere feelings about the dispute, its origins, parties' relationship in the past and future, possible dispute resolution outcomes. This sincerity usually is difficult to reach without an apology.

Accordingly in 21 century apology is even seen as the horse in mediation carriage [25]. As Deborah L. Levi says "the magic of apology […] is meant to teach that apology is a superior tool – simple, cheap, and effective – for resolving disputes and

that mediation creates a climate in which apology and reconciliation are possible"[18].

Apology is closely connected to forgiveness because they both refer to the dispute and person's attitude to it. According to Susan N. Exon, apology involves acknowledgment of hurtful or wrongful conduct, empathy and repentance, whereas forgiveness involves a harmed party's ability to open up his heart and release negative emotions [11]. It is the beginning and the end of the same road – road to understanding, accepting the responsibility and avoiding blaming the others. That way helps parties to challenge themselves, learn and get experience how to value apology and forgiveness in resolving disputes, how to engage into these processes.

The aim of this article is to analyze how apology and forgiveness affect dynamics of mediation process, also to distinguish main characteristics of effective apology and forgiveness in mediation while solving civil disputes. We are stating that if apology is properly used in mediation it has a power to move both parties closer to their settlement and that sincere apology and its acceptance in the form of forgiveness in the context of mediation is an important premise for successful conflict resolution and recovery of the relations between conflict participants.

However it has to be kept in mind that "like other important rituals, apology requires not only the right symbolic act but also the right people, the right time, and the right place. While lawyers involved in mediation might add the possibility of apology to their client's options in recognition of apology's potency, neither they nor mediators should expect apology to work magic in all (or even most) cases. Apology is a delicate interchange, not a mere trade" [18]. Thus, as well as mediation apology cannot be a miracle cure for all disputes. Simple "sorry" will not always save parties time and money, or mend relationships. Mediators and lawyers who wish to capitalize on the power of apology in a particular case must be sensitive to factors that may undermine apology's potential [18].

Much has been written about psychological and sociological aspects of apology and forgiveness [34; 33] - from such perspective apology and forgiveness are seen as social mechanisms which help re-establish relationships and realize your identity. Legal scholars and practitioners recognize importance of apology in conflict resolution [14; 12; 22;

6], but as it was already written earlier, argue about the contents of an apology and its influence to the admission of responsibility for wrong deeds. The need for integrating remorse and apology into criminal procedure was also examined in the legal doctrine [2; 31]. Several works were dedicated to the topic of apology in victim offender mediation [5; 8]. In the context of civil mediation apology is always mentioned as a tool for the parties to move from "confrontation to cooperation" [35] in almost all practical guides for mediators [11], but comprehensive and detailed analysis of the effect that apology and forgiveness makes on mediation process was performed only by several scholars. This article is mostly based on works of Deborah L. Levi [18], who has performed the broad analysis of power of apology in mediation couple of decades ago, more up-to-date works of Donna L. Pavlick [25] and Carl D. Schneider [29], also Elizabeth Hyde [9], who examined influence of apology in family mediation.

The authors present their research based on the following classical methods of social research: analytical, documental, historical, logical, systematic method and method of generalization.

1. The Role of the Apology in Mediation

1.1. Origins of the Apology and its Definition

The original meaning of the word "apology" is "defense" because word "apology" derives from the Greek and Late Latin word apologia (*apologiae*), which means defense [19]. The word "apology" is taken not from the modern law dictionary; it is more likely to originate from philosophical terminology. Western philosophy begins with ancient Greek philosophy and term apology first could be found in Plato's Apology. It is widely known scene, where Socrates is blaming "by corrupting the youth and by not believing in the gods the state believes in, but in other new gods" [26]. In Plato's Apology Socrates provides apology, that's why he is known as one of the apologetics. That is Socrates does not accept accusations or even express regret, Plato's philosophy teacher's apology states his righteousness and innocence against charges. It is said, that "in modern parlance, we consider an "apologist" to be a sort of spokesperson who promotes and defends causes by using various rhetorical strategies to spin facts and influence an audience, sometimes performing this service for pay. The modern use of apology as an

admission of wrongdoing rather than a defense seems to have gained momentum around the sixteenth century, when Shakespeare used it in Richard III to imply a kind of regret"[30].

Oxford Dictionary defines apology as a regretful acknowledgement of an offence or failure [23]. Merriam-Webster dictionary defines word apology as a statement saying that you are sorry about something; an expression of regret for having done or said something wrong [21]. According to Max Bolstad more generally accepted modern usage of the word "apology" has the meaning of "an expression of error or discourtesy accompanied by an expression of regret"[3].

So the etymology of the word apology and the modern understanding of that word have more than one way. We can see it as a confession, defense, and admission of wrongdoing, expression of regret, repentance and even effort to get rid of the fault. The meaning and aim of apology may differ as the person uses it while solving the dispute and giving different meaning to that action. The meaning of apology can even vary depending on who uses that term – mediator, party that behaved dishonestly or party that suffered damages. Even verbal expressions of apology will be different depending on the understanding and purpose of apology that person has. For instance, a party may apology by saying "Forgive me" and can do it by saying "I am sorry". In the first statement the person makes his apology dependable on the acceptance of the other party, its reaction, whereas the second statement sounds more as a ascertaining of the status or emotion of a person not requiring forgiveness from the other party. That is why it is not a surprise that different scholars define apology in various ways. Analysis of present definitions of an apology in legal doctrine and practical insights of the authors of this article gained during vast legal practice in the field of civil dispute resolution brings us to a conclusion that apology can be defined as an active process of acknowledging illegal or dishonest behavior expressed to the other party (parties) and accompanied by a regret. In addition to the common elements of apology's definition in the suggested definition we firstly stress that apology is not possible to bring passively, the person is expected to express his acknowledgement of wrongdoings and remorse in an active way (verbal and nonverbal, take appropriate actions etc.). Secondly, it is a process but not a merely one-time action because it can take time for a person to apology.

Thirdly, in the context of dispute resolution where other party or parties exist it is important to apology in a way the other party receives an apology. In that sense apology should in its essence be a public action limited to the confidentiality requirements of mediation or certain dispute resolution procedure, which is used. If a person's aim is to bring an apology notwithstanding the fact if other party has received it (such action could satisfy only personal needs of the deliverer of an apology) or even knowing beforehand that such apology won't be received by the party, such action should not be considered an apology.

1.2. Main Characteristics of Apology in Mediation

Today is very popular to say, that nobody taught us how and for what to apologize, it was only said when we were children: "go and say that you are very sorry for that". But it is very important to understand not only intuitively but also objectively what constitutes and effective apology. As Susan N. Exon writes, this understanding is critically important for a mediator so that she may advise and guide a disputing party who wants to apologize during mediation [11].

In order to find an apology as suitable for certain type of the dispute and as effective as possible, this process should consist of several core elements or dimensions.

Scholars disagree on the exact number of the elements of apology. For example Elizabeth Hyde in her study considers tree core elements of an apology: affect, acknowledgement, vulnerability. The wrongdoer must acknowledge that some norm or value has been broken. "A good apology must provide an explanation for why the offence was committed in the first place and, some would argue, a reassurance that the behavior will not be repeated. The apologizer has to feel the pain of the victim and express genuine regret for their transgression. In addition, an apology should be the result of some introspection on the part of the offender. Finally, the apology must place the offender in a position of vulnerability by offering the apology without defense"[9].

Max Bolstad states that there are only two core elements: "the offender must be sorry and must express regret for having offended the injured party"[3].

Wagatsuma and Rossett make statement that apology contains five essential elements, that is "1) an acknowledgment that an injurious act occurred and was wrong, 2) and acknowledgment of fault, 3) willingness to compensate the injured party, 4) a promise that the injurious act will not happen again, and 5) intention to work for good relations in the future" [3]. The same five-element structure of effective apology with slight amendments was proposed by Susan N. Exon. She suggested that the key components of an apology should be 1) recognition; 2) responsibility; 3) remorsefulness; 4) restitution, and 5) non-repetition [11].

The following analysis allows us to conclude that scholars agree that in order for apology to be accepted as true and sincere it should be complete. A party bringing an apology has to acknowledge the wrongdoing. That component is not possible without understanding specifically how the person harmed the other party. If a party says "I am sorry for how you feel" but not "I am sorry for what I've done" such party rejects the mere fact that the other person was harmed because of his deeds. Thus apology lacks the first element of recognition of the fault. While taking responsibility upon harm done to the others the party may not defend, try to evade being blamed, shift the blame to the circumstances or to others, even if there is only a partial fault. Statement as "I will apology if you apology" is not an apology because of condition enclosed in the statement. True apology is made not expecting an apology in return. Demonstration of remorse should be active, as long as a harmed person needs to see and hear that remorse. Restitution depends on the kind of offence and the resources that an offender has. Usually restitution is expected to take tangible form (paying monetary compensation, repairing of a damaged object, replacing it with another, making a discount etc.) because in that form restitution is the most affirmative. But restitution may also take the form of statement that is directed to future (for instance to take care of somebody, to attend courses or even take some treatment). The last element of non-repetition allows the party that brings an apology to prove by his post-apology behavior that the person learned the lesson. As Susan N. Exon writes, the repetition dimension brings the apology full circle from saying "I am sorry" to showing that you are sorry [11].

As it was already stated, apology can be used by the parties having different aims. Thus, nevertheless that the above mentioned elements of sincere apology were presented, people can use the form of apology to satisfy different goals than genuine apology is designed to achieve. Deborah L. Levi distinguishes four types of apology based on distinct intention of using it: tactical apology, explanatory apology, formalistic apology, and happy-ending apology [18]. Let us revise these types briefly.

Tactical apology is strategic and rhetorical apology when one party is trying to make „an atmosphere of trust and good feeling in which an opponent is likely to make concessions without time-consuming wrangling" [11]. In this type of apology one is saying „I am sorry for the situation occured" but „ I did not do something bad for you".

Explanation apology is "when a person accused of wrongdoing offers an apology that is merely a gesture that is meant to counter an accusation of wrongdoing. In fact, it may be used to defend the actions of the accused" [15]. An example of such apology could be "I am sorry I am late but there was a huge traffic jam in the center".

Formalistic apology is "when an accused offender capitulates to the demand of an authority figure or offended party by pronouncing required words" [18]. For example mother warns her son: "Tom, say to your sister that you are sorry for making her cry".

In different sources this type of an apology is more usually called a "compelled apology". In several countries court ordered apologies are available like a legal remedy. For example "in Japan, where apologies play an important role in the resolution of conflicts, courts can order written, public apologies in cases of defamation" [36]. The problem is that compelled apologies are contrary to the freedom of ex-pression and most of courts form the opinion that apologies cannot be compelled at all. Court declared, that "nobody may under any circumstances ever be forced by a judge to orally or in writing express an opinion that is not his own" [36].

Another problem is sincerity and value of compelled apology. It is said that one can bring a horse to the water but no one can make it drink it. Empirical research suggested that non voluntary apology is futile because it is not sincere and meaningless. But it has to be in mind that not always ordered apologies are non-sincere.

Continuing Deborah L. Levi typology of apology the forth - Happy-ending apology is distinguished. It differs from the above mentioned, because here "the hearer should be convinced that the speaker (a) believes she was at least partially responsible (b) for an act (c) that harmed the hearer and (d) feels regret for the act. [it] requires that the apologizer identify personally with the offensive conduct and the injury it caused" [18].

First three mentioned types of apology can hardly pass the test of real and effective apology according to the elements distinguished before. Though, different opinions exist about truthfulness of apology. For instance, "apologies do not necessarily need to be sincere in order to be effective" [18] states Andrea Zwart-Hink, or they still may "ease negative emotions, affirm community standards, require the offender to articulate those standards, express the proper moral relation of the parties, signal that the injured person is a valued member of the community and should be treated as such, and smooth the way toward settlement" [36].

It is hard to agree with such opinion. We believe that non-sincere apology constitute misusing of apology and can serve as great example for mediators what kind of apologies should be avoided in mediation. Only last of the type distinguished by Deborah L. Levi can be named true apology as long as it includes all main characteristics of complete and sincere apology.

1. 3. Significance of Apology in Mediation

According to Carrie Menkel-Meadow "if one of the goals of mediation is to break from the traditional norms of dispute resolution and come up with solutions that are outside the box, the increased use of apology appears to be tailor-made for such a process" [20]. "The effective use of apology, with its joint benefits to both the apologizer and the offended party as well as its ability to restore relationships to their pre-injury condition, is particularly well suited to this beneficial aspect of mediation" [3].

The power of apology in mediation is obvious, that's why mediators should introduce the possibility of apologizing for the parties or even make a gentle push to encourage them to use apology. A mediator's perception of the role of apology in mediation plays a major role in its effectiveness. Mediator not only encourages the parties to use

apology but also educates them how to do that properly so apology is complete and effective. However both excessive fosterage and insufficient motivation of the parties to use apology in mediation can become an obstacle for optimal, in the terms of result, time and expenses, dispute resolution if not to preclude parties from solving the dispute.

On the one hand, if mediator advocates too strongly for an apology and persuades the party to apologize, the recipient of the apology perceives it as a coerced apology and does not recognize it as heartfelt and sincere [18].

On the other hand, a problem may arise when the neutral party consciously or subconsciously superimposes her own standards on the apologetic gesture. A mediator can paint the apology as good, dismiss it altogether, or simply view it as a turning point (a point of recognition). For example, guided by the legal knowledge that a plaintiff is not entitled to any compensation, the mediator may dismiss the injured party's desire/demand for apology as unrealistic [18]. Such misjudging of apology potential may discredit apology.

That is why mediator should carefully prepare for mediation, get to know the mediation participants, relationship between the parties, determine whether the personalities engaged in mediation are conductive to making an apology [11], also if they have interpersonal orientation. Persons with a high interpersonal orientation take another side's arguments and act personally; they are sensitive to another side's behavior. Persons with a low interpersonal orientation are interested only in their own benefit without any interest of another party. These roles could help to guess whether an apology could be possible in mediation process. "If the injured party has a high interpersonal orientation, he is more likely to desire and appreciate an apology. Indeed, a refusal to apologize to such a party may undermine the chances of reconciliation. In contrast, a low interpersonal orientation plaintiff would look only for how the apology affords him strategic advantage. Similarly, a high interpersonal orientation offender may be more sensitive to settings in which an apology is appropriate, while, to a low interpersonal orientation offender, the idea of apology might seem nonsensical" [18].

The gender also has a significant issue deciding if apology is suitable and timely in mediation. It is

widely known stereotype that women apologize and wish to get apology from others more often than men. Max Bolstad argues, that "women tend to use apology much more frequently than men, and some women even apologize as a "conversational ritual punctuating numerous statements every day with the words "I'm sorry" [3]. If the phrase "I am so sorry for touching you with my bag" we understood as apology than yes, women apologize more often. But if we are speaking about apology in the dispute "there is little data to support the proposition that women are more likely to apologize. One study of apologetic strategies found that, "contrary to popular stereotype, women do not apologize more frequently than men" [18]. Thus, the relationship between gender and apology is uncertain absent further empirical studies. Though it could be true, that women have greater empathy for the offended and are more willing to forgive, whereas men consider apology as a sign of weakness.

Still apology in mediation has a lot of critics and hurdles too. Critics says, that it is possible that one party could settles for the apology instead of pursuing substantial monetary damages and that could be named as ill served mediation. One of the hurdles is that lawyers ignore the possibility of apology because of the stereotype that lawyers must be aggressive. Another hurdle is the fear of liability.

Thus before raising the question of apology mediator should consider many behavioral, procedural, interpersonal aspects. If a party is showing signs of willingness to apologize mediator should consider if individual meetings with the parties have to be organized beforehand to understand general motivations of the parties, if the party who is willing to apologize understands what she is apologizing for, if planned apology is complete and sincere, it the party who is expected to accept an apology is ready to do that and what could be her reaction to an apology, would it be a timely apology or too early/too late etc. If a party apologizes during joint mediation session mediator can pose questions so that each party understands properly the act being made and is given possibility to value apology.

2. Role of the Forgiveness in Mediation

2.1. Origins of the Forgiveness and its Definition

Apology is a huge step towards restoring of relations, hence not the only one. Despite of sincere apology, we need to be sure, that it was accepted. "Apology has often been empirically associated with forgiveness" [4]. Forgiveness, as defines the dictionary, is the act of forgiving somebody; willingness to forgive somebody [24]. Jr. Everett L. Worthington gives a broader definition of forgiveness. It is presented as a transformation of one's affect, cognitive judgments, and motivations toward an offender. "The victim makes an assessment of the harm done and acknowledges the perpetrator's responsibility but voluntarily chooses to cancel the debt, giving up the need for revenge, punishments, or restitution. Importantly, one removes oneself from the negative emotions directly related to the transgression. Over time, there is a motivational transformation, including a reduction in negative motivations and an increase in constructive motivations toward the perpetrator. The forgiver may be motivated toward positive social behaviors toward the offender [10]". Another definition stresses, that forgiveness can be interpreted "as the process by which negative motivations that arise from being a victim of a transgression are transformed into more positive motivations [10]". Such attitude towards forgiveness is suitable for criminal offences. Thus civil disputes in this dimension often have no main differences: one party feels being harmed by other, who might feel responsible and blaming himself for it. To forgive in general means "letting go of one's right to resentment and negative judgment and fostering undeserved compassion and generosity towards the perpetrator."[17]. Thus person who forgives chooses to forget harm and to refuse to revenge by using various means including one of the most popular nowadays – litigation.

In legal disputes forgiveness according to Eileen Barker is likely based on the unspoken dictates of an adversarial legal culture, which forces parties to exaggerate their differences, their injuries and their outrage. The legal system focuses on blame and denial, causing people to become even more polarized, distrustful, and angry than they were when they started [1]. It turns us towards understanding that contemporary society focus more on searching means for compensating damages, but not on sincere forgiveness and restoration of social peace between parties to a conflict.

2.2. Main Characteristics and Significance of Forgiveness in Mediation

As the meaning of apology in mediation was already discussed , we can continue to analyze the second step of restoration of interpersonal relations – forgiveness. Mediation, owing to the confidentiality of the process, provides an ideal forum for the type of honest dialogue that can lead to apology and forgiveness [1]. During mediation it is common to notice that people feel hurt by each other and it causes bad emotions. In one situations (very frequent) such people blame each other and are searching for any kind of compensation, thus in other situations one is trying to cope with negative emotions. Natural, that to do so he or she has to change his apprehension of another individual. So forgiveness also means acceptance of the individuals or situations. Often in mediation it is very important to understand. Sociologists state, that "[a]pology seeks forgiveness and while the forgiver is not minimizing the wrong, they are acknowledging the past, confronting their offense and its damage and indicating a willingness to move on in a new way for the benefit of both parties. […]By holding the power to forgive, the victim is granted some measure of control, but it is only in the choice to forgive that this control is present" [9]. Forgiving looks quite simple, but reality shows, that to forgive sincerely is more difficult than to apology. "Forgiveness must be understood as an attribute of the strong" [13]. It cannot be treated as loosing positions and giving in. One function of mediators should be explained to the parties the meaning of apology and forgiveness in order to escape situations of misunderstanding.

Forgiveness often is described as independent action of person. According to Susan Nauss Exon, "forgiveness is all about one self. It is for one's own benefit rather than another person" [11]. This stresses that only deliberate forgiveness is making mediation effective.

2.3. Significance of Forgiveness in mediation

In ideal situation, mediation works for reconciliation of people, for building their future relations evens stronger than before. Still in reality it is very difficult to reach the real social peace between parties to a dispute. The presence of sincere forgiveness in mediation often makes it successful, but also provides us addition questions, which should be answered.

Despite of treating forgiveness as important issue in mediation, it should be noticed that some problematic questions may appear. Mediator Eileen Barker encloses two types of forgiveness relevant to legal disputes: "(1) bilateral forgiveness, in which forgiveness is exchanged for an apology or other act of remorse, and (2) unilateral forgiveness, in which forgiveness is undertaken by one party alone" [1]. Here we found a problematic issue. Does sincere forgiveness during mediation cannot be leaded with certain compensations? What is the relation between forgiveness and legal measures of restoration of peace between parties? Evaluating mediation as a method of legal dispute resolution, it should be stated that not only unilateral forgiveness help parties to find peace in their relations. Forgiveness in legal disputes may be supplemented by certain compensatory means, which must be just and suitable for both parties to a conflict. It was already stated that forgiveness is more related to person, who provides it. It should be added that compensation for person, who was somehow hurt, should be treated as an inherent part of apology, not the forgiveness.

Forgiveness in mediation is significant if it is sincere and deliberated. It should be stated that during mediation it is easier to reach the apology to compare with forgiveness. According Susan Nauss Exon, to forgive it is necessary to have more time: the disputants may need to hang on to those feelings, which were expressed during mediation for a while longer before being able to engage in the process of forgiveness [11]. It turn us to state, that forgiveness most of the cases is reachable only after mediation sessions, because during mediation, especially holding one-day meeting it is impossible for a person to feel is he ready to declare the forgiveness. In such situations person cannot be hurried up. It is upon individual, when the right time comes. Forgiveness must be not necessary rendered for person who made an apology. It may be internal act of individual, made on the right time, when person is sure that he can forgive and go on with his life without negative emotions, which were caused by a conflict.

Another important issue is that forgiveness has certain levels, certain different meaning for people. Peter Robinson [11] has illustrated it by such figure:

Animus		
Wish		Whish
them well		them harm
Reparations		
None	Some	Full
Future Relationship		
Trust Again:	Willing to be close	Never
vulnerable	enough to re-earn trust	trust

Figure shows us that forgiveness is very personal and its meaning may vary depending on person, who provides it. During the mediation understanddings of both parties towards forgiveness should be clarified. Mediator should work with both parties together and separately to get acquainted with their personal attitudes towards what is happening. In some cases possible, that hurt person forgives, having in mind that he would like never meet another party to a dispute again, than in other situation forgiving person can have expectations to carry on relations or even make them more intense. Such attitudes may do not coincide between parties and it may lead to new conflicts, which should be prevented. It creates more objectives to mediator and he must be ready to face all obstacles, which can follow in the process of mediation after apology and forgiveness.

Conclusions

The research enabled to state that apology in the context of civil dispute resolution can be defined as an active process of acknowledging illegal or dishonest behavior expressed to the other party (parties) and accompanied by regret. In order for apology to be accepted as true and sincere it should be complete, that is including characteristics of recognition, responsibility, remorsefulness, restitution and non-repetition. Non-sincere apology constitutes misusing of apology and can serve as an example for mediators what kind of apologies should be avoided in mediation. A mediator's perception of the role of apology in mediation plays a major role in its effectiveness, thus before raising the question of apology mediator should consider many behavioral, procedural, interpersonal aspects including but not limited to general motivations of the parties, if the party who is willing to apologize understands what she is apologizing for, if planned apology is complete and sincere, it the party who is expected to accept an apology is ready to do that and what

could be her reaction to an apology, would it be a timely apology or too early/too late.

Apology often is expected to be followed by forgiveness and mediation is presented as a suitable stage for both of these processes. Thus the research showed that during mediation forgiveness requires more time and individual efforts of forgiving party. To provide a sincere forgiveness is very difficult and often people do not find enough strength to do it. Forgiveness should be treated as internal act and contrary to apology not necessary rendered for other party. Also, it should be stated that people in different situations have different attitudes towards forgiveness and often in the same case parties may understand it to the contrary. During mediation, mediator should explain parties the purpose of forgiveness and get acquainted with their understandings on it.

Success in mediation more often is reachable, when apology and forgiveness are provided. It encourages parties to re-build trust between each other and to find ways out from difficult situations. Still to make it happen is a difficult, time consuming and responsible goal, which commonly is raised for mediators, who should be ready to help in building bridges between one you apologies and one who is strong enough to forgive.

References

[1] Barker E. 2014. The Case for Forgiveness in Legal Disputes. Available from: http://www. mediate .com/articles/BarkerE8.cfm#_ftn7

[2] Bibas, S.; Bierschbach, R. A. 2004. Integrating Remorse and Apology into Criminal Procedure. The Yale Law Journal 114.

[3] Bolstad M. 2000. Learning from Japan: The case of increased use of apology in mediation, Cleveland State Law Review 48:545.

[4] Carlise R.D. et al. 2012. Do actions speak lauder than word? Differential effects of apology and restitution on behavioral and self-report measures of forgiveness, The Journal of Positive Psychology 7:4.

[5] Choi J.J., Severson M. 2009. „What! What kind of apology is this?": The nature of apology in victim offender mediation, Children and Youth Services Review 31(7): 813-820.

[6] Cohen J.R. 1999. Legislating Apology: The Pros and Cons, The University of Cincinnati Law Review 70:819.

[7] Craver C.B. 2009. Effective Legal Negotiation and Settlement. 6th ed. LexisNexis.

[8] Dhami M.K. 2012. Offer and Acceptance of Apology in Victim-Offender Mediation, Critical Criminology 20(1):45-60.

[9] Hyde E., 2011. The Power of Apology in Family Mediation. Available from: http:// www. riverdalemediation.com/wp-content/ uploads/2011/ 01/Hyde-The-power-of-apologies-in-familymediation.pdf

[10] Everett L. Worthington, Jr. 2005. Handbook of forgiveness. Availabble from: http://www.webb-sight.com/ToussaintWebb2005a.PDF

[11] Exon S.N. 2014. Advanced Guide for Mediators. LexisNexis. P. 118.

[12] Fuchs-Burnett T. 2002. Mass public corporate apology, Dispute Resolution Journal 57:26

[13] Gandhi M., 1931. Letter to Narandas Gandhi. Available from: http://www.gandhiserve.org/cwmg /VOL051.PDF

[14] Goldberg S.B. et al. 1987. Saying You're Sorry, Negotiation Journal 3 (3).

[15] Grigsby K., 2007.The fine art of apology: When, why and how to say "I'm sorry". Available from: https://www.aamc.org/download/164762 /data/grigsby_fine_art_of_apology.pdf

[16] Hyde E., 2011. The Power of Apology in Family Mediation. Available from: http://www .riverdalemediation.com/wp-content /uploads/2011 /01/Hyde-The-power-of-apologies-in-family-mediation.pdf

[17] Lawler-Row K.A. et al. Forgiveness, Physiological Reactivity and Health: the Role of Anger, 68 International journal of Psycho-physiology, Vol. 51 (2008).

[18] Levi D.L. 1997. The role of apology in mediation, New York University Law Review 72: 1165-1210.

[19] Lewis C.T., Short C., 1999. A Latin Dictionary. Available from: http://www.perseus. tufts. edu/hopper/text?doc=Perseus%3Atext%3A1999.04 .0059%3Aentry%3Dapologia

[20] Menkel-Meadow C. 1985. For and Against Settlement: Uses and Abuses of the Mandatory Settlement Conference, UCLA Law Review 33: 485-486.

[21]Merriam-Webster Dictionarie. Available from: http://www.merriam-webster.com/dictionary/apology[21 July 2015].

[22] O'Hara E.A., Yarn D. 2002. On Apology and Consilience, Washington Law Review 77:1121.

[23] Oxford Dictionaries. Available from: http:// www.oxforddictionaries.com/definition/english[21 July 2015].

[24] Oxford Dictionaries. Available from: http:// www.oxforddictionaries.com/definition/learner/for giveness

[25] Pavlick D.L. 2002-2003. Apology and Mediation: The Horse and Carriage of the Twenty-First Century, Ohio State Journal of Dispute Resolution 18.

[26] Plato. Apologia Socratous. Available from: http://www.san.beck.org/Apology.html [21 July 2015].

[27] Robbennolt J.K. 2003. Apologies and Legal Settlement: An Empirical Examination, Michigan Law Review 102(3): 486-491.

[28] Robert D. Carlise et al. Do actions speak lauder than word? Differential effects of apology and restitution on behavioral and self-report measures of forgiveness

[29] Schneider C.D. 2000. What it means to be sorry: The power of apology in mediation, Mediation Quarterly 17(3): 265-280.

[30] Smith, N., 2013. Just Apologies: An Overview of the Philosophical Issues. Available from: http: //digitalcommons.pepperdine.edu/drlj/vol13/iss1/3

[31] Strang, H. 2006. Repair or Revenge: Victims and Restorative Justice. Oxford: Clarendon Press.

[32] Taft L. 2000. Apology Subverted: The Commodification of Apology, The Yale Law Journal 109(5): 1135-1160.

[33] Takaku S. et al. 2001. A Cross-Cultural Examination of the Effects of Apology and Perspective Taking on Forgiveness, Journal of Language and Social Psychology 20:144-166.

[34] Tavuchis, N. 1991. Mea Culpa: A Sociology of Apology and Reconciliation. Stanford: Stanford University Press, 1991.

[35] Ury W. 1991. Getting Past No – Negotiating Your Way from Confrontation to Cooperation. Bantam Books.

[36] Zwart-Hink A. et al. 2014. Compelled apologies as a legal remedy: some thoughts from a civil law jurisdiction, University of Western Australia Law Review 38:100.

The Investment Laws of Georgia: Key FDI Driver or Irrelevance?

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Abstract: *Georgia has carried out notable reforms to its legal system in the last years and the trend is continuing as several draft laws are currently in preparation in various industries. The government has expressed its favourable attitude toward foreign investment on numerous occasions and has taken active steps in order to develop and improve the investment climate.Through this paper, international investment laws and particularly the Bilateral Investment Treaties (the "BITs") and a Law of Georgia "On the Investment Activity Promotion and Guarantees" ("Georgian Investment Law") will be explored and critically evaluated. While it may be impossible to draw exact correlation between legal regime and foreign direct investment (FDI) flows, statistical trends will be examined whereas accessible. Legal regime will be explored vis-à-vis to international standards in investment law exposed on some leading cases involving Georgia as a party in investor-state dispute.*

Introduction

After the collapse of the Soviet Union back in 90s, Georgia became free and independent state.In parallel to becoming independent, country was committed to strengthen its positions on international arena. Georgia joined the World Bank, in particular the International Bank for Reconstruction and Development (IBRD) the Multilateral Investment Guarantee Agency (MIGA), and the International Centre for Settlement of Investment Disputes (ICSID) in 1992. Later on, in 1993 Georgia also joined the International Development Association (IDA), followed by the membership in the International Finance Corporation (IFC) in 1995.Georgia has been a member of WTO since 14 June 2000. However, since declaring independence, Georgia encountered political turmoil resulting from civil war, ethnic conflicts, breakaway regions with the increasing number of internally displaced people and poverty followed by years of economic stagnation and corruption. The period from 1991 through the first half of 1994 saw almost a triple decline in production coupled with hyperinflation—in 1993–94, whenthe inflation rate reached 50–70 percent a month [1].

From1999 onwards, the country was unable to obtain loans and grants from international financial institutions and donor countries, since it could not meet International Monetary Fund (IMF) requirements; and as result the IMF suspended its own support programmes in 2002 [2].

While GDP growth rate fell significantly during this period, Georgia still achieved high economic growth rate in 2003, primarily through extensive foreign investments in the construction of the Baku-Tbilisi-Ceyhan oil pipeline [3]. But due to failures in all aspects of the budgetary process,the state budget deficit reached $90 million - 15 percent of projected revenue and by the end of 2003, the total internal debt in unpaid salaries and public-sector pensions reached $120 million, while monthly pensions amounted to less than $7 [4].

The change of Government has had a positive impact on the fresh attitude of state authorities to foreign investors. Many vague and old-fashioned administrative acts were abolished at the initiative of the new administration. Some of the unreasonable legal requirements were interpreted more liberally by the administrative organs and state courts. The registration of new businesses was simplified by the introduction of the 'one-stop-shop' registration procedure [5].

Georgia's efforts have been properly credited in the international reports.The World Bank hailed Georgia's commitment to reforms over the past years as "unprecedented" after the country rose from 112th to 9th place in the world in the World Bank's "Ease of Doing Business" rank and Doing Business Reformer Club awarded Georgia as "Top Reformer" according to five-year measure of cumulative change [6].

However, in practice the country continues to face considerable challenges in entrenching legal rules and strengthening of legal institutions [7]. Legal evolution does not necessarily reflect the expectations of the business community for major changes which are long awaited.

From purely international investment law standpoint, Georgia has signed the Bilateral Investment Treaties (the "BITs") with 23 countries [8]. According to the Minister of Economy and Sustainable Development of Georgia, Mr. Giorgi Kvirikashvili, negotiations are in midst on signing such treaties with 32 other states [9]. Georgia also adopted a

number of domestic laws with regard to investment activities, most important being a Law of Georgia "On the Investment Activity Promotion and Guarantees".

1. Law of Georgia "On the Investment Activity Promotion and Guarantees"

The law was adopted in 1996 and according to the preamble of this law: *"The present law defines the legal bases for realizing both foreign and local investments and their protection guarantees on the territory of Georgia. The purpose of the law is to establish the investment-promotional regime."*
As it can be understood the law applies to both foreign and local investments, however, this paper will mostly emphasize on provisions regarding the foreign investments.

1.1. Definition of Investment under domestic Law

Article 1 of the *Georgian Investment Law* defines investment as following:

"Investments shall be deemed to be all types of property and intellectual valuables or rights invested and applied for gaining possible profit in the investment activity carried out in the territory of Georgia".

Even though, ICSID itself does not provide the comprehensive definition of the term 'investment' and there is no accepted universal definition of investment, the recent trend is to broadly and open-endlessly define "investment" [10].

Based on article 2, paragraph 2 of the Georgian Investment Law, such valuables or rights may be:

a) monetary assets, a share, stocks and other securities;
b) movable and immovable property - land, buildings, structures, equipment and other material valuables;
c) lease rights to land and the use of natural resources(including concession), patents, licenses, know-how, experience and other intellectual valuables;
d) other property or intellectual valuables or rights provided for by the law.

The last provision of this paragraph demonstrates that Georgian legislators follow the contemporary trends of defining investments broadly. However, it's noteworthy that according to the list outlined in the the Georgian Investment Law short-term portfolio investments could not be deemed as

investment, this approach is largely reflects the Subedi's opinion [11] that portfolio investments have been seen the European Court of Justice as "the acquisition of shares on the capital market solely with the intention of making a financial investment without any intention to influence the management and control of the undertaking" (Case C-282/04 Commission *v* Netherland (2008) ECR 1-9141, [19]).

One of the leading cases in international arbitration regarding the investment definition is *Zhinvali* [12] case, where Georgia stood as respondent and dispute arose out of pre-investment expenditures – development [13] costs constituted investment under the *Georgian Investment Law*. ICSID arbitration was initiated by an Irish company, Zhinvali Development Ltd. in order to reclaim expenses incurred during negotiations for feasibility studies, consultancy costs, travel expenses and legal fees plus lost profits in abandoned project in connection to failed negotiations between the claimant and Government of Georgia (GoG) in proposed rehabilitation of Zhinvali power plant near Tbilisi.

ICSID tribunal considered *Mihaly* [14] Award instructive and by apply the reasoning in *Mihaly,* the arbitral tribunal decided that development costs did not qualify as investment under the *Georgian Investment Law* or Article 25(1) of the *ICSID Convention.*

Decision was based on the following grounds:

1. Territorial presence for every protected investment required by the Articles I and II of *Georgian Investment Law* – only territorial expenditures fall under this condition.
2. Foreign investor is not entitled to recovery of development costs in failed transaction under the Article 3(6) of *Georgian Investment Law.*
3. The Tribunal dismissed any claims of reimbursement of development costs under the Civil Code of Georgia.
4. The Tribunal rejected the Claimant's assertion that the draft concession term sheet shared with the GoG contained any value or right due to lack of evidence to prove its' monetary worth.

