IACSS 2019

INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

CONFERENCE PROCEEDINGS

THE INTERNATIONAL INSTITUTE
FOR ACADEMIC DEVELOPMENT

THE 7th INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

July 26-27, 2019 - PRAGUE, CZECH REPUBLIC

The 7th INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

July 26-27, 2019 – Prague, Czech Republic

Edited by

Dr. Malkhaz Nakashidze
Batumi Shota Rustaveli State University, Georgia

CONFERENCE SCIENTIFIC COMMITTEE

Prof. David Schultz
Hamline University, USA
Prof. Anisul M. Islam
University of Houston-Downtown, USA
Prof. Dr. Sule Toktas
Kadir Has University, Turkey
Dr. Erdogan Ekiz
King Abdulaziz University,
Kingdom of Saudi Arabia
Dr. Leila Kajee
University of Johannesburg, South Africa
Prof. Giusto Traina
University Paris-Sorbonne
(Paris IV), France
Prof. David Makofsky
Minzu University of China, China
Prof. Robert Launay
Northwestern University, USA
Dr. Shivakumar Deene
Central University of Karanataka, India
Dr. Bruce Whitfield
American University in Bulgaria, Bulgaria
Mohammed Saleem Tariq
legal assistant, R.R. Sanghvi &
Co Solicitors, UK
Dr. Berislav Andrlić
Polytechnic of Pozega, Croatia
Dr. Dan Musinguzi
Stenden University, Qatar
Dr. SMAGA, Paweł Wojciech
Warsaw School of Economics, Poland

Dr. Angela Roman
"Alexandru Ioan Cuza" University
of Iasi, Romania
Dr. Krzysztof Borowski
Warsaw School of Economics, Poland
Dr. Sorin Anton
Alexandru Ioan Cuza University
of Iasi, Romania
Dr. Beatrice, Poh Theng, Loo
I-Shou University, Taiwan
Dr. MILICI Laurenţiu-Dan
University of Suceava, Romania
Dr. Sameer Babu
M Aligarh Muslim Univeristy, India
Prof. Akbar Nikkhah
University of Zanjan, Iran
Dr. Pardis Moslemzadeh
Tehrani Tehrani National University of
Malaysia, Malaysia
Prof. Mircea Georgescu
"Al. I. cuza" University of Iasi, Romania
Dr. Shivan Ahmed Mohammad Doski
University of Duhok, Iraq
Dr. Zeyad al-Salameen
United Arab Emirates University, UAE
Dr. Sorin-Avram Virtop
University "Constantin Brancusi" of
Targu-Jiu, Romania
Dr. Georgică PANFIL
Alexandru Ioan Cuza Police Academy,
Romania

CONFERENCE PROCEEDINGS 2019

The 7th INTERNATIONAL ACADEMIC CONFERENCE ON SOCIAL SCIENCES

www.socscienceconf.com

Published by

THE INTERNATIONAL ISNTITUTE FOR ACADEMIC DEVELOPMENT

THE INTERNATIONAL INSTITUTE
FOR ACADEMIC DEVELOPMENT
IIACD

59 Rustaveli str. 6000 Batumi, Georgia
E-mail: info@academicinst.com
Website: http://www.academicinst.com

ISBN 978-9941-8-1913-1 (PDF)

TABLE OF CONTENTS

The Institutionalization of the Out-of-Court Civil Disputes Mediation in Lithuania: Experience and Main Future Challenges

Agnė Tvaronavičienė, Natalija Kaminskienė
Mykolas Romeris University, Lithuania
a.tvaronaviciene@mruni.eu, n.kaminskiene@mruni.eu

Abstract: *The article reveals the experience of one of the Baltic countries – Lithuania – in the institutionalization of the out-of-court civil disputes mediation. In the very beginning of the paper, the main preconditions and the need to introduce mediation in Lithuanian society are discussed. Afterwards article presents an overview of currently implemented reform on the out-of-court mediation in the civil disputes in the Republic of Lithuania, as well reflects on possible problems, which current system may face in the nearest future. The aim of this article is to analyse the existing scheme of the out-of-court civil disputes mediation in Lithuania and discuss its future challenges. This paper is oriented towards mediation experts, both practitioners and scientists, all over the world, who are interested in the development of mediation by the measures applied from the side of state government. Research was carried out using the methods of scientific literature review, document analyses and comparative analyses.*

Introduction

It is internationally recognised that mediation is one of the fastest growing forms of dispute resolution in the world. This process demonstrates its attractiveness in different cultural traditions and jurisdictions [1]. Notable, that in some cultures mediation is applied naturally as a traditional method of dispute resolution, but in other countries additional efforts need to be put in order to foster mediation application. Often, the necessity of mediation institutionalization emerges.

The "institutionalization" of mediation, a term used to describe how public and private entities have adopted mediation as a standard and legitimate process for resolving disputes [2]. In other words, instituteionalization is a concept of the process of embodying of the social phenomenon into legal institute as a well-established and structured pattern of behaviour or relationships, which is accepted as a fundamental part of a culture [3].

Mediation is actively promoted in Lithuania as well as in other European countries. Big impact for mediation phenomenon was made by the European Union policy. As well, popularity of mediation is highly influenced by the constantly increasing workload of the courts. Mediation as one of the measures for fostering people to find more amicable and sustainable solutions often is used to deal with the problems of the excessive court workloads.

In case of Lithuania, mediation currently is one of the most relevant topics in the field of access to justice. The year of 2019 was designated for the implementation of the new Law on Mediation [4] and preparation for the introduction of the mandatory mediation scheme in family disputes from the very beginning of the 2020. A decade ago, scientists concluded that the institutionalization of mediation proceeds in two phases: an initial phase involving national mediation organizations (starting in 1980) and a second phase represented by the international collaborative initiatives [1]. It should be concluded, that Lithuania is being late in this process and only now has started to implement the first phase of national institutionalization. For the first time in Lithuania mediation was institutionalized and provided with a clear legal regulation and organizational structure in 2019. Despite the number of small issues, which appeared during the institutionalization process, main novelties, which were stipulated by the legislator, are already implemented and being tested.

This paper is oriented towards mediation experts, both practitioners and scientists all over the world, who are interested in the development of mediation by the measures applied from the side of state government. Having in mind that the development of mediation in different countries is on the different stages, experts of this field often lack the up to date information on the foreign countries' situation and experience.

The aim of this article is to reveal the existing scheme of the out-of-court mediation system in Lithuania and discuss its future challenges. In order to achieve this aim article is divided into several chapters dealing with questions related to the main preconditions for the civil dispute mediation deve-

lopment in Lithuania and analysing the mediation in civil justice system as a corner stone of the mediation reform done in 2019.

Research was carried out using the methods of scientific literature review, comparative analyses and document analyses.

1. Main Preconditions for the Institutionalization of the Out-of-Court Civil Dispute Mediation in Lithuania

Regrettable, but it should be noted that most of the starting points for the mediation development in Lithuania were indicating the necessity to foster huge changes in society and lawyers' community. Some of below mentioned starting points still require a big attention and should be urgently discussed. The biggest impact for the development of the mediation had the activities of Council of Judges, which encouraged to start court connected mediation project in year 2005. The out-of-court mediation was rarely applicable in the beginning of the XXI century because of the lack of rules, how it should be performed and the lack of support from the state government. Another reason for the slow development – litigation-oriented society, which did not have trust in alternative to the court methods of dispute resolution.

1.1. Court-Connected Preconditions for Mediation Development in Civil Justice

According to N. M. Alexander, judges in many parts of the world are required by law to attempt to settle a matter before hearing the case [1]. Lithuania has a relatively short history of peaceful settlement in Lithuanian courts. After the restoration of Lithuanian's independence in year 1990, step-by-step civil procedure was developed according to the western standards. The peaceful settlement of the civil disputes as one of the aims of the civil procedure was officially introduced in year 2003 along with adoption of the new Code of Civil Procedure [5]. This new Code established a duty to the court to organize court conciliation during the preparation phase of the civil procedure [6]. This was a strong initiative to develop the court connected amicable procedures and to involve court personnel for providing support to parties to a dispute.

An important point in the developing of the civil disputes mediation in Lithuania was the starting of the court mediation pilot project in civil cases from year 2005. This was an initiative of several judges

and academicians, who were familiar with the idea of mediation and strongly believed in possibility to apply the Canadian Quebec province mediation model in Lithuanian courts [7]. The initiative was started in the Vilnius district court in Vilnius. Only one court was involved in the pilot project in the very beginning. In year 2008 other 14 courts around Lithuania joined the pilot project. In year 2014 the project was expanded to all Lithuanian courts. Currently court mediation is a part of civil procedure, all courts are providing services of court mediation in civil disputes.

It is necessary to stress, that above-mentioned court connected mediation scheme at the very beginning was regulated by the Rules of the Court mediation [8], adopted by the Council of Judges. Such regulation was criticised because of an abuse of the Council of Judge authority [7]. Such measures as court mediation, restricting the right to the court, were seen to be established only by law, not other form of legal act. In year 2011 necessary amendments to the Code of Civil Procedure of the Republic of Lithuania [5] were adopted.

Briefly describing the Lithuanian model of court mediation, it should be noted that judges are allowed to serve as mediators. As well other professionals may be involved if needed (but only in civil cases). Judge-mediator may mediate in case, where he acts as a judge. In case of settlement he is allowed to confirm the settlement agreement. In case of mediation failure – another judge must be appointed for the case examination [8; 5].

Court mediation as a starting point for the mediation development in Lithuania is not rich in numbers. It once more illustrates the slow pace of the nourishing of mediation in Lithuanian legal system. For the comparison with the data (provided by the National Courts Administration [9]), listed below, number of civil cases started in the court of first instance in Lithuania (year 2018) – 224 859 cases. Population of Lithuania at the end of 2017 was 2 808 901 people. Number of mediations in civil cases (year 2018) – only 452 cases.

The biggest part of mediated cases - family disputes (52%), contract disputes (29%), property disputes (13%), disputes concerning companies (11%), inheritance disputes (6%) etc.

Figure No. 3. Numbers of Court Mediation

1.2. Starting Points for the development of Out-of-Court Mediation in Civil Disputes

As it was mentioned before, the first institutional initiative to apply mediation was the pilot project on court mediation from the year 2005. Out-of-court mediation development was even more slow. Till the year 2008 there were no legal grounds for the application of mediation in Lithuania. Definitely it was not forbidden in civil disputes to use mediation because of the dispositive method of regulation. Civil Code clearly expressed the right of the parties to end their dispute by the settlement agreement. Systematically thinking it was possible to organize mediations and use this dispute resolution method to reach an amicable agreement. However, in practice, there were many issues not solved and mediation application was rare.

Law on Conciliatory Mediation in Civil Disputes [10] was adopted in year 2008. It was inspired by the draft of the Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters [11]. This law established the ground rules for the mediation in Lithuania, including the main principles of mediation. Regulation was not detailed. On one hand it has created the possibilities to take an advantage of the mediation informality, but on the other hand it seriously lacked state support, including financial one, in fostering mediation.

The adoption of the Law on Conciliatory Mediation in Civil Disputes was followed by the Amendments to the Code of Civil Procedure in year 2011. It brought serious changes, for example, stipulated possibility of conducting mediation as part of conciliation process (Art. 231, part 1), established mediator's immunity from witnessing facts learned from mediation (Art. 189, part 2) and prohibited to use data obtained during mediation as evidence (Art. 177, part 5). Despite this new legal regulation, out-of-court mediation was not popular and not known in the society. It was obvious that Lithuanians are not inclined to use this novelty without additional measures growing its reputation and trust.

1.3. Society Attitude Related Issues

Despite the above-mentioned changes of the orientation of the court procedures towards fostering more amicable and collaboration-based procedures and out-of-court mediation regulation, Lithuanian society at the beginning of XXI century was rather litigious and almost always saw court as the ultimate way to solve their disputes.

This opinion was and even still is strongly shared by the lawyers, who are oriented towards representing their clients' interests in the courtroom rather than in such amical collaboration-based procedures as negotiations or mediation. Scientific research, carried out in year 2015 showed that the big part of Lithuanian attorneys at law see mediation as a competitive activity, which creates risk for their personal professional success. Sharing such an opinion, makes quite difficult to believe, that attorney at law would support mediation development [12].