In addition, Article 2.2 provides definition of 'foreign investor':
2. A foreign investor shall be deemed to be:
a) A foreign citizen;
b) A stateless person temporarily residing on the territory of Georgia;
c) A Georgian citizen permanently residing abroad;
d) A legal person registered beyond Georgia.

Another point in definition is that The Georgian Investment Lawtakes into consideration the increasing economic and financial power of international corporations as well as Georgian nationals resident abroad in the recent years, the "foreign investor" term was not only defined explicitly but also widened to include Georgian citizens permanently residing abroad.

1.2. National Treatment

Under the chapter 2 of the Georgian Investment Law legal status of the investment activity subjects are defined. One of the most important standards in this chapter is paragraph 1 in article 3, which states:

"In conducting the investment and entrepreneurial activity a foreign investor's rights and guarantees shall not be less than when the rights and guarantees enjoyed by Georgian natural and legal person".

This provision in Georgian Investment Law reflects the importance of national treatment standard in international investment agreements (IIA) and described as "single most important standard of treatment enshrined in international investment agreements" [15].

In other words of eminent investment law scholar, "the national treatment clause in an IIA requires that the host state make no negative differentiation between foreign and national investors when applying its rules and regulations" [16]. Furthermore, it is argued that national treatment standard could provide a basis against the performance requirements such as export quotas or local purchase requirements [17].

Simply put, the objective of national treatment principle is to address discrimination on the basis of nationality of ownership of an investment [18]. Discriminatory treatment should be established by the comparison between the treatment of the foreign investor to the treatment accorded to the domestic investor in similar circumstances."Like" circumstances will depend on the nature of the investment and the investors [19]. In addition, *Methanex* [20] case is instructive for ascertaining 'like' circumstances.

However, it's widely [21] accepted in practice that differential treatment can be justified in order to bring a degree of operative equality for domestic industries deriving from the general – across the-board exceptions and country specific exceptions [22] and this should not be viewed as discrimination [23] because of "unlike circumstances" [24].

From national treatment respect, relevant provision which does reinforce the national treatment standard is Article 14 providing that:

"A foreign investor who has suffered damages during the state of war and a military conflict shall not be subject to the terms of compensation worse than those of a local investor."

Georgian Investment Law is silent on pre-establishment rights of investors. It's preferred to enforce respective modifications and provide in domestic investment law since investors would be seeking to have certain pre-establishment rights [explicitly] extended to them [25].

To sum up, the Georgian Investment Law lays the foundation for the equal treatment of foreign investors relative to local investors as a vital instrument for safeguarding the expectation of high-risk commercial projects [26] in its' territories.

1.3. FDI Admission

The term "admission" refers to the entry or making of foreign investment in the territories of a country [27].International law does not prohibit the exercise of a state's sovereign right to prohibit the importation of foreign capital into certain sectors of the state's economy.

Under the Georgian Investment Law, article 9. Prohibition and restriction(in the sphere of investment activity) imposed are following:

1. A list of branches where the investment realization is prohibited shall be subject to approval of Parliament of Georgia on presentation by President of Georgia.
2. An investor shall not be entitled without a permit or license issued by an appropriate agency to engage in the following activity:
a) manufacture and sale of weapons and explosives;
b) preparation and sale of medicines and substances that are subject to special control;
c) use of forest resources and entrails;
d) setting up of casinos and other gambling houses which provide for arranging games and lotteries;
e) banking activity;
f) insurance activity;
g) issue of securities for public circulation;
h) wireless communication service and TV and radio channels' creation;
i) other activities defined by the effective Georgian legislation.

Since, permanent sovereignty is the bedrock principle underpinning the UnitedNations' Charter of Economic Rights andDuties ofStates (CERDS), *Georgian Investment Law* could completely control the whole process of foreign investment [28].

Performance Requirements

Georgian Investment Law places no performance requirements on the issue of employment of local personnel, even though World Bank [29] recognizes the right of the host state to demand preference of local employees.

Article 10 of Georgian Investment Law provides:
1. An investor shall be entitled to hire a foreigner in accordance with the effective Georgian legislation.
2. The mini minimum number of Georgian citizens to be mandatorily elected or appointed to the management body of an enterprise shall not be fixed.
3. Requirements of the law concerning the payment of necessary taxes and fees for social insurance, security and pensions of employees shall not supply to the workers not residing permanently in Georgia.

In addition:*"A foreigner not permanently residing in Georgia upon payment of taxes and mandatory levies shall have the right to freely transfer or export the gained income".*

Therefore, Georgian Investment Law is consistent to provide consistent positive investment environment.

In addition, the World Bank Guidelines give a relatively exhaustive list of the types of assets the host state should allow to be freely transferred.Georgian investment law is in compliance of this guidelines and states:

"A foreign investor shall, upon payment of taxes and necessary levies, have the right to convert the profit (income) gained from investments at the market rate of exchange in Georgian banking institutions and the right of unlimited repatriation abroad".

Restrictions to repatriation is applied "*...under law by court's decision in connection with bankruptcy, committing an offense or non-performance of a civil obligation".*

Specific tax treatment is not entirely specified in the investment law, however Article 11 provides:
"The taxation regime associated with investment activity and its favourable treatment shall be regulated under the tax legislation of Georgia".
While the Georgian Investment Law does not expressly mandate the granting of tax incentives in

investment law, it certainly leaves the door open for discretion under the tax legislation.

1.4. Duties of Investors

Article IV of the Georgian Investment Law provides:
"An investor shall be liable to conduct activities in accordance with the effective Georgian legislation as well as legislation concerning the environment and health protection".

By the virtue of the amendments in 2000, foreign investors are no longer liable for registration at the foreign investment agency. Even though registration was solely for statistical purposes, this amendment significantly eliminates the bureaucratic burden for registration.

2. Guarantees for Investments

Chapter 4 of the *Georgian Investment Law* provides guarantees for investors.
The law declares *"Investment shall be fully and unconditionally protected under legislation of Georgia in force".*

2.1. Expropriation

Protection of foreign investment against expropriation is a centuries-old principle of foreign investment law. Expropriation is the deprivation of private property by the government against compensation. According to Subedi [30], as a rule of thumb, foreign-owned property may not be expropriated unless four conditions are met:

1. An expropriation must be for a public purpose;
2. It should be non-discriminatory;
3. It is taken in accordance with applicable laws and due process; and
4. Full compensation is paid;
Georgian Investment law does reflect protection of foreign investment against expropriation by providing that:

"Investment requisition is possible only in the cases directly specified in the law, at decision of the Court or in the case of urgent necessity established by organic law and only with appropriate compensation" [31].

Georgian law doesn't explicitly say what constitutes expropriation, however it does entail foreign investor to bring expropriation related claim under international arbitration venues.

Furthermore, Article 8 provides:

1. The compensation to be given to the investor shall correspond to the actual value of the seized investment directly at the time when such requisition took place.
2. The compensation shall be paid without any delay and it shall also comprise the damage suffered by the investor from the moment of requisition till the payment of the sum of compensation.
Georgian Investment law doesn't enumerate any methods of valuation for expropriated investment and it can also be seen as deviation from the *Hull* formula due to absence of "prompt, adequate and effective" compensation.

2.2. Access to International Arbitration

Article 16.2 of Georgian Investment Law provides:"*A dispute between a foreign investor and a state agency shall unless the procedure for its resolution is not defined by way of their agreement, be subject to resolution in courts of Georgia or in the International Centre for the Resolution Investment Disputes. Unless the dispute is considered in the International Centre for the Resolution of Investment Disputes, a foreign investor shall be entitled to apply to any international arbitration body which has been set up by the Commission of the United Nations for International Trade Law - UNCITRAL to resolve the dispute in accordance with the rules established under the arbitration and international agreement".*

Through this provision, the arbitration borders of Georgia Legislation System have been expanded and national or international arbitration isallowed for disputes arising from foreign investment disputes. The inclusion of international arbitration for dispute settlement aims at addressing the confidence concerns of foreign investors.

To further strengthen the investors' confidence, paragraph 3 of the same article states:"*any award of the international arbitration bodies as indicated in paragraph 2 of this Article shall be final and not subject to appeal. Its observance shall be secured by the state".*

3. Bilateral Investment Treaties

As mentioned in introductory part Georgia has signed 23 bilateral investment treaties and negotiations are underway with many other countries. While some results suggest that BITs have little or no impact on investment decisions [32] and the significance of IIAs in FDI flow remains controversial

[33],there is some evidence to argue that BITs do indeed matter. Since developing countries often compete for foreign investment with the hope that foreign direct investment (FDI) will be an engine of the economic growth and other benefits, signing a BIT serves as forward-looking tools to gain future investments and also has a backward looking element to retain investments that might have relocated to another country [34]. These observations will be applied to Georgian context.

To begin with, one of the first BIT that Georgia signed was in 1994 (with entryforce in 1997)with the United States of America [35].The U.S. – Georgia BIT (U.S.Georgia Treaty)is based on the 1994 U.S. prototype BIT and meets the basic characteristics of such treaties treaty by covering the five substantive areas [36]: (i) definition of investment and investor; (ii) admission of foreign investors; (iii) fair and equitable treatment of investors; (iv) compensation in the event of expropriation; and (v) methods of settling disputes.

For the comparative purposes, Israel – Georgia BIT [37] (which was signed in 1995 and entered into force in 1997) will be analyzed as well.

Under the Article I of US.Georgia treaty, "*The Treaty's definition of investment is broad, recognizing that investment can take a wide variety of forms. Every kind of investment is specifically incurporated in the definition; moreover, it is explicitly noted that investment may consist or take the form of any of a number of interests, claims, and rights. Establishing a subsidiary is a common way of making an investment".*

Furthermore:

"Other forms that an investment might take include equity and debt interests in a company; contractual rights; tangible, intangible, and intellectual property; and rights conferred pursuant to law. Investment as defined by the Treaty generally excludes claims arising solely from trade transactions, such as a sale of goods across a border that does not otherwise involve an investment".

Israel-Georgia BIT also gives wide definition to "investment" by providing that: *"the term "investments" shall comprise any assets..., including, but not limited to: movable and immovable property, rights in shares and bonds, claims to money, goodwill and IP rights, business concessions..."*

The USA-Georgia Treaty defines "covered investment" as an investment of a national or company of

a Party in the territory of the other Party. An investment of a national or company is one that the national or company owns or controls, either directly or indirectly. Indirect ownership or control could be through other, intermediate companies or persons, including those of third countries. Control is not specifically defined in the Treaty; ownership of over fifty percent of the voting stock of a company would normally convey control, but in many cases the requirement could be satisfied by less than that proportion, or by other arrangements.

Furthermore, the broad nature of the definitions of "investment," "company," and "company of a Party" means that investments can be covered by the Treaty even if ultimate control lies with non-Party nationals.

By contrast to *Georgian Investment Law,* treaty itself emphasizes the broad nature of investment.
With national treatment principle, The U.S. Georgia Treaty Article VI (Performance Requirements) *"prohibits either Party from mandating or enforcing performance requirements in connection with a covered investment".*

However, integral part of treaty – Annex lists The U.S. exceptions from its national treatment commitments such as, atomic energy; customhouse brokers; licenses for broadcast, common carrier, or aeronauttical radio stations; and many others.

Paragraph 3 of the Annex lists Georgia's exceptions to national treatment, which are: fisheries; air and maritime transport, and related activities; ownership of broadcast, common carrier, or aeronautical radio stations; communications satellites; government-supported loans, guarantees, and insurance; landing of submarine cables; and for three years from the date of entry into force of this Treaty, banking, insurance, securities, and other financial services. While Georgia has, and will maintain for up to three years after the Treaty enters into force, national treatment exceptions in financial services, it has undertaken in the BIT to remove such barriers to U.S. investment after that time.

In addition, Paragraph 4 of the Annex ensures that reciprocal national treatment is granted in all leasing of minerals or pipeline rights-of-way on Government lands.

Contrary, Israel – Georgia BIT is silent on list of exceptions to national treatment principle.

By contrast to Georgian Investment Law, U.S. Georgia treaty addresses the most-favoured-nation

("MFN") standard and *"for purposes of the Treaty, MFN treatment" means treatment no less favourable than that which a Party accords, in like situations, to investments in its territory of nationals or companies of a third country".*

Israeli-Georgia BIT outlines exceptions to MFN standard, under the Article 7 exceptions to MFN treatment states: *"...shall not be construed so as to oblige one Contracting Party to extend to the investors of the other benefit of any treatment, preference or privilege resulting from:*

(a) Any international agreement or arrangement relating wholly or mainly to taxation or any domestic legislation relating wholly or mainly to taxation:
(b) Any existing or future customs union, free trade area agreement...
(c) "reinvestment"

Both Treaties explicitly provide the importance of full protection and security standard, fair and equitable treatment.

Paragraph 3, Article II of US.Georgia Treaty sets out a minimum standard of treatment based on standards found in customary international law. The obligations to accord "fair and equitable treatment" and "full protection and security" are explicitly cited, as in the Parties obligation not to impair, through unreasonable and discriminatory means, the management, conduct, operation, and sale or other disposition of covered investments. The general reference to international law also implicitly incorporates other fundamental, rules, of international law: for example, that sovereignty may not be grounds for unilateral revocation or amendment of a Party's obligations to investors and investments (especially contracts), and that an investor is entitled to have any expropriation done in accordance with previous undertakings of a Party.

Fair and Equitable standard gave rise to claim in *Ioannis Kardassopoulos and Ron Fuchs v. The Republic Of Georgia* [38].The claimant *Ron Fuchs* (citizen of Israel) invoked a sole substantive provision in the Israel-Georgia BIT in connection with his fair and equitable treatment claim under Article 2, providing:

2. "Investments made by investors of each Contracting Party shall be accorded fair and equitable treatment and shall enjoy full protection and security in the territory of the other Contracting Party. Neither Contracting Party shall in any way impair by unreasonable or discriminatory measures the management, maintenance, use, enjoyment or

disposal of investments in its territory of investors of the other Contracting Party".

In his Request for Arbitration, Mr. Fuchs pleaded an expropriation claim under Article 5 of the Israel-Georgia BIT. However, Mr. Fuchs averred at paragraph 89 of his Memorial that he *"does not make any claims under the [Georgia -Israel] BIT in respect of the 1996 expropriation of his investments, but rather seeks redress in these proceedings for the protracted unfair and inequitable treatment by the Respondent which took place after 18 February 1997 and arises out of the compensation process which began on 23 April 1997"*.

However, this claim was not considered further in the arbitration award, since the Tribunal understands that Mr. Fuchs' expropriation claim, as pleaded in his Request for Arbitration, has either been disavowed or totally abandoned.

Both treaties bar all expropriation and nationalization except those that are for public purposes. Respective rights and obligations also apply to direct or indirect measures "tantamount to expropriation or nationalization" and thus apply to "creeping expropriation series of measures which effectively amount to an expropriation of a covered investment without taking title.

Furthermore, expropriation must be carried out in a non-discriminatory manner; in accordance with due process of law; in accordance with the general principles of treatment.

Treaties adopt *Hull formula* and call for "prompt, adequate, and effective compensation."

3.1. Dispute Resolution under BIT

Article IX of U.S.Georgia treaty sets several means by which disputes between an investor and a Party may be settled. These procedures apply to an "investment dispute," which covers any dispute arising out of or relating to an investment authorization, an investment agreement, or an alleged breach of rights granted or recognized by the Treaty with respect to a covered investment.

Paragraph 2 gives a national or company an exclusive choice among three options to settle the dispute. These three options are: (1) submitting the dispute to the courts or administrative tribunals of the Party that is a party to the dispute; (2) invoking dispute-resolution procedures previously agreed upon by the national or company and the host country government; or (3) invoking the dispute- reso-

lution mechanisms provided for in paragraph 3 of Article IX.

Under paragraph 3(a), the investor can submit an investment dispute to binding arbitration three months after the dispute arises, provided that the investor has not submitted the claim to a court or administrative tribunal of the Party or invoked a dispute resolution procedure previously agreed upon in an investment agreement. The investor may choose among the International Centre for Settlement of Investment Disputes (ICSID) (Convention Arbitration), the Additional Facility of ICSID (if Convention Arbitration is not available), ad hoc arbitration using the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL), or any other arbitration institution or rules agreed upon by both parties to the dispute.

Jurisdiction of ICSID under Israel-Georgia BIT was ascertained in *Fuchs* [39]case, where Claimants' claims were made prior to entry into force of the Georgia/Israel BIT, even though the conduct complained of occurred after that date. Claimant based request for jurisdiction Article 12 of the BIT, which states "[t]he provisions of this Agreement shall apply to investments made on or before the entry into force of this Agreement", extends investment protection under the BIT to such investments. For further clarity, claimant confirmed that he does not make any claims under the BIT in respect of the 1996 expropriation of his investments, but fair and equitable treatment claim to relate solely to the compensation process and not to the expropriation of his investment per se.

Tribunal was satisfied that it has jurisdiction *ratione temporis* over Mr. Fuchs' fair and equitable treatment claim.

4. The impact of investment laws to FDI flows in Georgia

Traditionally and currently, Georgia is not deemed to be capital exporting country due to its weak economy. According to Central Intelligence Agency (CIA) stock of direct foreign investment – at home made around 9 billion USD in 2011, while FDI stock abroad is only 740 million USD abroad [40].

The increasing openness of post-soviet Georgia has lead not only expanded trade but also to significant increase in FDIs [41]. According to World Bank statistics inflow FDIs in Georgia made more than 1 billion USD in the year of 2011 [42]. FDI is at the forefront of economic policy decisions for Georgia, since the general empirical evidence suggests that

for emerging economies, a one percentage point increase in FDI (measured as a proportion of GDP) leads, ceteris paribus, to an extra 0.8 percentage point increase in per-capita income [43].

Before adopting the *Georgian Investment Law,* cumulative FDI inflows to Georgia has been equal to 720 million USD for time period of 1992-1996 [44]. After passing the above mentioned law, FDIs inflows increased sharply in Georgia. In particular in 1998, FDI increased from 236 million USD in 1997 to 265 million USD next year while in 1999 fell significantly (to 100 million USD). Major part of the FDI flow was due to the work on oil pipeline linking Sanachal in Azerbaijan and Supsa in Georgia (completed in early 1999).

As a result of Rose Revolution and progressive reforms, both the economic, political and legal stability climate in Georgia and the amended *Georgian Investment Law* increased FDI dramatically. Therefore it may argue that legal regulations alone would not suffice to create an adequate environment for investments.

From a BIT impactstandpoint, following to entry of BIT agreement between UK and Georgia in 1995, FDIs originating from UK made 58 percent [45] of overall FDI for the consecutive year.When looking to the countries of origin of foreign direct investment, very different patterns and trends are revealed. UK share in FDI inflow fell down 0.03 percent in 2000, for the time being UK share in 2012 FDI inflow make to 7% [46].

The opposite trend can be witnessed FDI inflow from the USA: 1.2 percent of total in 1995, 19.5 percent in 2000 and7 per cent in 2012 respectively, considering the fact that US.Georgia Treaty is effective from 1997.

As it was mentioned Georgia experienced rapid growth in FDI inflow until 2007. However, both 2008 Global Financial Crisis spillover effects and war with Russia led to decrease in FDI in 2009-2010. Battered by the war and the global financial crises, foreign investors might have been forgiven for leaving Georgian en masse. Happily, prompt ceasefire and tight macroeconomic policies with injection of post-war foreign aid worth 4.5 billion USD have incentivized foreign investors to stay on and sense fresh chances in Georgia [47].

Notwithstanding significant economic growth and FDI inflow, weak rule of law and the issue of independence of judiciary hinders to recover from a recent dramatic drop in FDI and to secure economic growth. Some leading experts urge government of Georgia to improve the rules of game in respect to property rights as well as the proper behaviour of tax administration [48]. In addition, allegations are brought with regard to vague investment regulations and enforcement of new law [49].

However, many leading academics question sufficiency of domestic investment laws to promote FDI inflow. Lothian and Pistor [50] argue that domestic law is not enough and resources are priority, giving high emphasizes on local partner and relevance to bring best practice to the context matters. In other words of Dolzer: "domestic law may be insufficient, trend is to place higher emphasize on an investment friendly climate leading to economic growth rather than on legal and political concepts of national sovereignty" [51]. Slightly different view is reinforced by other academics encouraging foreign investors to adjust their expectations [52].

Furthermore, elaborating more on controversy discussed earlier,there is no consensus among academic circles that the BITs have a positive impact on FDI flow. Some authors come up with conclusion that no essential link is established between the BITs and the growth of foreign direct investment [53].

Contrary to these findings, Professor Eric Neumayer claims that the positive correlation was identified between the BITs and the growth of investments. Albeit, professors of the Yale University argue the BITs have a positive impact on the growth of investments in the low risk states only [54].

Taking a holistic view with Georgian case, it can assuredly be argued that legal regime as a set of determining factors did influenced FDI flows.

Conclusion

It appears that, after critical evaluation of the international investment laws of Georgia, country has taken very modern approach to integrate best international investment instruments to open doors for FDI flows and there is no doubt that legal regime do indeed matter for improving overall investment environment to attract more foreign investments. However, what remains difficult is to assess the degree of impact and correlation between legislative framework and FDI flow. As an integral part of set of determining factors for FDI attraction, impact of legal regime cannot be isolated and independently judged since all factors exist simultaneously.

Since BIT signing appears to be correlated with the presence of foreign direct investment, it should be

assumed that Georgia concluded quite a significant number of treaties in order to attract future FDI flows. On the other hand, while BITs might not have observable effect on future inflows they may serve to the intention to secure immediate foreign investments that were under realization at the time of BIT execution. Ongoing negotiations to sign many more treaties endorse the relevance and view taken by the Government of Georgia to stimulate FDI inflows by international legal instruments.

A huge controversy still remains with certainty and enforcement of international investment laws of Georgia. This deepens more by ICSID and other international tribunal cases brought against Georgia often ending by heavy awards and liability to pay compensation on account of Georgian tax payers.

References

[1] Lado Gurgenidze, Mamuka Lobzhanidze, and David Onoprishvili, ''Georgia: From Planning to Hyperinflation'', Communist Economies & Economic Transformation, June 1994.

[2] Taylor and Francis Group, *Eastern Europe, Russia and Central Asia 2004*, Volume 4 (Routledge, 2003), p. 188.

[3] Thomas J. Dimitroff, *Risk and Energy Infrastructure* (Global Law and Business, 2011), p. 203.

[4] Vladimer Papapva, 'The Political Economy of Georgia's Rose Revolution' 2006 *Orbis*, 50(4), pp. 657-667.

[5] Ministry of Justice of Georgia, Public Service Hall<http://psh.gov.ge/index.php?sec_id=2&lang_id =ENG>

[6] Invest In Georgia, The World's Leading Reformer<http://investingeorgia.org/index.php?m=2 30>

[7] An Assessment by the EBRD, 'Commercial Laws of Georgia' (March 2010), p. 2 <http://www.ebrd.com/downloads/sector/legal/georgia.pdf>

[8] Ministry of Justice of Georgia, "Bilateral Treaties on the Promotion and Protection of Investments", at: <http://goo.gl/GNw2L>

[9] Website of Ministry of Economy and Sustainable Development<http://www.economy.ge/?category=4&lang=geo&item=1082>

[10] Surya Subedi, International Investment Law: Reconciling Policy and Principle (2nd edn, Hart Publishing, 2008), p. 58.

[11] Surya Subedi, pp.60-62.

[12] Zhinvali Development Ltd. *v* Republic of Georgia ICSID Case No. ARB/00/1, unpublished.

[13] Todd Weiler, *International Investment Law and Arbitration: Leading Cases from the ICSID* (reprint, Cameron May, 2005), p.67.

[14] Mihaly International Corporation *v* Democratic Socialist Republic of Sri Lanka ICSID CASE NO. ARB/00/2

[15] UNCTAD, National Treatment, UNCTAD Series on Issues in International Investment Agreements (New York and Geneva, United Nations, 1999), p. 1.

[16] David Collins, National Treatment in Emerging Market Investment Treaties (January 21, 2013) Available at SSRN: <http://ssrn.com/abstract=2204 35>.

[17] M SORNARAJAH, *The International Law on Foreign Investment* (3rd edn, Cambridge University Press, 2010), p. 202.

[18] Surya Subedi, p.70.

[19] David Collins, p. 4.

[20] Methanex Corporation *v* USA, ICSID, 3 August 2005.

[21] Surya Subedi, p.70.

[22] Wallace and Bailey, 'The Inevitability of National Treatment of Foreign Direct Investment With Increasingly Few and Narrow Exceptions' (1998) 31 Cornell International Law Journal 615, p. 623.

[23] M. Sornarajah, p. 203.

[24] Wallace and Bailey, p. 623.

[25] Surya Subedi, p.99.

[26] Nicholas Dimascio and Joost Pauwelyn, "Non-discrimination in Trade and Investment Treaties: Worlds Apart or Two Sides of the Same Coin" 102 American Journal of International Law 48 (2008), p. 67.

[27] Antonio R. Parra, "Principles Governing Foreign Investment, as Reflected in National Investment Codes', by IBRAHIM F.I. SHAHITA, *Legal Treatment of Foreign Investment: "The World Bank Guidelines"* (1993), p.311.

[28] M. Sornarajah, p. 86.

[29] Antonio R. Parra, p. 155.

[30] Surya Subedi, p.73.

[31] Law of Georgia "On the Investment Activity Promotion and Guarantees" 1996.

[32] J.W. Yackee, 'Bilateral Investment Treaties, Credible Commitment, and the Rule of (International) Law: "Do BITs Promote Foreign Direct Investment' Law & Society Review, Vol. 42, Issue 4 (2008), 805, p. 823.

[33] Eric NEUMAYER and Laura SPESS, 'Do Bilateral Investment Treaties Increase Foreign Direct Investment to Developing Countries'[online] available at: <http://eprints.lse.ac.uk/627/1/World_ Dev_(BITs).pdf>

[34] Deborah SWENSSON, Why Do Developing CountriesSign BITs? 12 U.C. Davis J. Int'l L. &Pol'y 131 (2005), p. 155.

[35] Treaty Between The Government Of The United States Of America And The Government Of The Republic Of Georgia Concerning The Encouragement And Reciprocal Protection Of Investment Available at :< http://2001-2009.state.gov/documents/ organization/43561.pdf>

[36] Surya Subedi, p.82.

[37] Agreement between the Government of the State of Israel and the Government of Georgia for the Promotion and Reciprocal Protection of Investments. Available at: <http://www.financeisrael.mof. gov.il/FinanceIsrael/Pages/en/EconomicData/Interna tionalAgreements.aspx>

[37] Surya Subedi, p.82.

[38] Ioannis Kardassopoulos and Ron Fuchs (Claimants) And The Republic of Georgia (Respondent)(ICSID Case No.Arb/05/18 AndArb/07/15).

[39] Ibid, pp. 64-65.

[40] Central Intelligence Agency, Publications: The World Factbook <https://www.cia.gov/library/publications/the-world factbook/geos/gg.html>

[41]Cukrowski, Determinants of Foreign Direct Investment in Georgia (July 17, 2009).CASE-CEU Working Papers No. 39. Available at SSRN: <http://ssrn.com/abstract=1435286 or http://dx.doi. org/10.2139/ssrn.1435286>

[42] The World Bank Data: Foreign Direct Investment, net inflows (BoP, current US$) at: <http: //data.worldbank.org/indicator/BX.KLT.DINV.CD. WD>

[43] J BERGSMAN, H.G BROADMAN and V DREBENTSOV, (2000) Improving Russia's Policy on Foreign Direct Investment. The World Bank, Policy Research Working Paper 2329.

[44] Cukrowski, p. 10.

[45] Investment Opportunities in Georgia 2001, Ministry of State Property Management of Georgia, p. 11.

[46] National Statistics Office of Georgia, Foreign Direct Investments Available at: <http://geostat.ge/ index.php?action= page&p_id=140&lang=eng>

[47] Isabel Gorst, 'Investors Sense Fresh Chances in Georgia' *Financial Times* (Moscow 5 August 2009)

[48] Interview with Olivier Descamps, the EBRD Business Group Director for Southeast Europe, Caucasus and Cetral Asia, *Reuters* (Tbilisi 27 November 2009)<http://georgiandaily.com/index. php? option=com_content&

[49] Cukrowski, p. 14.

[50] T. Lothian and K. Pistor, 'Local Institutions, Foreign Investment and Alternative Development: Some Views From Practice' (2003) 42 Columbia Journal of Transnational Law 101

[51] R. Dolzer, 'The Impact of International Investment Treaties on Domestic Administrative Law' (2005) 37 New York University Journal of International Law and Policy 953

[52] C. Ryan, 'Meeting Expectations: Assessing the Long-Term Legitimacy and Stability of International Investment Law' (2008) 29 University of Pennsylvania Journal of International Law 725

[53] M. Hallward-Driemeier, 'Do Bilateral Investment Treaties Attract FDI? Only a bit…and they could bite,' (2003) World Bank, DECRG

[54] J. Tobin and S. Rose-Ackerman, 'Foreign Direct Investment and the Business Environment in Developing Countries: the Impact of Bilateral Investment Treaties', 2005 Yale Law School Centre for Law, Economics and Public Policy, No. 293.

The reform of EU State aid procedures: the new Procedural Regulation of 2013

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Abstract: *On 8 May 2012 the EU Commission adopted a Communication on State Aid Modernisation (SAM) aiming among others at more efficient State aid procedures. In this framework a Council Regulation (EU) No. 734/2013 amending Regulation (EC) No. 659/1999 laying down detailed rules for the application of Article [108 TFEU] was introduced in July 2013. Whereas, the new Procedural Regulation may improve the quality of the information received by the EU Commission by extending its investigatory powers, it is disappointing from a rule of law perspective. It fails to grant additional procedural rights to third parties and to enhance legal certainty issues, which are necessary for the efficiency of State aid control.*

Introduction

Before 1999 the administrative procedure in State aid matters was based on primary legislation and on the EU Commission's practice as well as the case law of the European Court. A Regulation (EC) No. 659/1999 laying down detailed rules for the application of Article [108 TFEU] was approved in 1999. This Procedural Regulation was mainly perceived as a codification of the procedural rules developed by the Court of Justice and the practice of the EU Commission. Its main objectives were to enhance legal certainty and to strengthen the control of State aid.

Despite the adoption of the Procedural Regulation in 1999 the procedural regime is still not perceived as transparent and efficient. The implementation of the Procedural Regulation during the years has shown some shortcomings [1]. Related to the rights of third parties the Procedural Regulation has often been criticized for the limited rights it grants to them [2]. The need to reform State aid procedures has been underlined by the Court of Auditors in its report of 2011 assessing the procedures of the Commission in ensuring effective management of State aid control [20]. In this report the Court of Auditors recommended *inter alia* to minimise the number of the requests for information sent to Member States, to deal swiftly with unfounded complaints, to periodically inform the complainant, the Member State and the beneficiary about the progress of each case and about the outcome of the investigation and to improve the efficiency and reliability of its data-gathering process.

In 2005, the EU Commission adopted the State Aid Action (the "SAAP") aimed at reforming State aid policies and procedures [24]. Regarding the reform of State aid procedures according to the SAAP the EU Commission planned to introduce a consultation document to be discussed with Member States, which might have resulted in amending the Procedural Regulation, but in the end a soft law reform was chosen. Consequently, the EU Commission adopted the Enforcement Notice, the Notice on Simplified Procedures and the Code of Best Practices [23]. While, the Code of Best Practices hasn't been able to address the shortcomings and inefficiencies in the procedures resulting from the insignificant role given to aid beneficiaries and third parties, the Council Regulation No 734/2013 of 22 July 2013 amending Regulation No 659/1999 laying down detailed rules for the application of Article [108 TFEU] (the "new Procedural Regulation") is disappointing from a rule of law perspective. It fails to grant additional procedural rights to third parties and to enhance legal certainty issues, which are necessary for the efficiency of State aid control. This paper aims to analyse the new Procedural Regulation from an interested party perspective.

1. State aid procedure Before the Procedural Regulation 1999

Until 1999 the procedure of the EU Commission regarding State aid was based on primary legislation and on the Commission's practice as well as the case law of the European Courts. The primary law provides for limited procedural principles (Article 92 and 93 EC, now Articles 107 and 108 TFEU). They can be summarised as follows:
- "Existing aid" is differentiated from new aid. Thus Article 108(1) TFEU provides that the EU Commission can only propose appropriate measures regarding existing aid and it cannot order its recovery [22].
- Article 108(3) TFEU provides the obligation of the Member States to inform the EU Commission of

any plans to grant new aid. They may not implement such aid until the EU Commission has authorised it.

- In case the EU Commission has doubts related to the compatibility of the aid, it must open a formal procedure and based on Article 108(2) TFEU it should notify the interested parties to submit their comments. The consequence of this provision is that examination of new aid is divided into two phases: (i) the preliminary phase which is evolved between Commission and the Member State, at the end of which the EU Commission may decide to open the formal procedure or to consider aid compatible with the internal market or that the measure doesn't constitute State aid;(ii) the formal phase (potential) during which interested parties may submit their comments. At the end the Commission decides either to clear the aid or to reject it and order for its recovery.

- Article 107 TFEU entrusts State aid control only to the EU Commission with one exception according to which the Council acting unanimously can declare State aid to be compatible "if such decision is justified by exceptional circumstances" which is rarely used [22].

These primary law provisions have been interpreted through decisions of the Commission and from the EU courts. Thus the Court in *Lorenz* judgment established the timelines of the preliminary procedure. According to the judgment the EU Commission was bound to take a decision within two months from the notification of the Member State (or within another deadline agreed between the Commission and the Member State concern). Aid should be deemed authorized if the EU Commission hasn't taken any decision within this deadline of two months [5].

The Courts have also explained the notion and procedural rights in State aid procedures of the interested parties. In *Cook* [7] and *Matra* [8] cases the Court of Justice for the first time accepted that a decision declaring that a measure doesn't constitute State aid or that it is compatible with the Internal Market is a challengeable act. Until these cases the declaration of the Commission that an aid system was compatible with the Internal Market could be challenged by other Member States and by the Council in accordance with Article 263 TFEU and it was not clear whether such declaration could also be challenged by third parties [4]. In *Sytraval* the Court of Justice overturned a decision of the General Court considering a decision rejecting a complaint a challengeable act [9]. According to the Court of Justice decisions in State aid field must be held to be addressed to the Member State concerned. The letter informing the complainant of the decision of the

Commission that the measure doesn't constitute State aid or that it doesn't affect the Internal Market cannot be challenged therefore it is to be considered as an informal communication [10]. Consequently, only the decision taken following a complaint can be challenged and not the letter addressed to the complainant.