Even the members of the judiciary often mention the problem of Lithuanians' litigation-oriented mentality. For example, The Former President of The Judicial Council has stated that mediation in civil disputes is not popular in Lithuania because of Lithuanians' mentality and low legal culture [13]. Lithuania is also listed by The European Commission for the Efficiency of Justice (CEPEJ) among the countries in European Union with the highest numbers of litigated cases [14].

Being the social novelty mediation in the beginning of XXI century in Lithuania was not supported by any funds. This starting point of mediation development had a big impact on the slow pace of the spreading the idea of mediation in society as well. Lack of funding as well was closely connected with the lack of information about the mediation. It might

be concluded that during the first decade of XXI century mediation in Lithuania was known as an option only for a small group of professionals, who were ready to develop it, thus were lacking governmental support and funding to perform concrete actions in this field.

1.4. Breaking Point for the Mediation Development in Lithuania

In year 2014 Ministry of Justice of the Republic of Lithuania while implementing the national strategy of the Government invited the representatives of various institutions and universities to work together in drafting the Concept on Mediation Development in Lithuania [15]. This document was adopted by the Minister of Justice in year 2015. It was a result of high-level cooperation between Ministry of Justice, social partners and academicians. Three groups designated for the building up of the concept of mediation development in three different fields of law (civil, administrative and criminal justice) provided the results of their cooperation for the joined group of experts, who finished the draft and provided it for the Minister of Justice.

According to Hopt and Steffek, the longer-established and more widespread mediation is as a dispute resolution procedure, the more comprehensive and intensive the regulation of mediators and their associations [16]. This rule applies to Lithuania as well. It might be noted that the framework providing legal regulation in year 2015 appeared to be not sufficient for the needs of the state, market and mediators.

In the year 2017 the implementation of the Concept on Mediation Development in Lithuania was started. At first the reform of the mediation in civil justice field was started. This process is analysed more thoroughly in the next chapter.

2. Overview of the Out-of-Court Mediation System in Civil Disputes

Currently mediation in civil disputes is the most developed field of the mediation in Lithuania. Starting by the court mediation pilot project in year 2005 and only several cases per year, step-by step over the past years it began to grow.

As it was mentioned before, legal regulation in the field of mediation, which existed from year 2008, had set up only a framework of the mediation process and in most cases was not sufficient for the deve-

lopment of mediation. As N. M. Alexander stated, mediation is highly flexible and adaptable process – a factor that can create challenges for the regulators [1]. In case of Lithuania this factor was especially actual, because the need of establishing the new more detailed and less soft-regulated system of mediation was widely discussed in the process of law-making. Also, the need of introducing additional regulatory measures to foster wider mediation application was raised. The analysis of successful examples of other European countries with high numbers of mediations (UK, Italy, Turkey), has encouraged the law-making authorities to move from the formal regulatory framework approach towards formal legislative regulation. Formal legislative regulation is described as legislative strategies with a strong endorsement of mediation by the state and contribute towards its recognition as a legitimate dispute resolution practice and profession [1]. Such definition fully reflects the new Lithuanian model of legal regulation of mediation.

As it is possible to see from the above provided picture, mediation in civil justice currently is available for the society in out-of-court model as well as a court mediation.
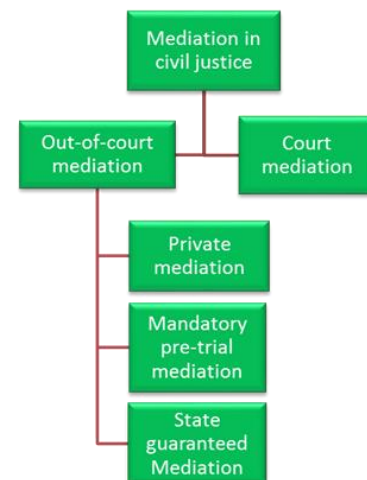
Picture No. 1. Mediation in Civil Justice.

The above presented picture depicts Lithuanian mediation in civil justice structure based on the latest changes, which were introduced by the new wording of the Law on Mediation [4], which entered into force on the 1st of January 2019 (except several articles in regard of mandatory mediation, which enter into force on the 1st of January 2020).

It is worth to mention that currently mediation in civil justice is strongly supported by the state. Out-of-court mediation costs must be covered by the parties to a dispute. But citizens and residents of

Lithuania according to the Law on State Guaranteed Legal Aid [17] may apply for the mandatory pre-trial mediation in family disputes from the 1st of January 2020 free of charge. As well State guaranteed mediation is provided free of charge for the parties to a dispute, who do not afford to pay for the private mediation services (if at least one of the parties to a dispute has low income and enjoys right to the state guaranteed legal services, mediation costs are covered by the state). Municipalities of Lithuania are implementing projects for the complex family support. Thus, families may apply for the free of charge mediation within the scope of such complex family support services.

2.1. Public Entities Responsible for the Out-of-Court Mediation

According to the Law on Mediation [4] five public entities are responsible for the out-of-court mediation in Lithuania:
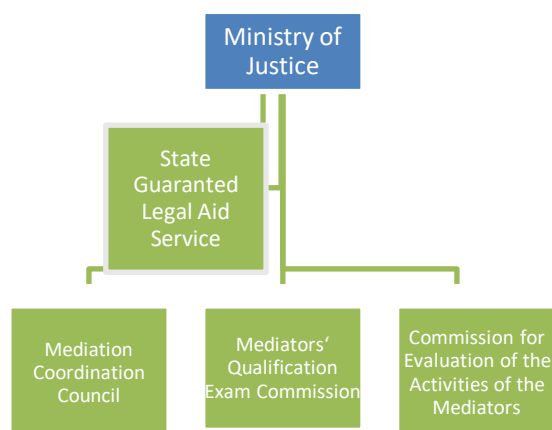
Picture No. 2. Public Entities Responsible for the out-of- court mediation

Every public institution depicted on Picture No. 2 has its own role and responsibilities in the process of governing and administration of out-of-court mediation in our country.

Ministry of Justice mainly is responsible for the preparation of the drafts of laws and other sub statutory regulation of mediation, securing and mo-nitoring the implementation of the legal regulation devoted to mediation, also informing the society about mediation.

State Guaranteed Legal Aid Service is a main institution managing the mandatory pre-trial mediation and state guaranteed mediation. This institution as well is responsible for the Lithuanian list of mediators, for the entering into the contracts with mediators, who are ready to serve in mandatory or state guaranteed mediation. In case of mandatory mediation, this institution is responsible for appointing the mediators for the disputes. State guaranteed Legal Aid Service organizes the mediators' qualification exam. It is also responsible for gathering of the data about number of mediations, their length, workload of the mediators, numbers of completed mediations, the results of mediations etc.

Other three entities are non-governmental bodies. Members of these institutions are selected from the representatives of various institutions, for example the Ministry of Justice, universities, National Courts Administration, Lithuanian Bar Association, Lithuanian Chamber of Notaries, Lithuanian Chamber of Mediators and others.

Main function of the Mediation Coordination Council is to provide proposals for the Ministry of Justice in regard of legal regulation of the mediation, its development, financial needs.

Mediators' Qualification Exam Commission prepares and evaluates the results of the Mediators' qualification exams. Procedurally, the exam is organized by the State Guaranteed Legal Aid Service, but in terms of content is evaluated by this Commission, which involves experts from the Ministry of Justice, Chamber of Mediators, courts and universities.

Commission for the Evaluation of the Activities of the Mediators deals with complaints in regard of non-proper behaviour of the mediators during the mediation process. This commission is crucially important for preserving quality of the mediation services being provided. Such body was introduced to Lithuanian Legal system for the first time.

As well the Lithuanian Chamber of Mediators should be mentioned. This is an active nongovernmental organization, which joins together practicing mediators. It was established in 2017 and has the aim is to protect interests of the mediators and to develop mediation. The membership in that organization is voluntary. Though this professional association uniting and representing the interests of practicing mediators is perhaps the biggest if not the only association of such kind in Lithuania, at the moment it is not seen as equal to other professional associations operating in Lithuania such as Lithuanian Bar association, chamber of notaries or bailiffs. Nevertheless, having in mind the perspective of rapid grow and increasing actual power

of this organization, it could be seen in future as an organization that could be vested the right to represent the interests of all Lithuanian mediators, administer the Lithuanian list of mediators, bear the functions of mediation quality supervision, also examination and constant education of mediators.

Generalizing it should be mentioned, that such organizational scheme of out-of-court mediation in Lithuania is rather complicated and might be non-effective. The number of bodies responsible for the mediation clearly is too big and should be optimised with the help of the above mentioned Lithuanian Chamber of Mediators, who could cover in practice all necessary functions in one mediators self-governed public organisation.

2.2. Accreditation of Mediators

It worth to remind that before year 2019 in Lithuania there were no qualification requirements for mediators in regard of out-of-court mediation. The old version of the Law on Mediation [10] stated only some restrictions concerning the role of the mediator, attorney and arbitrator and the prohibition to mix it. The new wording of this law brought the big novelty to Lithuania. Market model was changed into the List model and qualification requirements for the mediators were set up.

From the theoretical approach the adoption of the new wording of the Law on Mediation [4] and setting up a strict qualification requirements for the mediators may be a sign of transition from the market model. According to Hopt and Steffek, in such model mediator practise is fully open to everyone [16]. Lithuania took the way towards incentive model, where mediator practice is open to everyone, but certain legal consequences are ensured only for mediations, which were conducted by „official" mediators, who enjoy state admission [16].

National list of mediators started to operate in the beginning of year 2019. The Law on Mediation [4] clearly states that only mediators from the list may provide mediation services in Lithuania.

To being listed in the Lithuanian list of Mediators it is necessary to fulfil the following requirements:
- to have high university education;
- to participate in 40 hours of mediation trainings (conducted no later the within 5 years prior to the listing);
- to pass mediators' qualification exam;
- to possess unblemished reputation.

This primary list of the requirements, which was proposed by the Ministry of Justice in the draft of the Law on Mediation later during the legislation process in Lithuanian Parliament (Seimas) was supplemented with some exceptions, which currently raise many discussions. Exceptions proposed by the National Courts Administration, Lithuanian Bar Association, Lithuanian Chamber of Notaries, Lithuanian Chamber of Bailiffs, which were included into the law, were:
- 40 hours of trainings and exam requirements are not applied in regard to:
   o lecturers (PhD in social sciences who prior to the listing have conducted more than 100 hours of trainings in the field of mediation within last 3 years);
   o judges, who have 3-year experience and successfully finished not less than 16 hours of introductory mediation trainings.
- Exam requirement is not applied in regard to attorneys at law, notaries and bailiffs, who have no less than 3 years practice (in their profession) experience.

These exceptions brought mediators' society into such a situation, when experienced mediators who are neither judges or mediation trainers, nor attorneys at law, notaries or bailiffs, had to pass mediation exam, while people with no mediation experience, but working as attorney, notary, judge or a bailiff may easily enter the Lithuanian list of the mediators without passing any exams. The only proof of participation in 40-hours mediation trainings is required from the latter. As well it should be noted that during the exam not only theoretical knowledge but as well mediation skills and personal characteristics necessary for mediator are being checked. Concluding, at the moment only approximately 1/5 part of the mediators listed in the national list of mediators are those who passed mediation exam as long as a big part of already listed mediators did not need to pass an exam at all. That could lead to the negative consequences that majority of listed mediators would provide medi-ation service without necessary skills or personal characteristics. Due to such situation, in our opinion, there is a high risk of compromising the mediation itself.

As it was mentioned mediators' qualification exam is designed to check candidates' knowledge, skills and personal characteristics. Exams are carried out by two mediators' qualification exam commissions. Each commission consists of representative of Ministry of Justice, Judicial Council, Lithuanian

Chamber of Mediators, universities. Exam commissions' members mostly are lawyers, but each commission as well involves psychologists. Exam consists of two parts:

• a written part – test with 20 questions and 3 possible answers for each question. In order to pass the test, 14 correct answers are needed. Usually the questions of the test are related to legal regulation of mediation.