2. The 1999 Procedural Regulation.

A "Regulation laying down detailed rules for the application of Article 93 (now Article 108 TFEU) of the EC Treaty" was adopted by the Council on 22 March 1999 (the "Procedural Regulation") [11]. The Procedural Regulation contains the definition of some important notions such as "aid", "aid scheme" or "interested party" [12]. It also provides for some important deadlines. Thus the EU Commission based on Article 4(5) of the Procedural Regulation has two months for its initial assessment during the preliminary investigation phase, from the submission of a complete notification by the Member State. Whereas, the formal investigation phase based on Article 7(6) of the Procedural Regulation should be concluded within 18 months from the opening decision. At the end of the formal procedure the Commission may take a positive decision which may be subject to conditions or a negative decision combined with an order for recovery of the non-compatible aid.

The Procedural Regulation defines the notion of "interested party" as "any Member State and any person undertaking or association of undertakings whose interest might be affected by the granting of aid, in particular the beneficiary of the aid, competing undertakings and trade associations" [13]. Chapter VI of the Procedural Regulation consists of a single Article (Article 20) which codifies the rights of interested parties. First, Article 20(1) provides for the right of the interested parties to submit comments, which is based on Article 108(2) TFEU. Article 20(2) of the Procedural Regulation gives to an interested party the right to inform the Commission about any alleged unlawful aid or any alleged misuse of aid. It also imposes an obligation on the Commission to inform the interested party on how it intends to go on with the case. Article 20(2) of the Procedural Regulation doesn't expressly use the word "complaint", as there was an intention to prevent an evolution of the case law regarding the status of complainants in EU State aid proceedings [3]. Article 20(3) deals with the issue of communication of decisions. It provides that interested parties have the right to obtain copies of decisions concluding preliminary and formal investigation as well as information, suspension and recovery injunction.

However, in practice all the decisions on the Commission mentioned above expect for the injunctions and the decisions according to Article 4(2) and (3) are published in the Official Journal as required by Article 26 of the Procedural Regulation. Decisions taken according to Article 4(2) and (3) are published in a form of summary notice, as provided by Article 26(1).

The State aid administrative proceedings remain focussed on the EU Commission and the Member State concerned. Related to third parties the EU Commission considers them as a useful information source in monitoring the implementation of EU State aid rules by the Member States. From the very beginning their role has been confined during the formal investigation phase. Thus the EU Commission from the approval of the Procedural Regulation has tried to limit the procedural status of third parties during State aid procedures. This approach evidences the "instrumental" or "utilitarian" concept underlying the EU State aid procedural rules, where third parties are considered as source of information and do not possess a procedural status of their own [21].

2. State aid modernisation of 2013 - The new Procedural Regulation

The amendment of the Procedural Regulation was one of the most important parts of the State aid modernisation initiative. Its two main goals were to prioritise the handling of complaints and the possibility to adopt faster decisions. A new Procedural Regulation was adopted in July 2013. The new Procedural Regulation introduces some changes regarding the handling of complaints. It confirms the ability of the national courts to ask the EU Commission for information and for its opinion on points concerning the application of State aid rules. According to the amendments the EU Commission can start sectoral investigations on State aid issues linked to a specific sector or type of aid across several Member States [14]. In addition one of the main novelties of the new Procedural Regulation is related to the gathering of information by the EU Commission.

3. Interested party rights

According to the amended Article 20(2) "any interested party may submit a complaint to inform the Commission of any alleged unlawful aid or any alleged misuse of aid." In addition pursuant to the amended Article 10(1) and (2) "the Commission shall examine without undue delay any complaint submitted by any interested party in accordance with

Article 20(2) and shall ensure that the Member State concerned is kept fully and regularly informed of the progress and outcome of the examination". The new Procedural Regulation formalises some steps regarding the handling of complaints. First, an admissibility test of the complaint is introduced. Consequently the complainant should demonstrate that he is an interested party within the meaning of Article 108(2) TFEU and Article 1(h) of the Procedural Regulation [15]. Second, according to the amendments of Article 20(1) and (2) of the Procedural Regulation any interested party (including complainant) should complete a form of complaint containing some mandatory information that is defined in the implementing regulation issued by the Commission [16]. The aim of the Commission is to improve the quality of the complaints submitted and to increase transparency and legal certainty [17]. Submissions not meeting the conditions are going to be treated as market information and should not necessarily lead to *ex officio* investigations [18]. Third, Article 20(2) of the new Procedural Regulation formalises the possibility for the Commission to consider complaints withdrawn if the complainant doesn't return to it with meaningful information or fails to collaborate during the procedure. The complainant right to obtain a copy of the decision about the case concerning the subject matter of the complaint is still recognised by Article 20(2) (3).

4. Investigation powers of the EU Commission

According to the new Procedural Regulation the EU Commission is allowed to request information, once the formal investigation has started, not only from the notifying Member States but also from other Member States, undertakings, association of undertakings, on the condition that the information submitted by the notifying Member State during the preliminary investigation was not sufficient. According to recital 3 of the new Procedural Regulation information requests can be used in technically complex cases subject to substantive assessment. The information covers all market information necessary to enable the Commission to complete its assessment. The new Procedural Regulation makes a distinction between simple requests to undertakings to provide information and circumstances where the EU Commission may require an undertaking to provide information by means of a decision. However, the power of the Commission to request information is limited [23]. Article 6a (2) of the new Procedural Regulation provides that the Commission is allowed to request information only during the formal investigation procedures that have been identified by the Commission as being ineffective to date, and on the other hand an authorisation from the Member State

is required prior the request for information is sent to the aid beneficiary. These limitations were dictated by the Member States which wanted to control and to limit the information flow between the interested parties and the Commission [21].

The new Procedural Regulation empowers the Commission to impose fines for submitting incorrect or misleading information and in case the request for information is sent by a decision of the Commission it has also the power to impose periodic penalties. These sanctions can be used only towards third parties the new Procedural Regulation provides no measures in case of hesitant or false information issued by the Member States. The Commission based on its experience in the field of mergers and antitrust when deciding fines and periodic penalties is going to take into account the following indicators: fines up to 1% of the total turnovers and periodic penalty payments up to 5% of the average daily turnover in the preceding business year. From a rule of law perspective the new investigatory powers of the Commission and the right to enforce information requests directed to market participants through pecuniary sanctions worsens the asymmetry and imbalance between the limited rights in comparison with legally and economically obligations of individuals in State aid procedures and secondly the scope of obligations for State parties in comparison with those for private parties [24].

The Commission doesn't intend to change the bilateral nature of the State aid procedure established between the Commission and the Member State concerned [19]. Furthermore, while increasing it's investigatory and sanctions powers the EU Commission provides for more procedural duties for third parties.

Conclusions

A Council Regulation (EU) No. 734/2013 amending Regulation (EC) No. 659/1999 laying down detailed rules for the application of Article [108 TFEU] was introduced in July 2013. The new Procedural Regulation is disappointing from a rule of law perspective. The EU Commission still maintains its practice of dismissing cases through administrative letters disregarding the right of the complainant to obtain a formal decision. State aid procedures are still developed between the EU Commission and the Member State concerned considering third parties as a mere source of information. Furthermore, while increasing its investigatory powers and sanctions powers the Commission provides for more procedural duties for third parties.

References

[1] Adinda Sinnaeve, "State aid procedures: developments since the entry into force of the procedural regulation, CMLRev. (2007) 44(4), 965–1033.

[2] Andreas Bartosch, "The Procedural Regulation in State Aid Matters – A Case for Profound Reform" (2007) 3 EStAL 474; Andreas Bartosch, "The End of Procedural Reform: the Commission, the Member States and Third Parties = the Teams that Lose" Editorial, (2008) 1 EStAL 1–2; Fabio Filpo, "The Commission 2009 Procedural Reform from a Private Party Perspective: Two Steps Forward, One Step Back?" (2010) 2 EStAL 323-330.

[3] Adinda Sinnaeve and Piet Jan Slot, "The New Regulation on State Aid Procedures (1999)" 36 CMLRev, 1153-1194.

[4] Carl Baudenbacher, *a Brief Guide to European State Aid Law* (Kluwer Law International, 1997) at 57.

[5] Claus-Dieter *Ehlerman*, "State aid control In EU: Success or Failure?" Vol. 18 (4), Fordham International Law Journal 1994 pp. 1212-1229.

[6] Case 120/73, *Lorenz v Germany* [1973] ECR 1471, para. 4.

[7] Case C-198/91 *Cook v Commission* [1993] ECR I-2487, para. 22.

[8] Case C-225/91 *Matra v Commission* [1993] ECR I-3203, para. 16.

[9] Case T-95/94 *Sytraval and Brink's France v Commission*, [1995] ECR II-2651, para. 51.

[10] Case C-367/95 *Commission v Sytraval and Brink's France* [1998] ECR I-1719, para. 45.

[11] Council Regulation No. 659/1999 of 22 p. 1-9.

[12] Council Regulation No. 659/1999 Article 1.

[13] Council Regulation No. 659/1999 Article 1.

[14] Council Regulation No734/2013, para. 17.

[15] Council Regulation No. 734/201, Recital 15.

[16] Council Regulation No. 734/2013.

[17] Council Regulation No. 734/2013 Recital 15, Recital 14.

[18] Council Regulation No. 734/2013.

[19] Council Regulation 2013/734/EC of 22 July 2013 OJ L204/15, 31 July 2013, amending Council Regulation 1999/659/EC of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty, OJ L 83/1, 27 March 1999, Recital 14.

[20] European Court of Auditors, Do the Commission's Procedures ensure effective management of state aid control?, Special Report, No 15, 2011.

[21] Hanns Peter Nehl, "2013 Reform of EU State Aid Procedures: How to Exacerbate the Imbalance between Efficiency and Individual Protection" (2014) 2 EStAL 235, at 235-249.

[22] Michael Schutte, Procedural aspects of EU State aid law and practice, in Erika Szyszczak (ed.), *Research Handbook on European State Aid Law* (Edward Elgar 2011) pp. 337-353.

[23] State Aid Action Plan: Less and better targeted State aid: a roadmap for State aid reform 2005-2009, COM (2005) 107 final.

[24] Thomas Jaeger, The Inquisition Retakes Brussels (Via the New Procedural Regulation) (2013) 3 EStAL 441-443.

Sino-Indian Relations in the Eyes of Hobbes and Rousseau

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Abstract: *A few studies now analyze classical political discourses and apply to contemporary international relations; although some ideas can be applicable to deeper understanding ongoing processes in the modern world. The given research attempts to match ideas of two greatest classical political philosophers, Thomas Hobbes and Jean-Jacques Rousseau, with present international relations. The paper examines whether their thoughts are valid in a radically different region from Europe – the Asia-Pacific – by applying to analyze the Sino-Indian relations. These countries in the near future will shape the inter-national system and their relationship is highly likely to affect international stability in the region and in the world in general. However, up to today the Sino-Indian relations are intertwined but complicated. The conflict between China and India has deep roots and its existence is determined by systemic inequalities created by the international system, as it can be discerned in Hobbes' and Rousseau's masterpieces.*

Introduction

The Asia-Pacific region amazes with paradoxical tendencies of development. On the one hand, it attracts world's attention by its economic miracles while, on the other hand, the region faces severe security challenges. It is a much diversified region that shows impressive progress and success in economic development, regional integration and constructing confidence-building measures (CBMs) among members, but also meets with serious security issues, including domestic instability, unresolved territorial disputes, economic crises, and transnational security threats, etc. Moreover, the rise of two new regional powers in the region contributes to even larger complexity of regional development. All factors mentioned above push the academic world to discuss unpredictability and future development of inter-state relations and their impact on the region itself.

Prior to the 20th century China and India were separated from each other, and there was almost no connection beside limited cultural and trade links. The situation has dramatically changed after the World War II, and two main circumstances contributed to this shift in the international system, namely: decolonization and the Cold War. Since the end of the Cold War regional security became intertwined, and nowadays the scholars observe integration of these regions, East Asia and South Asia, into the larger one – the Indo-Pacific, which brought together two emerging powers, those the future of the region in many respects depends on.

In order to deepen an analysis of the nature and prospects of the Sino-Indian relations, the given research will attempt to match ideas of two greatest classical political philosophers, Thomas Hobbes and Jean-Jacques Rousseau, with contemporary international relations. This task sets a great challenge as

both thinkers not only wrote their discourses over three hundred years, but also they pictured the European vision of the world of those times. Besides, the paper examines whether their thoughts are applicable to current international relations in a radically different region from Europe – the Asia Pacific. And, more specifically, the purpose of the given paper is to compare the Hobbes' *Leviathan* and Rousseau's *A Discourse on the Origin of Inequality* and *The Social Contract* by applying to analyze relations between India and China. I assume that both Hobbes' and Rousseau's writings contribute to understanding the nature of the Sino-Indian conflict and may also draw possible outcomes of this relationship. From the boarder perspective, their ideas can be relevant to present-day international relations in the Asia-Pacific.

Beside introduction and conclusion, the research paper composes of two main parts, which present general comparison of Hobbes and Rousseau's ideas and Sino-Indian relations in the eyes of these two philosophers. The comparison of political thinkers provides general observation of their ideas, main similarities and differences between them regarding the human nature, state organization, and inter-state interactions as well. This section also displays their contribution to main theories of international relations (IR), while the next part will analyze contemporary Sino-Indian relations with providing historical background; starting from declaring independence. Through various perspectives I try to show the nature of the conflict, its roots and demonstrations. Then, conclusion will summarize main findings and make a linkage with regional security in the Asia Pacific.

1. The significance of the research

Reading works of these philosophers I have discovered that their ideas contradict but complement each other. I assume that Hobbes' thoughts are not

abhorrent to Rousseau's, and both are applicable to the modern world. They were heavily influenced by numerous European wars, revolutions in France and American colonies. From this perspective, the no-waday world has not significantly changed; the international system is unstable and unpredictable, as it was during the 17th and 18th centuries. Conven-tional and non-conventional wars have expanded to all re-gions, as well several revolutions and civil wars are present. Undoubtedly, our modern world is also dissi-milar in many aspects; the concept of 'state' is more comprehensive and well-built. However, nowa-days we still argue about same concepts such as sove-reignty and various political regimes, as they did two-three centuries ago. Sovereignty is still the IR key concept, but at the present time it becomes vague and controversial [1]. All mentioned above gives me a rea-son to seek for answers in the modern political philo-sophy in the person of Hobbes and Rousseau.

As a case for testing this hypothesis, I choose the rela-tions between two emerging powers – India and Chi-na. There are a number of considerations lying behind this choice. First, these two states display rapid and extraordinary economic performance for last decades, thereby they have become among top largest econo-mies in the world. Second, since the World War II their bilateral relations have been complicated, they experienced different periods starting from the 'bro-therhood' in the 1950s up to hot wars and a following decades-long cold war in the 1960-70s. Even the normalization in the 1980s did not bring de-sirable results, and up to today the Sino-Indian rela-tions are intertwined but complicated. Third, these countries in the near future will shape the international system and their relationship is highly likely to affect interna-tional stability in the region and in the world in gene-ral. Therefore, the main focus in the given re-search will be on the contemporary situation in the 21st century; however, I argue that it would be impo-ssible to understand deeply the nature of their rela-tions without historical overview. Thus, historical back-ground is presented in this essay when it seems to be required.

2. Hobbes vs. Rousseau

Thomas Hobbes and Jean-Jacques Rousseau are listed among best political philosophers in the modern era. They lived in different centuries and diverse countries; they were also influenced by distinct events occurring in Europe. Thomas Hobbes lived in the 17th century in England, while Rousseau was born a century after and spent most of his life in the mainland part of Europe (France, Switzerland, and Italy). Nevertheless, both of them worked in the era of Enlightenment and brought a great contribution to the modern political

philosophy, but the most significant is that both scho-lars presented radical ideas challenging the traditional or generally accepted way of thinking.

2.1. General comparison of their ideas about the human nature

In this part I will compare their general ideas about human nature and an existing structure of society and also present their specific concepts. It is important to note that both scholars contribute to a social contract theory; Hobbes is considered as one of its founders and it was developed by other political philosophers such as Locke, Rousseau, Kant, and others. The main idea of the social contract theory lies in the assum-ption that in the beginning men lived in the state of nature without any authority and law over them to regulate their behavior, however, at some stage of the development they signed up the agreement that pledged to obey an authority and surrendered the whole or part of their freedom and rights to the latter, which in his turn guaranteed everyone protection of life, property, and to a certain extent liberty.

Hobbes characterized the starting point as a 'state of nature,' in other words, '*bellum omnium contra omnes,*' which means 'war of all against all.' While in Rousseau's state of nature, "man is outside society," and it was a "state of innocence that is now irreco-verable" [2; p. 209]. Another difference in perceiving the state of nature is that Hobbes views it as "solitary, poore, nasty, brutish, and short" [3; p. 89], Rousseau, on the contrary, considers man rather good than bad, through a comparison of men with animals that follow natural instinct of self-preservation, in *A Discourse on the Origin on Inequality* he incriminates self-deve-lopment as a main evil and a cause of human prob-lems [4; p. 52]. Nevertheless, both of them analyze the state of nature, and although they came to different conclusions, there are still some similarities, *exempli gratia*, men by nature are equal and do everything in order to survive. Hobbesian and Rousseauesque man is born self-centered [2; p. 12].

Moreover, Hobbes and Rousseau both see survival as an ultimate goal in a natural state; but they differ in finding solutions: the first one was to voluntarily sign the social contract that would bring benefits to men [3; p. 93] and thus break out from the vicious circle of anxiety, while the second one was a form at least to some degree to return back to the state of nature, since a Rousseauesque natural state was the past 'golden age' for mankind, and the modern world and society, on the contrary, has degraded humans. As he points out, "it is easy to conceive how much less the differ-rence between man and man must be in a state of nature than in a state of society, and how greatly the natural inequality of mankind must be increased by

the inequalities of social institutions" [4; p. 73]. Institutions established by men brought inequalities, and thereby, men decided to make arrangements to protect their rights through signing a social contract, moreover according to this agreement, a sovereign was supposed to assure and guarantee people's rights, liberties, freedom, and equality. Hobbes, unsurprisingly, drew the same conclusion on social inequality, which was created by a civil law, by rejecting the Aristotelian doctrine that social inequalities derive from natural ones [2; p. 122].

2.2. Comparison of Hobbes' and Rousseau's ideas regarding IR

Hobbes and Rousseau contributed significantly to the development of contemporary political science and IR theories. Despite considerable dissimilarities, Hobbesian and Rousseauesque works can be found as realist so liberal.

2.2.1. Hobbes' and Rousseau's contribution to the realist theory.
Main contribution of Thomas Hobbes is well expressed in Michael Smith's words: Hobbes' "analysis of the state of nature remains the defining feature of realist thought. His notion of the international state of nature as a state of war is shared by virtually everyone calling himself a realist" [5; 213]. As mentioned above, his state of nature is "manifest, that during the time that men live without a common power to keep them in awe, they are in that condition which is called warre, and such a warre as is of every man, against every man" [3; p. 88]. In this regard, in the 20th century realists adopt Hobbesian interpretation of anarchy and label him as a classical realist, in particular because he finds the source of anarchy in the essence of mankind or a state [5; p. 223]. Stemming from this concept, it is seen that in the state of nature subjects naturally feel insecure and competition among them becomes inevitable, moreover, people's or states' quest for power further complicates IR and brings more uncertainty to the anarchical system. These ideas later produced the realist 'security dilemma' theory, the main hypothesis of which is that an increase in one state's security can make others feel less secure.

Rousseau to lesser degree can be regarded as being a realist; nonetheless, a number of his conclusions match ideas of modern structural realism or other realist paradigms. *Exempli gratia*, he concludes that people "cannot be naturally enemies. War is constituted by a relation between things, and not persons; and, as the state of war cannot arise out of simple personal relations, but only out of real relations" [4; p. 170]. In other words, he rejects the classical realist perception that conflict lies in human nature, rather

than in the structure of a system and uneven distribution of wealth and power among states. Moreover, he also accepts the existence of a state of war; however, proposes a different solution, namely in developing cooperation among states and establishing some form of collective security, even though finds himself quite skeptical whether states would join it. Unlike Hobbes, who rejects the importance of economy, Rousseau analyzes international economic relations and finds that an increasing number of economic transactions will result in inequality and conflict; international division of labor creates structural inequalities in economic, political, and cultural affairs that can be seen, for example, in his proposed dilemma that the richer becomes not only richer but also acquires legal and political power, which, in his turn, allows further flourishing of their wealth and exploitation of the poorer [4; pp. 27-113].

Even though neither Hobbes nor Rousseau mention geographical proximity for inter-state interaction, but by examining only the European part of the world (and thus taking a relatively close distance for granted) draw the conclusion that growing interactions lead in conflicts. Later, many scholars elaborate these findings and conclude that on the one hand, such inter-state interactions bring great economic opportunities by increasing volume of transnational trade. However, on the other hand, it creates risk situations; nations face a potentially high risk that they may be threatened or attacked by at least one of their neighbors [6]. Moreover, if countries share common borders they are more likely to get involved in territorial disputes against each other. In this aspect Walt [6] uses the Boulding's conclusion "the further the weaker," where he "asserts that the power of some entity is greatest at its home and that that power diminishes as the distance from home is increased because of increases in the cost and time which are necessary to transport that power" [7; p. 585]. So, rephrasing the Boulding's assumption it can be concluded that the further state is located the weaker threat it poses to other nations.

2.2.2. Hobbes' and Rousseau's contribution to the liberal theory.
As discussed beforehand, along with realist assumptions Hobbes and Rousseau also present ideas adopted by liberalists. Both advocate the presence of equality and freedom of people in the state of nature, although Hobbes, unlike Rousseau, views these characteristics in negative terms due to the evil human nature. Nevertheless, the most important is that the social contract itself is presented by both philosophers as an agreement that reassures citizens' rights and freedoms.

They also discuss the possibility of inter-state coope-ration at the international level. Hobbes is quite sus-picious of inter-state collaboration and only admits the possibility of cooperation between allies for self-pro-tection; "no man can hope by his own strength, or wit, to defend himselfe from destruction, without the help of Confederates; where every one expects the same defence by the Confederation" [3; p. 102]. Rousseau went further and discussed the idea of collective secu-rity in Europe in his *Judgment of Monsieur l'Abbé de Saint-Pierre's 'Plan for Perpetual Peace'*, where he agreed that a collective security scheme would be be-neficial for those who would join since it has rational utility, and that if states ever would join, they would see these perquisites. Nevertheless, he doubted feasi-bility of this project, in his opinion sovereigns would be more interested in expanding their power rather than providing public goods or collective benefits [8; p. 3]. He concluded that "collective security could be made a common interest if there was a power which was in the mind and strong enough to impose it, but not otherwise" [9; p. 205]. In other words, according to Rousseau peace is in states' interests but not sove-reigns'; a ruling body or person is only concerned with gaining power in relative terms.

Notwithstanding Hobbes and Rousseau independently develop ideas of an ideal state, *exempli gratia*, Hobbes' Leviathan or Commonwealth "is said to be instituted, when a multitude of men do agree, and co-venant, every one, with every one, that to whatsoever man, or assembly of men, shall be given by the major part, the right to present the person of them all, (that is to say, to be their representative;) every one, as well he that voted for it as he that voted against it, shall authorise all the actions and judgements, of that man, or assembly of men, in the same manner, as if they were his own, to the end to live peaceably amongst themselves, and be protected against other men"[3; p. 121]. Rousseau a century after cultivated an idea of a good state by proposing that a 'general will' is inali-enable part of good governance, "the constant will of all the members of the state is the general will; by virtue of it they are citizens and free" [4; p. 250].

Making some remarks on Leviathan, it is necessary to state that it represents itself a good state for men to elude the state of nature, however, there can be raised a question whether it is applicable to inter-state or glo-bal politics. Hobbes responds to this question by stating that insecurity is not so great at the inter-national level as at the individual level since gover-nments offer some degree of protection via those who hold and may abuse power, and the balance of power among states provides some degree of order; even though states stand against each other in a posture of potential war, "they still uphold the daily industry of

their subjects" [3; p. 90]. If to parallel between Hobbes' and Rousseau's good state at the individual level, it is seen that any international organization, re-gional or global, theoretically can play this role. In reality, countries although join are yet cautious and pursue own interests within the region. Thus, Rou-sseau's concerns about the possibility of collective security mechanism are still relevant.

Summarizing up their main ideas, it is apparent that both of these political philosophers have played a vital role in establishing political science and various IR theories. After reading their writings, like Michael W. Doyle, I draw same conclusions that "Hobbes pro-vides the foundations that explain why states would balance power; Rousseau explains how states could adopt a constrained form of balancing within an inter-national commonwealth" [8; p. 143]. Rousseau can be labeled as a follower of liberal in terms of governance within a state and the nature of mankind, however, regarding inter-state relations his thoughts should be seen as realist assumptions. The similar conclusion can be made for Hobbes, his commonwealth is an exemplar of early liberal approaches toward a states' structure, and however, his perceptions about the hu-man nature gave an impetus to establishing the cla-ssical realist paradigm. Furthermore, Rousseau while criticizing Hobbes not only draws similar conclusions but also further elaborates some ideas regarding the inter-state relations, multilateral cooperation *versus* competition.

3. The Sino-Indian conflict in the eyes of Hobbes and Rousseau

In this section I will try to apply aforesaid philosophical ideas to the modern-day Asian realities and Sino-Indian relations in particular. It is critical to examine tendencies of development in the Asia-Pa-cific region and verify whether theories created by the Western societies can be labeled as universal or they are only applicable to a particular region.

3.1. The nature of the Sino-Indian conflict

Hobbes and Rousseau both assume that social inequa-lity occurs due to institutional or structural limitations, and men by nature are equal or almost equal. Although Hobbes did not discuss inter-state relations in details rather prefer to focus on inter-people en-gagement, if we apply these ideas to the international system and states' conduct within it must detect the similarity between people's behavior and states. The same observation was made by Kenneth Waltz. "States in the world are like individuals in the state of nature. They are neither perfectly good nor are they controlled by law" [10; p. 163]. Furthermore, as I

suppose, in international politics the situation of affairs may be different, some nations have natural advantages, for example, geographical location or abundance of natural resources thus by definition cannot be equal. I should point out that Hobbes did not In the case of China and India, it can be observed that generally speaking they are almost equal in such terms as population, territory, location, the existence of natural resources, great cultural heritage, etc. Since establishment of the PRC and Republic of India, the countries built warm friendship, as it was called 'Hindi-Chini bhai-bhai' ('India-China brotherhood'), however it did not last too long. Mutual suspicion and mistrust progressively poisoned the Sino-Indian brotherhood in the 1950s, which was revealed after creating the Non-Alignment Movement (NAM) as they started a struggle for power among newly established nations. The turning point in their relations was the 'hot' war in 1962 and consequent border clashes up to today and conflicts with Pakistan as well.

Due to successful domestic reforms and following economic rise China turned itself into one of the world's largest economies and ranked as a great power, India later opened itself and held reforms to join the club of great powers but less successfully. As can be observed, the current international system has generated systemic inequalities between two neighbors and caused additional complications into their relations. In other words, the global order created by states can be seen as one of causes of the Sino-Indian conflict. Confluence of the two subregions has played a dramatic role as well. In this regard, Hobbesian and Rousseauesque perceptions of inequality are still applicable in the Asian contemporary context.

Hobbes believes that another main reason of conflict is struggle for power. Power is seen as "man's present means, to obtain some future apparent good. And is either originall or instrumentall," when the former consists natural, derived from inborn abilities of the body and mind, including intellect, strength, wit, and artistic ability, and the latter is derived from the acquired faculties and advantages of friends, money, or reputation [3; p. 62]. The human nature inclines to self-enrichment and with unlimited freedom they allow themselves to do anything they wish. Same rules can be applied to states' behavior, since there is no supreme authority over them they act according to own national interests, the key aims of which are survival and self-enrichment that in its turn result in thirst for power.

3.2. Current developments in the Sino-Indian relations

China and India in order to sustain their national development seek for access to natural resources and global markets; due to their large populations and shortage of natural and financial resources the competition between them becomes natural and inevitable, and it is likely to enhance. Without future predictions, if to compare the present days with a decade ago, it is apparent that the countries with gaining economic power have started spreading its influence within own regions first, and then beyond the regional boundaries. The Sino-Indian rivalry nowadays has global features, it can be observed in the Middle East, Africa, Central Asia and other regions. The main sphere of the competition is in energy sector since it is essentially vital to maintain sustainable development. Since state-run Chinese companies in 2009 spent a record $32 billion acquiring energy and resources assets overseas versus India's single $2.1 billion investment by ONGC, India suffered defeat from China in $12.5 billion of contracts around the world [11]. A more recent failure occurred in 2013 when Delhi lost one of greatest deal ($5 billion) via Beijing on purchasing an 8.4 percent stake in the Kazakhstan's Kashagan oil field, which belonged to the government-owned company Kaz Munay Gas [12].

This economic competition can be explained by Rousseauesque analysis of economic interdependence and its impact on inter-state relations. According to his discourses, increasing interdependence between states brings raising inequality between them and thus leads to a conflict. He highlights irreversibility of the process, and so inevitability of the state of war. If to compare definitions of the state of war provided by Hobbes and Rousseau, it is apparent that both philosophers regard war not only as a real military action against an enemy, but more important as a will and readiness to start any time due to a lack of mutual trust .1 Now we can observe this outcome through development of the Sino-Indian relationship, where both countries are not involved in hot wars or wide-scale clashes but rather in regular border skirmishes along with occasionally occurred economic or political disputes.

1 For Rousseau, a state of war is "when two declared enemies remain quiet and do not engage in any offensive action toward one another, their relation does not thereby change, but so long as it is without actual consequence." Hobbes considers it from a different perspective, that it is a state of nature itself, where all against all. Nevertheless, both of them agree that war in this sense should be understood in a more general meaning, "consisteth not in actual fighting,

but in the know disposition thereto, during all the time there is no assurance to the contrary." See: [13; p. 174]; [3; pp. 88-89].

Taken growing China-India bilateral trade as an example of greater than ever economic interdependence between countries, it is visible that trade disputes between them became ordinary since China has enormous trade surplus. In 2013 it reached $31.4 billion, while the total volume of trade amounted $65.5 billion [14]. A year after it rose to $37.8 billion, totaling $70.6 billion as bilateral trade [15]. In 2012 India filed more anti-dumping investigations against China than any other country at the World Trade Organization (WTO) on a broad-scale range of Chinese products, from toys, textiles and mobile phones to tires and chemicals while China, on its part, took anti-dumping measures on Indian antibiotics [16].

Economic competition however is not the biggest obstacle in developing their relations, but border disputes are. Both countries are not willing to compromise in resolving this dispute; moreover, the skirmishes nowadays happen at least as regular as some decades ago. In 2014 Chinese President Xi Jinping's visit to New Delhi revealed once again reluctance of both sides to resolve the border issue. It especially regards to Beijing that prefers to keep this low-intensive conflict [17]. The return visit of Prime Minister Modi to China even more clearly displayed that despite all attempts to build close relationship economic and political problems and border dispute are yet to be resolved, the heads of states reiterate the existence of bilateral problems and willingness to strengthen the relationship while pursue a clear hedging strategy [18]. This duality mainly stems from structural problems between the countries.

Since the time Hobbes and Rousseau wrote their masterpieces, the world has developed preventive diplomatic actions to thwart the start of military activities against each other, partially creating new technologies that serve as a deterrence for a first strike. Then globalization and an unprecedented level of interdependence also play a significant role to prevent a war since it becomes extremely costly. On the other hand, as indicated above, they lead to a growing number of clashes and latent conflicts, which in turn increases the fear and mutual suspicion toward each other. The war has become hidden and reveals itself in economic, political aspects of inter-state relations.

Consequently, the war as described before loses its value as a problem solution, therefore, countries seek for diplomatic means to weaken a rival and pursue own interests. One of such strategies to balance each other can be using each other's smaller neighbors' fear within their security complexes. The Cold War clearly marked boundaries between regions, and each of them built own security complex; China and India belonged to Northeast Asian and South Asian regions, respectively. After independence and especially after the 1962 Sino-Indian war the main focus of Nehru was on bilateral relations with Pakistan and rivalry with the latter over their influence in South Asia. At the same time, deterioration in relations with China, and the latter's factor in Indo-Pakistani struggle played a dramatic role. India was mainly engrossed in regional affairs and Nehru's 'offspring' – the NAM [19]. In its turn, China was active in supporting communist movements in neighboring countries and then later the Sino-Soviet split shaped the Beijing's foreign policy toward the East Asian security. The Cold War thus determined main directions of their foreign policy and mainly confined them with own regions.

Even though they were preoccupied with relationships with own neighbors, they still put an effort to influence each other's region. Thus, Sino-Pakistani, Sino-Sri Lankan and relations with other South Asian states can be seen from this perspective; China used weaker countries' fear and willingness to ally against a common threat in person of a stronger neighbor that has a capacity and intentions to push weaker states to adhere to its rules. India in its turn attempted to engage with Southeast Asian countries but in vain. The success came to India's foreign policy only in the 1990s, when nations around China started perceiving significant threat from the latter's economic, political, and military rise as it has displayed a will and ability to acquire what it claims for (These claims are toward South China Sea and East China Sea disputes that both greatly demonstrate China's growing ambitions and the danger such ambitions bring to its neighbors). At that moment, Southeast Asian nations perceived threat and started looking westward. As India had a more benign image for Southeast Asian countries, they pursued policy of involving the South Asian state in the region in order to counterbalance China's full-grown power. Thus, attracting India to engage with the region was a response to China's rise [20].

In the 16th century, Hobbes already observed a similar phenomenon in Europe: "for as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himselfe" [3; p. 87] The reference to 'confederacy' appears to be close to some idea of alliance of convenience for the purpose of aggression. This concept was later applied by Kenneth Waltz (balance of power theory) and Stephen Walt (balance of threat theory).

Conclusions

Hobbes and Rousseau are among the greatest representatives of classical political philosophy; their contribution is enormous and eloquent. However, current studies left this subject to historians or those who are interested in the history of political thinking. On the contrary, I advocate that Hobbesian and Rousseauesque ideas should not only be analyzed in terms of historical development of political thought, but they can still be attractive to political scientists today since they have not lost their relevance and research value even in the modern world. In addition, while many scholars often contrast their respective ideas, I argue that despite dissimilarities their thoughts are complementary: main observations they drew are analogous and Rousseau to some degree developed Hobbes' ideas, such as the state of war and inter-state relations being good examples.

Furthermore, Hobbes and Rousseau worked only on the European part of the world; nevertheless, their findings can be read in the Asian context as well. Hobbesian and Rousseauesque ideas can explain main tendencies in the development of Sino-Indian relations. Therefore, main conclusions regarding their relations are listed below.

The conflict between China and India has deep roots and its existence is determined by systemic inequalities created by the international system. And thus, the conflict is likely to be strengthened following increasing levels of economic interdependence and growing demands of natural and other resources. Since the struggle is inevitable but to wage a war is extremely costly, countries maintain the state of war between them with regularly occurring small-scale skirmishes and/or economic or political competition within own security complexes and beyond as well.
From the broader perspective, there can be made some remarks on the region as countries now are closely engaged in the Asia-Pacific security complex. China-India relations will shape international relations in Asia-Pacific in next decades. China has been a driver in regional economic development, and presents a new economic model of development that differs from the Western one. On the other hand, China represents a security threat for a number of neighboring countries in East Asia; this factor pushes them to seek for more active engagement of India in the region; *i.e.*, smaller nations already expressed the importance of India to the region as a balancer to Chinese dominance; "India would be a useful balance to China's heft" in Lee Kuan Yew's words, with India having the advantage of providing an Asian rather than a non-Asian (American) counterbalance [21; pp. 61-62]. As mentioned above, involving India and other great powers causes further tensions and great-power rivalry in the region, and its turn it is likely to escalate clashes occurring in disputed waters. During the presentation in the Delhi Dialogue V, Rommel Banlaoi also pointed out a severe challenge for regional security, namely: India for protecting own interests in the South China Sea may be involved in the rivalry with China and in this case ASEAN is likely to be put between two fires [22]. This conclusion regards any region where political and economic competition between them occurs.

With respect to the bilateral relationship, it can be dangerous in terms of regional stability as the rivalry between Beijing and Delhi is likely to intensify. China has already articulated its discontent with India's involvement into the former's national interests, and this displeasure may lead into border skirmishes or other demonstrations of disagreement. It can be seen in China's statements when India one more time shows its support to Vietnam in the South China Sea dispute *versus* Beijing; the latter warned India to keep the distance from tensions around China's oil rig in the waters off Paracel Islands by saying "not [to] worry too much about the current situation in South China Sea" [23]. At the same time, China attempts to gain access to the Indian Ocean and through the Maritime Silk Road project build ports and necessary infrastructure to pursue own interests far westward of the South China Sea. Growing power inexorably leads to power expansion and thus intensifying the rivalry between the countries, or in Hobbes' words the 'state of war.'

References

[1] Fiala, A. (ed.), *The Bloomsbury companion to political philosophy,* Bloomsbury Academic, London, New York, 2015.

[2] Plamenatz, J., *Machiavelli, Hobbes, and Rousseau*, M. Philp and Z.A. Pelczynski (eds.), Oxford University Press, New York, 2012.

[3] Hobbes, T., *Leviathan*, R. Tuck (ed.), Cambridge, Cambridge University Press, New York, 1996.

[4] Rousseau, J.-J., *The Social Contract and Discourses*, G. D. H. Cole (ed.), J. M. Dent & Sons LTD, London, 1973.

[5] M. C. Williams, "Hobbes and International Relations: A Reconsideration," *International Organization*, Vol. 50, No. 2, Spring 1996, pp. 213-236.

[6] Walt, S. M., *The Origins of Alliances*, Cornell University Press, Ithaca, 1987.

[7] H. Starr and B. A. Most, "The Substance and Study of Borders in International Relations Research," *International Studies Quarterly,* Vol. 20, No. 4, December 1976, pp. 581-620.

[8] Downs, G. W. (ed.), *Collective Security Beyond the Cold War*, The University of Michigan Press, Ann Harbor, 1994.

[9] Blackham, H. J., *Political Discipline in a Free Society: The Sustained Initiative*, G. Allen & Unwin, London, 1961.

[10] Waltz, K., *Man, the State, and War: A Theoretical Analysis*, Columbia University Press, New York, 1959.

[11] R. Katakey and J. Duce, "India Loses to China in Africa-to-Kazakhstan-to-Venezuela Oil," *Bloomberg*, June 30, 2010, http://www.bloomberg.com/news/2010-06-30/india-losing-to-china-in-africa-to-kazakhstan-to-venezuela-oil-purchases.html.

[12] A. Modi, "India loses giant Kashagan oil field to China," *India Today*, July 2, 2013, http://indiatoday.intoday.in/story/india-loses-giant-kashagan-oil-field-to-china/1/286525.html.

[13] Rousseau, J. –J., *The Social Contract and Other Later Political Writings*, V. Gourevitch (ed.), Cambridge University Press, Cambridge, New York, 1997.

[14] A. Krishnan, "India-China trade: record $ 31 bn deficit in 2013," *The Hindu*, January 10, 2014, http://www.thehindu.com/business/indiachina-trade-record-31-bn-deficit-in-2013/article5562569.ece.

[15] "India's trade deficit with China rose to $37.8 billion in 2014," *The Economic Times*, January 13, 2015, http://economictimes.indiatimes.com/news/economy/indicators/indias-trade-deficit-with-china-rose-to-37-8-billion-in-2014/articleshow/45873415.cms.

[16] A. Krishnan, "India-China meet to discuss trade disputes," *The Hindu*, April 5, 2012, http://www.thehindu.com/news/international/indiachina-meet-todiscuss-trade-disputes/article3315474.ece.

[17] M. T. Fravel, "Regime Insecurity and International Cooperation: Explaining China's Compromises in Territorial Disputes," *International Security*, Vol. 30, No. 2, Fall 2005, pp. 46–83.

[18] D. Jayasekera and K. Jones, "India's Modi woos and warns China," *World Socialist Web Site*, May 21, 2015, http://www.wsws.org/en/articles/2015/05/21/indcm21.html.

[19] Sridharan, K., *The ASEAN Region in India's Foreign Policy*, Dartmouth, Aldershot, Hants, England, Brookfield, Vt., 1996.

[20] O. Daksueva, "Balance-of-threat theory: Implications for the South China Sea," in the conference proceedings "International Conference on India-China Relations: Implications for Peace and Prosperity of Asia," October 11-13, 2014, pp. 350-366.

[21] D. Scott, "India's Role in the South China Sea: Geopolitics and Geoeconomics Play," *India Review,* Vol. 12, No. 2, 2013, pp. 51-69.

[22] R. C. Banlaoi, "Challenges in India-ASEAN Security Cooperation," *Delhi Dialogue V*, February 19-20, 2013, http://www.delhidialogue.org/.

[23] S. Patranobis, "China Snaps at India over South China Sea Situation," *Hindustan Times*, May 12, 2014, http://www.hindustantimes.com/world-news/china-snaps-at-india-on-vietnam/article11218507.aspx.

Human Trafficking for Commercial Sexual Exploitation: The Nigerian Sex Trafficking Industry

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Abstract: The incidence of trafficking in persons for commercial sexual exploitation or other forms, either within or across national borders can be said to be spurred by the desire to amass material wealth cum financial benefits on the side of the traffickers and desperation on the side of the prospective or to be victims to access a better standard of living, escape poverty, uprising, political instability, socioeconomic instability, access to gainful employment amongst other factors as the case maybe. Though trafficking is not peculiar to any single region but can be argued to be more prevalent in developing countries, where unemployment rates are usually high and living conditions are poor, incessant political crisis amongst other numerous factors. This study seeks to interrogate the interplay between neoliberal globalization both as an economic theory and a policy stance and trafficking in persons for commercial sexual exploitation, with emphasis on the Nigerian sex trafficking industry.

Introduction

The illicit trade in humans as commodities, either for the purpose of sexual exploitation, forced labor, servitude, child labor, enslavement or organ removal otherwise known as human trafficking may vary across time and space, but the sole aim of trafficking could be argued to be amassing of financial or material benefits. The continuous growth of the sex trafficking industry can be linked to the high demand for cheap labor and sex in advanced nations and the availability of such cheap labor and commercial sex in less developed nations, where desperation to escape poverty and access a quality standard of living have created persons vulnerable to trafficking. This is not to say however that commercial sex trafficking or other forms of trafficking are alien to advanced countries, as human trafficking if not given due diligence is likely to persist anywhere. According to Bales (1997), trafficking is not a new phenomenon, either in the form of slavery or for labor purposes. Origin of trafficking policy dates back to the end of the nineteenth century when white slavery or trafficking of white women for forced prostitution re-ceived wide media coverage in the Western part of Europe and the United States respectively [1]. Olujuwon (2008) asserts trafficking in persons to be a global demand driven business with huge market for cheap labor and commercial sex, which involves exploiting vulnerable people, needy women, children and young men with promises of employment and better life abroad [2]. The shadow nature of the trafficking industry makes it somewhat impossible to ascertain an accurate figure of the victims of commercial sex trafficking, as prospective victims are either lured, coerced or deceived usually with the promise of gainful employment abroad and upon arriving their various destination countries are subjected to commercial se-xual exploitation to the benefit of either

Their traffickers or whom so ever footed their migration costs. M'Cormack (2012) claims…it's difficult to accurately measure the impact of trafficking because of its clandestine nature and hidden economies of which trafficked people work [3]. The nature of the industry also makes it difficult to readily identify trafficked victims, as they are in this context coerced or threatened into sex trade in a country where prostitution is legal, Italy where there are thought to be over 10, 000 Nigerian victims of sex trafficking. In attempt to curb the epidemic of sale of humans as commodities, various treaties have been signed between countries, internationals protocols established, notable amongst them is the Palermo Protocol, which prohibits trafficking in persons with emphasis on women and children, yet trafficking in persons continues to be a growing self-reproductive industry amidst the desperation to escape poverty, unemployment and harsh socioeconomic realities, more are likely to fall prey to prowling traffickers or willingly result to sex trade as an alternative means of livelihood, which in the scope of this study neoliberal globalization is argued to be a determinant of trends in trafficking of Nigerian women to Italy for commercial sexual exploitation.

Neoliberal globalization has brought about an enormous change in global economic interactions, amongst its numerous features which includes but not necessarily limited to, limited state interference in economic activities and encouraging more active

private participation in the economic sector, privatization and financialization of state owned institutions, tailored structural adjustment policies SAP for the developing world, removal of state subsidies, downsizing of labor force brought about by privatization, incessant benefit cuts and most of all free movement of human and capital resources across national borders, with their unintended negative effect facilitated the trend in trafficking of disadvantaged and vulnerable Nigerian women and girls abroad for commercial sex exploitation, al-though they maybe multiple causal factors as to why trends in trafficcking of persons has flourished and metamorphosed into what could be regarded as modern day slavery, this study seek to interrogate the correlation between trafficking for commercial sexual exploitation and neoliberal globalization in the Nigerian context.

Globalization and regional integration as claimed by Nagle (2008) have contributed to trafficking in persons been the fastest growing and third most wide spread criminal enterprise in the world after drugs and weapons [4]. Bales (2005) claims that at first instance slaves are cheaper today than ever before. For some cases human beings may be bought for as little as 10$, therefore creating a disposal feature in the case of a modern slave considering the relative peanuts paid for such persons, another transformation he observed is length of time a person remains in servitude, though slaves are been held for relatively shorter periods of time than in the past, sometimes a couple of months or years, he finally argues that today slavery is globalized [5].

In concurring this claim a UNODC (2010) report on trafficking in persons though published in 2010 claims that it is one of the most lucrative illicit businesses in Europe, where traffickers rake in around 2.5 billion United State Dollars a year through sexual exploitation and forced labor [6]. Thus, human trafficking isn't a new phenomenon it has flourished over time and metamorphosed into a more worrisome enterprise aimed at exploiting the vulnerability of disadvantage persons for financial benefits, coupled with the relative ease at which persons are bought and sold is likely to make the sex trafficking industry in this context a self-reproductory one as victims can be easily disposed of. The above listed figures as to the amount generated globally from proceeds of trafficking for sexual exploitation and forced labor, gives an insight into the magnitude of the illicit trade in humans as commodities.

1. Conceptual Clarifications

Human trafficking as a concept can be argued to mean the recruitment, harboring and subsequent mo-vements of a person or persons, through deceit, coercion or in some cases with the consent of prospective victims due to desperation and notion of better standard of living abroad, from a country of origin to a destination country, where they are made to work in slave like conditions for the benefit of their traffickers or 'owners'. Though these paper does not intend to delve into the concept of human smuggling, there is need to highlight on it as it is somewhat related to trafficking as they both involve the movement of persons from a point of origin to that of the final destination, through means that are likely to contradict various migration laws, making such movements illegal migration. Smuggling typically can be said to involve the procurement of the services of a human smuggler for a said amount of fee or other material gains as the case maybe to assist or be an accomplice of a sort in the movements of a person or persons illegally across national borders, such agreements or contracts per say are usually terminated upon arrival of an earlier agreed destination, thus there's less room for exploitation.

For the purpose of this study the definition of human trafficking as stipulated in the Palermo Protocol of the United Nations (2002:2) will be adopted, as it has been largely retained as a universal definition of human trafficking. It argues human trafficking to mean; the recruitment, transportation, transfer, harboring, or receipt of persons by means of threat or the use of force or other means of coercion, abduction or fraud of deception, of the abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include at a minimum prostitution or other forms of sexual exploitation, forced labor services, slavery or practices similar to slavery, servitude or removal of organs [7]. Nigerian has signed and ratified among other anti-trafficking policies and treaties, the United Nations UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, often referred to as the Palermo Protocol, domestic legislation and legal practices in the area of trafficking however remains erratic. Subsequently, global outcry spurred by the inhumane incidence of procurement and sale of persons in other words human trafficking could be informed by obvious degradation that comes with services similar to slavery of which victims of trafficking are either deceive and in other cases coerced into rendering, at the benefit of their traffickers. This could have informed the initiation of numerous global, regional, bilateral treaties and agreements, domestic legislations, all geared towards curbing the epidemic of humans as commodities to be bought and sold, modern

day slavery in other words human trafficking. Neoliberalism in this context is will be theorized both as an economic theory and policy stance. As a theory it can be claimed to favor largely uncontrolled capitalist structure or free market economy, which does not only entrenches the notion of free individual choice, but can be said to be most likely to bring about maximized economic performance in relations to efficiency, economic growth, technical and technological advancements, in other words it breaks barriers and connect the world economies, thus limiting state influence on the economy, which is controlled by the owners of means of production. These can be said to be a welcomed development, as it encourages private ownership of property and active private participation in the economy, it has been however been accompanied by an adverse negative effect, further enhanced the disadvantaged position of persons in Nigeria as in most developing nations, where income inequality gap has continue to grow and women unfortunately have continued to occupy the peripheral positions.

Globalization on the other hand has brought about an increase in the volume of inter border economic interactions and resource flow both in the forms of human, capital, technological, military expertise amongst numerous other resources, it brought about what can be claimed to be a relative shift in the interactions and relations between national economies. These interactions between states have perforated barriers between borders, bringing about the ease in movement of human capital resources across national border, this welcomed development has however been exploited traffickers, even stringent visa procedures has somewhat proven not to be barrier to human trafficking, as victims of these illicit trade could be found across the globe. According to Stoecker (1998) there are…at least four factors that facilitate the growth of this phenomenon i.e. human trafficking the globalization of the economy, the increased demand for cheap and personal services in the advanced West, continuous rise in unemployment among women and rapid unregulated enticement of human capital via the net [8]. As Vayrynen claims in M'Cormack (2012), closed nature of borders has presented greater opportunity for transnational criminal groups, who take advantage (increased dependence on trafficked and exploited labor services and consumer seeking cheaper goods and services including sexual services) and supply (spurred by the desire to access better standard of living) have resulted in a consistent increase in human trafficking activities [9].

Thus, this study claims that neoliberalism has resulted in the commodification of humans to be bought and sold with relative ease, while globalization also with its unintended negative effect have provided traffickers a medium that facilitates the movements of prospective victims under different guises, where they exploited subsequently.

Whilst commercial sexual exploitation in this context amounts to trafficking of a person or persons for the sole aim of subjecting such person or persons into commercial sex trade, to the financial benefit of another, usually their traffickers or owners. Thus, trafficking in person for commercial sexual exploittation connotes exploiting the vulnerable and disadvantage position of women and girls, recruiting, harboring and subsequently transporting them across or within national borders, for exploitation sexually at the benefit of another. According to a UNODC (2014) report the many different types of human trafficking means there's no single typical victim profile, cases are seen in all parts of the world and victims are targeted irrespective of gender or background [10]. Another report by the same organization though dated back to 2010, largely claims the most prevalent form of human trafficking as detected by national authorities is trafficking for sexual exploitation, as at 2006 it accounted for an estimated 79% of all cases globally; the remaining 21% is thought to include forced labor amongst varying forms of exploitation [11]. The above reports goes a long way in concurring the claims of this study that human trafficking is not alien to any single region and occurs in varying degrees and forms, but trafficking for sexual exploitative purposes remains the most prevalent amongst other forms of trafficking. Thus, it can be said that women are girls are most vulnerable to traffickers, hence they unfortunately account for the highest population targeted and exploited by human traffickers globally.

2. Background of Country in Focus

Olujuwon (2008) asserts, Nigeria been the most populous black nation in the world houses a population estimated at 172 million people, largest producer of crude in Africa, has an average of 5.3 annual growth rate, but its estimated that 70% of Nigerians live in poverty [12]. Despite its vast reserve of oil amongst other natural resources Nigeria is rated one of the poorest countries in the world, with hug income distribution gap, though this is not the focus of this study it is of paramount importance to highlight such details, as the study revolves around why the Nigerian sex trafficking industry and why it has continued to flourish over time. Odigie et al (2008) have identified poverty as the principal driving force behind this trade and the most visible cause of vulnerability of women and children to trafficking in

Nigeria. Also …perhaps, the nefarious activities of traffickers in Nigeria would have remained hidden and uninhibited despite general concerns for the office of the then wife of the vice president in collaboration with wife of Edo state governor in 1999. As the treatment meted out to trafficked victims in the process of transporting them and at their various destinations, especially those abroad had become a huge source of embarrassment to Nigeria's integrity as a nation Odigie et al (2008) [13]. As acknowledged by Carling (2005) the most important European destination for Nigerian victims is Italy, where there are thought to be around 10,000 Nigerian prostitutes supposed to be victims of sex trafficking for commercial sexual exploitation [14]. Thus, it can be argued that Nigeria like most of the developing world endowed with enormous resources, be it human, capital or natural, yet most of its population live in abject poverty, in desperation to escape poverty coupled with the notion of a better standard of living abroad, gainful employment amongst other factors, has created a position of vulnerability and desperation amongst women and men alike which is exploited by traffickers usually through deceit, coercion or offers of better employment and improved standard of living abroad.

3. Historical Trends of Human Trafficking in Nigeria

Agbu (2003:1) claims that the beginning of the 1980's was when Nigeria experienced reasonable increase in trafficking trends, especially of women and children. However it was not long before it was realized that the scourge was indeed a global phenomenon of extensive and diverse dimension [15]. Trafficking activities in Nigeria is highly prevalent in Edo state located in the southern part of Nigeria, as concurred by a UNESCO report; "…Edo state from where contemporary human trafficking started, it is alleged that business transactions existed between natives and Italians, when the Nigerian economy was more robust. However when the sex business became more lucrative in Italy coupled with worsening economic situations in Nigeria women shifted to sex business and involved their relations in it and with time more people in it as the business began to boom. This explains why till date, over 80% of persons trafficked for prostitution to Europe especially Italy come from Edo state (in Odigie and Patience, 2008:68) [16].

As regards as establishing a correlation between neoliberal globalization and trafficking for commercial sexual exploitation in the Nigerian context, the then military administration of Retired General Ibrahim Badamasi Babangida adopted the Structural Adjustment Program SAP tailored for developing countries by the International Monetary Fund IMF for Nigeria as many other African states, which means privatization, commercialization, financialization, removal of subsidies on notably education, health care, downsizing of labor force and benefits cuts but to mention a few features of this program, aimed at developing and growing developing economies, curbing government excesses amongst other aims. Has largely failed to bring about the desired outcome intended, rather mismanagement, corruption and inappropriacy of SAP by these developing economies further compounded the already worsening living conditions and standards of the populace and brought about continuous dependence of country endowed with enormous natural and human resources on foreign aid from the West and International bodies. The evident negative effects SAP could be found across the continent till date as it failed to yield expected development in other countries as well, that adopted program in the 1980's. Though empirical evidence cannot be provided due to the clandestine nature of the sex trafficking industry in Nigeria and the complex nature of migration, it is no coincidence that upon adopting SAP the already disadvantaged position of women in Nigeria like most African countries where women are regarded as secondary to men was further reinstated. As the economy suffered from devaluation of currency, high inflation, more workers were laid off, compounding the already existing challenges of unemployment and access to affordable basic amenities as health care, education, housing etc. Women and men alike were forced by the policies adopted by the then government to seek alternative means of livelihood, in the absence of gainful technical or formal employment, which in this case is trafficking for commercial sex outside the shores of their home country, of which the legal Italian sex industry was and still is accommodative to victims alike. Though trends in trafficking of Nigerian women and girls abroad for commercial sex was thought to have emerged during the 1980's about the same period SAP was adopted, the inability of the Nigerian state to effectively eradicate poverty has become fuel upon which the Nigerian sex trafficking industry thrives. To further substantiate the claims of this study a global report in trafficking in person UNODC (2009:11) argued that, from victims identified by state authorities in 61 countries, where data was collected and aggregated for 2006, women accounted for 66% of total victims of trafficking, men 12%, girls 13% and boys 9% respectively [17]. The just stated figures connotes the claim of this study, that claims women are most disadvantaged in the society and this in turns like a chain reaction increases their vulnerability to advances made at them by preying

traffickers. This is however not to claim that trafficking is alien to men and boys.

4. Trafficking Dynamics and Feminization of Poverty in Nigeria

Hence there is no single universal method adopted by trafficker, trafficking activities could occur round the globe in different forms, thus making it paramount to highlight some of the known dynamics of cross border trafficking, whose victims profile fits that of a disadvantaged person, mainly in developing countries where socioeconomic opportunities are thought to be limited. According to the United Nations Educational, Scientific and Cultural Organization UNODC…Nigeria has been described as a country of origin, transit and destination for human trafficking for African countries such as but not necessarily limited to Equatorial Guinea, Mali, Cameroon amongst others are some destination points for trafficked women, whereas in Italy prostitution is the main work they usually end up doing in Fayomi (2009:62) [18]. Thus, Nigeria acts as much as a sending country as it does in receiving and harboring victims of human trafficking, from neighboring states. Having attempted to establish e negative correlation between neoliberal globalization and trafficcking for commercial sexual purposes in the Nigerian context, which is intended to be further expatiated during the course of this study, it is important to give an insight as to what is meant by disadvantaged position of women in the society, which in this context results to sex trafficking as an alternative means of livelihood, in other words feminization of poverty.

The disadvantage position of women in the Nigerian society, could be brought about by the inability of women to access basic education resulting from cultural or religious beliefs that seeks to restrain women to home managing and child bearing or due to high cost of education, socioeconomic constrains, high illiteracy level, soaring unemployment and continuous dependence on the man as the bread winner of the home could possibly result in feminization of poverty, a situation whereby women are at the periphery of poverty. It is no news that a chunk of the developing world live in abject or below poverty line amidst vast natural resources. Prior to adoption of SAP women were naturally considered secondary to men, a scenario most prevalent in the developing world, though changing has limited their active participation in both the formal and informal employment sectors respectively, and post adoption periods shows the gap in gender equality and the emergence of trends in trafficking of women from

Nigeria to mainly Italy for commercial sexual exploitation.

Fayomi (2009:67) argues, in Nigeria where an approximate 70% of the population is thought to be living below income poverty line of 1$ per day; women make up the greater percentage of the poor in Nigeria [19]. Gender inequalities in the social, economic and political spheres of development further marginalized women and reinforce their disadvantaged position in the society especially in the access to and control over resources. Same author further elucidated the above claim by providing statistical data to further substantiate her claims; she argues comparative data for adult literacy reveals a wide margin of 74.4% for males as against 59.4% for females respectively according to 2008 figures Fayomi (2009:67) [20]. As regards formal employment men fare better than women in Nigeria, their employment participation in the sector is a meager 11% compared to 30% for their male counterparts, likewise in the federal civil service, the single largest employer of labor in Nigeria, 76% of people on the payroll are men compared to 24% of women, while less than 14% of management levels officers are women Fayomi (2009) [21].

In lieu of the above it can be argued that in socioeconomic aspect, literacy and employment levels respectively men fare better than women. The disadvantaged woman created as a result of policies adopted by state institutions coupled with poor governance has left women at the periphery of poverty. This in turn like a chain reactions is likely to usher in thoughts of migrating abroad where the grass is supposedly assumed greener, ill-informed regarding the hazards of illegal migration or human trafficking, they are likely to fall prey to traffickers whom entice their victims with promises of employment abroad and better standard of living. In other words it can be argued that, adoption of the SAP a core component of neoliberalism an economic policy stance, a developmental policy tailored by the IMF for developing countries, with its unintended negative effects has further compounded the challenges of illiteracy as subsidy on education was cancelled, unemployment as privatization and comercialization of state owned entities lead to downsizing of work force and cuts of social welfare, may have forced those affected into seeking alternative means of livelihood, hence sex trafficking in this context.

5. Theorizing Neoliberal Globalization and Trafficking for Commercial Sexual Exploitation

This subsection will delve into the argument of this study, which seeks to ascertain if any, a negative adverse relationship between neoliberal globalization both as a theory and economic policy stance and trends in trafficking of Nigerian women and girls to Italy for the sole purpose of sexual exploitation. Economic structures of nation states leaned towards a system of finance based on neoliberalism, 1970's witnessed a new world order conceptualized by the hegemonic power as neoliberal globalization. It has subsequently been accom-panied with profound restructuring of the global economy, with multinational corporations as the major policy influencers, the world most powerful state the United States of America, and a trait of international bodies as International Monetary Fund IMF, World Trade Organization WTO Peter and Valtmeyer (2000) [22] .

Harvey (2005:1) claims neoliberalism as the curbing of labor power, deregulation of industries, agricultural resources and extraction, and liberation of finance both internally and on the world stage [23]. As earlier stated for the purpose of this study neoliberalism is intended to be considered both as an economic theory and policy that encourages capitalism and also an economic policy stance enforced globally by leading world powers, multinational corporations amongst others, and how such policies as independent variable are more likely to have amongst other factors further enhanced the vulnerable position of women in Nigeria as it has in most developing countries, which may have brought about a correspondence increase in the illicit trade in women as sex objects to be exploited. This study further claim that as embedded in the general philosophy of neoliberalism as an economic approach is that poverty of an individual or country is strictly related to their choices, but not to any sort of inescapable structural factors or policies. In other words individuals and countries can overcome poverty if only they pursue accurate macro-economic strategies, which is neoliberal. Contrary to such claims, the author argues that privatization, comercialization and financialization of the economies of most developing countries in the 1980's as specified by SAP, has left many unemployed, without access basic amenities as education, health where no longer subsidized and coincidentally that period demand for cheap labor in advanced countries in this case Italy as earlier stated during the course of this paper was on the increase and provided traffickers with the opportunity to exploit the vulnerable position of women, whom are lured into commercial sex trafficking with offers and promises of better employment, higher standard of living abroad and a better foreign exchange currency, thus the poverty of individuals in not by choice but a result of policies adopted by the system. According to Delgado and Marquez (2007:2), architecture of neoliberal globalization is based on the implementation of structural adjustment programs in southern nations. Such programs are centered on privatization, deregulation and liberalization [24]. Such policies bring about laying off of workers upon privatization in an attempt to cut cost and increase efficiency, a welcomed development, but those laid off are forced to seek alternative means to survive, in this context sell their bodies or services at instances marred by extreme exploitation. The influx of foreign capital is and would always be a welcomed development as it creates employment for the locals amongst other benefits, but it is unregulated and controlled by private individuals which means those already with sufficient financial capital resources benefit, owners of means of production and those in the periphery of economy continue to live in abject poverty. Gender comparative data for adult literacy level reveals a wide range of 74.4% for males as against 49.9% for females; their performance in the industrial sector is 11% for men as compared to 30% for men Fayomi (2009:77) [25].

Though but figures are relatively low as compared to what is obtainable in advanced nations, considering the vast natural resources Nigeria parades, its rather unfortunate that a vast population of Nigerians continue to live in abject poverty, which on its own has a defining influence on trafficking in persons. The economic freedom and curbing of state power as entrenched in neoliberalism has with its unintended negative effects has further enriched owners of the means of production, living a vast percentage as the beck and call of a few. In other words income equality gap has continued to widen. In a nutshell it can be argued that neoliberalism as an economic policy places unsubstantial amount of priority as regards individuals as long the owner of means of production continue to maximize profits, it's a perfect system. In this context it has a negative correlation with the illicit trade of trafficking in persons for comercial sexual exploitative purposes, the unbalanced power evident in neoliberalism creates vulnerability and the natural instincts of survival, drives women to seek alternative means of survival, as some victims prior to been moved from country of origin to destination, already have a notion of the nature of job they are been trafficked for but not a clue or magnitude of exploitation they likely to face in their various destination, Italy in this context.

As for globalization, free movement of human and capital resources across national borders as embedded in globalization, which can be seen as a prosperous means of development as it facilitates economic interactions between nations and continents, traffickers have exploited the free movement of human capital resources across national borders to move prospective victims from origin to destination countries, as a plane ticket can easily be purchased via the internet so can applications and appointments for visas be made via the same medium, this however is not to say it has not made the world a global village and its contribution to development in many fronts cannot be over emphasized. It has been accompanied by adverse unintended negative features that has brought about a correspondence increase practices of trafficking in persons a modern day form of slavery as it has perforated or opened national borders worldwide, influencing and altering the current state of international relations for Albrow he considers globalization as active dissemination of values, practices, technology, human products, ideas etc. throughout the globe in Bales (2005:32) [26]. Kuhl (2011:16) further acknowledges that globalization has contributed to the growth of human trafficking as in the modern improvements which have affected international transport. It has become relatively easier for individuals to travel domestically and internationally [27]. Globalization has made the world a smaller place, in the sense that there is economic integration, free movement of human capital and ease as to which information can be assessed; these are positive developments that deserve to be applauded. But it has adverse negative effects on human trafficking as Aronowitz puts it; it's cumbersome to accurately ascertain the exact impact of globalization on human trafficking because of the clandestine and hidden nature of economies in which trafficked people work M'Cormack, (2012:2) [28]. Human trafficking irrespective of the nature result in loss of human capital, a United States US Department of State, trafficking results in tremendous loss of remittance to developing countries, as a result of the debt trafficked person are coerced or threatened to pay incurred upon been trafficked, which they are less likely to do, given annual remittance to developing countries is estimated $135 billion , lack of remittance from trafficked victims may result in a loss to these countries development of approximately 60$ billion in United States dollar value in M'Cormack, (2012) [28] . This funds could have gone a long way in providing capital flows, create employment, and bring about development in other forms if utilized effectively and efficiently. In brief this study claims neoliberal globalization has brought about tremendous changes to the global economy and has redefined trading amongst other interactions between countries and continent, it was also accompanied with opportunities that allows for ownership of property and encouraged more private participation in the global economic, such milestones deserves nothing less of absolute commendations. Unfortunately, it has also been accompanied with numerous unintended negative effects previously discussed during the course of this study, which has paved the way for trends in trafficking in persons in the Nigerian context. It is noteworthy that this study does not necessarily seek to claim neoliberal globalization as the sole causal mechanism of the continuous growth of the trafficking industry in the Nigerian context, but it is no coincidence that trends in trafficking of Nigerian women to Italy for commercial sexual purposes sky rocketed about the same period, SAP a core feature of neoliberalism as an economic policy stance was adopted.

Conclusion

According to claims of various scholars, organizations and other reputable references stated during the course of this essay, it is safe to say that human trafficking is the modern day form of slavery that deserves utmost and urgent attention from global leaders as it is not peculiar to any single region, and crisis globally has further enhanced trends both in human trafficking and smuggling as there have been countless cases of capsized boats resulting in deaths of thousand in recent time especially on the mideteranian sea. While this study does not in any way seek to condemn or disregard the positive effects neoliberal globalization has had in transformation of the global economy, its rather unfortunate that its SAP can be to an extent considered as a catalyst that facilitated trends in trafficking of Nigerian women and girls to Italy for the sole aim of commercial sexual exploitation. In the wake of the alarming rate at which Nigerians have fallen victims to traffickers, the federal government of Nigeria has ratified various international anti-trafficking protocols, such a Palermo Protocol aimed at curbing trafficking especially in women and children, regional treatise and has established a National Agency for Prohibition of Trafficking in Persons NAPTIP. Yet human trafficking continues to thrive lucratively, thus there is need to reappraise and re-evaluate such treaties, there is also an urgent need to sensitize the public on the imminent dangers of ill-informed migration. And most of all classification of women as secondary to men needs to be urgently reconsidered and a level playing ground established in terms of education, employment and socioeconomic spheres. Hence, this study proposes, more emphasis that more placed on female child education or skill acquisitions schemes, sensitization on the dangers of trafficking and most

of all the justice system be strengthened, independent of any external influence and stiffer penalties prescribed for convicted human traffickers.

Lastly, this study falls short of shedding a light on human trafficking for other purposes, as it focuses mainly on trafficking of Nigerian women to Italy for commercial sexual exploitation. Further research could be carried out regarding other forms of human trafficcking, considering the claim that human trafficking is the third most lucrative illicit industry after arms and drugs trade.

References

[1] Bales Kelvin. (1997) "Disposable People: New Slavery in Global Economy" University of California Press, pp-77.

[2] Tola Olujuwon. (2008) "Combating Trafficking in Persons: A Case Study of Nigeria" Euro Journal Publication, pp, 23-65.

[3] Frieda M'Cormack. (2011), "The Impact of Human Trafficking on People and Country" Governance and Social Development Research Centre, pp-2.

[4] Luz Estelle Nagle. (2008), "Selling Souls: The Effects of Globalization on Human Trafficking and Forced Servitude" Wisconsin International Law Journal, Vol.26, pp-24.

[5] Bales Kelvin. (2005) "Global Slavery" University of California Press, pp-32.

[6] United Nations Office on Drugs and Crime, (2010), "Trafficking in Persons Report" United Nations Press, pp- 15.

[7] United Nations Office on Drugs and Crime, (2002), United Nations Press, pp-2.

[8] Sally Stoecker. (1998), "The Rise in Human Trafficking and the Role of Organized Crime" American University Press Massachusetts, pp-129.

[9] Frieda M'Cormack. (2012), "The Impact of Human Trafficking on People and Country" Governance and Social Development Research Centre, pp-2.

[10] United Nations Office on Drugs and Crime. (2014), "Human Trafficking Report" United Nations Press, pp-15.

[11] United Nations Office on Drugs and Crime. (2010) "Global Report on Trafficking in Persons" United Nations Press, pp-11.

[12] Tola Olujuwon. (2008) "Combating Trafficking in Persons: A Case Study of Nigeria" Euro Journal Publication, pp, 23-65.

[13] Dave-Odigie and Patience Chinyere. (2008) "Human Trafficking Trends in Nigeria and Strategies for Combating the Crime" Peace Studies Journal, pp-68.

[14] Jorgen Carling. (2005) "Trafficking in Women from Nigeria to Europe" International Peace Institute Oslo, pp, 1-5.

[15] Osita Agbu. (2003), "Human Trafficking: The Nigerian Case" West African Review Publication, pp-1.

[16] Dave-Odigie and Patience Chinyere. (2008) "Human Trafficking Trends in Nigeria and Strategies for Combating the Crime" Peace Studies Journal, pp-68.

[17] United Nations Office on Drugs and Crime, (2010), "Trafficking in Persons Report" United Nations Press, pp., 3-15.

[18] United Nations Office on Drugs and Crime, (2009), "Trafficking in Persons Report" United Nations Press, pp., 3 -15.

[19] Fayomi O. O. (2009), "Women Poverty and Trafficking: A Contextual Exposition of the Nigerian Situation" Journal of Management and Science, pp, 67-77.