• an oral part – candidates, who successfully passed the written part of an exam the same exam day are invited to take a part in mediation simulations. Members of the exam commission play the roles of the parties, the role of the mediator is given to the candidates. Each mediation situation is divided into 5 classical stages (for example, mediator's opening, caucuses). Candidates randomly draw lots for the mediation stage, which they will have to perform. Every candidate is provided with 15 minutes time limit to achieve goals of the designated stage. Role play is observed by exam commission members, also all candidates that will have to continue mediating of the same simulation. Exam is video recorded.

It should be noted that during the year 2019 a big number of people were trying to pass an exam. The rate of success in passing mediators' qualification exam is from 50 to 75 percent. It is clear that people lack practical mediation skills, because the big part of the candidates failed because of not knowing or being not able to apply well the techniques of mediation and properly perform the role of the mediator in the process. It signs for the need of more practically oriented mediation trainings, where participants are required to simulate mediation situations and experience the difficult situations in order to find the best solutions for coping with them.

2.3. The Measures Adopted for Fostering Out-of-Court Mediation in Civil Justice

2.3.1. Mandatory pre-trial family mediation in Lithuania

Having in mind that more and more countries are implementing mandatory mediation into their legal system, Lithuania is not an exception. The idea of Lithuanian model of mandatory mediation - before bringing an action to the court in family dispute, to oblige parties to try mediation. This is not an obligation to mediate, it is more a mandatory entering into the mediation with a right to leave it whenever a party is willing to without naming any reasons of it.

The object of mandatory mediation in family disputes are only those family disputes, which may be heard in an ordinary court procedure. For example, divorce cases, separation cases, children custody, alimony and meeting order disputes, determination and challenging of paternity (maternity) and etc. (under Republic of Lithuania Code of Civil Procedure [5] XIX chapter). Talking in numbers, huge number of cases every year will be driven to mandatory mediation. It is estimated that about 8 000 cases will be directed to mandatory pre-trial mediation each year.

How will the Lithuanian mandatory mediation model work? As it was mentioned before main public entity, which is responsible for the implementation of mandatory mediation is State Guaranteed Legal Aid Service. To be clear, there are two ways for the parties to use mandatory mediation as a mandatory pre-litigation dispute resolution order. First of them involves an active role of the above-mentioned State Guaranteed Legal Aid Service. Party or parties to a dispute, who are willing to use state funded mandatory mediation, should follow the order provided below in picture No. 3.

A party or both parties bring a request to appoint mediator to State Guaranteed Legal Aid Service

State guaranteed legal aid service chooses and appoints mediator from national list of mediators

State guaranteed legal aid service within 3 w. days sends invitation to the other party to agree on mediation

(15 w. days to agree)

If consent is given, mandatory mediation takes place

If consent is not given, a party may bring an action to the court

Picture No. 3. State funded mandatory mediation

If people are ready to pay for the services of the private mediator (he or she still must be listed in the Lithuanian list of mediators), they should follow the order provided below on picture No. 4.

A party or both parties bring a request to the selected mediator, who is listed in the Lithuanian List of the Mediators

Mediator within 3 w. days sends invitation to the other party to agree on mediation (15 w. days to agree)

If consent is given, mandatory mediation takes place

If consent is not given, a party may bring an action to the court

Picture No. 4. Privately funded mandatory mediation

It was already mentioned that in Lithuania mandatory mediation is accessible free of charge for the parties to a dispute. Mediators serving in the State Guaranteed Legal Aid Service get payment for the mandatory mediation performed from this institution. Still some restrictions are applied. When dispute is mediated by a mediator chosen and appointed by the State Guaranteed Legal Aid Service, mediation services are paid from the state budget according to prices set up by the Government. It is worth to remember that only services of 1 mediator are reimbursed. So, in case of the need for co-mediation, parties should pay for the services of the second mediator on their own. State pays only for 4-hours mediation session. In addition, mediator receives payment for 1-hour preparation and 1 hour to finalize mediation. If mediation takes more time, parties and mediator are encouraged to enter into a written contract and to agree on the further payment for the mediator's services.

If dispute is mediated by the private mediator chosen by the parties from Lithuanian list of mediators', the both parties pay for mediation services. The parties and mediator agree on price for the mediation services mutually and sign a written contract. The requirement to have a written contract if mediation services are fee-paying, is obligatory under the Law on Mediation.

3.3.2. Other measures for the promotion of the mediation

Certain list of measures fostering mediation in civil disputes was applied from the adoption of the first version of the Law on Mediation in year 2008. First of all – the possibility to recover part of the stamp duty, which is usually paid to the court, in case of amicable settlement of the dispute. This rule is a financial incentive for the people to settle. Second – the possibility to require time suspension of the limitation periods (for the time period, when medi-

ation was taking part). This rule helps to safeguard the mediation process from the abuse in case one of the parties is trying to avoid the liability because of the end of the limitation period.

The new wording of the Law on Mediation [4] and latest amendments of the Code on Civil Procedure [5] provided a list of additional measures for promoting out-of-court mediation. Stamp duty paid to the court is reduced by 25 percent if parties were using mediation before the court proceedings. This rule applies in all civil disputes, except mandatory pre-trial mediation cases. In regard of business disputes, where court fees are quite high, this measure effectively drives parties to the mediation. As well, from the year 2019 courts are enjoying the right not to follow the general rules of litigation costs distribution in case of dishonest behavior of the party during the mediation process. This measure in future will be very important for the prevention of dishonest using or refusal to use mandatory mediation. As well it might be helpful in other cases, when parties do not agree to settle and court is forced to solve the dispute, which might be successfully finished by mediation.

In regard of court mediation, one new measure to fostering its application was introduced. Judge or judges are granted with a right to order a mandatory court mediation in cases, which seems to them possible to settle by the mediation.

4. Future Challenges

Substantial changes in the field of out-of-court mediation in civil disputes predict the great increase of the mediation application in Lithuania, thus in the same time pose the risks for the mediation reputation and society's trust in it.

Huge number of professional mediators will be needed to serve in mandatory family mediation cases. As it was mentioned before, it is planned to mediate around 8 000 cases each year. As well it is planned to cover services of mediators from the state budget. Currently one hour of mediation services in the State Guaranteed Legal Aid Service is payed 13 euro (before taxes). Will state be able to find a sufficient number of professionals ready to serve for such low salary? In private sector hourly rate of professional mediators' services is more than several times bigger. It is easily predictable, that after some time, mediators will gain necessary experience and will stop acting as the State Guaranteed Legal Aid Service mediators only because of the financial reasons.

On the other hand, this situation becomes even more serious, when mediators are observing Lithuanian Bar Association and State Guaranteed Legal Aid Service conflict in regard of debts for the attorneys at law services. It should be told that currently the state has 0,5 mln. euro debt for the attorneys at law for rendering state guaranteed legal aid services. Obviously, such debts may occur in regard of mediators' services as well. How state guaranteed mandatory mediation will operate without mediators, ready to serve for the low hour rate and without clear deadlines for the payments? And what level of the professionalism of the mediators may be expected in case of such low hourly rates for mediation services?

Many exceptions in the field of qualification requirements for the mediators raise question, will it be possible to insure sufficient qualification of the mediators? As it was already mentioned, attorneys at law, notaries, bailiffs are not required to pass any mediator's qualification exam. Thus, the biggest part of them are not ready to perform the role of the mediator and will hardly be able to switch from their present activities and put on mediator's shoes. The same problems may occur for the judges, who are required even shorter in numbers mediation trainings and no examination at all. In some countries it is forbidden for the judges to mediate, but in Lithuania due to cultural and historical circumstances, people usually believe in judges-mediators, trust their opinion, thus are very much encouraged to become court-mediators without very high requirements. Nevertheless, it is also a challenge for a judge to switch from his current directive and rather "separative" role to the role of an interconnector between the parties. There is no doubt that the judges also need sufficient number of mediation trainings in order to become professional court-mediators.

Speaking about the mandatory mediation it is necessary to test well the drafted scheme and evaluate all possible risks in regard of it. For example, currently there is no exceptions for the mandatory mediation implementation. In some cases mandatory mediation may be not useful or even harmful. Mediators must be ready to recognize such situations and to apply appropriate techniques to cope with such problems. For example, in family cases with domestic violence records it is advisable to use shuttle or online mediation instead of direct one, also explain to the party who may have experienced an abuse, her right to refuse to participate in mediation or leave it at any later stage without any restrictions.

Implementation of mandatory mediation in civil justice in Lithuania is partly financed by the European Union structural funds. Will state be ready to maintain the created system after the end of the support projects? Above we have already discussed the issue of payments for the mediators. Financial support as well will be necessary for the development of mediators' qualification, managing the mandatory mediation in the State Guaranteed Legal Aid Service, informing society about the mediation's benefits and so on. It should be stressed that mediation still has a low level of awareness between the parties of the disputes and within society in general. Pro-litigious approach of society orients majority of disputes to the court system. The lack of support from the side of lawyers also lowers the mediation application rates.

There are certain issues, which on the other occasion would be seen as big advantages of Lithuanian legal system, but not in mediation case. Lithuanians are enjoying relatively cheap and fast litigation. Lithuania is one of the leaders in European Union in regard of the shortest time for the hearing of the civil and commercial disputes in the courts of the first instance [18]. Thus, it is hard to motivate the parties not to solve their disputes in the courts, when courts are functioning rather effectively.

Finally, Lithuanian mentality lacks self-determination of parties to cope with their conflicts privately by settlements. Lithuanians are used to transfer their disputes for the resolution in governmental bodies including courts.

Following the experience of other European countries [1], after the institutionalization of mediation on the national level, the future brings new challenge of institutionalization of mediation in international level, requiring a well operating and manageable national system. Cross-border mediation currently is rare in Lithuania and needs to be supported by the active role of the state and appropriate quality of the mediation services.

Setting up a formal legal regulation for the mediation is considered to be a risky process. According to the L. Nussbaum, legislators, in an effort to make private parties responsible for dispute resolution, need to be careful about which aspects of the mediation process they formalize [2]. Currently in Lithuania in the process of the institutionalization of the mediation a discussion in regard of more detailed regulations appears. Having in mind, that the implementation of the mandatory mediation in family dispute model

should be considered as the highest level of institutionalization of the mediation [3], there is an urgent need to safeguard a non-formal nature of mediation. This as well includes the necessity to avoid the amendments to the legal regulation in regard of setting up the additional legal requirements for the mandatory mediation and taking other measures oriented towards minimizing of the state influence on the private mediation processes.

Conclusions

To sum up, Lithuania is one of the countries, which in the process of developing mediation needs additional measures. Institutionalization of the out-of-court civil disputes mediation in Lithuania was carried out in year 2019.

The main changes were connected to the establishing of the new scheme of institutions responsible for the mediation, introducing of the strict qualification requirements for the mediators, moving from the market based mediation model towards the list model. A long these changes the idea of mandatory pre-trial mediation in family disputes was adopted in Lithuanian legal system and will be implemented from the very beginning of year 2020. A set of other measures fostering the application of mediation in civil disputes was adopted by the amending the Code of Civil Procedure.

The process of mediation institutionalization raised a lot of issues, which should be solved in the nearest future. Most of them are related to the organizing of the state funded mandatory pre-litigation mediation scheme in civil disputes. First, the created system highly depends on the good will and social responsibility of the mediators. The system will be effective only if mediators will enter into the contract relations with the State Guaranteed Legal Aid Service and will be ready to provide professional high-quality mediation services for the very low rate per hour. As well this system faces the risk to grant the legal status of the mediator to the classical lawyers professions as judges, attorneys at law, notaries and bailiffs under the lower qualification requirements to compare with other professionals. Secondly, current mediation system in Lithuania is being built using the advantages of the European Union funding. There is a big question, how this system will work after the end of the financial aid projects and will the state be ready to support it by the state budget funding. Third, the natural development of the mediation in other countries shows, that after the institutionalization of the national mediation system, the need to insti-

tutionalize it on international level appears. This as well brings us to the new challenges and barriers, which are necessary to solve. And finally, it should be mentioned that after the institutionalization of the mediation a risk of over detailed regulation of the mediation appear. It is necessary to secure the informality of mediation and avoid too detailed legal regulation of a mediation process.

We hope that testing of the institutional mediation system, which was introduced in year 2019 and the implementation of the mandatory mediation in family disputes from the 1st of January, 2020 in Lithuania will bring us answers, whether problems identified in this paper will be actual or not. We might predict an urgent need for future scientific research in this field, which hopefully will be done by Lithuanian scientists.

References

[1] N. M. Alexander, *International and Comparative Mediation: Legal Perspectives*. Kluwer law International: 2009.

[2] L. Nussbaum, "Mediation as Regulation: Expanding State Governance over Private Disputes", *Utah Law Review*, 2016(2), pp. 361-415.

[3] *Collins English Dictionary, Complete & Unabridged Digital Edition* (2012). HarperCollins Publishers. Availanble on Internet: https://www. Dictionary.com/browse/institution

[4] The Law on Mediation of the Republic of Lithuania, *TAR*, 2017, 12053.

[5] Code of Civil Procedure of the Republic of Lithuania, *Official gazette,* 2002, 36-1340.

[6] R. Simaitis, „Teisminis sutaikymas". *Teisė*, 2004 (52), pp. 92-107.

[7] N. Kaminskienė, „Teisminė mediacija Lietuvoje. Quo vadis?", Socialinis darbas, 2010, 9(1), pp. 54-63.

[8] The Decision of the Council of Justice in Regard of Adoption of the Rules on the Court Mediation, *TAR*, 2018, 19675.

[9] National Courts Administration, Annual Report 2018. Available on Internet: www.teismai.lt-https://www.teismai.lt/data/public/uploads/2019/04/d2_teismu-veiklos-rezultatai-2018-m.-patikslinta.pdf

[10] The Law on Conciliatory Mediation in Civil Disputes, *Official gazette*, 2008, 87-3462.

[11] The Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters, *OJ L* 136, 24.5.2008.

[12] N. Kaminskienė, A. Tvaronavičienė, G. Čiuladienė and I. Žalėnienė, "Lietuvos advokatų požiūrio į taikų ginčų sprendimą ir mediaciją tyrimas". *Social Studies*, 2016, 8(1), pp. 44–62.

[13] Respublika.lt (2012). G.Kryževičius: mediacija Lietuvoje nepopuliari dėl mentaliteto ir teisinės kultūros. Available on Internet: https://www. respub lika.lt/lt/naujienos/lietuva/nusikaltimai_ir_nelaimes/ gkryzevicius_mediacija_lietuvoje_nepopuliari_del_ mentaliteto_ir_teisines_kulturos/

[14] European judicial systems. Efficiency and quality of justice. *CEPEJ STUDIES*, 26. Available on Internet:https://rm.coe.int/rapport-avec-couv-18-09-2018-en/16808def9c

[15] The Decision of the Minister of Justice of the Republic of Lithuania in Regard of Adoption of the Concept on Mediation Development in Lithuania, *TAR*, 2015, 13939.

[16] K. J. Hopt and F. Steffek, *Mediation: Principles and Regulation in Comparative Perspective, Oxford University Press: 2012.*

[17] The Law on The State Guaranteed Legal Aid of the Republic of Lithuania, *Official gazette*, 2000, 30-827.

[18] Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the Committee of the Regions the 2019 EU Justice Scoreboard, COM/2019/198. Available on Internet: https://eur-lex.europa.eu/ legal-content/EN/TXT/?qid=156206274 0889&uri=CELEX:52019DC0198

The Relevancy of a Function-based Categorization of the Physician: A Comparative Criminal Law Perspective in the Albanian and Italian Legal Order

Dr. Rezarta Demneri
Faculty of Law, University of Tirana, Albania
rezarta.demneri@fdut.edu.al

Abstract: The medical profession is categorized as "public service" under the Albanian law. The Albanian legal doctrine categorizes the physician as a public servant while the Italian doctrine provides for further functions i.e. as a State officer and as a person providing a service of public interest. The function-based categorization of the physician gains relevancy when applying both material and procedural criminal law provisions. Depending on what capacity the physician has acted upon, he or she might be held responsible pursuant to different figures of crimes and prosecuted either ex officio or by complaint. Depending on the function the physician has acted upon, he or she has different procedural obligations on reporting crimes. The aim of this paper is to highlight the peculiarities of the exposure to criminal liability on part of the physician based on the nature of his or her activity through a comparative criminal law perspective between the Albanian and the Italian regulation

Introduction

A professional title is acquired once the person demonstrates to possess the knowledge and/or the technical skills in a certain field and such expertise is recognized by an authority. If the profession is regulated by law, such as is the case of the practice of law, medicine or accountancy, then it is the registration in the relevant professional association such as the Order of the Physician or the Chamber of Advocates that qualifies the person as a professional entitled to provide a public service. The physician will be held criminally liable as a public officer or as person providing a service of public interest only if it is registered with in the Order of Physicians and has an active licence. This stance is clearly provided by the Albanian Law "*On Regulated Professions*" (Art. 6 parag. 2; Art. 8 (c) and Art. 12) [1] as well as by Art. 29 of the Albanian civil code.

It is important to establish whether the person providing a medical treatment was either qualified and/or registered in the relevant professional association or neither of these, in order to establish correctly which figure of crime qualifies pursuant to the Albanian criminal code (ACC). Practicing the medical profession in absence of a qualification represents a more serious offense compared to when said action is performed by a person qualified but not yet registered as a medical professional.

If the person is a qualified and licensed physician, his or her level of expertise is relevant to establishing the extent of liability he or she is exposed to. Medical negligence is influenced by the qualifications expec-ted from a physician. In Albania, after gaining the title, the physician must complete a specialisation in a given specialty of medicine before being able to practice. This of course applies only if the physician does not wish to practice as a general practitioner (GP).

Zagari exemplifies by stating that since any GP should be able to read an electrocardiogram, if he or she fails to conduct such task causing harm to the patient, then the GP is liable for negligence in the form of incompetence (*imperizia*, it) [2]. However, continues Zagari, if the medical intervention causing harm required for a specialist (such being the case of the surgeon trying correcting a thrombosis), then the judge must keep into consideration the difficulty of the intervention when assessing the level of medical negligence [3] and the harshness of penalty.

1. The importance of a function-based category-zation of the physician

The concept of "public administration" differs from that of "State administration". The last is encompassed by the first as far as breadth of interests served and entities involved. According to Çani, "public administration" refers to all public entities pertaining to either any of the three State powers i.e. the judiciary, the legislative or the executive alongside the entities engaged into activities of public interest which do not act as part of any of the State power [4]. In other words, public interest can be served either by State agencies, which are directly involved into the realization of the State's will (State

administration), or by public entities which are not necessarily part of any of the three State powers.

The medical profession is categorized as "public service" in Albania. The EU *acquis* has opted for the term "*service of general interest*" [5]. The right to access to medicine implies an obligation of the State to provide healthcare to its citizens pursuant to Art. 55 of the Albanian Constitution.

Physicians practice the medical profession either in private or public healthcare institutions, in compliance to the law and the rules set out by the Order of Physicians [6]. Unlike the Albanian criminal code of 1928 and that of 1952, the current ACC does not provide for a definition of "public service" under the criminal law. Therefore jurisprudence refers to criminal law doctrine whenever it needs guidance [7].

The Italian criminal code (ICC) provides for the figure of "public officer" (as in State officer) and "public servant" in Art. 357 and Art. 358, respecttively. Public service lacks any of the three State powers typical of public office. Art. 359 of the ICC provides for a third category that is "service of public necessity" which involves either private healthcare providers, legal practitioners or any other profession which needs prior licensing on part of the State or private entities providing a service of public interest. Elezi defines "public service" as any activity regulated by legal norms, carried out within either one of the three State powers i.e. legislative, executive or judiciary, or alternatively, by entities which are external to any of these three powers [8]. Elezi then follows by listing two types of public service:

a. Professions exercised under a licence released from the State. Such professions include healthcare providers such as physicians, dentists, pharmacists or other professional such as lawyers, notaries, teachers and journalists.
b. Private activities which bear public interest such as private security agencies.

As it can be noticed, Art. 359 of the ICC on the "Person providing a service of public interest" describes what Elezi instead refers to as "public service". In the Italian legal order, the physician engaged in private practice falls under the category of "Person providing a service of public interest". This means he or she is exposed to less severe penalties if committing certain illegal acts in this capacity when compared to the public officer, such as when violating the State interest.

It needs remembering that not every activity led by a physician constitutes a service to the citizens, *strictu sensu*. Costanzo synthesizes the common stance of the Italian doctrine and jurisprudence stating that the physician can operate as either a public officer, a public servant or as a person providing a service of public interest depending on the type of activity he or she is engaged into [9]. This implies that the physician will have different obligations depending on his or her capacity. It also means that the physician can be exposed to different levels of criminal liability depending on the qualification he or she operated upon. Briefly, Costanzo discerns the type of capacity on which the physician has acted upon based on function, as follows [10]:

a. As a person carrying a public office, invested with State power when releasing official acts which form or help shaping the will of the State or that of any of its organs. The physician operating in a public health institution would be considered as acting in the capacity of a public officer when releasing for example a death certificate of a person that has passed away in absence of medical staff or a document stating the fitness to drive a vehicle or bear firearms.
b. As a public servant when releasing documents of an administrative character, lacking any of the State powers. This would be the case of releasing a medical certificate stating the fitness of a person wishing to engage professionally in sports or releasing a medical prescription of a drug reimbursable by the State.
c. As a person providing a service of public interest when releasing private documents of a medical nature. Here, the physician protects the rights of the patient, not those of the public administration. This type of document would include the death certificate of a person passed away in the presence of medical staff or the report of an abortion practiced with the consent of the woman.

It would be counterproductive to categorize the physician as a public servant based on whether he or she practices in a public or a private institution. This would fuel the application of double standards when evaluating the lawfulness of his or her practice. Another value of a function-based qualification of the physician lays in the fact that different figures of crime would apply depending on whether the crime is committed by a State (public) officer, by a public servant or by a person providing a service of public interest. Same logic applies to the criminal procedure norms providing for the duty of these three special

subjects to report a crime. For illustration purposes: If the physician is employed in a public hospital and is practicing medicine *strictu sensu* i.e. by providing treatment to the patient, then he or she is providing public service as a public servant. If the physician is carrying managerial and executive tasks or representing the hospital at court, then he or she is acting as a public (State) officer. If the physician is working in a private healthcare institution, he or she is providing a service of public interest, regardless if the activity is medical *strictu sensu* or not.

The Italian Supreme Court (*Corte di Cassazione*) illustrates this function-based categorization by bringing the example of the physician releasing a death certificate [11]:

a. If the physician practicing as medical staff of a public hospital releases a death certificate to be used by the Public Registry office, said physician is acting as a public officer because he or she has been delegated to fulfil the will of the public administration.
b. If the death certificate of the patient under medical care is not destined to be used by the Public Registry office, said physician is considered to be acting as a person providing a service of public interest, regardless if working in a private or public hospital. Same qualification would apply when the physician releases for example medical prescription.

Another interesting aspect of the function-based categorization of the physician is that the Albanian Code of Criminal Procedure (ACCP) provides in three separate articles for the obligation to report on a crime being/committed depending if the person having information is either medical staff (Art. 282), public servant (Art. 281) or person without any special capacity or function (Art. 283). The ACC does not differentiate on the basis of the capacity of the person obligated to report a crime. The only figure of crime provided by the ACC is that of "*Omission to report a crime*" (Art. 302) which applies to anybody, including special subjects such as public officers, public servants and persons providing a service of public interest.

2. On the criminal liability due to unlawful medical practice

The ACC of 1928 provided for a single figure of crime punishing the unlawful practice of a regulated profession or State office (Art. 213.). The ACC of 1952 (Art. 284) and the following criminal codes of 1977 and 1982 provided for unlawful practice the medical profession, specifically (Art. 233).

Art. 348 of the ICC provides for a single crime on the unlawful practice of a public profession. In all the aforementioned Albanian and Italian regulations, unlawful practice would qualify if any person has practiced a regulated profession or State/public office without any qualification or when the right to practice was removed from him or her due to a court order.

The current ACC provides for two different figures of crime that would fall under the general umbrella of "unlawful practice" which are "*Appropriation of a State office or title*" (Art. 246) and "*Exercise of an office after its ending*" (Art. 249). The single provision contained in Art. 348 ICC covers both types of unlawful practice as clarified also by the United Chambers of the Italian Supreme Court [12].