[20] Fayomi O. O. (2009), "Women Poverty and Trafficking: A Contextual Exposition of the Nigerian Situation" Journal of Management and Science, pp, 67-77.

[21] Fayomi O. O. (2009), "Women Poverty and Trafficking: A Contextual Exposition of the Nigerian Situation" Journal of Management and Science, pp., 67-77.

[22] Frieda M'Cormack. (2012), "The Impact of Human Trafficking on People and Country" Governance and Social Development Research Centre, pp., 2.

[23] Harvey David. (2005), "A Brief History of Neoliberalism" New York Oxford Press, pp-1.

[24] Raul Delgado and Humberto Marquez. (2007), "Neoliberalism Globalization and Migration" Blackwell Publishers Limited, pp-2.

[25] Fayomi O. O. (2009), "Women Poverty and Trafficking: A Contextual Exposition of the Nigerian Situation" Journal of Management and Science, pp., 77.

[26] Bales Kelvin. (2005) "Global Slavery" University of California Press, pp-3.

[27] Kuhl Mitchell. (2011), "Modern Day Slavery and Human Trafficking: An overlooked issue" Pell Scholars and Senior Thesis, pp-16.

[28] Frieda M'Cormack. (2012), "The Impact of Human Trafficking on People and Country" Governance and Social Development Research Centre, pp., 2.

[29] Frieda M'Cormack. (2012), "The Impact of Human Trafficking on People and Country" Governance and Social Development Research Centre, pp., 2.

Leadership Strategy According To the Vision of Emir Abdelkader

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Abstract: The sociological study of the history of the life of Emir Abd-el-Kader and personality can bring us a lot of lessons and answers to many questions of policy and strategy. Among the major reflections, we can address today, the issue of change, according to the political and military experience in a context of many years of struggle that marked the brunt history of Algeria during the colonial period. This great political and military involvement of the historical player in question can also be a source of endless readings in the humanities and social sciences. The purpose of this paper is to try to offer a sociological reading of the great variables change depending on experience and the vision of the Emir Abd-el-Kader.

Introduction

No one can doubt that mental reflexes and human qualities are often formed and shaped by the historical and social contexts .The places and life education and socialization, institutions adult of EMIR Abdel-Kader exerted a great influence on his perception, his ideas and his strategy .Thus, we can see through many stories of national and foreign historians from both the writings of friends and enemies of EMIR, the great qualities of this historical character and abilities intellectual in the areas of organization and his genius as a man of great decision. In a time marked by great insecurity, looting and military conflicts between tribes, EMIR, at the age of thirty years could recover the country and already give the first foundations of his justice and his army, he also established a system of moral values representing a very powerful reference system that has allowed Algeria to withstand 17 long years to a large colonial power.

The purpose of this proposition is not limited to a working presentation of historical data that have marked the life of Abd-el-Kader, but to offer a sociological reading of the strategy of change by trying to exploit some historical information available that characterized the political life of Algeria in a very difficult moment in history. Since it would issue in this first sociological analysis, to diagram and interpret the organizational structures of political system and try to understand the logic of the main foundations of the strategy of social and military defense developed by EMIR.

The aim of this reflection is to verify specific historical assumptions about the adaptability of traditional and tribal structures of Algerian society with respect to the new situation imposed by the colonial power.

1. Who is Emir Abdelkader ?

Abdel Kader is a distinguished and charismatic character, standing in the history of the pantheon of Algerian contemporary. Founder of a modern state, humanist and mystic, he continued to promote understanding of the East and the West and the dialogue of cultures and religions.

After seventeen years of struggle against the French occupation in Algeria, imprisoned and released by Bonaparte, he went into exile in Turkey and Syria, where he devoted himself to teaching and meditation. He is buried in Damascus alongside his Sufi master Ibn Arabi

The Emir is the third son of Sidi Muhieddine, law Qadiri Sufi sheikh and Zohra an educated woman, daughter of Sheikh Sidi Boudouma, head of a rather influential zaouïa of the time located in Hammam Bouhadjar (western Algeria). He was probably born on May 6 or 6 September 1808 in El-Guetna ("Tents"), in the region of Mascara on the road of Oran. According to the French historians, the Emir Abd el-Kader traces its origins on the one hand to the Berber tribe of Banu Ifren (Zenetes). Furthermore, the Emir would be a descendant of the Prophet Muhammad.A precocious child, he could read and write from the age of 5 years, was allowed to comment on the Koran and the prophetic tradetions to 12 years, and two years later, bore the title "Hafeez", for those who know Quran in its entirety, by heart. His Sufi religious education, passes at eight years by the pilgrimage with his father to Mecca (Hajj) and continued at Ahmed Bilhar, his paternal uncle, the study of the Koran, the principles of natural and legal sciences, geometry and astronomy, gymnastics, horse exercise and weapons training. Finally, Muhieddine sent his son eighteen months in

Oran, Sidi Ahmed ben-in Kodja, who taught him politics.

During the disorders in the Mount of Lebanon and in Damascus reach between 9 and 17 July 1860 (Massacre of Damascus). Without the governor of the city, Ahmed Pasha, interposes, Sunni fanatics attacked Christian areas, Greek and Maronite, killing over five thousand inhabitants according to the General Hautpoul .The EMIR ABDELKADER intervened to stop the killing and protects risking his own life in order to protect 33 community of Christians of Damascus. Through its influence with city dignitaries and members of his entourage that followed him in his exile, about 12 000 survive.

Abdel Kader should even intervene by force with members of his suite, to protect the Christian families who fled in numbers in the neighborhood of the Algerians. Abdel Kader received the Grand Cross of the Legion of Honor and other accolades from around the world (including the pope, the tsar of Russia, etc.), especially a pair of pistols from the King Prussia in gratitude for this act of protection of Christians in Damascus. This great gesture of the Emir clearly proves that Islam is a religion of peace and brotherhood which accepts and respects humanity and other religions.

2. The strategy of changing like a solution of the social contradictions

The sociological examination of the great trials of the historical situation of Algeria; during the early years of the French conquest, can tell us clearly the existence of an important organizational strategy proposed by Emir Abd-el-Kader and we propose to interpret this system according to the following key variables:

2.1. The action of the change starts from the inside to the outside and by self to the others

The test according to this experience of change must begin, first of the Interior; changing itself before changing others. This pattern of change can tell us clearly that the source of change lies primarily in a religious liver source based on a spiritual education that exhausts its source in religious belief; so the *Quran and Sunnah is the origin of this orientation.* The profound observation of this type of moral reference may encourage us to think more about the weight of the religious structure in a society and its impact on the socialization of individuals. The event of change is therefore within the qualification of beings and their mobilizations by founding different forms of justification and legitimacy. This spiritual magnitude can represent the qualities and standards

that prevail in a given situation in order to achieve the objectives and purposes of the action. The same logical reasoning is based on a gradual and progressive transition process which ensures the passage of the action of changing a primary level to other higher levels.

2.2. The change strategy must be based on a system of values

The historical culture events that have weighed heavily on the strategic choices of the EMIR can enlighten us more about the role of moral value system as a source of power and energy of each strategy, even if the term strategy is used to the first time about the year 1960 (Chandler) to designate an action which is to determine the objectives and long term goals that an organization can achieve and accomplish, through the allocation of means and resources necessary to achieve its goals and objecttives.

The experience of EMIR in the fields of military and political organization can bring up three essential elements that make up the strategy of change:

The strategy of the organization incurs a change setion for a relatively long time. This strategy according to the vision of EMIR is enhanced by the active support of all tribes and social structures of Algerian society. The strategy of change appears as a necessary action to address the different requi-rements of time and circumstances. The example of the holy war (jihad) illustrates this need.

The change strategy must be based on a series of decisions and strategic choices that fit the nature of the goals and actions required for each set of objecttives and conditions; the choice of tolerance and war (jihad) and the invention of mobile capital (smala) well prove this adaptability. The reference to the history of EMIR is instructive in this respect: peace and war in different situations, recognition of the other, inter-religious dialogue in other situations.

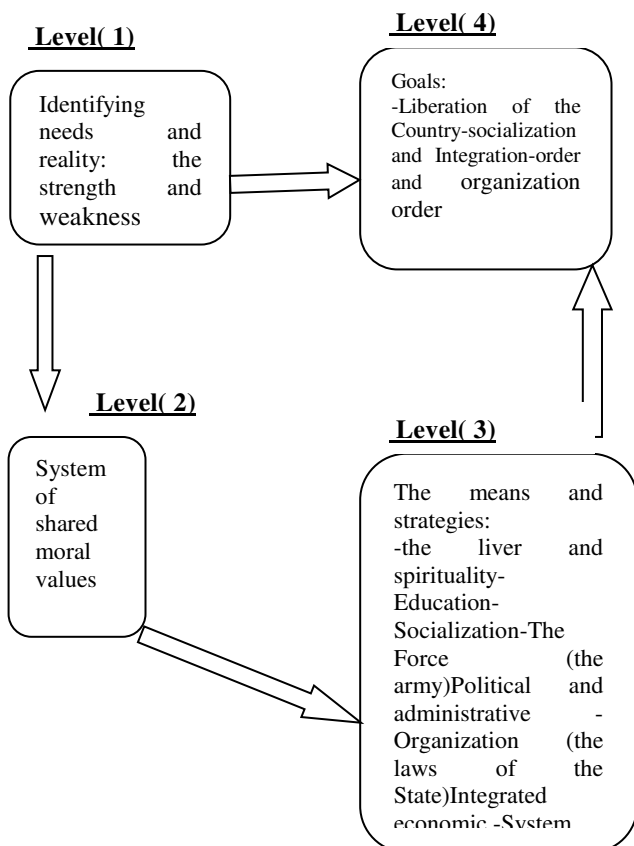### 3. Change the strategy is based on an organization and political organization

How the EMIR led his state and his army during the 17 years of war and resistance against one of the great colonial powers, it also reflects a greater presence in political organization based essentially on a local and regional strategy to then achieve its national or even universal. The EMIR political strategy explained historically as a way of leadership and management that allowed it to mobilize the tribes of the west and the center and south of Algeria to

establish a modern state governed by laws. As it has little also establish a governance system adapted to the needs of the time and situation. This organization into eight **Khalifalik (shema A)** or governments in such administrative organization system is reinforced by a system of decisions and command both vertically and horizontally to be found today in modern organizations; the diagrams (A) and (B) following clearly illustrate the ability and genius of EMIR in the area of political and strategic organization. the system of government advocated by EMIR developed another strategic shift system based on the sociological reality of Algerian society, thanks to the effective integration of all social and tribal components in a modern organization structure his own style of communication and command. Diagrams (A):

The present schema represents the structure of state proposed by EMIR –ABDELKADER during the period of his command; in this structure, we can easily note that the role of leadership is also the same role of social organization.

But in the next **schema (B)** we can find the deferent steps of social change related with the specific vision of change strategy developed by EMIR ABDELKADER according to the specific historical and social conditions.

Diagram (B): The system of strategic change in the vision of the Emir Abdelkader

Diagrams (A): The state structures in the experience of the Emir Abd-el-Kader
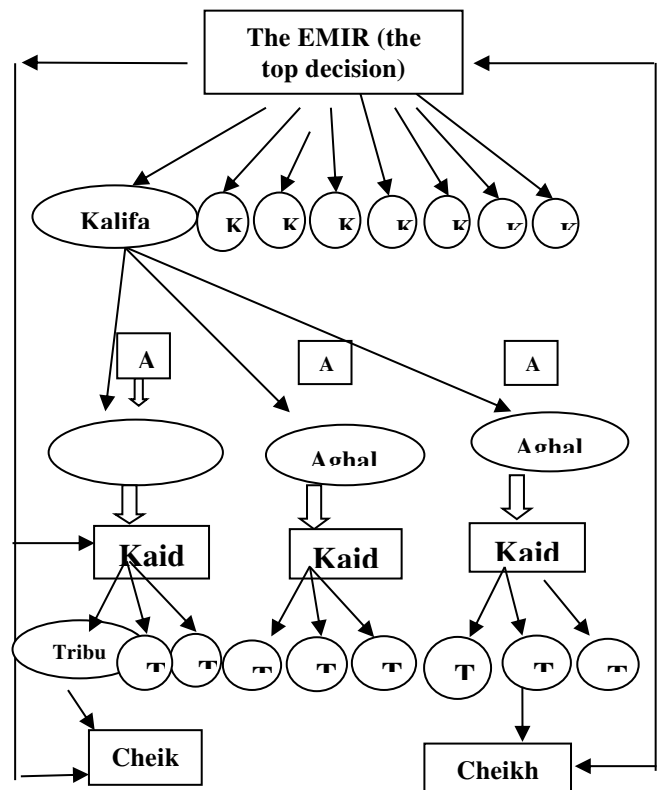
Conclusion

The history of a nation is always linked to a series of individual and collective achievements sometimes modest and sometimes prestigious.

The history of EMIR is one of these human achievements that left large traces that can turn one day great sources of analysis and reflection. As we can see, through the study of change in EMIR strategy, such a study will no doubt future generations and the youth in particular to review the history of their country and be able to base multiple approaches on lessons learned from the EMIR Abd-el-Kader.

Rehabilitating his memory will also raise awareness of the weight and importance of the historical heritage of Algeria and enlighten in a new look rich experience of the past; can serve as a reference and model of political organization and social strategy.
According to this singular experience and this model of political organization, it will be possible to adapt the majority of human values in the future system of social and state organization .In this way it will be necessary to adapt the values of this references with the present and future organization of Algerian society.

References

[1] Abdelhamid zouzou. Correspondance de l'émir Abdelkader avec le général Desmichels et documents relatifs à l'époque d'Abdelkader .édition, Alger ,2009.

[2] Boualem Bessaih, De louis Philippe à napoléon III L'Emir Abdelkader vaincu mais triomphant, édition, Anep, Alger, 2010.

[3] Charles henry Churchill, La vie d'Abdelkader.ex sultan des arabes, Londres, 1867, trad. Et notes de Michel habart .Édition .enal .Alger .1991.

[4] Cheikh Bouamrane, L'émir Abdelkader.résistant et humaniste, édition, Anep, Alger.2001.

[5] Chentouf (T), L'Algérie politique ,1830-1954, édition, OPU.2003.

[6] chodckievicz M, Ecrits spirituels de l'émir Abdelkader, édition, du seuil, paris ,1982.

[7] Emerit M,l'algerie à l'époque de l'émir Abdelkader, édition, la rose ,paris 1951.

[8] Jaques Berque, Maghreb, histoire et société, édition, SNED, Alger ,1974.

[9] Julien ch .A, histoire de l'Algérie contemporaine, T1, édition, PUF, paris, 1964.

[10] Kadour m'hamsadji, La jeunesse de l'émir Adelkader .OPU. Alger.2009.

[11] Kateb Yacine, Abdelkader et l'indépendance Algérienne, édition, ENAG, Alger, 2009.

[12] Le gras joseph, Abdelkader, édition, Berger Levrault, paris, 1929.

[13] Monta gnon pierre, La conquête de l'Algérie, les germes de la discorde, 1830-1871, édition, pygmalion, paris ,1968.

[14] Sahli M.ch, Abdelkader, le chevalier de la foie, édition, ENAP, Alger, 1967.

Labour migration from Kyrgyzstan to Russia: political and legal analysis

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Abstract: Analysis of the migration policy of the Kyrgyz Republic is necessary, first of all for politicians and decision-makers that form the development of socio-economic and political system of the state. Before analyzing the migration in Kyrgyzstan, it is necessary to consider the processes and regulation of migration that occurred in the country over the last 20 years, including a policy in this area in the post-Soviet Kyrgyzstan. Labour migration is a natural component of the migration process as a whole. Migration is a multifaceted phenomenon that affects all aspects of society: the economy and politics, demographic processes and ethnic relations, ideology and religion.

Introduction

Changing procedures for receiving work permits for citizens of Kyrgyzstan in Russia is one of the fundamental elements of reforming the Russian migration legislation that came into force in 2007. Radical change in orientation of Russian migration policy on labor migration from Kyrgyzstan was the result of the revision of the strategic position of the state. This paper discusses the study of migration in terms of the government's efforts towards keeping control and reduce migration flows to Russia, which has become urgent with the help of a broad public consensus.

1. The work permit as a legalization of the employment of migrants

Taking into consideration the scope and significance of migration, review and analysis of migration policy is important for the country. In the light of recent political events, tightening of immigration legislation in Russia, as well as the economic crises in both Russia and Kyrgyzstan, the migration flows to Russia from Kyrgyzstan have changed, whereby the former migration policy of Kyrgyzstan has become ineffective. This makes studying institutionalization of migration policies of the Kyrgyz Republic and of the Russian Federation a highly relevant subject matter. According to the Federal Migration Service of the Russian Federation around 505 thousand Kyrgyz citizens reside in Russia as of April 15, 2015 [1]. Out of them, around 170 thousand people registered for migration registry at the relevant local authorities, out of which 59 thousand people have work permit, also 15 thousand citizens of the Kyrgyz Republic received a patent for the work in 2015 according to new rules. In comparison, according to the National Statistical Committee of the Kyrgyz Republic [2], the migration outflow from Kyrgyzstan reached 350 thousand in 2012. According to official data of the Federal Migration Service of Russia [3] in 2011 work permits were issued to 100.6 thousand citizens of Kyrgyzstan and patent for work were issued to 55 thousand Kyrgyz citizen migrants. During the period from January 1 to July 1, 2012 43.9 thousand work permits 35,9 thousand patents were issued to Kyrgyz citizens (4). According to new legislative rules of Russian Federation around 20 thousand people from Kyrgyzstan have no right to enter the territory of the Russian Federation for three to ten years, due to violation of rules of abode in Russia.

Population growth in the developing countries, development of industrial production and demographic crisis have led to increased migration activity on the planet. According to the United Nations, Russia ranks second in the World for the number of migrants (at the end of 2014 around 11 million migrants lived in Russia). The first place belongs to the United States, where the number of migrants are more than 45 million people, the third place belongs to Germany with 9.8 million migrants [5]. The number of work permits and other work related residence permissions are much less then the total number of immigrants in one recipient country. These and above figures for Kyrgyz migrants statistics lead to the conclusion that the number of illegal immigrants exceed the number of legally working migrants. As it is natural to assume, that overwhelming majority of migrants are actually working and their primary aim is to earn for living. In Russia, 36% of small and medium-sized businesses believe that to legalize employment of a foreign employee requires a lot of cost and hassle, and so they often go without obtaining any permission for their employees. This indicates that migration is increasingly becoming illegal, with consequence for the exploitation of migrants and violation of their employment rights.

Today it becomes obvious that it is impossible to solve unilaterally the illegal migration, All inclusive multilateral solutions are needed. The starting basis

and legal framework for migration in the early days after the dissolution of the Soviet Union were number of documents adopted by Russian Federation. First of all, it is the Federal Law N. 62-FZ of May 31, 2002 "On Russian Federation Citizenship", Federal Law of January 10, 2003 "On Making Amendments and Additions to the Federal Law on the Procedure for Exiting and Entering The Russian Federation, Law of the Russian Federation No 4528 -1 of February 19, 1993 "On Refugees", Federal Law of 20 December 1993 "On Displaced Person".
One of the main problems of post-Soviet Russia has become a problem of determination of belonging to Russian citizenship, because this issue is related to the legal status of ethnic compatriots who continued to live in other former Soviet republics. After making changes to the Federal Law of June 17, 1993 "On Russian Federation Citizenship", all citizens of the former Soviet Union were granted a lightweight procedure for the acquisition of the Russian citizenship.

In the 1990ies, migration policy started to take shape as a way to control the ethnic structure and population numbers. It reflected the need to control the mass flow of ethnic repatriates, resulting the policy of states that focused on returning of their compatriots [6]. So, repatriation migration to Russia was observed from Central Asia, Caucasus, Moldova and the Baltic countries [7]. During the 1989-2007 two-thirds of migration flow were Russians and 12% - other ethnicities of Russian Federation [8].

The first Presidential Decree of August 11, 1994 "On the main directions of the state policy of the Russian Federation related to compatriots residing abroad" shaped the future main directions of the migration policy. Representatives of the State Duma also had been developing relevant legal documents. Thus, the "Declaration on the support of the Russian diaspora and the patronage of the Russian compatriots" was adopted by the State Duma on December 8, 1995. The Federal Law "On State Policy of the Russian Federation concerning compatriots abroad" was adopted on May 24, 1999, which acts today with amendments made on July 18, 2006. In order to support compatriots, who wanted to join the resettlement program to Russia the Federal Law "On Migration Registration of Foreign Citizens and Stateless Persons in the Russian Federation" was adopted in 2006, aiming at providing the migration attractiveness of Russia. This law includes a new legal category, making requirements of scientific and professional explanation of legal norms that coordinate Russia's policy in the area of joint work with compatriots, foreign citizens and persons without citizenship. However, it should be noted that legal acts which had been developed after the collapse of the Soviet Union and until the early 2000s were not sufficient to fully conduct a coordinated immigration policy with migrant donor states.

2. The main principle of study of Russia's migration policy

The main priorities of migration policy of the Russian Federation, and its relation to Kyrgyzstan should be noted in:

- formulation and implementation of effective market mechanisms to eliminate and reduce irregular migration and rational territorial distribution of the population;

- revitalization of intensive entering into the international labour market and searching for potential employers;

- prevention and suppression of illegal migration through the development and creation of a unified system of immigration control and coordination of relevant government authorities;

- improving the practice and procedure of the full register of the population, arriving in Russia from Central Asia;

- development of intergovernmental agreements in the field of migration.

One can say that in the labour relations of legislation and practice of Russia and Kyrgyzstan, the law of the country in which (in whole or in part) is mainly used to perform labour activities (collision principle of "law of the place of work" - lex loci laboris). Analyzing the migration policy of Russia in relation to Kyrgyzstan, it can be concluded that today Russia should take an existing fact that the scale of migration will not be sufficient in the short term, and thus build its policy.

The main barrier to the lega-lization of immigrants are as limitations of the mig-ration regime, as well shadow employment, since it deprives migrants of stimulus to obtain the necessary permissions that are not needed in the working con-ditions of the informal sector. Due to the closure po-licy in the sphere of migration the proportion of ille-gal migration increases several times. Yet labour migration today is a necessary factor in the deve-lopment of the Kyrgyz Republic as the sending country and the Russian Federation as the recipient country. It is a powerful stabilizing factor, contributing to economic growth in Russia and Kyr-

gyzstan, maintaining social stability and mutual trust of peoples and states.

3. Labor migrants from Kyrgyzstan in the legislation framework

Since late 1990s Russia and Kyrgyzstan in bilateral and multilateral formats signed more than a dozen agreements and legal acts regulating migration issues. However, despite the list of normative legal acts, such a policy has been unsuccessful, since each member acted from the assertion of it's nationality. Thus, every resident in the territory of the country was either its' citizen or was considered as a foreigner. The Kyrgyz Republic developed with Russian Federation the following normative legal acts: Agreement of April 18, 2003 between the Ministry of Foreign Affairs of the Kyrgyz Republic and the Ministry of Internal Affairs of the Russian Federation on cooperation in the migration area; Agreement of March 28, 1996 between the Government of the Russian Federation and the Government of the Kyrgyz Republic on working activity and social protection of migrant workers and its' Protocol as of 22 September 2003; Agreement of 28 March 1996 between the Kyrgyz Republic and the Russian Federation on the simplified procedure of acquiring citizenship by citizens of the Kyrgyz Republic, arriving for permanent residence to the Russian Federation, Russian citizens arriving for permanent residence to the Kyrgyz Republic, and exit from previous citizenship and other agreements.

The last decades immigration from Kyrgyzstan to Russia are characterized not only by the resettlement of ethnic Russians, but also by temporary, seasonal and long-term labour migration of ethnic Kyrgyz. The sharp changes in the value, composition and causes of migration have followed in the Kyrgyz Republic, as well as in other Central Asian republics. Migration processes in the sovereign Kyrgyzstan became measured by the quite different factors than those that have prevailed in the last decades of the Soviet Union. The high level of unemployment in rural areas, villages and small towns, the lack of adequate infrastructure, political instability and ethnic conflicts were the main factors increasing the outward migration. According to the published results of the report "Labour migration and productive use of human resources in the Kyrgyz Republic", 2008 conducted by the International Labour Organization, among migrants out of Kyrgyzstan - Kyrgyz's are 68.5%, 15.8% -Uzbeks, 10.9% - Russian and 4.8% are representatives of other nationalities, while 80% of immigrants are considered as Kyrgyz [9].

If one consider the legislative base of the Kyrgyz Republic's regulation of migration, such normative and legal documents as the Law "On outward migration", the Law "On internal migration", the Law "On Refugees", the Law "On outward labor migration, Law "On preventing and combating human trafficking" should be noted [10]. Thus, in the Law "On outward labor migration" [11] determined that "citizens of the Kyrgyz Republic, leaving the state to get employed should have an employment contract (agreement) concluded with a foreign employer, and visa issued by diplomatic or consular representatives of the state where the employment is happening. The procedure for attracting migrants, other age requirements for them are established and regulated by the laws of the state of employment, by the international treaties of the Kyrgyz Republic entered into force in accordance with legislation of the Kyrgyz Republic".

Many citizens of Kyrgyzstan in order to obtain high wages, receive social and medical benefits in Russia began to acquire Russian citizenship. Many citizens of Kyrgyzstan in order to obtain high wages, receive social and medical package in Russia began to acquire Russian citizenship. Thus, the Agreement between the Russian Federation and the Kyrgyz Republic on a simplified procedure of acquiring citizenship, Russian citizens arriving for permanent residence to the Kyrgyz Republic and citizens of the Kyrgyz Republic, arriving for permanent residence to the Russian Federation, and the exit from previous citizenship of March 28, 1996 allowed for more than 470 thousand citizens of the Kyrgyz Republic to get Russian citizenship in a short span time [12]. These days, labor migration from Kyrgyzstan to Russia from economic phenomenon is turning into a political phenomenon. This was facilitated by the increase in the number of illegal labor migration to Russia, biased attitude to migrants by employers, which is directly linked also to Russian state migration institutions employees.

Because of these circumstances, Moscow officially announced the cancellation of the simplified procedure for obtaining Russian citizenship within three months for the citizens of Kazakhstan, Kyrgyzstan and Belarus on October, 24, 2011. Thus, the process of obtaining citizenship of the Russian Federation started to be taking around one year, during which the applicants had no right to leave the country. One reason for the tightening of the requirements for obtaining the citizenship was nationalist inclinations of indigenous people of the Russian Federation, which has been increasingly evident in this state. This situation is clearly expressed in the parliamentary elections, where some Russian politicians demonstrate

their tough stance on the issue of migration and have the support of voters. In general, Moscow maintains "selective approach", preferring Moldovans, Ukrainians and other members of the common Slavic culture and religion. This implies that the new rules of quotas, issuance of work permits and patents for labor migrants from Central Asia has changed and significantly limited.

With regard to legitimization of employment of migrants changes with the introduction of new legislation are no less strong than in registration and accountability. By the beginning of 2010 due to the fact that work permit was issued directly to migrant share of legally staying migrants has increased by 2-3 times compared with the beginning of the 2000s. If we compare the current situation with the first half of the 2000s when as K. Romodanovsky notes: "recently, for one legal migrant there had been ten illegal migrants", the change is even more significant [13]. The efficiency enshrined in the Federal Act №115 procedures for the issuance of work permits to labour migrants who can enter Russian Federation without visa, had been argued in 2007 as the lawful practice. Restrictions were continued in 2009, and were called this time as "anti-crisis measures". Thus, according to the Order of the Federal Migration Service of Russia of February 26, 2009 № 36 "On some issues of issuance of work permits to foreign citizens who are allowed to enter the Russian Federation without visa" a work permit was issued initially for a period of up to 90 days and after this period, in the case provision of an employment contract a new permit was issued for the duration of the employment contract not exceeding one year since entering the RF.

Today, the "new" Russia's migration policy operates in two ways, such as liberalization and at the same time restriction of the migration flow. Within the framework of the liberalization the quotas are being replaced by patents, which are less prone to corruption. So, from January 1, 2015, all foreign citizens arriving Russia on visa-free regime and have reached 18 years of age will be able to conduct their work on the basis of a such patent. And an important thing of issuing patents, is that migrants now can get a patent not only from the physical, but also from legal entities. Such measures are related to bureaucratic constituent element again, which includes requirements like as a migrant health card, insurance policy, certificate of knowledge of the Russian language, Russian history and Russian laws. This implies that the question of the staying of migrants for seasonal work are not solved, since for migrants learning law and history will take a longer time than their 3-5 months visit.

Basic rules for getting a patent consist in the following: registration of the document within 30 days since the date of entry into the Russian Federation; obligatory provision of a certificate of passing the Russian language, history and law test; provision of a copy of the employment contract to the Federal Migration Service of Russian Federation within 2 months after receiving the patent; timely payment of the monthly tax on the patent.

One of the basic laws of the Kyrgyz Republic, the Law "On outward migration" for the past 10 years has been subjected to several changes and amendments that in some sense reflect the current situation of the country's migration. Thus in 2009, members of Parliament have undertaken legislative initiatives to make amendments to the Law "On outward migration". As a result, the amendment was not accepted. The next step of making changes and amendments to the Law "On outward migration" was undertaken by Parliament in 2014. This was facilitated by the planned accession of Kyrgyzstan to the Customs Union in order to harmonize national legislation with the legislation of this Union. This bill is also under consideration, and further changes will depend not on the actual situation and conditions of labour migration in Kyrgyzstan, but mostly on the actions of member states of the Eurasian Economic Union. Concerning the analysis of the migration policy in the country, it must be said, that it is made not only by members of Parliament and Government structures but also by representatives of civil society. Experts' opinions of these structures differ, as the civil society and people representatives believe that the migration is the loss for the nation and encourage migrants to return home, the state officials on the other hand consider outward labour migration as one of the main source of income and provide opportunities for the citizens to leave the country.

Conclusions

Thus, the main constituent aspect of migration in Kyrgyzstan is considered as its' analysis, evaluation in terms of political and legal norms. Migration policy itself is not so much the anticipation the future of migration as the correctly solving issues relating to the migration. For development of an appropriate state migration policy in the short and long period it is necessary to attract the attention of government agencies to assist migrants in protecting their rights at the same time provide the conditions for returning them home and provision with jobs the whole working-age population. In drafting the necessary legislation it is important to involve national scientific community since it is necessary that the

issue of "migration" to become a priority in the study of the socio-economic, cultural and political situation of society.

The analysis of the fundamental regulating and strategic document of the Russian Federation migration policy - Concept of State Migration Policy of the Russian Federation towards Kyrgyzstan and to the Central Asian states in general, fundamentally changes the perspective on migration. The main identified changes are the recognition of the growing interdependence of Russia from the inflow of migrants; priority attention to the constant and long-term immigration, the development of special programs for these migrants from the former Soviet Union states. The Concept also emphasizes the urgency of taking measures at the local governmental level, as well as increasing the role of non-governmental organizations working with migrants, in particular in the field of information and integration activities. By analyzing the migration policies of Russia and Kyrgyzstan, one can conclude that Kyrgyzstan needs to comprehend and accept the fact that the migration scale will continue on the same level in the near future, and thus to follow a migration policy with purpose. The main barriers to legalizing migrants are limitations of migration regime as well as the shadow employment, since it deprives migrants of incentive to get the permits which are not necessary in the conditions of work in the informal sector. It should be emphasized, that close monitoring by the state of the migration can assist Kyrgyz migrants in way of improving their legal residence, decreasing number of rights violations and exploitative practices.

References:

[1] Kyrgyz migrants will be exempted from getting the work permit [Online], Available: http://top.rbc.ru/politics/16/04/2015/552fd4b09a79477f02388592

[2] The National Statistical Committee of the Kyrgyz Republic, 2013

[3] The Federal Migration Service of the Russian Federation [Online], Available: http//www.fms.ru

[4] Russia will take measures to streamline for violations of migration regime for Kyrgyz [Online], Available: http://www.knews.kg/society/34379/

[5] Russia was the second country in the world by the number of migrants [Online], Available: http://bforags.ru/view_1367.html

[6] Israel: The Politics of Support Immigrant-specialists // The person ad job -1996. -№1; Polyan, P.M. Jewish emigration from the former Soviet Union (historical and geographical aspects) // Bulletin of historical geography. -1999. - №1.

[7] Michugina A., Rakhmanina M., National composition of migrants in the population exchange between Russia and foreign countries // Questions of statistics.-1996.-№12.

[8] Firsova N.A., Political and legal problems of migration in the period of globalization.- Bishkek, 2009.

[9] Gorbachev I., According to the ILO, the majority of potential migrants in Kyrgyzstan are Kyrgyz's [Online] Available: //http://www.centralasia.ru/newsA.php?st

[10] The text of all laws are published on the official website of the State Committee for Migration and Employment [Online]Available: //http://www.mz.kg/ru

[11] Law of the Kyrgyz Republic "On External Labor Migration" on January 13. 2006 №4 // Erkin Too. 2006.-January 20 [Online] Available: http://www.mz.kg/ru/law labour migration

[12] Kyrgyzstan: Kremlin increases the barriers to obtaining Russian citizenship [Online] Available: http://russian.eurasianet.org/node/59028

[13] Speech by the Director of Federal Migration Service of Russia K. Romodanovsky at the extended meeting of the board of the Federal Migration Service of Russia, January 31, 2008 [Online] Available: http://www.fms.gov.ru/ press / publications / news_detail.php? ID = 9792

Problems of Development of the Regional Innovation System on the Principles of Open Innovations

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Abstract: *The problems of regional innovation system development are described in this article. The main problems connected with functioning of business incubator and higher education institute based on open innovation principles. The results are based on empirical studying of Tomsk regional innovation system. The article discusses the development problems of regional innovation system on the principles of open innovations associated with the functioning objects of infrastructure and scientific and educational complex. The data obtained from monitoring and evaluation elements of the regional innovation system in Almaty city.*

Introduction

The main priority of economic development of Kazakhstan's regions is the transition from the export of raw materials towards innovation. Such a development scenario assumes the implementation of structural transformations aimed at the formation of an innovative economy, which in any society has real prospects of existence only on condition the transition from innovation as a phenomenon of the pointwise (on the separate enterprises and branches of economy of the region) to the formation of a regionnal innovation system.

The present stage of development of both world, and Russian economy is characterized by increase of a role of innovative activity. Development and deployment of innovations in a production activity of the company predetermines its effective competitive development in branch and in the world economy.

However, practice shows that the traditional approach to innovation, mainly assuming use of own development company, today, in many cases it becomes ineffective. For example, the development of own often unable to be fully realized by domestic companies due to the limited internal resources and insufficient development in the field of of R & D.

To improve the efficiency of innovative activity of domestic companies becomes key to using new approaches and methods of innovation management. Currently, one of the most relevant approach is the concept of open innovations, form and develop as a result of analysis and generalization of advanced experience in managing large international companies such as Xerox, Intel, IBM, Lucent and others.

The theory of open innovations is an evolutionary step in innovation management, following the post-industrial approach, focused on the internal environment of the companies, which often leads to duplication of existing research. And consequently to a wasting resources and lost profits. Such an approach in the literature called "closed innovation".