2.1. On the criminal offense "*Appropriation of a state office or title*" (Art. 246 ACC)

While both conducts envisaged by Art. 246 and Art. 249 of the ACC violate the interest of the public administration, the "*Appropriation of a State office or title*" is considered to be a more serious offense than that of "*Exercise of a function after its ending*", which reflects also in the penalty applied for each offense. This is due to the fact that the person exercising a public office, despite having been stripped off of the capacity (typically due to a court order), was once able to practice legally, unlike the person who appropriates a professional title or exercises a public/State office.

Back in 1982, Elezi deemed that the provisions of the 1977 ACC should be interpreted in such way that if a person provided medical care to somebody in need due to an accident, the defence of the state of necessity would activate and said person should not be held criminally liable for unlawful practice [13]. Elezi continues by suggesting that the provision of "*Unlawful practice of medicine*" would not be applicable in case a physician has performed in a different specialty from that he or she was qualified in [14]. In the light of the current developments in jurisprudence and legislation and unless it is GP-competence, a medical practitioner providing a service that does not pertain to his or her specialty is exposed to criminal liability pursuant to Art. 246 ACC, even if it did not cause any harm to the health of the person.

For illustration purposes: The dental technician operating in the oral cavity of the patient would be liable for "*Appropriation of a State office or title*" (Art. 246 ACC) because his or her qualification does not allow any intervention within the body of the patient, since this is exclusive to the dentist or to the maxillofacial surgeon. Said dental technician would be held criminally liable pursuant to Art. 246 ACC despite the fact that no actual harm was caused to the health of patient. This is due to the fact that the legal interest protected in Art. 246 ACC is the activity of the public administration not the physical integrity of the person. This interpretation is in tune to the current stance of the Italian jurisprudence [15]. Currently, the Albanian case law is void on this matter. If the unlawful practice of the medical profession on part of a person not entitled to intervene caused a harm to the health of the person, then Art. 246 ACC would concur with either homi-cide or voluntary injuries or battery, depending on the level of bodily harm caused by the unlawful conduct.

Art. 246, parag. 2 of the ACC provides for a harsher penalty if the person practicing unlawfully a public office violated the freedom, the dignity or other fundamental human rights. For comparison purposes, Art. 284, parag. 2 of the ACC of 1952 provided for a special penalty in case either the life or the health of the person had suffered from the unlawful practice of the medical profession. In this last case, there would not be any concurring between homicide or injuries and unlawful practice of medicine, since Art. 284 parag. 2 of the 1952 ACC punished the unlawful practice of medicine if it caused specifically the death or injury of the person. If the unlawful practice of medicine did not cause the death or any serious injury, than the offender would be held liable pursuant to the first paragraph of Art. 284 of the 1952 ACC [16].

Paragraph 2 of Art. 246 of the current ACC does not cover the cases when the unlawful practice of a public office has caused either death or serious injuries to a person. Because of their value, life and health benefit from a special protection under criminal law. Unless a figure of crime regarding the violation of a legal interest that is different from that of life or health provides for a special penalty in case these are harmed, then the principle of subsumption of one offense from another would not be applicable and we would have two or more offenses concurring [17]. Consequently, if a person not qualified to perform a medical procedure caused the death or injury of the victim, then the offender will be held liable for both "*Appropriation of a state office or title*" and

homicide or voluntary injuries pursuant to the specific figure of crime.

The Italian Supreme Court qualified as unlawful medical practice the corpse inspection on part of the morgue technician since this activity is exclusive to the physician, usually a coroner or an anatomo-pathologist [18]. Same limitations apply to the range of interventions that can be practiced by the optometrist when compared to the ophthalmologist [19]. Although both are doctors, the ophthalmologist is the only one allowed to perform eye surgery while the optometrist provides primary care eye, usually by prescribing lenses.

2.2. On the criminal offense "*Exercise of a function after its ending*" (Art. 249 ACC)

Physicians are required by law to engage in continuing education and training [20]. If the physician fails to attend the compulsory training activities, he or she might have his licence withdrawn. If the physician continued to provide medical treatments despite the license being withdrawn, then he or she would be exposed to criminal liability for the offense "*Exercise of a function after its ending*" (Art. 249 ACC). Another scenario qualifying as by this figure of crime would be that involving a physician who continues to provide medical treatment despite an order of the court prohibiting him or her to intervene medically.

Just like as with the offense on the "*Appropriation of the title or State office*", the criminal liability for "*Exercise of a function after its ending*" rises regardless if there was any harm to the physical integrity of the person undergoing medical treatment since the legal interest at stake is the public administration activity. Art. 249 ACC is applicable also to the physician engaging in non-medical practices in his or her capacity as a State officer or as public servant by releasing official documents such as certificates, decisions, orders or guidelines.

If there is a legal act, such as a court order, prohibiting the continuation of the medical practice and the former physician forges a document by releasing it as if he or she had that capacity to, then we would have two criminal offenses concurring i.e. "*Exercise of a function after its ending*" and "*Forgery*" pursuant to either Art. 188, parag. 1 (for medical documents) or Art. 191, parag. 1 of the ACC (for public registry documents, such as the certificate of death). This physician would not be held liable pursuant to the paragraphs of the aforementioned provisions

applicable to special subjects i.e. persons entitled to release medical documents or public registry documents since in fact, he or she has been stripped of the licence and therefore of the right to practice the profession.

Conclusions

The criminal liability for unlawful practice of medicine, qualifies under either Art. 246 or Art. 249 of the ACC. Said liability rises regardless if the person undergoing treatment has been harmed or if it has agreed to undergo such treatment. The criminal prosecution begins *ex officio* for both offenses since they aim to protect the activity of the public administration. Unlike the ICC or the Albanian code of criminal procedure, the ACC does not differentiate on the basis of function of the person obligated to report on a crime. The ACCP provides for different procedures when the person obligated to report on a crime being/committed is a public servant (Art. 281), medical staff (Art. 282) or person without any special capacity (Art. 283). This is an important void in the material law that needs to be filled.

References

[1] Law n. 10171 of 22.10.2009 "On Regulated Professions in the Republic of Albania" (amended).

[2][3] A. Zagari, "Legal Value of Clinical Competence and its Certification"*, Italian Journal of Medicine,* Vol. 7. Issue n. 1, 2013, DOI: 10.4081/ itjm.2013.1., pp. 1-5, p. 4.

[4] E. Çani, "Kuptimi i administratës publike në Republikën e Shqipërisë. Disa aspekte të përgj ithshme të organeve të administratës publike", *Studime juridike, n. 2,* Universiteti i Tiranës, Fakulteti i Drejtësisë, 2007, p. 233.

[5] European Commission, "Communication on a Quality Framework for Services of General Interest (SGI) in the EU", Brussels, 2011, p. 4.

[6] S. Sadushi, "*E Drejta Administrative 1"*, Grand Prind, Tiranë, 2007, p. 184-186.

[7] GRECO "*Evaluation Report on Albania on Incriminations"* Theme I, Third Evaluation Round, 2009, retrieved from http://www.coe.int/t/dghl/ monitoring/greco/evaluations/round3/ReportsRoun d3_en.asp, p. 14; E. Çani (Methasani), *Marrë dhëniet e Punës në Administratën Publike-Analizë e Legjislacionit Shqiptar*, Akses Albania December, 2009, retrieved from http://aksesalbania.org/index .php/botime, p. 6.

[8] I., Elezi, *E Drejta Penale (pjesa e posaçme),* 2008, Erik, Tiranë, p. 408-409.

[9] [10] V., Costanzo, "Atto Medico e Attività", *USMAF, Ministero della Salute*, 2012, retrieved from http://www.salute.gov.it/portale/temi/ docu menti/usmaf/C_17_pagineAree_3146_listaFile_ite mName_0_file.pdf, pp. 4-7, pp. 29-33.

[11] Supreme Court of the Republic of Italy, Penal Chamber, Section V, Sentence n. 36778/2006.

[12] Supreme Court of the Republic of Italy, Joined Chambers, Sentence n. 11545/2012.

[13] [14] I., Elezi, (Ed.), "*E Drejta Penale e RPS të Shqipërisë"*, Universiteti i Tiranës, Tiranë, 1982, p. 552.

[15] Supreme Court of the Republic of Italy, Penal Chamber, Section I, Sentence n. 792/1997; Section. I, Sentence n. 239/1997; Section VI, Sentence n. 2725/1997; Section VI, Sentence n. 37120/2004.

[16] Decision 14.12.1970, "Udhëzime dhe Vendime të Gjykatës së Lartë të RPSH", *Përmbledhje të Viteve 1967, 1968, 1969, 1970*, 8 Nëntori, Tiranë, 1975, p. 153.

[17] Supreme Court of the Republic of Albania, Unifying Criminal Sentence n. 3/2015.

[18] Supreme Court of the Republic of Italy, Penal Chamber, Section VI, Sentence n. 28642/2007.

[19] Supreme Court of the Republic of Italy, Penal Chamber, Section VI, Sentence n. 27853/2001.

[20] Law n. 10107/2009 "On Healthcare" of the Republic of Albania, Art. 33 and Art. 13 of the Code of Ethics and Medical Deontology.

The Cheong Shim Way: An English Winter Camp

Bryan Hahn
Akita International University, Japan
bhahn@aiu.ac.jp

Abstract: *South Korean parents remain bullish about giving their children an educational edge over their competition as cram schools known as hagwons are not enough in an attempt to make children bilingual. Consequently, summer and winter camps have become a mainstay in South Korea. Ethnographic fieldwork conducted at one winter camp reveals organizers have designed their programs, not in the best interest of children but the perceived interests of parents. The result - long teaching hours, fictitious moments captured in class, and diluted exams. The latter perhaps the most egregious as the teaching staff is ordered to draft exams that are initially difficult with subsequent exams easier in an attempt to demonstrate to parents their children made significant gains. It is arguably an extension of hegemony over a group and naturalizing an ideology as conventional, making it indisputable, incorruptible, and beyond debate (Shore & Wright, 1997).*

Introduction

Early January 2019 - a cold winter morning about 50 kilometer miles east of Seoul. The heater in the dormitory room at Cheong Shim Academy has not quite kicked in yet as I was told it might take a day or two. I will be teaching a winter English camp to 11 and 12-year olds. It is the first teaching day at the camp, and I am already showered, dressed, and contemplating whether or not to stroll down to the cafeteria to eat breakfast since I typically do not eat my first meal until about noon. Suddenly, I began to hear a faint sound slowly getting louder and louder like an *affrettando*. "Where is this music coming from," I wonder. Then I discern from a speaker attached to the top of the ceiling. It must be the morning wake-up call to get the students ready for the first day of class. I faintly recall overhearing the program director talking about which songs he had picked out during orientation. Unaware of the context at the time it was brought up, I determine he must have been referring to the morning alarm. Two more songs play, but because of the decibel level, they clamor closer to cacophony jangling to the level of discomfort. Perhaps this is a hoary sense of self as I would imagine children eventually doting on these American pop songs if they had not heard them already. Alternatively, maybe they are first being exposed to intentional pedagogy, the use of a material resource to aid in the cross-cultural understanding of an artifact; though Vygotsky might argue the manipulation of such an artifact through participation in the language and culture. If I am to acclimate for the next three weeks, one immediate change will be to leave my dorm room before the musical alarm goes off, but as it turns out, adjusting

to the "Cheong Shim Way" is going to be a more significant hurdle.

The teaching faculty arrived the previous day for orientation. There were 22 of us in total. A few looked languorous and fatigued. One teacher flew in from Germany, another from Australia. I flew in from Japan so at least the time zone was the same. The rest of the teachers already held academic positions at various schools in Korea – most at the university level. The vast majority are teaching to earn extra pocket money. For a few, camp teaching is imperative to subsist. One of the teachers who will be referred to as Teacher 3 puts it this way, "Because I am hourly pay, in the month of January and February I basically make '0' dollars. And for like my family, that just can't happen. I have to find some other source of income."

Officially known as Cheong Shim ACG English Camp, it offers a rigorous program to nine to 12-year-olds. To illustrate, classes start at 9 a.m. and do not finish until 9 p.m. Having said that, learning day and night is not unusual for students in South Korea, especially those who reside in Seoul. In fact, South Korean parents are known for being obsessed with the social status of their children as the attitude of "keeping up with the Joneses" is deeply ingrained in South Korean culture (Hahn, 2013) whether it be the ability to enroll their children in cram schools or to pay for piano lessons. It becomes a life-long mission for parents to push their children to get accepted to a SKY university. SKY is a backronym for Seoul National University, Korea University, and Yonsei University. These schools are Korea's equivalent to Ivy League schools in the U.S. As a result, life for

children, especially in Seoul, begins early in the morning and does not finish until late at night. They spend their evenings eating dinner at a *hagwon* or English cram school, with the academic calendar also including Saturdays. This educational pressure cooker to get accepted to a SKY university is the envy among Koreans and becomes the ticket to entering the good life. However, it comes at a cost. At a rate of 25.8 per 100-thousand people, South Korea has the second highest suicide rate among OECD countries (OECD, 2015). Suicide is also the second most common cause of death after traffic accidents among young adults (OECD, et al., 2015).

This ethnographic vignette focuses on the business model of the camp, its ethics, and the perspectives from three teachers whose identities will remain nom de plume. I also analyze the messy and complicated reality of an English camp business model and seek to determine the structure and agency of such a habitat. I will pay particular attention to the anthropology of policy to make my theoretical arguments.

Korean Cram Schools

It should first be mentioned in addition to globalization, poor English education policies in South Korea led to the rise of *hagwons*. These cram schools in South Korea became popular in the 1980s when the state decided to open its doors to the global market through international events like the Asian Games in 1986 and the Summer Olympics in 1988. The open door policy became official in 1993 in what is known as *Segehwa* (globalization of English), initiated by then-President Kim Young Sam (Lee, 2016). Despite this, TOEFL scores were abysmal for decades. As recently as 2000, South Korea tied for dead last in TOEFL among Asian countries (ets.org, 2000) which might explain the numerous reforms to educate children in English that the state has had to undertake. Accordingly, it is no surprise that *hagwons* evolved from basic English classes to classes that teach how to crack the TOEFL, TOEIC, and CSAT exams. The latter will be explained later in more detail. These cram schools seem to do better compared to public schools if exam grades are the measure of success (The Korea Times, 2010). Additionally, due to the state's homogenous make-up, a *hagwon* was the one place a Korean student got to practice English with native speakers.

Public education, on the other hand, is not viewed favorably by many South Korean parents. They would prefer to educate their children abroad in a native English speaking country or have their children receive additional learning at a cram school. Hence, *hagwons* have become a multi-billion-dollar industry in South Korea, but they also eat up a large chunk of the family budget costing an average of about 100-thousand won ($1000) per child per month. As aforementioned, children are taught from day and night to gain an edge over their competition. This obsession persists in order to pass the College Scholastic Ability Test (CSAT), a standardized test and the most important criterion used to determine acceptance into universities. To give an idea how paramount this exam is, as it largely decides a child's future, the stock market in Korea opens late, and buses and subways are increased on this day to ensure the students arrive at the testing site on time (NPR, 2015). However, this obsession with education has spun out of control, pitting both children and families under too much pressure to pass exams and to pay tuition fees (Ward, 2004).

English education, as a result, has arguably emerged as the most important vehicle in achieving success in South Korea. English competence came to be a "national mission" during the rise of globalization (Tsui & Tollefson, 2007) but sustainable language policies as communicative competence did not match the country's desire to compete and have an authoritative voice on the global stage - the most significant hurdle to overcome, partly due to the nation's homogenous make-up. English language learning as an essential means to communicate affects not only children but adults as well. South Korea rewards workers proficient at English as they gain an economic advantage (Seo, 2010). Minimum TOEIC scores are now required for job placement both in government and *jaebeol* (conglomerate corporations). Scores are also necessary to be considered for promotions, policies that require the Korean workforce to maintain a level of English proficiency. Moreover, studies have shown that more than 90-percent of the workforce employed by private manufacturing and export industries are continuously tested on their English ability (Choi, 2002).

Nonetheless, English is not used widely in the workplace. Instead, the amount of English exercised is relatively small (Choi et al., 2002) propounding the argument English as a resource is not necessary for survival in the global economy. It has essentially become a symbol of the ideal worker regardless of whether or not English is needed to carry out a task. In effect, a proficient speaker of English is one who is adequately positioned and worthy of a company that aspires to expand globally. Thus, English is the

instrument appropriated by a *jaebeol* to control who gets entry to the privileged life. Subsequently, *hagwons* for adults are designed to fit the schedule of office workers by scheduling classes either early in the morning or late at night, hence classes could be taken before workers go off to work or after they get off. It is estimated that 70-percent of office workers enroll at a cram school to further their English development (Lim 2006). The hard work and dedication required to secure the good-life is another reason parents go to extremes to provide their children with the necessary educational oppor-tunities (Seth, 2002) – some even require their chil-dren to undergo a frenectomy, known in Korea as "linguistic surgery" to correct a child from being tongue-tied (Kim, 2009). Parents believe the more flexible the tongue produced by the surgery, the more likely their child will sound native-like (Demick 2002).

Winter and Summer Camps

South Korea's educational fervor sparked another phenomenon popularized in the early 21st century. More and more, parents are enrolling their children in summer and winter camps typically lasting bet-ween one to four weeks. The concept of habitus can be applied here to understand the sequences in which actors internalize, embody, and become habituated to structure (Bourdieu, 1977). Perhaps better known as an "English Village" (EV) first established in 2004 in Ansan, it was considered a promising alternative to studying overseas (Trottier, 2008). The idea is to create a short-term immersive environ-ment after which students can learn English in their own country. Since the launch of the EV in Ansan, other camps have opened up in different provinces. At Cheong Shim ACG, signs are posted on school walls employing an English only motif. One poster reads, "Keep Calm and Speak English," while another is emblazoned with someone dressed in the iconic image of Uncle Sam with the words, "I want you to speak English only." Despite this, the camp itself may not technically be considered an EV as they are designed to replicate an English speaking town from movie theatres to grocery stores facili-tated by an English speaking staff with the goal to supplement textbooks and rules-based instruction with real-life situations (Myers, 2007). EVs, however, do not go without criticism ranging from cost to curriculum design.

Cheong Shim ACG Winter Camp consists of 330 students taught by 22 teachers making the ratio 15 to 1. Every class is also given a name adopted from the top schools in the U.S. and the U.K. as my class was

designated as "Harvard." According to the camp director, Cheong Shim ACG has established quite a reputation saying the camp had to turn down about one-thousand students due to its overwhelming demand and popularity. At the camp, students are carefully guarded from the time they wake up to the time they go to bed. The camp also includes a staff of Teacher Assistants and Resident Assistants known as TAs and RAs. For the latter, they are res-ponsible for making sure the children wake up on time as they comb through each dormitory room shortly after the "musical alarm" goes off at 7 a.m. to ensure the students are ready for breakfast. TAs, on the other hand, are liable during breaks. The classes are 50-minutes per day with 10-minute breaks. If the students feel ill, the TAs will escort them to the nurse's office minimizing interruption during class hours. They also dine with the students for lunch and dinner and supervise them between 6-9 p.m. as the children write daily essays, take quizzes, and finish their homework assignments given by their teacher.

Cheong Shim Academy, established in 2005, is a private educational institution that accepts middle and high school students. To be clear, organizers of Cheong Shim ACG English Camp are not directly affiliated with Cheong Shim Academy, but the two have a reciprocal relationship. Cheong Shim ACG borrows Cheong Shim Academy's facility to teach winter and summer camps and to house its students. In return, camp enrollees become potential students at Cheong Shim Academy essentially generating a business enterprise while both organizations share the profits made from the camp.

Because Cheong Shim ACG is held to be a first-rate English camp, it would appear to run harmoniously. However, there are operational concerns that com-promise the ethical standards of the teaching staff in order for the camp to maintain its reputation as a top academy. Perpetuating a standard of prominence is itself a façade, a misleading chimera. In fact, I argue that the school implements a tight rope strategy to ensure its stature.

Cheong Shim Camp Experience

Signs that Cheong Shim ACG is a fabrication first surfaced during orientation. Among the 22 instruc-tors hired to teach at the camp, about half of them had taught for the camp in the past. Four were also teachers at Cheong Shim Academy and were required to teach either a winter or summer camp each year. Those new to the camp were all hired by

a headhunter based in Seoul. He gathered all the new hires after orientation to convey one message as explained, "What gives me stress about my job are calls I get from parents. I get scared they are going to complain." Needless to say, perception is of prime importance.

One day before the start of camp, students are given a placement test which is then followed up with oral interviews conducted by the teaching faculty. The combined results place students in one of four levels. During orientation, the teaching faculty was told never to mention placement levels to students. I was assigned to teach level "B" the second lowest level with level "D" as the highest. As the curriculum underscores the importance of reading, Level "B" students were assigned the book, *The Year of Billy Miller* by Kevin Henkes, the fiction portion of the class regimen. The non-fiction book the students studied was called *Active*, written by Neil Anderson. Cheong Shim ACG also made its own workbooks for both readings designed to improve vocabulary comprehension. At the end of each week, the students also take exams, drafted by the teachers, testing their comprehension and vocabulary on the two readings.

"I want to make sure the first exam is the hardest, the second exam easier, and the last one the easiest, this way we can show the parents the students improved." The program director echoed these words during one of our daily faculty meetings. I looked around to determine any unusual body language, signs of concern by the teaching faculty. No one flinched, no quiver, not even a wince. Perhaps a few grimaced internally but no interpellation in what might be construed as compromising the standards of a teacher to propagate an illusion. This supposition was not lost on everyone. As Teacher 3 explains,

Ethically as far as the teaching goes, like it was a travesty. I couldn't in no way shape or form justify what I was doing in the classrooms either for the kids or anyone else so is that ethically wrong? Probably, I would say yes.

As compared to other English camps taught by the teaching staff, they had mixed opinions about Cheong Shim ACG. Teacher 2 had taught at many camps in the past. He prefers one in particular:

The first one was more comprehensive in terms of taking on teachers. The person in charge made sure we were teaching things not only in English but in terms of proper manner. They would also have meetings that were kind of module concerns rather than you got to get this done by then.

Teacher 3 had also worked at a different camp that he thought ran more efficiently:

They reduced the amount of content but increased the number of activities and project based activities which is way better because obviously you don't want to be teaching out of a book all day. Because of changes made from the previous year at the first camp, I didn't realize how good it was.

Again in week one, another ethical concern transpired at one of the camp's daily faculty meeting. We were told to write a letter to our students' parents explaining how well they were adjusting to the program. "No negative comments can be mentioned in the letter," the director of the program emphasized as he also stressed the need for the letters to be finished before the end of the week. It was perplexing to know that we were subjugated to write arguably false and deceitful letters since we as teachers were not given the adequate time to make real evaluations of our students. The letters get submitted to and looked over by the academic supervisor who gives final approval. She also edits and refines the letters if necessary. Much is the same for the report cards which were due a few days before the end of camp. As part of their duty, the teachers were required to make student evaluations in six areas: Listening, Speaking Pronunciation, Speaking Fluency, Reading, Writing Accuracy, and Writing Structure. They were also to assess each student's overall English ability and attitude. There were three other sections on these reports: the placement test score, daily vocabulary test scores, and weekly test scores; all of which were to be filled out by the teacher assistants. Abstruse and lacking transparency, the teachers never got the opportunity to examine these results. "Can we get a copy of the report cards," I asked during one of the faculty meetings. "No, but I can let you take a look. You can come after the meeting," the director of the program replied. Given about 30 seconds to view an Excel spreadsheet of only the weekly test scores I asked if I could take a picture using my smartphone. "I can't let you do that," he proclaimed. Why would this be so problematic, I thought to myself? Is Cheong Shim ACG capable of falsifying the weekly test scores or other exams? It must be emphasized that there is no proof nor any imputation on this matter. However, I could not help but to feel a bit cynical about the camp's motives.

More examples of micro-management to propagate the "Cheong Shim Way" included having to abide through a photography session which would complement the parental letters as proof the children were happy and well tended to. The teaching faculty was told the photographing would take place during one of the breaks, but the teachers were required to participate since they needed to be in the photo. A supposed 10-minute photo session took seven separate attempts over four days to complete. The TA assigned to my class, responsible for the photo shoots, returned each day notifying me none of them met the standards required by her supervisor. Despite taking several dozen photos on burst mode, some common reasons why the they got rejected ranged from a student failing to smile to them failing to line up in symmetry. It should be mentioned that these mishaps were not unique to my class as every teacher I spoke with witnessed similar issues.