The essence of the concept open innovations lies in the development internal management processes of R & D in the direction of greater interaction company with the environmentthat is expressed in the diffusion of technology through joint efforts of universities, national laboratories, the companies which are in stages of development or research prospective markets, suppliers, consumers, industry consortia.

In this regard, important scientific task is to develop new approaches and methods providing effective development of innovative local companies in accordance with the modern trends of the world market innovation.

Analysis of scientific publications testifies that currently in the economic literature absent methodical developments that allow to form a methodical approach to organizing the innovation activity of the company based on the concept open innovations. This approach should provide the company with the opportunity to effectively implement open Innovations on a permanent basis.

1. Literature review

Issues relating with innovation activity and innovation management, is widely considered in the works of domestic and foreign scientists, as Yu.P.Aniskin, A.S.Blyahman, A.Brett, Ya.Van Dane, L.Vodachek, O. Vodachkova, A.K.Vatolin, S.Yu.Glazev, B.F. Denisov, P.F.Druker, AY Egorov S.D.Ilenkova, N.P.Zavlin, G.Mensh, L.E.Mindeli, VV Nozdrin, A.I.Prigozhin, B.Santo, AA Safronov, Sh.Tatsuno, B.Tviss, A.A.Trifilova, S.A.Fathutdinov, H.Frimen, D.V.Havin, A.Hemilton, J. Schumpeter, S.Yu. Yagudin, Y. Yakovets, SN Yashin and others.

The topic open innovations the most deeply researched and widely reflected in the works of the following foreign researchers: V. Vanhaverbeke, O. Gassman, F. Gertsog, A. Krouter, K.Letti, Ya.Saarinen, A.Solter, M.Torkelli, E.Hippel , G.Chesbro and E.Enkel. In recent years, open innovations management issues paid attention in his work our scientists M.V. Alekseeva, I.V. Aleshina, K.I. Grasmik, Ya.N. Grik, I.N. Dzhazovskaya,V.F. Efremchenko, K.I. adygin, Zh.A. Mingaleva, E.A. Monastyrny, Ya.I. Nikonova, I.I. Pety, M.Yu. Platonov, S.F. Popov, M.S. Ruby, A.I. Rudskoy, V.V. Spitsin E .V. Tulugurova and other.

Despite the significant contribution that these researchers have contributed to the development of innovative management and the theory of open innovation in their works were not put as targets develop a comprehensive approach to the innovative development of the company based on open innovations.

2. Methodology

The methodological basis of the research and information base served as normative legal documents of the Republic of Kazakhstan, the works of domestic and foreign scientists economists, materials of scientific conferences, articles on an investigated problem. Used in the work reference data of the state statistics.

In the development and justification of the main provisions of the paper used the following methods: expert-analytical, statistical, systemic, factorial, comparative and the SWOT-analysis, as well as economic and mathematical and the integration of modeling and forecasting.

3. Findings

In recent years, innovative systems are actively studied in terms of their interaction, both at the national and regional level [1]. Became widespread, the term Open Innovations - "the using targeted streams of knowledge to accelerate internal inno-vation processes, as well as to expand the market for more efficient use of innovation". [2]

In this regard, special importance is the research of regional innovation systems and their components, as the institutions that promote the open exchange of information. There is plenty schemes of regional innovation systems [3], but it should be noted that the regional innovation system should be regarded first of all as an open system, receiving the resources

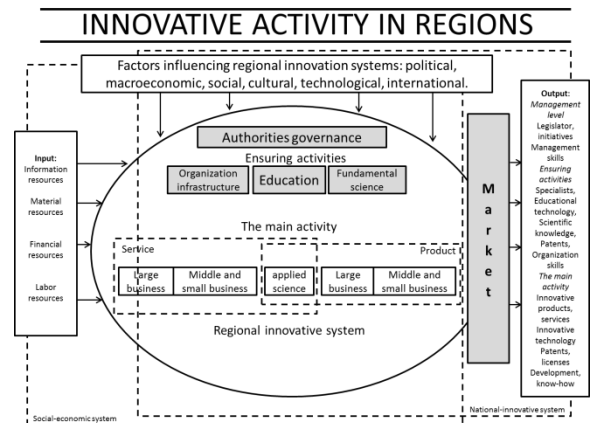from the external environment and generates the product (pic. 1).

Figre 1. Structural model of a regional innovation system

A distinctive feature of this model is the presence of input and output parameters of the system, which allows evaluating the resource potential of the system and analyzing the results activity which it exports.

In addition, the innovative system of the territory is not in a confined space, and functions in at least two systems of higher order. Regional innovation system is part of the socio-economic system, where and enters the primary flow of resources. Directly effective functioning of innovation system contributes to strong economic growth and therefore a change in the qualitative characteristics of the socio-economic system. The regional system is also part of the national innovation system, which not only generates a vector of further development of innovative systems in the region, but also depends on the quality of system activity areas (taking into account the principle of synergy).

As regional innovation system is an open system, respectively, can be isolated and external factors that have a direct impact on the development and functioning of the system as a whole.

Managing the development of a regional innovation system as an open system is a priority task for the government. And despite the obvious successes, it should be noted a number of existing problems, which can be divided into three groups.

1. The problems that characterize the state of the innovation infrastructure in the region.
2. Problems, which characterize the state of scientific and educational complex in the region.
3. The problems of interaction of innovative infrastructure and scientific-educational complex.

Let us consider first group of problems.Implemented analysis of monitoring and evaluation of innovation system infrastructure in the regions revealed the following problems, which are barriers to the effective development of innovation infrastructure:

1. There is little co-operation between the organizations infrastructure.

This is manifested in the absence of a common database of scientific developments that are waiting for their commercialization. The creation of such a repository of information, greatly facilitate the acc-ess of investors out to potential market products. This is a prerequisite for economic development on the principles of open innovation.

2. An explosion is observed in recent decades, between the scientific sector and the business commun23ty at the moment been overcome by a weak infrastructure organizations.

As demonstrated by implemented procedures for monitoring and evaluation, none of the elements of the innovation system (university, research institutes, objects of infrastructure) or possesses to the full information about Potential sale markets available scientific developments.

This factor is a major obstacle for the develop-ment of open innovation. Only one organization is made up extensive base of infrastructure potential business partners, which is replenishes annually. Other objects do not possess infrastructure component of the full information on potential customers, which has a negative affects the effectiveness of their activities.

In addition, an important is the presence of technological advance, t. E. information on potential interests of a business company in a certain scientific field. This should be done with the help of market research organizations infrastructure. However, this does not happen because of the limitations resources.

3. The lack of cultural interaction between developpers and ideas elements of the infrastructure. In many offices is observed the commercialization of low intensity applications for services. It is not so much evidence of lack of demand for such services as the absence of positive experience of interaction between authors and organizations development of infrastructure. Over the years, when the study was funded by state orders, the problem did not exist commercialization. Now, when created, according to the developers, the new "foreign" structure, they do

not create a positive credibility researchers. Many people are not aware of what the department is engaged in how to resolve the problem of the interaction of copyright, etc. In addition, developers often find that they can function on their own infrastructure.

4. Unreadiness of business to invest in scientific and technical workings on a large scale.

Many business companies still do not realize the need for investments in research and development. Often development have different degrees of technological readiness and deters many investors uncertainty as to how much funding is necessary to bring to the technical readiness of how long this process will last, and others.   Kazakhstan industrialist easier to buy an advanced technological equipment to the west rather than to invest in Kazakhstan science. This fact is a major obstacle to effective operation of Tomsk infrastructure organizations.

Let us consider a second group of problems.Almaty region is a region with a highly developed scientific, technical and educational potential. C 1999, the region implemented a number of interdepartmental program under which was carried out a complex of measures for development and testing of effective mechanisms for the reform and development of scientific and educational services at the regional level. But despite large reserve in this direction, the analysis of the state of scientific and educational complex (NOC) in Almaty revealed the following problems hindering its development based on innovation:

1. The imperfection of the legal framework for the participation of NOCs in innovation, including:
• an extremely difficult in the practical application of the procedure for obtaining the universities and research centers in income from license agreements and the use of these funds [5, 6];
• the complexity of identifying the authors and owners of intellectual property.

2. Insufficient mechanisms and principles of financing research and development research institutes and universities:
• absence of credit and attracting bank capital for research institutions and universities in the implementation of joint innovation projects of scientific and educational complex and the real economy.
• insufficient level of budgetary financing fundamental and applied research and development for the academic and university research;

Today, scientific research, conducted in Kazakhstan universities are funded from different sources: the national budget, means the subjects of the Republic of Kazakhstan and local budgets, grants and contracts, as well as funds received by universities under contracts with businesses. As can be seen from Fig. 2, the state provides funding for research universities at least 60% of the total funding. The volume of financing of education and science in Almaty scientific-educational complex in 2013 was 30 mlrd.tg.
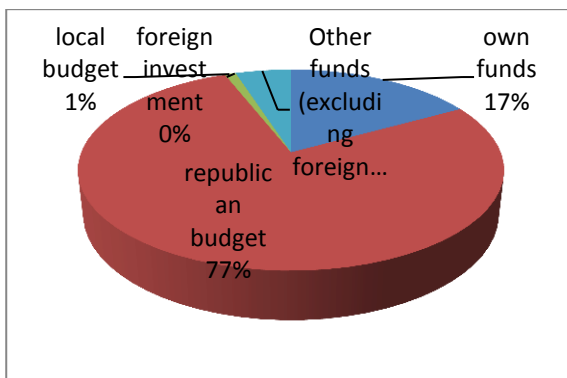
Fig. 2 - Funding for research universities

The level of funding of the Kazakhstan science contrasts sharply with those of developed countries. The budgets of a number of scientific Research Institute from among the best in Kazakhstan make up 3-5% of the budget of similar institutions in the US [7].

As international experience shows, to achieve high results based on breakthrough innovation, the government usually takes the funding of basic research in priority areas of science and technology. Obviously, in the priority areas of science and technology necessary to provide funding for scientific research centers and universities in Kazakhstan in full.

3. *The necessity personnel maintenance professionals in key areas of innovation activity*:
• shortage of highly qualified specialists to work in the innovation sector of the economy [4];
• the fragmentation of the system of training and retraining of personnel for innovation;
• emergence of imbalances in the age composition of researchers in academic institutions and scientific-pedagogical personnel of high school, as well as the weakening of interest of young people in research and innovation.
3. *The imperfection of the system of motivation for innovation researchers, teachers, students and Phd doctors:*
• necessity of forming mechanisms for searching, selecting and promoting talented youth level

(elementary school - high school profile - higher education - research organization);
• weakening of the young people's interest in research and innovation;
• Lack of a comprehensive approach to the formation of the system of selection and incentives to engage researchers and university lecturers in international research and innovation;
• imperfection of mechanisms of state support of scientific work of young scientists scientific organizations and higher education: grants are given for a short time, small amounts of funding ratio with time-consuming and labor-intensive design of the competitive application.

*Consider a third group of problems.*Open Innovation - approach to innovation, which allows to obtain the maximum profit from the joint creation and comercialization of innovative projects.

Thus, according to the principle of open innovations to companies is important to use external sources of inventions and technologies in order to effectively implement their projects. At the same time, companies must open access to their inventions and technologies to get the most from their sale profits [7].

A comprehensive analysis of the state institutions to ensure innovation activities in Almaty revealed the following problems of availability of scientific and educational complex and innovative infrastructure in the region to function and develop on the principle of open innovations:

1. *Lack system of complex distribution order for scientific research and educational services between participants to ensure the level of core activity,* including electronic document management system to effectively interaction in optimal terms;
2. *The need to improve the training system and retraining of innovative managers for international level for support at the stage of commercialization of scientific research results.*
3. *The imperfection of the monitoring system of scientific, educational and innovation activities of scientific and educational complex and innovative infrastructure in the region,* as expressed in the absence of effective methodological tools allowing to identify the areas of competence and benefits, allowing to identify the areas of competence and benefits unused potential opportunities, as well as areas of weaknesses and risks in the activity scientific and educational complex and innovative infrastructure in the region; the lack of an integrated approach to the formation of a monitoring system of

the markets: high technology products and services, educational services and labor. [8]

4. *The lack of cultural interaction between idea developers and elements of the infrastructure.*
5. In many offices of commercialization observed low intensity applications for services. It is not so much evidence of lack of demand for such services as the absence of positive experience of interaction between authors and organizations development of infrastructure. Over the years, when the research was funded by government orders, the problem associated with commercialization did not exist.

Now, when created, according to the developers, the new "foreign" structure, they do not create a positive credibility researcher. Many people are not aware of what the department is engaged in how to resolve the problem of the interaction of copyright and so on.. In addition, developers often find that they can carry out functions on their own infrastructure.

The unresolved problems of providing the above innovation activities in the region creates great difficulties in the formation of a regional innovation system. It is worth noting that the solution of these problems must be integrated. Thus, regulation of scientific and educational complex on the background of unresolved problems in the infrastructure would create a barrier to the advancement of scientific research to the market. Conversely, the maintenance of normal functioning of innovation infrastructure in the unsolved problems of scientific and educational complex can reduce the number of highly qualified specialists and scientific ideas and developments.

Today, more and more companies are working on the basis of the concept of open innovation. According to this paradigm, formulated by Professor H. Chesbrough of UC Berkeley [2] rather than completely rely on their own resources, companies should actively search ideas in an environment where you can do a commercial, that is, at conferences, in the open press, in individual inventors and those of competitors in other segments of the market. Furthermore, we must bear in mind that many organizations are willing to sell the development, which, by virtue of various reasons do not enjoy themselves. [2]

Conclusion

Thus, based on the foregoing, we can offer the following **recommendations for the formation of** territorial policy in the direction of improving the provision innovation activities in the region:

1. Implement a regular system of monitoring the activities of organizations and objects of innovative infrastructure and scientific-educational complex in the form of statistical surveys in order to obtain timely and reliable information about the dynamics of these participants in the innovation process.

1. Taking into account the weak interest of potential business investors in the financing of innovative projects should be actively developed public-private partnerships in the form of joint co-investment of innovation projects at various stages of implementation through various forms of infrastructure organizations and scientific and educational complex.

2. To promote the formation of large and medium businesses on available scientific and technical basis of educational and research institutions by increasing the number of sessions held joint innovation with the presentation of existing developments.

3. Assist the regular retraining of workers infrastructural facilities created in the framework of regional and national target programs due to lack of extensive practical experience of employees of such organizations that identified monitoring and evaluation through the organization of seminars with the participation of foreign and domestic experts.

4. Exercise regularly conducting seminars for the rapid scientific workers to form and enhance competences in the field of marketing, business planning, legal protection of intellectual property and skills of effective communication with potential investors.

5. To develop and implement the organizational and economic mechanisms that contribute to strengthen the research and technological cooperation between the participants of the regional innovation system.

All of the above events, in our opinion, can significantly improve the functioning of the infrastructure and the scientific and educational complex in the region and to create the objective conditions to enhance the process of formation and development of innovative economy, which is one of the priorities for the regions and the country as a whole in the current period.

Thus, the important objective of regional development based on open innovation is the development of optimal mechanisms of integration and interaction of all participants in the system in order to obtain synergies on the basis of the most effective result of turning the region into one of the points of growth

that will provide widespread use of knowledge in priority countries directions of development

References

[1] Managing national innovation system. OECD Publications. Paris, 1999.

[2] G. Chesboro. Otkrytye innovacii. Sozdanie pribyl'nyh tehnologij/Per s angl. V. N. Egorova. M.: Pokolenie, 2007.

[3] N. I. Ivanova. Nauka v nacional'nyh innovacionnyh sistemah//Innovacii, № 3, 2005.

4] E. A. Monastyrnyj. Strukturnaja model' innovacionnoj sistemy//Innovacii, № 8, 2005.

[5] D. Adams. Doklad kompanii Thomson Reutes. Serija «Novaja geografija nauki».

[6]   Otkrytye innovacii. http://www.open-innovations.ru/about/ innovations.

[7] B. Zhmud'. Svoja koleja//Biznes-zhurnal, № 18, 2007.

Creative Tourism Achievement in Thailand:
Evaluated by Experts and Tourists

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Abstract: This article intends to present the assessment criteria for evaluating 13 creative tourism activities in Thailand. The Faculty of Sociology and Anthropology, Thammasat University, and, The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization) have jointly developed new destinations in tourism known as "Creative Tourism". The assessment criteria is the process that creates after co-training, developing and field trip both inside and outside the country. The evaluation was conducted during March through April 2015 by our five experts, including the tourists. After the said evaluation all the assessment criteria characteristics such as area, process, activities host, management and environment characteristics indicated that the tourists are highly satisfied with the activity. Especially, the activity host characteristics, in which all the hosts were readily and willingly to convey their specialties and knowledge to the tourist. The highest score of all activities is Sukhothai- Votive tablet Workshop follows by Lanna Ceremonial Flags 'Tung' Workshop at Phra Kerd temple and Dan Sai Delicacies Cookery Class with the score 92.83%, 90.73% and 89.35. However, both our experts and tourists had reflected their opinion that would be beneficial for the future development. Hopefully, this new tourism trend that emphasizes on the cultural value of the said tourism areas would help increase local's economic potential.

Introduction

A journey was happening at the same time as human which was caused by the human needs to move to located source of food before settle down and established community. The journey in the early age was hard, and the main propose is to find some food, for war, commercial, pilgrimage or stu-dy and administration, such as the journey of nob-lemen that took around 40 months in average to other territory for cultural learning which called "The Grand Tour". But in the present time, the journey as we know is tourism which is a new experience; it is a part of recent cultural which was emerging from the change in economic and politic that cause by the Occident after Industrial Revo-lution in the 19th century.

In that period, there was some production chan-ging; work force specialization and specific wor-king time such as in the industrial factory, the pro-duction platform was increasing caused of urba-nization, the rural population moved to work in city of industry system. Especially, there was the stressful from health problem due to city pollution, and there was the holiday that they needed the rec-reation far away from their hometown, the purpose was taking some rest in both of body and mind, including opening their world view which was not repetitious of their life context.

In Thailand, travel in new way started from elites who initiated the western style tourism by adopted and implemented the medical concept for tourism to hoteliers and "change the air" to maintain health. The steamship started to use in the reign of the King Rama 4 to travel to Koh Sri-Chang, Ang Sila, and in the reign of the King Rama 5 for recreation by medical suggestion. An expansion of railway was more convenience of traveling; the state railway was an organization which had im-portant role as a pioneer of Mass Tourism in Thai-land before the established of Office of Tourism Promotion by H.R.H. Prince Purachatra Jayakara, Prince of Kamphaeng Phet in 1924, then the name was changed to "Tourist Organizaion of Thailand" (TOT) in 1959, and to "Tourism Authority of Thailand" (TAT) in 1979.

For patterns and development of tourism in the West which has Southeast Asia (and Thailand) as an important destination in the past, could be divided into 3 phases: the early tourism was inte-rested especially in recreation which called Sun-Sea-Sand-Sex Tourism. Then tourist interest has shifted into culture so it became to the beginning of Cultural Tourism, Eco Tourism, and Sustainable Tourism. Nowadays, there are many patterns of tourism such

as Dark Tourism: this tourism is about visiting disaster sites that was built by human such as the Concentration Camp. Red Tourism, Tour retracing the stronghold of the communist party of China in Yan Xian city of the north Shaanxi, the tourist can be a part of the show about the party's victory in the war of the Chinese revolution. Moreover, there is the Space Tourism which the tourist must pay for 20 million USD, which depend on the distance between 19-100 kilometers from the face of earth.

However, the trend of new tourism attends to gain more interest from the new generation of tourist is Creative Tourism, which is the new way to go through the changing of Cultural Tourism that soon to be dead end and a victim of its own successful [1]. This new trend of tourism has transform from Tangible Cultural Heritage to Intangible Cultural Heritage.

This article presents the development of Creative Tourism in Thailand; it is a new paradigm of tourism to contribute to sustainable tourism, and with the collaboration of DASTA and Thammasat University, who is pioneer for the activity of Crea-tive Tourism to be the new destination of tourist which gas been carry out for 4 years, and now it is the appropriate time to evaluate all 13 creative tourism activities. The evaluation results will present the achievement of our process during this period of time. The comment and suggestion from both expert committee and tourist will help impro-ving each activity according to the principle of Creative Tourism. And that, will lead to the deve-lopment of each activity to be the new destination of Creative Tourism in Thailand for tourism stability.

1. What is Creative Tourism?

Creative Tourism is a new travel paradigm and new way of present tourism which is different from original Mass Tourism, especially the cul-tural tourism that tourist is only a visitor and just taking photo.

While the United Nations World Tourism Organi-zation (UNWTO) has assessed that the number of tourist who heading to South East Asia has poten-tial to increase from 21.1 million tourists in 1990 to 133.3 million tourists in 2020. This is including new generation of tourists that intend to find the new trend of tourism.

The Creative Tourism is the new trend of tourism which begins during 1999 by inspiration from a rich

culture environment in Southeast Asia. The Creative Tourism emphasizes active engagement between guest and host, and supports through an experience of the authentic-active participation. The pattern and style of tourism will give an opportunity for guest and host to exchange their experience and develop their creative potential: which leads to understanding specific cultural of the place. Creative Tourism will give an answer that relates with the tourist who prefer more than just "seeing" another different social and culture but want to "Doing" and "Learning", and get through cultural heritage as the potential development by practice the activity of cultural in tourism site, and to get inspiration when they go back home rather than buy some souvenir and postcards from the shop like the earlier tourism stle.

From the reviews, Creative tourism was 'found' from an inspiration of the new tourist generation story who visits 2 countries in Southeast Asia: Thailand and Indonesia, and Australia in 1999-2000. While the trend of new tourism has intended to gain more interest from new generation tourist, because it was the new way to go through the changing of Cultural Tourism that soon to be dead end and a victim of its own successful [1]. This new trend of tourism has transform from Tangible Cultural Heritage to Intangible Cultural Heritage.

This new trend of tourism might need a new name to attract the tourist to participate in folk art and the cultural learning in the place of such expe-riences which would help tourist to understand through experience with it and they could also take a new learning experience that came with their life or jobs after returning from the tour. Finally, they have found the word which is called Creative Tou-rism, the meaning is appropriate to call the tourism style, and they have specified the definition of this new tourism style, "tourism which offers visitors the opportunities to develop their creative potential through active participation in courses and learning experiences which are characteristic of the holiday destination where they are undertaken" [2].

In shortly thereafter, it was a new definition of Creative Tourism from the Creative Cities Net-work conference that was held in October 2006. the purpose was to plan the conference of Santa Fe International Conference on Creative Tourism in 2008, there was conference about the definition of Creative Tourism and the project planning has been interesting in experience presentation and participation by the committee, they have deve-

loped a new definition of Creative Tourism that was, "Creative Tourism is a tourism directed to-ward an engaged and authentic experience, with participative learning in the arts, heritage or special character of a place" [3], this definition still refe-rred to the principle of Creative Tourism (Raymond, 2007) which emphasized the Hands-on experiences that are culturally authentic.

The first definition has given priority to the deve-lopment of the creative potential of tourist through the activity participation which is specific of each area, that will effect to the tourist can get impre-ssion and get through recondite in the area, while the changing of new definition has been connected to the tourism and UNESCO valuable that emphasize between Hosts and Guests that learning through the real experience of cultural, and lead to the cultural exchange. There was a different base skill from original tourism such as Cultural Tou-rism which the tourists can just only visitor but not learning through real experience.

The creative tourist will be ready to participate in learning, doing and happiness to archive the new improved version of themselves as in Chinese proverb "When you hear you forget, when you see you remember, when you do you understand".

The creative tourism is the new way of the tourism in the present that aim for conversation, learning, exchange between cultural, and believe that it can be the tool to help people understanding in valu-able of cultural diversity. Furthermore, it will rein-force the value awareness of their own commu-nities. It is also encourage creativity development of the tourists to bring back these experiences to adapt in their lifestyle.

2. Creative Tourism Development Process in Thailand

The creative tourism in Thailand begins from 1 of the 3 important policies of the Designated Areas for Sustainable Tourism Administration (Public Organization) or DASTA to use 3 important tools that can lead to the sustainable tourism such as Community Based Tourism, Low Carbon Tourism and Creative Tourism. DASTA has proceed under the vision that continues to coordinate all the parties to develop a sustainable tourism (reference from http://www.dasta.or.th). Especially, under the principle of Sustainable Tourism that it is not about the amount of tourist or income, but it is about "value" awareness of cultural heritage that we,

community, or society have it, including folk art and craft, lifestyle and etc. to be praised and learnt from quality tourist to preserve to sustainable, that lead to "profit" which is from income and number, and that is the real result from tourism. The principle and concept have been called Creative Tourism, the collaboration between DASTA and the Faculty of Sociology and Anthro-pology, Thammasat University were established since 2011 to seek and develop the activity owners who had potential and get them ready to receive tourist. As the Faculty of Sociology and Anthropology has already give classes about tourism, social and cultural, and social research so there is a lot of professor and expert who can join together for activities development alongside with activity owners, with financial support from DASTA.

At the beginning, the work was difficult, in parti-cular of the interpreting and understanding in the definition of "Creative Tourism" that leading to development. It is not creatively innovate or make anything new, which is commonly called creative tourism by people perception in general, but the meaning of creative tourism that lead to the sus-tainable tourism by working group [4] was define as "Creative Tourism is the new tourism trend that emphasizes active engagement between guest and host, and supports through an experience of the authentic-active participation. Creative Tourism will give an answer that relates with the tourist who prefer more than just "seeing" another differ-rent social and culture but want to "Doing" and "Learning", and get through cultural heritage as the potential development by practice the activity of cultural in tourism site, and to get inspiration when they go back home rather than buy some souvenir and postcards from the shop like the earlier tourism style".

The key is for tourist and activity owner must ready to learn and exchange within 3 important aspects, which is Spirit of Place, Exchange, and Experience.

By the definition of Creative Tourism and the in-tention to use creative tourism as a tool that lead to the sustainable tourism, Both organizations have specified the planning process of 2 years: since the searching and finding creative tourism activity which has potential and relates to the principle of creative tourism development activity. They listen to suggestions from the people in the area, community leader, and community in DASTA designated area and established in total of 13 activities in 6 designated areas Muslim Cham's Way of Life at Ban

Nam Chiao in DASTA1 (Koh Chang islands, Connecting area). Coastal Fishery at Ban Bang Lamung in DASTA3 (Pattaya, and Connecting area). Sukhothai Classical Dancing Class, Sukhothai Celadon Workshop at Ban Koh Noi, Sukhothai Votive Tablet Workshop, Su-khothai Ceramic Workshop, Ceramic Forming and Painting Workshop, Sukhothai Motive: Art Wor-kshop, and Mothana Ceramic Workshop in DAS-TA4 (Historical Parks of Sukhothai, Srisatchanalai and Kamphaengphet), Dan Sai Delicacies Cookery Class, and Chiang Khan Cotton Quilt Workshop in DASTA5 (Loei province), Lanna Ceremonial Flags (Tung) Workshop at Phra Kerd Temple in DASTA6 (Nan province) and U-Thong Bead Making Workshop in DASTA7 (U-Thong Ancient City). (All details of 13 activities can be found in www.ctthailand.net)

In the beginning, the participation will be volun-tary agree upon the understanding, and having a common goal that conform to activity owner's daily life context which will not change or tran-sform in any way, then provide the training to ex-plain about creative tourism and, how can it happen. After that, is to study an example of crea-tive tourism in foreign country such as Japan, Indonesia, and to increase potential capacity by expanding the domestic network in both neigh-boring area and other designated area. Then we held seminars to come up with the plan to develop and improve their readiness in receiving tourist which take about 1-3 months, then we assessment of quality, process, and other qualification by the expert committee to evaluate their readiness in receiving tourist. Next step is to conduct tour testing group and take satisfaction survey in each activity. The result of this assessment, the score, recommendation, and suggestion will be returned to the activity owner for further development. To implement the development of activity owner, we need to communicate the meaning of creative tourism to the public in many ways, such as hol-ding a press conference to announce new creative tourism destinations in Thailand, the publication which is easy to understand and increasing more knowledge, awareness and the importance of each creative tourism activity. Distributing knowledge through modern media like web sites and social network is essential for several groups of tourists, the current generation of working age and teenager. That is our work on process for 2 years, and we needs to keep working continuously with voluntarily of activity owner. So, the relationship between our team and activity owner, including to executive and worker in organization are important

factor of succeed, the understanding and respective with each other will lead to the changing in one goal, those are the vision of Faculty of Sociology and Anthropology, Thammasat University (http://socanth.tu.ac.th/). This action research will achieve the goal, that needs to have understanding, and respective to the changing.

The result of operations over the past four years lads us to activities of creative tourism which had already passed the aforementioned process in total of 13 activities in 6 designate area, the result of this study has given 5 academic research papers which are The Model of Creative Tourism [4], Creative Tourism of Network Connection to Inter-national [5], [6] The Creative Tourism Network Development Generation 1 and Expanding Creative Tourism Activity Area Generation 2 of Special Area 4 [7], and The Creative Tourism Project [8], including the handbook of Creative Tourism [9], publishes video media more than 15 clips on www.ctthailand.net, and Dissemination of results in 6 articles through stage presentations in the international conference and published in academic journal. (http://www.ctthailand.net/ar-ticles_detail/61).

All of 13 activities must be assessed by expert committees that consist of 5 people, and 13 groups of tasting tourists to evaluate the readiness in receiving real tourists and the activity owners will receive their suggestion for further development. The score of each activity will reflect different quality in each of them; some will get high score in one area but low in others. These scores will show the potential, the highlight, and improvement point of each activity. It will be interesting to see how many score each activity get, and how the experts' suggestion will be?

3. 13 Activities Assessment Result of Creative Tourism in Thailand

An assessment for readiness of each activity was conduct by expert committee that consist of 5 people, one is the head of Creative Tourism working group, 2 people from the working group that responsible mainly in the designated area, DASTA's head of Creative Tourism project, and the manager of the relevant designated area or his/her representative, while the satisfaction assessment was done my tourist testing group which are ordinary tourist that register for these testing program. There are 13 traveling routes to choose and 1 of 13

activities is including in each route. These trips take maximum 3 days 2 nights, and at least is 2 days 1 night.

The assessment method is considered from expert committee; there are 3 qualifications which is Quality of Area (1. A distinct heritage, culture and/or nature. 2. Community awareness of the value of cultural heritage and to provide a space for learning), Quality of Procedure (1. There is cross-cultural exchange, 2.The traveler must have direct experience with the owners of the activity, 3. There is a process that leads to knowledge of cultural heritage in the area and encourage a deeper understanding in the tourist area, 4. Promote a balanced economic, social, cultural and environmental sustainability of the community), and the Other Qualification (1.Reflect the authen-ticity of traditional and sustainable activities, 2. To present meaning of heritage is clearly visible, 3. To present a definition of heritage is clearly visible, 4. The natural resources, culture and human resources have to lifted and value, 5. The cultural communities use existing resources, 6. It is the activity which the tourist can use Sense of Place, 7. It can support the tourist all the year, 8. There is the potential for development of participation both of internal level and international level), in total of 14 sub-qualifications. There is 0-10 score level (0 means no qualification, 10 means the most quali-fication level), each expert will give their score in every activity and find the average of each activity.

While the tourist need to evaluate 5 qualifications which is Quality of Area (1. There is the inte-resting of Natural heritage/ the cultural heritage of tourist areas, 2. The activities that reflect that is identity/ Spirit of Place/Sense of Place, 3. Authen-ticity), Quality of Procedure (1.There is cross-cultural exchange, 2.Receive through experience, 3. Spirit of Place/Sense of Place), Activity Owner (1.Be the host that ready to enthusiastic to suggest the procedure and transfer the activity meaning, 2. Have the ability to communicate and convey the importance of the activity, 3. Have a knowledge and understanding activity), Administration (1. Appropriate to prepare area/equipment, 2. Appro-priate in activity time, 3.Approapriate in cost and activity payment), and Environment, (1. Appro-priate in area environment, 2. To keep the sus-tainable of cultural, economic, and environment), in total of 14 sub-qualifications. Each tourist has to specify "an expectation before the trip in each activity" and "a satisfaction after the trip in each activity", both need to be scored from 0-10 (0 is no expectation/satisfaction, 10 is the highest an expectation/satisfaction), then the score will be gather to find averaged result of each activity.

In order for each activity to pass the evaluation on readiness to receive tourist, they need to consider in 3 criteria;

1. The average score from expert committee must not lower than 60 points.
2. The average score from the tourist testing group must not lower than 60 points.
3. The weighted average score from both expert committee and the tourist must not lower than 65 points (the expert committee weighted score 60 percent and tourist 40 percent)

The evaluate result found that all of 13 activities were "qualified" due to their average score was higher than 65 points from 100 points according to the criteria. The activity that got highest average score was Sukhothai Votive Tablet Workshop with 92.83 points, the second was Lanna Ceremonial Flags (Tung) Workshop at Phra Kerd Temple with 90.73 points, and the other activity in order; the details of overall evaluate as below,

The Overall Evaluation Result of Creative Tourism in 2015

Expert Committee (%60) Tourist (%40)	Total
(CT1) Muslim Cham's Way of Life	87.71
(CT2) Coastal Fishery	84.17
(CT3) Sukhothai Classical Dancing Class	87.40
(CT4) Ceramic Forming and Painting (Suthep)	83.83
(CT5) Ceramic Forming and Painting (Mothana)	87.05
(CT6) Sukhothai Motive: Art Workshop	86.98
(CT7) Sukhothai Ceramic Workshop (Puipood)	83.31
(CT8) Sukhothai Celadon Workshop (Koh Noi)	87.47
(CT9) Sukhothai Votive Tablet Workshop	92.83
(CT10) Dan Sai Delicacies Cookery Class	89.35
(CT11) Chiang Khan Cotton Quilt Workshop	82.53
(CT12) Lanna Ceremonial Flags (Tung) Workshop	90.73
(CT13) U-Thong Bead Making Workshop	81.37

The evaluate result of expert committee found that all of 13 activities got average score that not less than 65 points from 100 points according to the criteria. The activity that got highest average score was Lanna Ceremonial Flags (Tung) Workshop at Phra Kerd Temple with 91.13 points, the second was Sukhothai Votive Tablet Workshop with 90.88 points, and the other activity in order; the details of overall evaluate as below,

The Expert Committee Evaluation Result of Creative Tourism in 2015

| | | Qualification | | |
	Total	Area	Process	Others
CT1	84.00	16.75	33.00	34.25
CT2	86.10	17.70	34.40	34.00
CT3	89.38	17.50	35.75	36.13
CT4	77.75	15.50	29.00	33.25
CT5	87.88	16.75	35.25	35.88
CT6	85.50	16.25	34.00	35.25
CT7	84.75	16.00	34.50	34.25
CT8	89.88	19.00	35.25	35.63
CT9	90.88	19.25	35.50	36.13
CT10	86.25	17.25	33.75	35.25
CT11	81.38	16.50	31.75	33.13
CT12	91.13	18.50	36.00	36.63
CT13	81.17	17.50	23.25	24.88

The evaluate result of tourist found that all of 13 activities average score not less than 65 points from 100 points following as the criteria, the first highest average score activity was Sukhothai Votive Tablet Workshop 95.76 points, then was Dan Sai Delicacies Cookery Class 94.00 points, and the other activity in order; the details of overall evaluate as below,

The Tourist Testing Group Evaluation Result of Creative Tourism in 2015

	Total Expectation	Total Satisfaction
CT1	48.93	93.27
CT2	73.48	81.29
CT3	81.71	84.43
CT4	88.95	92.95
CT5	68.76	85.81
CT6	82.86	89.19
CT7	71.00	81.14
CT8	72.43	83.86
CT9	83.57	95.76
CT10	85.43	94.00
CT11	82.75	84.25
CT12	73.19	90.14
CT13	55.80	81.67

4. Summary and Suggestion

The purpose of this article was to present the evaluation result of 13Creative Tourism activities in 6 designated areas which were develop and carry out by the collaboration between the activity owner, Faculty of Sociology and Anthropology, TU and DASTA for over past 2 years, according to the work plan of Creative Tourism that aim to build new tourist destinations under the real meaning of Creative Tourism, which should leads to Sustainable Tourism in Thailand.

The evaluation result of 5 expert committees and 13 tourist testing groups found that all of 13 Creative Tourism activities have pass the eva-luation, and showed that they are ready to be new tourist destinations under the principle and concept of Creative Tourism which need the tourist participation and experience exchange with activity owner, has a perception of spirit of place in the activity area, especially, Sukhothai Votive Tablet Workshop, the highest score from expert committees and tourists (92.83%), Lanna Ceremonial Flags (Tung) Workshop at Phra Kerd Temple (90.73%), and Dan Sai Delicacies Cookery Class (89.35%) respectively, which have noticeable qualification in Process, Activity Owner, Adminis-tration, and Environment, while the other 10 have not much different in score and should be ready to receive the tourist as well.

However, even the result has shown that all of 13 Creative Tourism activities have passed the evaluation and ready to receive the tourist. The Creative Tourism cannot happen if there is no continuously development process, especially with the activity owner. Considering the Creative Tourism in the present time. It can be divided into 2 groups, the first is activities that already have interested by tourist and have received tourist before but the Creative Tourism process will help in value awareness of the activity that owner hold, cultural heritage passed down from generation to generation through folk arts and crafts, lifestyle and more. This group consists of 6 activities which are Mus-lim Cham's Way of Life at Ban Nam Chiao, Coas-tal Fishery at Ban Bang Lamung, Ceramic For-ming and Painting Workshop Ceramic Forming and Painting Workshop, Sukhothai Votive Tablet Workshop and Lanna Ceremonial Flags (Tung) Workshop at Phra Kerd Temple. While the other 7 activities, which is more than half, have never yet received tourist before begin with our program.

These activities are Sukhothai Classical Dancing Class, Sukhothai Celadon Workshop at Ban Koh Noi, Sukhothai Ceramic Workshop, Sukhothai Motive: Art Workshop, Chiang Khan Cotton Quilt Workshop and U-Thong Bead Making Workshop. All of these 13 activities need public relations process to get wide acknowledgement to make Creative Tourism alive. The public relations process should be carry out continuously, especially with the target group which is student, working age, and especially the elderly that have interested in this kind of learning activities. The media to use is depending upon target that needs. Teenager and working age should use online media such as Facebook or Twitter, while the elderly group should use the magazine, newspaper or spread around by word of mouth. In some case, the public relations process needs to aware of some activity limitation and appropriate time, such as at Coastal Fishery at Ban Bang Lamung in monsoon season, you can have other experiences but should not take the boat out, or at Dan Sai Delicacies Cookery Class, you can fully learn the whole process only in March. This includes other limitation and con-dition of place, readiness, weather and the conve-nience of the owner of each activity.

Also, academic work is still necessary for both activity owner and the public. For activity owner, there should be continuously conduct experience sharing programs to promote value awareness and build relationship between 13 activities to stren-gthen their network, and be ready to receive more tourists, can resolve any facing problem. In acade-mic circle, there needs to have a communication channel to paint the Creative Tourism principle, concept and guideline to be understanding in the same direction, whether in the form of publication research, academic article, research article, or con-ference presentations on stage at both national and international level.

However, the result of readiness evaluation of these 13 Creative Tourism activities only use a group of expert committee and tourist testing group per activity, it might not reflected to all the expectation, satisfaction, opinion and the evaluate suggestion in every aspects, and cannot separately analyze the needs of every tourist groups, so it needs to conduct survey continuously to get more opinion and suggestion, and also continuously evaluated by expert committee, and keep deve-loping and expanding of Creative Tourism to co-vered more area and creative fields.

References

[1] G. Richards, "Tourism Development Trajectories- From Culture to Creativity?," in The Asia-Pacific Creativity Forum, Jeju, Republic of Korea, 2009.

[2] R. C. Raymond, "The Practical Challenges of Developing Creative Tourism," in Creative Tou-rism New Zealand, vol. In Greg Richards and Julie Wilson, New York, Routledge, 2007, pp. 145-157.

[3] Wurzburger, Rebecca;, "Creative Tourism," in A Global Conversation: How to Provide Unique Creative Experiences for Travelers Worldwide, Santa Fe, New Mexico, Sunstone Press, 2009.

[4] S. Witsutthilak and etc., "The Model of Creative Tourism," The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization), Bangkok, 2012.

[5] S. Witsutthilak, "Creative Tourism of Net-work Connection to International," The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization), Bangkok, 2013.

[6] S. Witsutthilak and etc., Creative Tourism of Network Connection to International, Bangkok: The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization), 2014.

[7] S. Wisudthiluck and etc., "Creative Tourism in Thailand: Problems and Obstacles Case Studies of Ceramic and Cotton Quilt making," in ICOT 2014 The International Conference, Dalian, China, 2014.

[8] S. Witsutthilak, "The Creative Tourism Project," The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization), Bangkok, 2014.
[9] S. Witsutthilak and etc., "The Handbook of Creative Tourism," The Designated Areas for Sustainable Tourism Administration (or DASTA), (a Public Organization), Bangkok, 2013.

[10] P. M. Burns, An Introduction to Tourism & Anthropology, New York: Routledge, 1999.

[11] E. Cohen, Thai Tourism Hill Tribes Islands and Open-ended Prostitution, Bangkok: White Lotus, 1996.

[12] P. Mckean, "Economic Dualism and Cultural Introversion in Bali," Towards a Theoretical Analysis of Tourism, 1977.

[13] D. MacCannell, The Tourist: A New Theory of the Leisure Class, New York: Schoken Boos, 1976.

[14] C. Raymond, "What is a Name? The Origins of the Term 'Creative Tourism'," in Creative Tou-rism: A Global Conversation: How to Provide Uni-que Creative Tourism Experiences for Travelers Worldwide, Santa Fe, Sunstone Press, 2010.

[15] G. Richard, "Creative Tourism and Local Development," in A Global Conversation: How to Provide Unique Creative Experience for Travelers Worldwide, R. Wurzburger, Ed., Santa Fe, Suns-tone Press, 2010.

[16] V. L. Smith, Hosts and Guests: The Anthro-pology of Tourism, Philadelphia: University of Pennsylvania Press, 1989.

[17] J. Urry, The Tourist Gaze, London: Sage Pub-lications, 1990.

[18] S. Witsutthilak and etc., "Buddhist Votive Tablets as Cultural Heritage in Tourism," in National Tourism & Events Excellence Confe-rence, Melbourne, Australia, 2013.

[19] P. Saipan and etc., "Innovation of Cultural Creativity in the Process of Creative Tourism in Thailand," in 15th Contemporary Trends in Tou-rism and Hospitality, Novi Sad/Vojvodina, Serbia, 2013.

[20] T. Ornuma and etc., "Creating and Maintaining Sustainable Rural Community through Creative Tourism: Experience from Thai-land," in International Symposium on Education, Psychology, Society and Tourism, Seoul, Korea, 2013.

[21] T. Sindecharak and etc., "Creative Tourism: Perception of Tourists, the Availability of Owner-ship and Possibility of Creative Tourism in Thai-land," in International Academic Conference on Social Sciences, Istanbul, Turkey, 2013.

[22] P. Saipan and etc., "Innovation in Sustainable and Responsible Tourism Practices through Crea-tive Tourism in Thailand," in TOURAVEL 14 In-ternational Conference on Tourism and Travel Studies, Istanbul, Turkey, 2014.

Mobile Hotel Booking Technology in the Hotel Industry

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Abstract: *The purpose of this study is to develop a theoretical model that investigates the determinants that influence users' loyalty intentions toward mobile hotel booking (MHB) technology. A Web survey will be used to collect the data of the study. The data of this study will be collected from US travelers and US travelers who booked a hotel room through a mobile device at least once in the last six month will be the target population of the study. A marketing company will be contacted to distribute the link for the online questionnaire. The data of the study will be analyzed with AMOS 22.0 utilizing the two-step approach. In the first step, confirmatory factor analysis (CFA) will be performed to test the validly of the scales. In the second step, structural equation modeling (SEM) analysis will be used to test the study hypotheses.*

Introduction

Online distribution of services, including hotel rooms, flights, travel packages, attraction tickets, cruises, and car rentals has been on the rise due to the benefits that both travelers and companies perceive. The Internet is amongst the most important channel for hotel room distribution. Therefore, adopting an effective e-commerce strategy is a key matter for the lodging industry [1]. Lately, the scene of e-commerce is changing globally and shifting towards mobile commerce (m-commerce) as more consumers use the Internet for shopping by using their mobile devices such as Smartphones. More than 70 percent of people own a Smartphone in the U.S. [2].Smartphones have become the staple of everyday life of US consumers and nine out of ten Smartphone users use their devices daily [3].

Mobile devices have introduced both convenience and easiness to contemporary travelers. Nowadays, it is possible to complete tasks such as banking, scanning documents, reading a restaurant's rating and shopping on-the-go without the need of computer. One of the facilities provided is the convenience to book hotel rooms via mobile devices. Hotel mobile applications (app) and mobile websites are means, which travelers discover and book their rooms. First

generation hotel mobile sites and mobile apps provided hotel information such as location, amenities and facilities; now hotel mobile sites and mobile apps not only allows travelers to access hotel information and services but also enables travelers to book their room while they are on-the-go. Mobile apps and mobile websites generate a small portion of total hotel bookings, but their acceptance and popularity are increasing exponentially as more people are moving away from desktops and getting comfortable booking their travel reservations on mobile devices. Mobile apps and websites no longer are new, but the current round of investments increasingly are shifting the initial focus from basic mobile self-service tools to online booking engines. In other words, they are shifting from an added amenity to an online distribution channel. In this study, mobile hotel booking (MHB) is defined as "a location based online distribution information system that enables customers to reserve hotel rooms anytime, anywhere through the use of the wireless Internet, GNSS, GIS, GPS and mobile phones/devices."[4].

The lodging industry had experienced a remarkable increase in mobile channel booking revenue from $753 million to $1,368 billion [5]. Hotel brands are optimistic about the future of mobile booking and they believe that more travelers will turn to their mo-

bile devices to make their hotel reservations. In 2011, mobile travel bookings in the US accounted for just over $2 billion, which was approximately 2% of all online bookings. In 2013, the number increased significantly to $13 billion and was estimated to increase to around $40 billion by 2015 [6]. A more recent study conducted by HeBs Digital (2014) indicated that 15% of hotel bookings came from mobile devices in the first quarter of 2014. Furthermore, last year desktop bookings declined by 5% while booking through mobile devices increased by 84% [7].

All these statistics clearly illustrate that in order to stay competitive and increase revenues, hospitality practitioners need to focus on m-commerce by offering effective mobile booking [4] and they need to ensure customer loyalty from this important channel [8]. In the lodging industry customer loyalty is shrinking. Hotels need to take advantage of the strategic opportunities that MHB technology offers by keeping customers loyal. [8]call to action by stating more insight should clarify the effect of mobile channels on customer loyalty and lists the "impact of mobile Web solutions and app experiences on customer loyalty" (p. 401) as a research priority for the lodging industry. Furthermore, [4]state that it is critical for both practitioners and academics to understand the factors that influence the usage of MHB.

Previous research did not investigate the post adoption behaviors of MHB users, customer loyalty in particular. Customer loyalty is central to marketing research [9]. Creating and maintaining loyalty helps firms to develop long-term, mutually beneficial relationships with customers [10]. Loyal customers exhibit attachment and commitment toward the firm, and show resistance to competitors offerings' [11]. Also, it is known that loyal customers are willing to pay more, express higher purchase intentions, and resist brand switching [12]. Therefore, considering the crucial importance of retaining customers, this study aimed to develop a theoretical model that investigates the determinants that influence users' loyalty intentions towards MHB technology.

Concepts such as self-efficacy, perceived ease of use, compatibility and perceived convenience are developing relevance in mobile booking due to the critical role they play in technology adoption. By integrating aforementioned constructs with loyalty, current research fills an important research gap. The majority of the prior studies have used instrumental beliefs (e.g., perceived ease of use, perceived complexity, service quality, and technical barriers) as the antecedents to mobile services loyalty. In this study, ho-

wever, in addition to perceived ease of use, personal differences such as compatibility and self-efficacy and system characteristics including convenience were also included in the research model. Then this multidisciplinary integrated model can help us explain why self-efficacy, compatibility and convenience is important in MHB.

1. Literature Review

1.1. Self-efficacy

Self-efficacy is defined as the "generative capability in which cognitive, social and behavioral sub-skills must be organized into integrated courses of action to serve innumerable purpose" [13,p. 391]. Self-efficacy is the belief an individual maintains as to how well he/she can perform a task [14]. It is a key concept of social cognitive theory [15], and affects what behaviors people choose to perform, the amount of effort they are ready to use, and the amount of time they will persist to overcome obstacles [15]. According to Bandura's theory, individuals with high self-efficacy are more likely to view difficult tasks as something to be mastered rather than something to be avoided.

Self-efficacy in general is related to actual behavior [16]. Technology self-efficacy is the personal belief that the person has the adequate and accurate aptitudes and skill set to succeed when dealing with a technology related task [17]. Based on [18]'s mobile banking service study, current research focuses on whether individuals believe that they have the necessary knowledge, skill or ability to use MHB technology.

1.2. Perceived Convenience

Convenience is amongst the most common incentives for consumers to shop online [19] and it is even a more important motivation for m-commerce. Customer perceived online shopping convenience is one of the crucial determinants of success of online businesses [20]. In tourism context, by using Internet, purchasers of tourism products and services enjoy convenience by comparing rates, accessing more flexible rates, saving time, and reducing both costs and negotiation time in front of their screens [21]. Recently, more travelers are trading in their desktops and laptops for the ease and convenience of booking trips on-the-go. When similar products and services exist, convenience can be an important factor in users' acceptance because the basic technology and service have already been tested and standardized [22]. In the

case of online booking, travelers can choose from similar products (e.g. hotel website, OTA, mobile app, etc.), therefore convenience should be an important factor for MHB. Enabling users to make reservations quickly and easily on a mobile device yields to a high perceived convenience and this is expected to increase the loyalty towards mobile booking.

The concept of convenience has distinct dimensions including *time* (i.e. product may be provided at a time that is more convenient for the customer), *place* (i.e. product may be provided in a place that is more convenient for the customer), *acquisition* (i.e. firms may make it easier for the customer, financially and otherwise, to purchase their products), *use* (i.e. product may be made more convenient for the customer to use) and *execution* (i.e. the most obvious convenience is simply having someone provide the product for the consumer) [23].

Even though [23] proposed five dimensions for the concept of convenience in the marketing area, based on the perspective provided by [24], perceived convenience in the present study was defined as a level of convenience toward time, place and execution. This is because acquisition convenience is not necessarily relevant to using technology, and it is not easy to distinguish use of convenience from 'ease of use' that has been not been considered it the context of this study.

In the context of MHB, time and place dimension refers to the degree of perception held by someone that he/she can use MHB technology to accomplish their booking at a time and place that is more convenient for them. And execution dimension refers to the degree of perception held by someone that he/she finds MHB convenient in the process of booking a hotel room.

1.3. Compatibility

Compatibility is the degree to which an innovation is perceived to be consistent with the potential users' existing values, previous experiences, and needs. High compatibility leads to preferable adoption of mobile systems [25]. Compatibility is an important under-studied attribute in the TAM [19]. Compatibility has effects on both behavioral intention to use through perceived usefulness, and actual use through behavioral intention to use [25]. According to Technology Task Fit Theory, the technology's compatibility with users' existing values and beliefs, previously introduced ideas, and needs are important [23,26]. Thus, the inclusion of compatibility construct

in the research model is reasonable. Greater compatibility results in a faster rate of technology adoption.

1.4. Perceived Ease of Use

Perceived ease of use is a key component of technology adoption and usage behavior [27, p. 320].defined perceived ease of use as "the degree to which a person believes that use of a particular system would be free of effort (i.e. easy to comprehend or operate [28, 29]. It is associated with users' evaluation of the effort involved in the progression of utilizing a technology [30]. Perceived ease of use positively affects the intention to use mobile apps [3]. In this study, perceived ease of use refers to the degree to which an individual considers that using MHB technology is free from effort [27].

1.4. Loyalty

Loyalty is conceptualized as customers' favorable attitude towards a brand [31].Creating and maintaining customer loyalty helps companies develop long-term, mutually beneficial relationships with customers [10]. Loyal customers exhibit attachment and commitment toward the company, and are not attracted to competitors offerings [11]. The notion of e-loyalty extends traditional brand loyalty to the technology-mediated online consumer experience [32, 33]. The term e-loyalty is specified as consumers' intention to revisit a website or purchase again from an online vendor [33, 34]. Traditionally, e-loyalty is derived from the ease of ordering, product information and selection, on-time delivery, customer confidence, adequate privacy policies, online resources, e-commerce quality, trust, and commitment [1, 35].In alignment with the studies in the context of e-commerce, mobile loyalty (m-loyalty) also depends on consumers' intention to revisit a mobile website resulting in repeat purchasing behavior [36]. However, as mentioned previously, with the increased popularity of mobile apps in the hotel industry, customers are now able to book their hotel rooms not only through mobile websites but also through mobile apps. In this study, loyalty was defined as users' behavioral intentions to continuously use MHB technology and recommend it to other users.

2. Research Model and Hypotheses

Self-efficacy affects users' system anxiety which eventually affects the perceived ease of use and perceived usefulness of the system [37].Prior research focused on examining the effects of self-efficacy on perceived ease of use [38, 30, 39].[40]. highlight the

strong relationship between self-efficacy and ease of use. This designates that users regard the system easier to use when their conviction in their own efficacy regarding the target system. Consequently, we relate MHB specific self-efficacy to ease of use in the model and hypothesize that:

H1: *There is a positive relationship between self-efficacy and perceived ease of use.*

The 'ease of use' is a determinant of the convenience [24]. Convenience is a key advantage of online shopping, and difficulties with site navigation and the checkout process are the factors that consumer abandon shopping online. Therefore, perceived ease of use is expected to have a positive influence on user's perception of convenience in their interaction with the mobile booking site. Therefore we posit:

H2: *There is a positive relationship between perceived ease of use and perceived convenience.*

Previous research support that compatibility has a positive influence on attitudes towards online shopping and on perceived usefulness and on ease of use of online purchasing [41].High compatibility leads to preferable adoption and research shows that compatibility positively and directly influences both perceived usefulness and behavioral intention to use [25]. Compatibility was found to be a primary determinant of consumer attitude towards using online stores [29]. [43] found that that compatibility is a significant indicator for the adoption of mobile banking. Compatibility is also an important antecedent for perceived ease of use [44]. Based on the arguments above we posit the following hypotheses:

H3: *There is a positive relationship between compatibility and perceived ease of use.*
H4: *There is a positive relationship between compatibility and perceived convenience.*
H5: *There is a positive between compatibility and loyalty.*

Users that believe that a technology is easy to operate are more likely to have a favorable attitude towards the technology, which in return increases users' willingness to utilize it in the future [42, 27]. In TAM, technology use is determined by behavioral intention. Perceived ease of use positively influences the attitude toward intended action, which in this study is loyalty. Therefore we propose the following hypothesis:

H6: *There is a positive relationship between perceived ease of use and loyalty.*

With advancement the Internet and mobile technologies, travelers can gain unlimited access to the information they require and enjoy a wider range of choices. Then, sustaining a high level of online shopping convenience has increasingly become a key driving force for brands, with the aim of enhancing customer loyalty [20].Hence:

H7: *There is a positive between perceived convenience and loyalty.*

3. Methodology

3.1. Instrument

After an extensive literature review, an online questionnaire will be developed and a pilot test will be conducted to ensure clarity and face validity of the questionnaire. All scales will be measured using existing scales that had been validated. All responses will be based on a 7-point Likert-type scale ranging from 1-strongly disagree to 7-strongly agree. The scales will be modified slightly to reflect the MHB context. The questionnaire will be distributed to industry experts to identify if there are any problems with the design of the questionnaire and to make sure that respondents understand the directions and questions. Required modifications will be made as a result of the pilot test.

3.2. Sampling and Data Collection

An online questionnaire will be used to collect the data of the study. The data of this study will be collected from US travelers. US travelers who booked a hotel room through a mobile device at least once in the last six month will be the target population of the study. A screening question will be used and participants will be excluded from the survey if they had not booked a hotel room in the last six months through a mobile device. A marketing company will be contacted to distribute the link for the online questionnaire.

3.3. Data Analysis

In the initial stage, univariate analyses will be conducted on all variables. Descriptive statistics will be used to calculate means and standard deviations for all variables. All demographic information of MHB technology users will be developed by using the participants' age, gender, education, and income. In the

second stage of data analysis, multivariate analyses will be conducted. The data of the study will be analyzed with AMOS 22.0 utilizing the two-step approach recommended by [45]. In the first step, confirmatory factor analysis (CFA) will be performed to test the validly of the scales. In the second step, structural equation modeling (SEM) analysis will be used to test the study hypotheses.

4. Implications

Mobile booking is changing the marketing and distribution landscapes of the lodging industry [5]. It is expected that mobile booking will become the predominant distribution channel for the lodging industry. In addition, MHB could be a powerful tool to drive loyalty. Through proprietary apps, brands can offer travelers convenient ways to book hotel rooms while on-the-go. Within the lodging context, understanding the current capabilities of mobile booking and the antecedents of loyalty to mobile booking can help the lodging industry develop more user friendly mobile websites and applications and effective distribution strategies via mobile channels. New technologies, mobile technology in particular, grant customers powerful influences in the world of business. It is expected that the mobile platform will play a key role not only in the distribution of the rooms but also in establishing and strengthening customer relationships and brand loyalty [46].

MHB technology can be used as a marketing tool to increase repeat bookings and create word of mouth recommendations. In this regard, the findings of the study will provide useful information to travel supplies, OTAs and hotel operators in identifying the factors affecting customers' decision making process in adopting MHB technology. Equipped with this information, hotel operators and OTAs will be able to best utilize MHB technologies in their organizations and will be able to come up with effective marketing strategies to attract more customers, thereby creating continuous competitive advantage.

References

[1] A. Bilgihan, and M. Bujisic, "The effect of website features in online relationship marketing: A case of online hotel booking", *Electronic Commerce Research and Applications*, (2014), Ahead of Print, doi:10.1016/j.elerap.2014.09.001.

[2] A. Nielsen, "Mobile Millennials: Over 85% Of Generation Y Owns Smartphones", (2014). Retrieved from:http://www.nielsen.com/us/en/insights/news/20 14/mobile-millennials-over-85-percent-of-generation-y-owns-smartphones.html (accessed: 05.01.2015).

[3] B. Okumus, and A. Bilgihan, "Proposing a model to test smartphone users' intention to use smart applications when ordering food in restaurants", *Journal of Hospitality and Tourism Technology*, *5*, 1 (2014), pp. 31-49.

[4] H. Y. Wang, and S. H. Wang, "Predicting mobile hotel reservation adoption: Insight from a perceived value standpoint", *International Journal of Hospitality Management*, *29*, 4 (2010), pp. 598-608.

[5] D. Wang, Z. Xiang, R. Law, and T. P. Ki, "Assessing hotel-related smartphone apps using online reviews", *Journal of Hospitality Marketing & Management*, (2015), (accepted manuscript) DOI:10. 1080/19368623.2015.101222

[6] Hotel News Now, 2014.Retrieved from: http://www.hotelnewsnow.com/article/13064/5-things-to-know-3-February-2014 (09.12.2014).

[7] HeBS Digital Mid-Year Review: The Rising Tide of Mobile Bookings – How Hoteliers Can Stay Afloat, 2014. Retrieved from:http://blog.hebsdigital.com/mid-year-review-the-rising-tide-of-mobile-bookings-how-hoteliers-can-stay-afloat/ (accessed:04.01.2015).

[8] J. Kandampully, T. Zhang, and A. Bilgihan, "Customer loyalty: a review and future directions with a special focus on the hospitality industry", *International Journal of Contemporary Hospitality Management*, *27*, 3 (2015), pp. 379-414.

[9] E. Toufaily, L. Ricard, & J. Perrien, "Customer loyalty to a commercial website: descriptive meta-analysis of the empirical literature and proposal of an integrative model", *Journal of Business Research*, *66*, 9, (2013), pp. 1436–1447.

[10] Y. Pan, S. Sheng, and F.T. Xie, "Antecedents of customer loyalty: An empirical synthesis and reexamination", *Journal of Retailing and Consumer Services*, *19* , 1 (2012), pp. 150–158.

[11] K.K.F. So, C. King, B.A. Sparks, and Y. Wang, "The influence of customer brand identification on hotel brand evaluation and loyalty development", *International Journal of Hospitality Management*, *34*, (2013), pp. 31–41.

[12] H. Evanschitzky, B. Ramaseshan, D.M. Woisetschläger, V. Richelsen, M. Blut, and C. Back-

haus, "Consequences of customer loyalty to the loyalty program and to the company", *Journal of the Academy of Marketing Science*, *40*, 5 (2012).

[13] A. Bandura,"Self-efficacy mechanism in human agency", *American Psychologist*, *37*, 2 (1982), pp. 122-147.625-638.

[14] A. H. Huffman, J. Whetten, and W. H. Huffman, "Using technology in higher education: The influence of gender roles on technology self-efficacy", *Computers in Human Behavior*, *29*, 4 (2013), pp. 1779-1786.

[15] A. Bandura, "The explanatory and predictive scope of self-efficacy theory", *Journal of Social and Clinical Psychology*, *4*, 3 (1986), pp. 359-373.

[16] A. Bandura, "On the functional properties of perceived self-efficacy revisited",*Journal of Management*, *38*, 1 (2012), pp. 9-44.

[17] T. McDonald, and M. Siegall,"The effects of technological self-efficacy and job focus on job performance, attitudes, and withdrawal behaviors", *The Journal of Psychology*, *126*, 5 (1992), pp. 465-475.

[18] P. Luarn, and H. H. Lin, "Toward an understanding of the behavioral intention to use mobile banking", *Computers in Human Behavior*, *21*, 6 (2005), pp. 873-891.

[19] L. Chen, M. L. Gillenson, and D. L. Sherrell, "Enticing online consumers: an extended technology acceptance perspective", *Information & Management*, *39*, 8 (2002), pp. 705-719.

[20] L. Jiang, Z. Yang, and M. Jun, "Measuring consumer perceptions of online shopping convenience",*Journal of Service Management*, *24*, 2 (2013), pp. 191-214.

[21] J. J. Wu, and Y. S. Chang, "Towards understanding members' interactivity, trust, and flow in online travel community", *Industrial Management & Data Systems*, *105*, 7 (2005), pp. 937-954.

[22] H. D. Yang, J. Lee, C. Park, and K. Lee, "The adoption of mobile self-service technologies: effects of availability in alternative media and trust on the relative importance of perceived usefulness and ease of use. *International Journal of Smart Home*, *8*, 4 (2014), pp. 165-178.

[23] L. G. Brown, "Convenience in services marketing", *Journal of Services Marketing*, *4*, 1 (1990), pp. 53-59.

[24] C. Yoon, and S. Kim, "Convenience and TAM in a ubiquitous computing environment: the case of wireless LAN", *Electronic Commerce Research and Applications*, *6*, 1 (2007), pp. 102-112.

[25] J. H. Wu, and S. C. Wang, "What drives mobile commerce?: an empirical evaluation of the revised technology acceptance model. *Information & management*, *42*, 5 (2005), pp. 719-729.

[26] D. L. Goodhue, "Understanding user evaluations of information systems", *Management Science*, *41*, 12 (1995), pp. 1827-1844.

[27] F. D. Davis, "Perceived usefulness, perceived ease of use, and user acceptance of information technology", *MIS Quarterly, 13*, 3 (1989), pp. 319-340.

[28] W. Y. Jen, and M. C. Hung, "An empirical study of adopting mobile healthcare service: The family's perspective on the healthcare needs of their elderly members",*Telemedicine and e-Health*, *16*, 1 (2010), pp. 41-48.

[29] S. Lim, L. Xue, C. C. Yen, , Chang, ...and M. Choolani, "A study on Singaporean women's acceptance of using mobile phones to seek health information", *International Journal of Medical Informatics*, *80,* 12 (2011), pp. 189-202.

[30] V. Venkatesh, "Determinants of perceived ease of use: Integrating control, intrinsic motivation, and emotion into the technology acceptance model", *Information Systems Research*, *11*, 4 (2000), pp. 342-365.

[31] K. Keller, "Conceptualizing, measuring, and managing customer based equity", *Journal of Marketing, 57*, 1 (1993), pp. 1-22.

[32] M. Corstjens, and R. Lal,"Building store loyalty through store brands", *Journal of Marketing Research*, *37*, 3 (2000), pp. 281-291.

[33] F. F. Reichheld, and P. Schetter, "E-loyalty: your secret weapon on the Web", *Harvard Business Review, 78*, 4 (2000), pp. 105-113.

[34] C, Flavian, M. Guinaliu, and R. Gurrea, "The role played by perceived usability, satisfaction and

consumer trust on Website loyalty", *Information & Management, 43*, 1 (2006), pp. 1-14.

[35] M. Wolfinbarger, and M. C. Gilly, "eTailQ: dimensionalizing, measuring and predicting etail quality", *Journal of Retailing*, *79*, 3 (2003), pp. 183-198.

[36] D. Cyr, M. Head, and A. Ivanov, "Design aesthetics leading to m-loyalty in mobile commerce", *Information & Management, 43*, 8 (2006), pp. 950–963.

[37] M. Igbaria, and J. Iivari, "The effects of self-efficacy on computer usage", *Omega*, *23*, 6 (1995), pp. 587-605.

[38] V. Venkatesh, and F. D. Davis, "A theoretical extension of the technology acceptance model: Four longitudinal field studies", *Management Science*, *46*, 2 (2000), pp. 186-204.

[39] Y. M. Yi, and Y. Hwang, "Predicting the use of web-based information systems: self-efficacy, enjoyment, learning goal orientation, and the technology acceptance model", *International Journal of Human-Computer Studies*, *59*, 4 (2003), pp. 431-449.

[40] R. Agarwal, V. Sambamurthy, and R.M. Stair, "Research report: the evolving relationship between general and specific computer self-efficacy-an empirical assessment" *Information Systems Research*, *11* (2000), pp. 418–430.

[41] Á. H. Crespo, M. M. G. de los Salmones, and I. R. del Bosque, "Influence of Users' Perceived Compatibility and Their Prior Experience on B2C e-Commerce Acceptance", (2013). In *Electronic Business and Marketing* (pp. 103-123).Springer Berlin Heidelberg.

[42] L. D. Rosen, K. Whaling, S. Rab, L. M. Carrier, and N. A. Cheever, "Is Facebook creating "iDisorders"? The link between clinical symptoms of psychiatric disorders and technology use, attitudes and anxiety. *Computers in Human Behavior*, *29*, 3 (2013), pp. 1243-1254.

[43] N. Koenig-Lewis, A. Palmer, and A. Moll, "Predicting young consumers' take up of mobile banking services", *International Journal of Bank Marketing*, *28*, 5 (2010), pp. 410-432.

[44] U. Akturan, and N. Tezcan, "Mobile banking adoption of the youth market: perceptions and intentions", *Marketing Intelligence & Planning*, *30*, 4 (20 12), pp. 444-459.

[45] J. C. Anderson, and D. W. Gerbing, "Structural equation modeling in practice: a review, recommended two-step approach", *PsychologicalBulletin, 103*, 1(1988), pp. 411-423.

[46] J. Anuar, M. Musa, and K. Khalid, "Smartphone's application adoption benefits using mobile hotel reservation system (MHRS) among 3 to 5-star city hotels in Malaysia", *Procedia-Social and Behavioral Sciences*, *130*, (2014), pp. 552-557.

Career Advancement of Tourism and Hospitality Management:
Voices of former Walter Sisulu University Graduates in South Africa

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Abstract: Attracting and retaining suitably qualified and committed workers has proved to be difficult for the tourism and hospitality sectors. In South Africa many graduates of these sectors seek employment in other sectors and fail to enter the industry upon graduation. The aim of this study is to unearth the perceptions of these graduates on career advancement in the sector. A quantitative research design was adopted for this study. The convenience sample technique involving tourism and hospitality graduates from Walter Sisulu University was used. Previous researchers found significant similarities and differrences in relation to the employment status of tourism and hospitality graduates, and perceptions of graduate employees towards a career in tourism and hospitality. Furthermore, poor employment conditions are challenges that they face in the work place. On the other hand, high salaries were noted as the main reasons why graduates seek employment to other sectors of the economy.

Introduction

Existing research suggests that attracting and retaining suitably qualified, skilled, enthusiastic and committed workers has proved to be a daunting task for the tourism and hospitality industries [31]; [2]. Consequently, many graduates of this sector ultimately leave for other industries or even fail to enter the industry upon graduation, citing reasons such as low job satisfaction, poor employment conditions and absence of motivating factors, amongst other reasons [37] In the South African context, the additional challenge is the dynamics of the industry in relation to ownership and labour related issues [20]. Literature suggests that tourism and hospitality managers' report both dissatisfaction with their career advancement and intentions to leave the industry for other sectors [14]. Furthermore, managerial advancement in tourism and hospitality is viewed as being unplanned and unsystematic [15], having fewer training and development opportunities [7], low levels of remuneration [36] and excessive managerial stress [51]. Consequently, there is a need to understand the perceptions and attitudes of graduates towards the tourism and hospitality industry generally.

This problem has consequently led to a shortage of skilled personnel to staff the ever-growing number of tourism and hospitality businesses [15]; [17]; Freeland, 2000; Powell, 1999). A number of characteristics commonly found in the tourism and hospitality industry may influence the skills shortage currently facing the industry [7]; [11];

[40]; [46]. These characteristics include a young workforce, low salaries and formal qualifications, high levels of females, students, part-time and casual workers, a high proportion of low skilled jobs, a large proportion of hours worked outside normal business hours, a negative industry image in the eyes of potential employees, exhausting and seasonal (unstable) jobs, lack of family life due to the nature of work, a large number of migrant staff, poor utilisation of student labour and high levels of staff turnover [7]; [11].

It has been suggested that due to the fragmented nature of the industry, it is not well equipped to respond to the future challenges presented by these skills shortages. According to a skills audit by the Department of Environmental Affairs and Tourism, tourism and hospitality sector was experiencing a large skills deficit; [47]. According to the audit, tourism and hospitality graduates will need to have a combination of core businesses and management skills, as well as specialist skills and knowledge. Graduates will also need to have skills in designing and facilitating strategic thinking and visioning. These issues highlight the importance in recruiting and retaining high quality and well-trained staff, such as graduates of tourism and hospitality programs, [47].