Other signifiers to promulgate a false pretense occurred in week two. A videographer made rounds from one class to another escorted by a Resident Assistant. We were asked to construct a speaking assignment so that the videographer could capture moments of students speaking in English. Much like the letters and photographs, parents would also receive a DVD of their children in class. We decided to play a game called "Know your W-H." W-H are open-ended questions (Who, What, Where, When, Why, + How) fundamental to language learning. They were first asked to write down on a strip of paper in simple detail something they likely expe-rienced that their classmates had not. Afterward, the papers got crumpled up and shuffled. The students then formed a circle taking turns reading each one aloud. The purpose was first to identify who did what then ask that individual as many W-H questions as possible. "I traveled to Canada," one student read. "Who could that be," I asked the class. Once they determined who it was, a student inquired, "When you go?" "When did you go," I told the class to repeat. "What you did," another student remarked. "What did you do," I intimated. "I go Vancouver," the student replied. As these short responses conti-nued, the videographer appeared flustered stating the answers had to last for at least eight seconds. "I cannot control how long the answers are going to be," I replied. The RA quickly scampered away returning with both the Program Director and Academic Supervisor. They huddled together outside the classroom as if to say, "How can we get the Harvard classroom teacher not to be insubor-dinate?" Shortly after, the academic super-visor walked into my classroom. "What's going on," she

asked. "We're playing a speaking game," I answered. "Can I get the students to talk for eight seconds," she requested. To make this happen, I ended up scrapping the game in favor of students reading from their textbook at the videographer's cue. While one of them was reading, the TA in my class interrupted, "Sit up straight," she exclaimed. "You need to look happy," she intimated to another. "Your parents are going to see these." As seeing is believing, the parents get to witness this magical transformation as the videos validate the cost to enroll their children. It seemed we were all complicit in creating a ruse.

"How did your filming session go," a teacher asked during one of the breaks. "Not so well," I replied. After explaining what had happened, he stated the eight-second rule stems from a complaint made by a mother from a previous camp grumbling that other children received more video time compared to her own. Since then, the camp had made it a point to dis-favor any inequities in terms of time.

Another aspect about the camp, inconsistent with academic literature, is the amount of learning time students had to undergo. As aforementioned, classes lasted between 9 a.m. to 9 p.m. with a lunch and dinner break in between. Academic literature con-tradicts this approach to learning as being fed too much information hinders comprehension. All three teachers agreed:

Teacher 3: The entire approach to language teaching seems to be pretty crashy doesn't it? It's just input hypothesis, 100-percent all the way to jam words and content down their throats and they'll eventually be amazing speakers and they give them these tasks that sound great on paper. For example, getting the kids to debate and although the kids love the debate portion of the class, but only because it was like the only time they got to like talk and do something instead of reading and answering questions.

Teacher 2: I think that's the problem with this camp. They overwhelm the students with the quantity and they make them averse to the idea of enjoying reading.

Teacher 1 spoke about how the teaching hours also becomes a burden for the instructors:

Maybe they can move the time table a little bit better so teachers have time to take a rest. You know like unless they have time for club activities, we don't have time to take a rest. If native teachers have one

or two hours of break during the day, I think that's a lot better.

By extending hegemony over a group and naturalizing an ideology as conventional makes it indisputable, incorruptible, and beyond debate (Shore & Wright, 1997). The issues which often get ignored are then taken for granted infiltrating institutions and their practices to everyday life. As Foucault (1978, p. 86) has argued, the effectiveness of power lies in its ability to mask itself and "hide its own mechanisms." Perhaps this concealment has confounded at least one of the teachers:

Compared to other camps, ACG is really organized and I think the reason why parents want to send their children to the camp and that's why ACG is really famous. There are a number of students still on the waiting list and as long as there is some time for teachers to take some break and have time to breathe, be a lot better.

Among the 15 children in my class, one had been a student from the previous year and seemed happy she returned. Another had mentioned in one of her assigned essays that her mother told her she would attend Cheong Shim ACG when she got older. Four students wrote a one to three sentence essay about their camp experience, perhaps suggesting their apathy. Unlike schools in the West, the educational environment in South Korea often tends to be what many have described as militaristic. It can be argued Cheong Shim ACG follows this educational paradigm. The teaching staff had mixed reactions about this characterization:

Teacher 2: Maybe for some people who are not used to the Korean way of doing things might have looked into it a little bit as strict, but I think it was reasonable because at the end of the day they are trying to prevent any accidents from happening. They're trying to make sure everyone is moving according to schedule.

Teacher 3: Here, it's everywhere. Military hierarchy has permeated into Korean life so much to the extent where companies are supposed to adhere to those kind of things, not in the sense of yelling at people, but there are certain residuals, weird things that happen in office buildings. For like if you have a problem with someone you can't go to someone higher. You have to try and go to them first, otherwise you're going over their heads.

I noted six incidents of a child being chastised by a TA. During breaks, children are required to stay in the classroom, but while walking the hallways to the teacher's break room, I encountered these reprimands. "*Geojismal*!" (liar) a TA shouted to a child just outside the classroom as if a Drill Sergeant is condemning the actions of a Private. These verbal displays are unique in South Korea. They are capable of yelling in anger at the top of their lungs without any regard for their surrounding as was the case when I witnessed these condemnations. Teacher 3 argues how this can be counterproductive in the classroom:

You discipline through shame and yelling. English is different. It's a totally different culture. When you code-switch you're supposed to at least ring true to that because you're not just teaching a language, you're teaching a culture. So in a sense, they're being authoritative in English which is turning it into half Korean which doesn't make any sense. And they come to our class and we have this totally different structure for disciplining and classroom management that's different. We'll just call it much different and these kids are gong to be confused by that.

These verbal shouts by RAs were also exhibited in the auditorium where all the teachers and students gathered along with administrative executives. Though they were attempting to get students to quiet down and to pay attention, to my surprise, these RAs seemed unconcerned they were yelling in front of the executives.

The use of corporal punishment as a staple to discipline children at Korean schools has remained the primary instrument of juvenile socialization in education (Brown, 2009). As the teacher is mainly responsible for controlling the behavior of children in schools in the West, at Cheong Shim ACG much of that care has been transferred to the TAs and RAs, all undergraduates in college, at least the ones I spoke with. This is not to claim corporal punishment took place at the academy; nevertheless, studies have shown aggressive behavior can lead to serious repercussions such as delayed cognitive development resulting in a decline in academic achievement (Yousef, 1998). In addition, anxiety phenomena, prevalent among children (Craske, 1997), can produce behavioral inhibitions in the classroom causing them to respond with fearfulness ultimately leading to withdrawal (Hirshfeld-Becker, 2004).

Much like the mentor/protégé relationship in western society, the *senpai/kohai* dynamic, omnipresent in Japanese culture, can be found in all walks of life from education to sports, to business, to social events. It is the job of the *senpai* to teach, guide and protect the *kohai*. The *kohai* in return respects and obeys their *senpai* (Zakaria, 2018). Unlike in the West, this vertical relationship lasts in perpetuity even if the two were to lose contact and meet later in life. Aspects of this effectual relation are common among Chinese and Koreans. In Korea's system of seniority, trust and verbal etiquette were the most important factors (Qie, Rau, Wang, Ma, 2019). This Confucian ideology evolved from men and in a society where *kohais* are expected to acquiesce, no matter the circumstance, it masks itself as the practice of cultural power, a capacity the TAs and RAs have over their students. As a result, *kohais* often are not protected but bullied by their *senpais*.

In Foucault's (1977) work on madness, civilization, discipline, and deviance, it may provide the most profound theoretical argument for evaluating the relationship between power normalization and subjectivity. He argues a momentous shift in the government's rationale during the middle of the 18th century about precept and proxemics and their connection to how people are governed. Though the government in the pre-modern era focused on maintaining sovereignty, Foucault contends the modern era focused on a new regime of power with concerns regarding the health, wealth, fertility, moral conduct, and the education of people. But most of all control over the human body became the primary endeavor of state discipline and surveillance. The development of economics as a distinctive level of reality was a critical instrument that made the transformation possible. As Foucault states, the modern government became an economical introduction – that is to say, the proper way to manage individuals. Perhaps the Cheong Shim faculty is managed by a salary system that pays out 2.8 million won plus a bonus of 300-thousand if the teachers meet the terms of the contract. Offering a bonus is key as it can be denied if teachers fail specific duties required by the employer, such as, if they do not meet specific codes of conduct, or if the instructor causes trouble or interrupts the operation of the Employer. South Korea adopted the teacher pay-for-performance policy in 2001 aimed at improving teacher performance through competition (Kim, 2017). Though viewed mainly with a cynical eye among Korean teachers and their union, as this policy lacks transparency and goes against a collective mentality still prevalent in the country, the government made this policy more severe by terminating low-performing teachers and dismissing others who oppose performance-based programs.

In their three week stay at the winter camp, arrangements were premade so that students could telephone their parents with a few directives which included the phone call lasting no more than three minutes and no second attempt at calling if no one picked up the line. Each student took turns making calls in one of the administrative office rooms with a supervisor inside. It was heartbreaking to see some of the students fight back tears as I had made the assumption they failed to make contact with their parents. Perhaps Foucault (1977, p. 231) would call this a "complete and austere institution" as the children were fixed in space, extracting them from time, training their bodies, coding their behavior, and maintaining them in perfect visibility. This is intended "to render individuals docile and useful" (Foucault et al., 1977, p. 231) and a way for a company such as Cheong Shim ACG to regulate space and the subjects they seek to control (Shore, Wright, Penó, 2011). What child during the phone conversation would dare speak poorly of their experience in this setting? They are inculcated to the power of normalization. They grow up believing much like the TAs and RAs who precede them that these are the rules they have to play by, rules that become routine and conventional to the degree of false consciousness.

It should be noted that policy classifies and organizes people with new ideas giving rise to social change and once created they colonize in new ways into new contexts beyond its original intentions (Shore, Wright, Penó, et al, 2011). Because policy itself has agency with decisions made by an authority, policy can work as an instrument of rule. Geva-May (Geva-May, 2005 as cited by Shore, Wright, Penó, 2011, p. 215) argues that policy analysis is too important to be left to untrained amateurs. An example involves the TA assigned to my class who early on was kind and respectful to our students using phraseologies like, "What do you think?" or "Is that okay with you?" The turning point came when she was given a specific duty during regular class time that the teachers were not responsible for. Instructors typically take an extended break but I chose to stay. Because this was new for my TA, she got help from another teacher assistant who had worked at the camp before. She took a disciplinary, no-nonsense approach to get the students to follow instructions correctly. Since that day, my TA's character and attitude toward the student changed precipitously. She became more

forceful and dominant demon-strated by her voice and body language, often getting irritated if the students seemed lethargic, similar to how she behaved during the videotape session in Week 2.

Conclusion

Policies travel across cultural lines and get rein-terpreted. This transfer is rarely pure and simple, and the results are dynamically unpredictable as policies have a life that often outlives their authors (Shore, Wright, Penó, 2011). In addition, the most dominant forms of policies are those that go undetected as power itself is camouflaged and hidden from those who might either oppose or resist it (Cruikshank, 1993). These policies at Cheong Shim ACG are unknown to the parents who pay for their service. Their children are of no concern since they do not understand the forces in play exhibited by the many fictitious activities they were coerced into partici-pating. Perhaps the same argument can be made about Teacher Assistants and Resident Assis-tants indoctrinated to the rules of Cheong Shim ACG. If nothing else, the work experience helps to amplify their résumé. Moreover, as *kohais* to the program director in a society in which remon-strations are culturally execrated, no TA or RA would dare challenge such an authority; instead, I would argue these actions and behaviors become normalized. It would appear resistance, if any, would come from the teaching staff which is why, as previously mentioned, the bonus granted for not opposing the employer serves as an indispensable resource. Whether a veiled threat or not, it serves as a system of control. What is menacing about this is not that people are suppressed by social order but that they are "fabricated in it" (Foucault, 1977). Since policies are not made clear to the teaching staff, like the parental letters they were subjugated to write, they soon become knee deep into the program. So why would they consider risking their pay when the end seems so near? Biting their tongue in favor of towing the company line becomes the proper correc-tive. Furthermore, despite the occasional rum-blings overheard in the teacher's break room, many return to the camp the following year incentivized by monetary gains. As such, policies set forth by the camp cannot be implemented without the voluntary cooperation or complicity from its subordinates. Cheong Shim ACG's policy of rewarding good behavior is a useful way to aggrandize the ethos of learning English in the South Korean economy.