[3] Claims that traditionally there has been a career for life philosophy adopted by workers, whereby workers will spend their entire working life wor-

king in one industry and in many cases, one organisation. This philosophy has in recent times, coinciding with the new generation entering the workforce, been replaced by a more uncertain career structure, with employees frequently changing employers within their industry and many also pursuing work in different industries [23]. [1] State that in previous generations the responsibility for careers was shared between the employer and employee, whereas in the current climate careers appear to be controlled by the employee. [3] Claims that it is for these reasons that emerging professions such as tourism and hospitality face many challenges in being able to successfully recruit and retain new employees.

When looking at the overall perceptions and attitudes of tourism and hospitality management students towards the industry, there is relatively little evidence that research has been conducted in this area [5]; [29]; [42]. A study undertaken by [29] found that some of the factors which seemed to account for the negative attitudes towards careers in tourism, formed after students had undertaken a practical work assignment, are stressful jobs, lack of family life due to the nature of work, long working hours, exhausting and seasonal (unstable) jobs, low social status of tourism jobs, unsatisfactory and unfair promotions, low pay and insufficient benefits, unqualified managers, poor attitudes and behaviour of managers towards employees, unqualified co-workers and poor attitudes and behaviour of co-workers, and poor physical working conditions for employees.

This study is therefore designed to unearth the perceptions of tourism and hospitality graduates on career advancement in the sector.

1. Objective of the study

The main on objective of the study is as follows: To ascertain the perceptions of graduate employees of Walter Sisulu University towards a career in hospitality and tourism.

2. Hypothesis

Tourism and hospitality graduates fail to enter the industry or move to other industries immediately after graduation.

3. Significance of the study

The tourism and hospitality industry is one of the fastest growing industries worldwide. It is reported that the industry represented approximately 3 per cent of the world's total labour force in 1999, [24] and rose to approximately 8 per cent and created more than 235 million jobs globally in 2010 [24]. Although this rapid growth has provided greater employment opportunities in the industry, previous studies have indicated that despite high demand for employees, the industry has long been experiencing difficulties in retaining employees [9]; [50]. Similarly, early research exploring careers in the tourism and hospitality industry among tourism and hospitality students also indicated that a high proportion of students expressed little interest in pursuing a career in the industry after graduation [26]; [43]. The motivation for the present study steamed from an interest on the part of the researcher to extend the examination of career advancement of tourism and hospitality management graduates.

Findings from a study of this nature could assist in identifying and addressing gaps that may exist between undergraduate's expectations of the industry and actual experiences at the workplace. Additionally such a study could add to the growing literature which seeks to provide the attitudes, experiences and perceptions of the tourism and hospitality industries amongst graduates. Findings from a study of this nature could assist in identifying and addressing gaps that exist between undergraduate's expectations of the industry and actual experiences at the workplace. This study can further assist in understanding the perceptions and experiences of graduates regarding the workplace which in turn can reveal the challenges that exist within the tourism and hospitality industries. This study will be publish in relevant library journals and scholar publications in order to equip the tourism and hospitality sector with the importance of tourism and hospitality graduates' perceptions on career advancement. This study could also provide a platform for the tourism and hospitality sector on how it could retain its graduates within tourism and hospitality industry.

4. Literature Review

Tourism and hospitality graduates' employment in South Africa

Tourism and hospitality graduates do not take employment within tourism and hospitality sector in South Africa, because the industry is clouded with

perceptions of poor working conditions, poor remuneration and negative image [33]; [30]. This matter result in tourism and hospitality being confronted with challenges relating to recruitment and retention of tourism and hospitality graduates [13]; [49]. At this stage a number of characteristics have been identified in the tourism and hospitality industry. These characteristics could influence perceptions of those tourism and hospitality graduates who have to be recruited and retained in the industry [7];[39]. Young workforce, low-skilled workforce, long working hours, low pay and poor family life, large proportion of migrant labour where some of the characteristics mentioned [39]. The tourism and hospitality industry acknowledges the importance of tourism and hospitality graduates if the industry needs to run and deliver effective service [22]. As it is evident that all the services that are rendered in tourism and hospitality industry entail human interaction [29]. This indicates that employees and guests have the capa-city to influence each other physically and psycho-logically through their experience of the service delivered [39].

Tourism and hospitality plays an important role in South African economy, as it contributes more than 8% to the country's Gross Domestic Product [19]. Tourism and hospitality is also been identified as one of the six areas in the new growth path for the promotion of economic development and job creation in South Africa. The is growing concern in South Africa about the increased reliance on imported labour to fill skilled local positions. Not only does this contribute to revenue loss in South Africa, but also resulted in a sector that is rife with low-paying job opportunities [38].

Tourism and hospitality sector plays an integral part of national strategy in South Africa [48]. The sector is a service industry that is labour intensive therefore, management of employees in the industry is a crucial function [21]. For these reasons, relevant tourism and hospitality education programmmes are essential for success of the sector [27]. The quality of employees depends on having educated, well-trained, employees. However, [33] research reveals that more than 30% of the total management workforce in tourism and hospitality are not in a position of a tertiary qualification in the tourism and hospitality sectors.

5. Research methodology

5.1 Research design

This study will adopt a quantitative research approach. [34] Defines quantitative research as the inquiry into social or human problem based on testing a theory composed of variables measured with numbers, analysed using statistical procedures. The researcher anticipates that numbers may yield an unbiased result that can be generalised to the larger population. The quantitative research is appropriate for the examination of specific data from large numbers. The study adopts statically analyses with precise estimations.

5.2 Target population

The target population for this study is tourism and hospitality graduates from Walter Sisulu University who are currently working within or outside tourism and hospitality sectors. A comprehensive list of tourism and hospitality graduates was obtained from Walter Sisulu University Examination Department. The survey population for the current study included graduates between 2004 to 2014 year of study.

The table for determining needed sizes of a randomly chosen sample from a given finite population of n cases, such that the sample proportion p was within .05 of the population proportion p with a 95 per cent level of confidence [25]. A sample size of 242 was drawn from the total population.

5.3 Methods and tools and data collection

5.3.1 Secondary data sources

The secondary data for the current study included books that cover the relevant issues on tourism and hospitality graduates employment; relevant journals on the above topics; and internet sources.

5.3.2 Primary data sources

The primary data for the current study were collected using questionnaires that were administered using electronic mail.

5.4 Sampling method

This study adopts convenience sample technique, using a group of tourism and hospitality graduates between 2004 till 2014 graduation years that are readily available and were willing to cooperate and be surveyed. A comprehensive list of tourism and hospitality graduates was obtained from Walter Sisulu University Examination Department and formed a sampling frame for the study. The simple random sampling method which is a type of probability sampling was used to obtain a sample of 242 respondents out of a population of 601. Given that the study is quantitative in nature, simple random sampling ensures a representative samples thereby allowing generalisations and statistical inferences to be made.

5.5. Research instrument

The study used structured questionnaires as a research instrument and in order to check the applicability and accuracy of this instrument, a pilot study was conducted. The questionnaire was designed taking into consideration research aims and objectives, guided by research questions and done in conjunction with the research supervisor. The questionnaire was administered using electronic mail. A cover letter detailing the purpose of the study was designed and attached to the questionnaire. However, permission was initially sought from the respondent to participate in the study.

5.6. Data Collection

In order to answer the research questions posed, quantitative methods of data collection and analysis where adopted.

Employment	Number of graduates	Percentage
Tourism Industry	7	35
Hospitality industry	9	45
Other industries	4	20
Total	**20**	**100**

5.7. Data Analysis

The data obtained from the survey questionnaires was coded and processed using the Statistical Package for Social Sciences software vision 23 (SPSS). Data was analysed using differential and inferential statistics. Bivariate and multivariate ana-

lyses will also be undertaken to explore relationships between variable. The quantitative analyses will be presented in tables and graphs. The quantitative was analysed into conceptual categories and based on the constant comparative methodology.

5.8. Pilot testing

The researcher will pilot test the questionnaires with 20 of tourism and hospitality graduates from Walter Sisulu University and the questionnaire adjusted based on the shortcomings arising from the pilot test.

6. Results and discussion

The Career Advancement of Tourism and Hospitality Management Walter Sisulu University Graduates are presented as follows:

6.1. Profile of graduates respondents

The gender distribution of the respondents was (75%) Females and (25%) Males. All respondents (100%) were between the ages of 21-30 the majority of the respondents (100%) were in possession of a National Diploma in Tourism or Hospitality.

6.2 Factors that contribute to graduates perceptions of employment in the hospitality industry are as follows:

6.2.1 Employment status of tourism and hospitality graduates

(80%) of respondents obtained work in the tourism and hospitality industry after graduation, which fact presents a positive view of the industry and the remaining (20%) did not enter the industry at all after graduation. However this changed as a graduates realised what the real world of work in the tourism and hospitality industry entailed with some leaving the industry.

Table 1: Graduates current employment

The employment status of graduates shown in Table 1 indicates that (45%) of respondents were employed in the tourism industry and (35%) of respondents employed in hospitality industry and (20%) is employed in other sectors outside tourism and hospitality industry. These findings reveal a positive response from graduates as the majority

(80%) of respondents were employed in the tourism and hospitality industry at the time of the survey.

The data indicates that (80%) of tourism and hospitality graduates current employment is related to their tourism and hospitality field of study and (20%) are working outside tourism and hospitality sector and their current employment is unrelated to their field of study, which is a positive indication of the industry.

6.2.2 Employment status and remuneration of tourism and hospitality graduates

About (70%) of graduates are working in full-time employment, (20%) of graduates are in part-time employment with (10%) of graduates in self-employment.

Data on remuneration received by graduates in tourism and hospitality and those outside the industry indicate that 10% earn between R1000-R5000, 40% earn between R5000-R10000 and 50% earn between R15 000- R20 000 per month.

6.2.3 Perceptions of the tourism and hospitality industry as a career choice

Table 2: Indicate your level of satisfaction with your current job in the table below

Satisfaction Ratings	Number of Graduates	Percentage
Very Satisfied	7	35
Fairly Satisfied	7	35
Neutral/unsure	1	5
Unsatisfied	2	10
Very unsatisfied	3	15

The results in table 2 were obtained from graduates who had started work in the tourism and hospitality industry and outside the industry after graduation. The results reveal that 35% were very satisfied, 35% were fairly satisfied, 5% were Neutral /unsure, 10% were unsatisfied and 15% were unsatisfied. The number of respondents (35%) indicated clearly that they are very satisfied and (15%) of the respondents indicated that they are very unsatisfied with their career choice.

6.2.4 Factors that contribute to graduates leaving or not entering the hospitality industry

Reasons for leaving tourism and hospitality industry varied as indicated by graduates. The most predominant one was better employment benefits. Respondents indicated that the factors that contributed to their leaving or not entering the tourism and hospitality industry included lack of promotional opportunities (55%); poor attitudes towards work (10%); academic qualifications not considered (20%); underpaid (15%); long working hours (5%). These findings indicated that for tourism and hospitality industry to attract and retain graduates in the industry, attention should be paid to the factors that influence graduates to leave or not to enter the industry.

Conclusions

This study investigated career advancement of tourism and hospitality management: voices of former Walter Sisulu University graduates in South Africa. The literature review identified a number of characteristics that influence career in tourism and hospitality graduates perceptions of employment in the tourism and hospitality sector. Young workforce, low-skilled workforce, long working hours, low pay and poor family life, large proportion of migrant labour where some of the characteristics mentioned as negatively influenced the graduates to remain within the sector. This study reports that graduate's perceptions are negatively influenced by poor working conditions in the tourism and hospitality industry and it is evident that biggest part of the industry does not feel it is important to change the working conditions.

Furthermore, tourism and hospitality graduates have created unrealistic perceptions and expectations about the industry as some were not exposed to the realities of the industry before enrolling for their tourism and hospitality studies. In conclusion, for the tourism and hospitality industry to be able to compete globally it is important that graduates perceptions are improved has that will result in attractting and retaining tourism and hospitality graduates in the industry career choice they have made. The investigation into the variables that influence Walter Sisulu University graduates perceptions on career advancement in tourism and hospitality industry yields mixed results. Some findings reflect suggestions made by various researchers in the literature review, while others provide new perspectives on graduate's career advancement in the tourism and hospitality industry. The tourism and hospitality industry needs to focus on these factors that prevent graduates from entering or staying in

the tourism and hospitality industry. Overall this could be attributed to the negative perception that tourism and hospitality graduates have of the industry.

References

[1] Arthur, M.B., & Rousseau, D.M. (1996). A career lexicon for the 21st century. Academy of Management Executive, 10(4), 28–39.

[2] Australian Bureau of Statistics. (2006). 6105.0-Australian Labour Market Statistics. Retrieved from http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/C13A89556EEE7941CA25747A00116F59/$File/61050_jul%202006.pdf

[3] Ayres, H. (2006). Career development in tourism and leisure: An exploratory study of the influence of mobility and mentoring. Journal of Hospitality and Tourism Management, 13(2), 113–123.

[4] Babbie, E. R. (1973). Survey research methods. Belmont, Calif.: Wadsworth.

[5] Barron, P., Maxwell, G., Broadbridge, A., & Ogden, S. (2007). Careers in hospitality management: Generation Y's experiences and perceptions. Journal of Hospitality and Tourism Management, 14 (2), 119–128.

[6] Baum, T. (1990). Competencies for hotel management: industry expectations of education. International Journal of Contemporary Hospitality Management, 2(4).

[7] Baum, T. 2006. Skills and training for the hospitality sector: A review of issues. Journal of Vocational Education and Training, 54:3, 343-363

[8] Blair, J., Czaja, R.F. and Blair, E.A. 2004. Designing Surveys: a guide to decisions and procedures.3rd ed. California: Sage.

[9] Boella, MJ & Goss-Turner, S 2005, Humana resource management in the hospitality industry, 8th ed, Elsevier-Butterworth Heinemann, Amsterdam.

[10] Burns, R.B & Burns, R.A. 2008. Business research methods and statistics using SPSS. London: SAGE.

[11] Brien, A. (2004). Do I want a job in hospitality? Only till I get a real job! In K.A. Smith & C. Schott (Eds.), Proceedings of the New Zealand Tourism and Hospitality Research Conference Wellington, New Zealand.

[12] Brynard, P.A. & Hanekom, S.X. 2006. Introduction to research in management-related fields. Van Schaik Publishers: Pretoria.

[13] Calldo, F.2008. Skills Shortage in South Africa: Summary of facts per sector regarding this issue. Solidarity research institute.

[14] Carbery, R., Garavan, T. N., O'Brien, F., & McDonnell, J. (2003). Predicting hotel managers' turnover cognitions. Journal of Managerial Psychology, 18(7), 649-679.

[15] Deery, M., & Shaw, R. (1999). An investigation of the relationship between employee turnover and organisational culture. Journal of Hospitality & Tourism Research, 23(4), 387–400.

[16] Deery, M., & Shaw, R. (1999). An investigation of the relationship between employee turnover and organisational culture. Journal of Hospitality & Tourism Research, 23(4), 387–400.

[17] Ferris, G.R.; Berkson, H.M.; Harris, M.M.. Source: Human Resource Management Review, Volume 12, Number 3, Autumn 2002, pp. 359-375(17).

[18] Freeland, B. (2000). Demands of training: Australian .tourism and Hospitality. Adelaide, Australia: National Centre for Vocational Education Research.

[19] GCSI (Government Communications and Information System), 2010. South African Year bool 2009/2010. South African Consulate General.

[20] Global Human Capital Report.(2014). Skills gap in South Africa's hospitality industry-system failure or lack of involvement? http://luxtravelex.com,blog/skills-gap-in-South-Africa's-hospitality industry-system-failure-or-just-lack-of-involvement/.Accessed (23/09/2014)

[21] Grobler, P.A & Diedericks, H., 2009. Talent management: An empirical study of selected South African hotel groups. South African Business Review 13:3, 1-27

[22] Hedley, N. 2013. Hilton Worldwide to 'enthuse' SA youth to enter hospitality industry. Accessed at http://www.bdlive.co.za/business/transport/2013/06/07/hilton-worldwide-to-enthuse-sa-youth-to-enter-hospitality-industry

[23] Inkson, K., Arthur, M.B., & Pringle, J. (1999). The new careers: individual action and economic change. London; Thousand Oaks, CA: SAGE.

[24] International Labour Organization (ILO), 2010: Green jobs in the South Pacific, a preliminary study.

[25] Isaac, S. and Michael, W.B. (1981); hand book in research and evaluation. San Diego: Edits publishers.

[26] Jenkins, AK 2001, 'Making a career of it? Hospitality students' future perspectives: an Anglo-Dutch study', International Journal of Contemporary Hospitality Management, vol. 13, no.1, pp. 13-20.

[27] Kay, C. & Russette, J.2000. Hospitality-management competencies. Cornell Hotel and Restaurant Administration Quarterly, 41, 52-63

[28] Kothari CR. 2004. Research methodology methods and technique. ? India: New age international publisher.

[29] Kusluvan, S., & Kusluvan, Z. (2000). Perception and attitudes of undergraduate tourism students towards working in the tourism industry in Turkey. Tourism Management, 21, 251–269.

[30] Kraak, A., 2010. The collapse of the graduate labour market in South Africa: evidence from recent studies, Research in Post-Compulsory Education, 15:1, 81-102

[31] Lucas, R. E. and Johnson, K. (2003) 'Managing students as a flexible labour ... in school, college and university', Journal of Education and Work, 11, 1, 41–56.

[32] Maree, K.2007. First steps in research. Pretoria: Van Schaik Publishers.

[33] Moyle, D., 2008. The growing skills crisis in the tourism sector. In Human Resources Development Review 2008: Education, employment and skills in South Africa, ed. Kraak and Karen. Press, 528-554. Cape Town, South Africa: HSRC Press.

[34] Neuman, W.L. (1997). Social research methods: Qualitative and quantitative approaches. (3rd Ed.). Boston: Allyn and Bacon.
[35] Neuman, W.L. (2006). Social Research Methods; Qualitative and Quantitative Approaches. (6th Ed.). Boston: Allyn and Bacon.

[36] Price, L. (1994), "Poor personnel practice in the hotel and catering industry: does it really matter?", Human Resource Management Journal, Vol. 4 No. 4, pp. 44-62.

[37] Purcell, K., & Quinn, J. (1996).Exploring the education–employment-equation-in-hospitality management: A comparison of graduates and HNDs. International Journal of Hospitality Management, 15(1), 51–68.

[38] Reynard, S.2013. Fixing skills shortage in tourism sector. The National Department of Tourism, Tourism, Leadership Dialogue at Emperors Palace, a Peermont casino resort, Johannesburg, on 19 July to discuss: "Unskilled Work and the Travel and Tourism Industry: Myth or Reality?". Accessed at http://www.hotelandrestaurant.co.za/tourism/tourism-sector-still-lacks-skills/

[39] Richardson, S. 2008. Undergraduate tourism and hospitality students' attitudes toward a career in the industry: A preliminary investigation, Journal of Teaching in Travel and Tourism, 8:1, 23-46

[40] Riley, M., Ladkin, A., & Szivas, E. (2002) Tourism employment: analysis and planning. Sydney, Australia: Channel View Publishers.

[41] Rojo, D.M. 2007. Religious tourism: the way to Santiago. MA European tourism management: Bournemouth University. United Kingdom.

[42] Ross, J. A. (1994). The impact of an in-service to promote cooperative learning on the stability of teacher efficacy. Teaching and Teacher Education, 10 (4), 381-394.

[43] Rudall, L, Deery, M & Stewart, M 1996, 'Hospitality graduates: course expectations and career destinations', Paper prepared for the Australian Tourism & Hospitality Research Conference, Coffs Harbor, New South Wales, 6-9 February.

[44] Ruhanen, L. (2005). Bridging the Divide Between Theory and Practice: Experiential Lear-

ning Approaches for Tourism and Hospitality Management Education. [Article]. Journal of Teaching in Travel & Tourism, 5(4), 33-51. doi: 10.1300/J172v05n04-03

[45] Sarantakos, S.2003. Social Research. Australia. Macmillan Publishers Australia Pty Ltd.

[46] Service Skills Victoria (2005). Service Skills Victoria's response to Victoria's tourism and events industry discussion paper. Melbourne, Australia: Author.

[47] Solidarity Research Institute (SRI). 2008. Skills shortage in South Africa. Mining weekly. Accessed from: http://free.financialmail.co.za/report06/eskom06/eskom.htm(retrieved: 16/09/2014)

[48] Stats SA (Statistics South Africa). 2004. Global Competitive Project (GCP) Skills Review Interviews. Pretoria: Statistics South Africa

[49] Walsh, K., Sturman, M.C. & Longstreet, J. 2010. Key issues in Strategic Human Resources. [Electronic version]. Retrieved [20/08/2014], from Cornell University, SHA School site: http://scholarship.sha.cornell.edu/articles/237

[50] Wood, RC 1997, 'Personal management, labour turnover and the role of trade unions', in RC Wood (ed), Working in hotels and catering, International Thompson Business Press, Oxford.

[51] Zohar, D. (1994), "Analysis of job stress profile in the hotel industry", International Journal of Hospitality Management, Vol. 13 No. 3, pp. 219-31.

Nutritional Knowledge and Food Choices of Overweight and Obese Rural-Urban Township Migrants Among the Black Population of Mdantsane, South Africa

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Abstract: *The objective of this study was to investigate the individual nutritional knowledge and food patterns that might lead to overweight and obesity amongst black population of Mdantsane. Height and weight measurements were taken and body mass index (BMI) were calculated for each participant. Each participant also completed a nutrition knowledge test which tested very poorly. BMI results were overweight (45%) and obese (55%). Nutrition knowledge test scores were very poor. Empirical results shows that (85%) participants, had no knowledge of the food guide pyramid and suggested food groups. There was also a significant difference of lifestyle and type of food eaten when residing in rural areas as compared to urban. This paper aim to provide nutrition education to the black communities which may lead to making healthy food choices that may form basis for solutions related to obesity amongst these communities.*

Introduction

The prevalence of obesity has been rising steadily over the last several decades and is currently at unprecedented levels reaching epidemic proportions with rates increasing fastest in developing countries as a result of urbanization, changes in diet and reductions in physical activity [5]. More than 68% of South African adults are considered overweight, and 35% are obese [15]. The highest rate of obesity and overweight among adults in sub-Saharan Africa is found in South African women at 42%, while the combined rate of both overweight and obesity is 69.3%. South African men showed a 39% overall prevalence rate, with only a 14% obesity prevalence. South African boys had a 19% overweight or obesity prevalence weight, versus 26% in girls [11].

South Africa is experiencing rapid urban influx of rural-urban migrants as large volumes of people are migrating to cities, particularly inner city areas. The main drive for such migration is the search for better employment and education opportunities [13]. The largest migrating group are blacks from the rural areas in the homelands that were introduced by apartheid law [12]. Migration of black people from rural to urban areas has resulted to an increase in risk factors such as a decrease in physical activity, an increase in high-fat diets, increase in smoking and alcohol intake, and an increase in stress. These factors can lead to high prevalence of overweight and obesity [7].

This study focused on providing valuable, unique information to the township black population on the eating practices and nutrition knowledge and discussed body weight status such as BMI of overweight and obese rural-urban migrants that are residing at Mdantsane. The aim is to provide nutrition education to the black communities which may lead to making healthy food choices that may form basis for solutions related to obesity amongst these communities. The rational for key findings of this paper could determine the causes of obesity and propose remedial strategies aimed at reducing overweight and obesity in black people. Interventions will focus on increasing nutrition education, awareness of the risk factors associated with obesity and preventive strategies among the groups at risk.

1. Objectives

The primary objective of the study was to determine the nutritional knowledge, attitude and food choices of overweight and obese rural-urban township migrants among black population. The secondary objectives were to identify people who have moved from rural to urban areas in the past 10-20 years and to make educational recommendations for appropriate intervention to healthy food choices that could decrease. The study was undertaken to assess the body weight status, eating practices and nutritional knowledge of rural-urban migrants at Mdantsane Township, Eastern Cape.

2. Problem statement

Recent studies has shown increasing prevalence of obesity amongst black population. Many studies [14,3,6] show that, the overriding causes of the increased prevalence of overweight and obesity in

rural-urban migration are said to be a decline in physical activity, an increase in high-fat diets, increase in smoking and alcohol intake, and an increase in stress [9,15]. Mdantsane Township houses people that are coming from the nearby rural areas Transkei that had been established under the Apartheid regime as a "self-governed bantustian reserve[8]. There appear to be a void of empirical studies that investigate the nutritional knowledge and food choices of overweight and obesity amongst black rural-urban township migrants. This study seeks to fill in this identified research gap. Furthermore, most of the current studies have been conducted in the developed world. Conspicuously, hardly can one find studies on the same in the African context especially in the Eastern Cape.

3. Study design, sample and procedures

3.1 Study design

A cross-sectional description study utilizing a mixed method approach. Adopting such a mixed method approach is known to increase the validity of the study by examining the same phenomenon in various ways [10].

3.2 Sample

The study participants included 20 Xhosa speaking rural-urban migrants (8 male and 12 females) Table 1. The probability sampling technique was used due to its main characteristic of randomness [4].

All participants were residing at Mdantsane during the time the study was conducted. They all gave consent to the study and were issued a written information sheet that they were asked to retain. The participants were located at the Nontyatyambo community clinic that caters for the Mdantsane population. Consent was given by the sister working at the clinic to observe the anthropometric measurements. This was done after consent was been given to the participant.

3.3 Procedures

Data was collected by means of anthropometric measurements, interviews and structural questionnaires. Anthropometric measurements were conducted by the sister on duty at the time of the study. A medical weighing scale that contains mechanical height rods was used. It is a scale that could facilitate both weight and height at the same time and can calculate the BMI but not interpret.

Data was collected at the clinic's waiting room while participants were waiting to be attended by the doctors. The information was collected by means of structured interviews and semistructured questionnaires with the participants. Structured interviews were used to explore the participant's perceptions and attitude on eating practices. The differrence between the foods consumed when residing in rural areas and current food. The reasons for choosing the foods they consuming. To ascertain whether the participants were engaging in any type of physical activities.

Nutritional knowledge was documented during structured interviews with the participants making use of structured questionnaire. Questions were asked regarding the knowledge of food guide pyramid, food group to be eaten most frequently; the food group to be eaten the least; foods with high sugar and oil content and foods with high cholesterol content.

4. Results and discussion"

5.1 Socio demographic status of the urban-migrants

Table 1 shows that, the majority (60%) of the respondents were females and (40%) males. Only (45 %) respondents were above the age of 55 years followed by those between the ages of 45-55 years (30%). A total of 40% respondents were married and only 10% were divorced. Only 5% of respondents had tertiary education while 40% had at least secondary education.

Table 1: Socio demographic status of the urban-rural migrants (n=20)

Characteristics	N	%
Gender		
Female	12	60
Male	8	40
Age		
35-44	5	25
45-55	6	30
≥55	9	45
Marital status		
Single	4	20
Married	8	40
Widow	3	15
Divorced	2	10
Co-habiting	3	15

Education		
No school	2	10
Primary	6	30
Secondary	8	40
Tertiary	1	5
Other	3	15

4.2 Body Mass Index and physical activities of rural-urban migrants

Based on the BMI classification as stipulated by [3], 45% of respondents were classified as overweight and obese (55%) (Table 2). During the interview, only 60% of the respondents reported to have tried to lose weight by means of exercise with only 33% that reported to exercise often.

Table 2: Body Mass Index and physical activities (n=20)

Characteristics	N	%
BMI		
Overweight (25-29.9kg/m^2)	9	45
Obese ($\geq$30 kg/m^2)	11	55
Do you exercise?		
Yes	8	40
No	12	60
How often?		
Often	4	33
Rarely	8	67

4.3 Eating practices

Most respondents were originally from the rural areas of the Eastern Cape and have been residing at Mdantsane Township for more than 15 years. When asked about their feelings towards differences in food consumption between rural and urban areas. They expressed that, there is a significant difference in regards to their eating practises of when comparing the times when they were residing in rural areas and current: "*We used to just go to the garden and harvest anything we want*". All respondents expressed the opinion that, when residing in rural areas they used to eat fresh and healthy and foods. They continued by expressing that fresh meat, milk, fruit and vegetables used to be available in abundance as they had very large gardens harvesting all types of fruits and vegetables and were farming all types of livestock. The respondents again expressed the opinion that, everything in urban areas is bought from the market. There are no lands to plant their vegetation or farm livestock. Few participants gave the argument that, they con-

sume whatever is available and affordable wi-thout considering the nutritional value of the type of foods they consume. Another group of participants argued that, the urban food that they had to be accustomed to, was very high in fat and highly processed: "*Things here are expensive, we eat whatever is available so that we can fill our stomachs*". This is also reported in an earlier study that, this is thought to be due to increased availability and affordability of certain food items in the urban areas [2].

4.4 Nutrition knowledge

Table 3 shows that (85%) of respondents, had no knowledge of the food guide pyramid and suggested serving sizes. Only (55%) of the respondents chose fats, oils and sweets as the food group that should be eaten the least. Almost half of the respondents (45%) chose fruit and vegetable as foods that should be eaten the least. However, the majority (80%) of respondents had knowledge of the amount of daily calories that should come from fat. A total of 65% of respondents also had knowledge of the food group that should be consumed the most (bread, cereal, rice and pasta) even though (20%) reported that it should be fruit and vegetables should and (15%) reported it to be milk, yoghurt and cheese. Half (50%) of the respondents had no knowledge of foods high in cholesterol as they reported grilled chicken breast as being high in cholesterol, whereas (30%) reported steamed fish and only (20%) reported fried eggs.

Table 3: Report of nutrition knowledge (n=20)

Characteristics	N	%
Knowledge of food guide pyramid		
Yes	3	15
No	17	85
Which food group should you eat the least?		
Fruit & Vegetables	9	45
Fats, oils & sweets	11	55
Which food group should be eaten the most?		
Milk, yoghurt, cheese	3	15
Bread, cereal, rice, pasta	13	65
Fruit & vegetables	4	20
What % of daily total calories should come from fat?		
30-60%	4	20
30% or less	16	80
Choose foods you think are high in cholesterol:		
Fried eggs	4	20
Steamed hake fish	6	30
Grilled skinless chicken breasts	10	50

5. Discussion

Respondents revealed their eating patterns as consumption of foods rich in fat, high in energy and highly processed. In-depth interviews revealed very limited knowledge about nutrition, leading participants in making unhealthy food choices. Respondents also revealed that, they prefer fatty meat, fried rather than boiled food as "*boiled food does not taste nice and is not as attractive as fried food*". They also reveal that, they eat whatever that is most available on the neighbouring shops and street vendors. "*These foods are very high in fat such as sausage, chicken skin and so on, but we eat them because they are cheap and we are able to buy them on credit*"

There is a significant difference of the food patterns and physical activities that were demonstrated by the rural-urban migrants. When residing in rural areas "*we used to eat fresh foods high in vegetables such as imifuno, uphuthu, umxoxozi*" These foods are plant based and are high in vitamins and nutrients and low in fat. They also revealed that they used to consume different types of fruits every day: "*We used to produce different kinds of fruits and vegetables for each season and w*e *never lack food as it was always in abundance and there was a spirit of sharing amongst everyone*". Participants also confirmed the significant difference in the amount of exercise before they migrated to urban areas: "*Every day when I come from school, I would walk long distances to go and fetch water from the river, I would then go and fetch sticks and cook. Every weekend we would go harvest and cultivate the garden*". They expressed the sedentary lifestyle that they became accustomed to in the city. Moving to the city for what is thought to be better opportunities does not make life easier or any better[1].

Conclusion and recommendations

Based on the survey results, rural-urban migrant's diet and lifestyle has simply changed very drastically. They have more access to fast, processed and overall unhealthy food than they did when residing in rural areas. Participants have confirmed that they don't have the time to garden or grow their own natural food/produce anymore because of the current workforce.

Overweight and obesity among rural-urban migrants was associated with several risk factors such as, a decrease in physical activity and an increase in high-fat diets. Literature states that, these factors can lead to high prevalence of overweight and obesity. Inadequate knowledge on key nutritional issues, which puts them at risk for chronic diseases of lifestyle. Effective nutrition education should help people choose a healthy diet through the establishment of positive dietary practices. Nutrition education encourage people to choose healthy food. It is essential that resources are directed at understanding social and physical environments that promote and influence South Africans to adopt unhealthy behaviour and practices.

References

[1] Abrahams, Z., Mchiza, Z. and Steyn, N. P. (2011). Diet and mortality rates in Sub-Saharan Africa: stages in the nutrition transition. *BioMed Central Public Health*, 11:801.

[2] Battersby, J and McLachlan, M. (2013). Urban Food Insecurity: A neglected Public Health Challenge. *The South African Medical Journal*, 103 :10.

[3] De Onis, M. and Lobstein, T. (2010). Defining obesity risk status in the general childhood population: Which cut-offs should we use? *International Journal Pediatric Obesity*, 5:458–460.

[4] de Vaus, D. (2014). Survey in Social Research, 6th edition., Part 11-*Collecting Survey Data*, Allen and Unwin: 41-121.

[5] Mchiza, Z. J. R. and Maunder, E. M. W. (2013). Fighting Childhood Obesity. *South African Journal of Clinical Nutrition* (SAJCN), 26: 3. http://www.sajcn.co.za/index.php/SAJCN/article/viewFile/811/1041

[6] Kirsten, A. P., Marais, D. and Schübl, C. (2013). The influence of socio-demographic factors on the nutritional intake of overweight and obese children in the Stellenbosch area, Western Cape. *South African Journal Clinical Nutrition*, 26 (3):124-131.

[7] Mchiza, Z. J., Steyn, N. P., Abrahams, Z. and Clayford, M. (2013). Content analysis of television food advertisements aimed at adults and children in South Africa. *Public Health Nutrition*, 1:1-8.

[8] Mdanstane Way Magazine, anon. http://www.mdantsaneway.com/

[9] Miranda, J. J., Gilman, R. H. and Smeeth, L. (2011). Differences in cardiovascular risk factors in rural, urban and rural-to-urban migrants in Peru. Heart 97:787–796.

[10] Saunders, M., Lewis, P. & Thornhill, A. (2012). Research methods for business student. 6th edition. Harlow: Pearson Education Limited.

[11] South African Medical Research Council. (2014). South African women show high levels of obesity and overweight. http://www.mrc.ac.za/Media/2014/14press2014.htm

[12] Statistic SA (2014). Mid-year population esti-mateshttp://www.statssa.gov.za/publications/P0302/P03022014.pdf

[13] van der Merwe, C. (2011). Key Challenges for Ensuring Food Security in South Africa's Inner Cities, 36:1-7.

[14] South African Health Review. (2012/2013). Health Systems Trust. URL:http://www.hst.org.za/publications/south-african-health-review-2012/13

[15] The South African National Health and Nutrition Examination Survey (SANHANES-1). (2013).http://www.hsrc.ac.za/uploads/pageNews/72/SANHANESlaunch%20edition%20(online%20version).pdf

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