References

[1] Brown, B. (2009). Perceptions of student mis-conduct, perceived respect for teachers, and support for corporal punishment among school teachers in South Korea: An exploratory case study. *Educatio-nal Research for Policy and Practice, 8*(1), 3-22.

[2] Bourdieu, P. (1977). Outlie of a Theory of Practice. *Cambridge: Cambridge University Press.*

[3] Choi, S. (2002). The Use of the English Lan-guage in the Korean Workplace: A Focus on the Manufacturing Industries (Doctoral Dissertation). University of Southern California.

[4] Craske, M. G. (1997). Fear and anxiety in chil-dren and adolescents. *Bulletin of the Menninger Clinic,* 61, 4–36.

[5] Cruikshank, B. (1999). The Will to Empower: Democratic Citizens and Other Subjects. Ithaca, NY: Cornell University Press.

[6] Demick, B. (2002). Some in S. Korea Opt for a Trim When English Trips the Hwaguk: The English Republic That Does Not Speak English. *Chosun* Tongue. *The Los Angeles Times*, March 31.

[7] Ets.org (2000). Retrieved from https://www.ets. org/Media/Research/pdf/TOEFL-SUM-0102.pdf

[8] Foucault, M, 1926-1984. (1977). Discipline and punish: the birth of the prison. New York: Pantheon Books.

[9] OECD (2019. Suicide rate statistics 2015, Retrieved from https://data.oecd.org/healthstat /sui-ciderates.htm.

[10] Hahn, B. (2019). Personal interviews conduc-ted on February 5, 2019 and February 10, 2019.

[11] Hahn, B. (2013). Field Reports of English Language Teaching. *Tesol Review 5*(12) 113-132.

[12] Hirshfeld-Becker, D. R., Biederman, J., & Rosenbaum, J. F. (2004). Behavioral inhibition. In T. L. Morris & J. S. March (Eds.), Anxiety disorders in children and adolescents (2nd ed., pp. 27– 58). New York: Guilford Press.

[13] Hu, E. (2015). NPR, The All Work No-Play Culture of South Korean Education.

https://www.npr.org/sections/parallels/2015/04/15/393939759/the-all-work-no-play- culture-of-south-korean-education.

[14] Kim, J. (2017). Mobilization and transformation of the teacher pay-for-performance policy in South Korea (Order No 10702672). Available from ProQuest Dissertations & Theses A&I. (19993 11019). Retrieved from https://search. proquest. com/docview/1999311019?accountid=45916.

[15] Lee, C.H. (2016). Language ideological approaches to English education in Korea: A sociolinguistic perspective (Order No. 10103668). Available from ProQuest Central; Pro Quest Dissertations & Theses A&I. (1787842771). Retrieved from https://search.proquest.com/docv iew/17 87842771?accountid=45916

[16] Lim, J. (2006). "Achim-en chulgeun jeonyeoken deungwon: Jikjangin 10 myeong jung 7 myeong gongbu" (Seven Out of Ten Office Workers Study After Work). *Hankyoreh*, October 19.

[17] Myers, J. (2007). Possibilities for a Critical TESOL in Korea: A Case Study of an English Village (Order No. MR40025). Available from ProQuest Dissertations & Theses A&I. (3047 50672). Retrieved from https;//search. proquest. com/docview/304750672?accountid=45916..

[18] Park, J.K. (2009). 'English Fever' in South Korea: Its history and symptoms. *English Today, 25*(1), 50-57.

[19] Qie, N., Rau, P.P., Wang, L., & Ma, L. (2019). Is the Senpai-Kouhai relationship common across China, Korea, and Japan? *Social Behavior and Personality, 47*(1), 1-11.

[20] Seth, M. (2002). Education Fever: Society, Politics, and the Pursuit of Schooling in South Korea. *Honolulu: University of Hawaii Press*.

[21] Shore, C. & Wright, S. (1997). Anthropology of Policy: Perspectives of Governance and Power (European Association of Social Anthropologists). Routledge.

[22] Shore, C., Wright, S. & Peró, D. (2011). Policy Worlds: Anthropology and the Analysis of Contemporary Power. Berghahn Books.
[23] Trottier, M.N. (2008). Towards a sociocultural perspective on Korean Englsh Villages: reply to Stephen Krashen. *International Journal of Pedagogies & Learning, 4*(1), 71-91.

[24] Tsui, A. & Tollefson, J.W. (2007). Language policy, culture, and identity in Asian contexts. London: Lawrence Erlbaum.

[25] Ward, A. (2004). Lessons leave no time for play in Seoul: Andrew Ward on the South Korean education system where fierce competition has spawned dollars 11bn-a-yearprivate evening school industry. Financial Times Retrieved from https:// search.proquest.com/docview/249454232?accounti d=45916.

[26] Youssef, R. M., Attia, M. S., & Kamel, M. I. (1998). Children experience violence II: Prevalence and determinants of corporal punishment in schools. *Child Abuse and Neglect*, *22*(10), 975–985.

[27] Zakaria, Z. (2018). Age Means Respect in Japan Culture. *New Straits Times* Retrieved from https:// search.proquest.com/docview/2091444769?account id=45916.

Health Behavior Factors Affecting Happiness in Korean School Adolescents

Byoung-Jun Yoon

Korea National Open University, South Korea

bjyoon57@knou.ac.kr

***Abstract"** The purpose of this study was to explore the determinants of happiness among Korean school adolescents. It tried to find out how health status and health related behavior factors influence on their level of happiness. I examined the associations between happiness and wide range of health behaviors. Study data were derived from the 13th Korea Youth Risk Behaviors web-based Survey conducted annually by the Korea Center for Disease Control and Prevention to construct health indicators for health promotion and identification health behaviors among Korean adolescents in 2017. In addition to happiness levels, the questionnaire included items on sociodemographic and health lifestyle factors. It conducted a secondary data analysis of 62,276 cases. It conducted frequency analysis, chi-square test and multiple logistic regression analysis. Although various independent variables influenced on their level of happiness, academic performance, family economic status, social supporter, overall health status, level of depression, smoking experience, alcohol drinking experience, illegal drug usage, eating breakfast, sleeping, weight control were significant determinants of their level of happiness. These results encourage public health professionals to take into account the psychological aspects of adolescent life in working to improve their health behavior. Public health strategies promoting health related behaviors among adolescents may easily be improved by encouraging adolescents to appraise their own lives in a positive mann.*

Introduction

Happiness is a subjective emotional state associated with a vast and wide number of personal and socio-economic factors [1]. For example, education, physical activity and general health are directly associated with happiness, while obesity and smoking are adversely associated with happiness. Some of the factors are claimed to be more important contributors to happiness than financial status [2]. Among the factors influencing happiness, some are non-modifiable and some can be modified [3]. Health behaviors are also among modifiable factors which via their contribution to individual's physiological and psychological status may affect happiness. Happy people are more inclined to live in a healthy way. They engage in sports more often, they are more likely to watch their weight, to avoid unhealthy behaviors such as drinking, smoking and overeating and less likely to commit suicide or be victim of accidents [4].

The Korean government is trying to improve the quality of life of its people as it seeks a welfare state. Therefore, interest in quality of life is rising in Korea. The quality of life is important for all age group. But the quality of life for the adolescents who are in physical and mental growth is even more important. In adolescents, happiness is considered to be particularly important due to its contribution to their future success [5]. There are a few studies on ado-lescent health behaviors in relation to happiness from their perspectives in Korea. Therefore, after adjusting for known socioeconomic factors, I examined associations between happiness and wide range of health behaviors. The results may help to improve level of happiness and health in Korean student adolescents.

1. Method

A cross sectional descriptive design with secondary analysis was used to examine data drawn from the 13th Korea Youth Risk Behavior Web- based Survey(KYRBS), administered by the Korea Centers for Disease Control and Prevention(KCDC). This survey was conducted annually to construct health-care indicators for health promotion and identification health behaviors among Korean adolescents. The KYRBS is a self-administered, anonymous, online survey comprising 126 questions, including health behaviors and perceived happiness [6]. A total of 62,276 students (31,624 boys, 30,652 girls), whose complete demographic data were obtained through the survey. Happiness was assessed using a single item 'In general, how would you describe your happiness?' The predefined responses were 'very happy', 'a little happy', 'neutral', 'a little unhappy', and 'very unhappy'. In this study, 'very happy' and 'happy' were divided into 'happiness' and the rest were classified as 'unhappiness'.

Subjective economic status was defined by respondents' self-reported family income. The

participants chose one of five descriptors of family income level low, low-middle, middle, middle-high, and high income. But in this study economic status was divided 3 categories. Smoking and drinking experience were determined using the question 'During the past 30 days, on how many days did you smoke cigarettes or drink alcohol?' Those who responded 'more than one day' were classified as smoking experience and drinking experience. Eating breakfast patterns were asse-ssed with the questions regarding how frequ-ently each participant had consumed breakfast. It was reclassified as a dichotomized variable reflec-ting the desired diet variable (≥5 days/wk). Phy-sical activity was evaluated by asking: 'During the past seven days, on how many days do you engage in any intense activities that cause an increase in breathing or heart rate for a total of at least 60minutes per day?' Responses were reclassified into 2 categories, ≥5days/wk and ≤4 days/wk.

Sleeping patterns were defined in terms of the number of hours respondents had slept on week-days and weekends over the previous seven days. Based on 8hrs of sleep a day, sleeping was reclassified as a dichotomized variable. The smartphone usage time was divided in two based on the usage time 3hrs per day during the week-days. Cell percentages are weighted per-centages using survey sample weights. The adjust-ted odds ratios (ORs) and 95% confidence inter-vals (CIs) in this study were based on weighted analyses. The Chi-square test was used to examine differences between happiness level and sociode-mographic characteristics, health behaviors. The data were analyzed using SPSS 22.0.

2. Findings

2.1. The general characteristics and health behaviors characteristics of the participants

The sample consisted of 62,276 Korean school stu-dents. The distribution of the students was 45.3% middle school students, and 54.7% high school students. The proportion of male students was 52.1% and that of female students was 47.9%. Regarding the subjective family economic status, 14.1% constituted the low class, 45.6% the middle class, and 40.4% the high class. Regarding the living type, 95.4% living with family, and 4.6% not living with family. Regarding the school achie-vement, 32.1% were of low grade, 28.7% middle grade, and 39.2% high grade. For the residential area, 6.1% lived in the county, 50.8% the medium-

sized city, and 43.1% the big city.

The proportion of the participants who perceived themselves as healthy was 71.8%. 79.8% of the participants felt stressed. 13.7% of students smo-ked and 40.2% were alcohol drinking experience. 13.8% of students participated in at least 60 minutes of physical activity more than five days per a week, and 52.1% of students con-trolled their weight. 54.6% of students had breakfast more than five days per a week. More than 8 hours of sleep were reported by 25.1% of students on weekdays. About 1.1% of students experi-enced illegal substance. Approximately 44.3% of students used smartphone more than 3 hours per day.

2.2. Differences in the happiness according to general characteristics and health behaviors of the participants

In the classification of school grades, 72.3% of middle school students felt happy. But only 62.9% of high school students said they were happy. According to sex, the happiness level of male students was significantly higher than that of female students. The proportion of participants who rated their family economic status as the upper class was 75.8% in the happy group and 24.2% in the unhappy group. The proportion of participants who were living with family was higher in the happy group than in the unhappy group. At the high level of school achievement, 74.3% of the participants felt happy, but at the low level, only 57.9% felt happy. In areas of residence only 66.7% of participants living in metropolitan areas said they were happy, but 67.5% of participants living in rural areas felt happy. There was no statistically significant difference in the relationship between resi-dential areas and happiness. In the relationship of subjective health status and happiness, 76.5% of those who thought they were in good health felt happy, but only 43.1% of those who felt they were not. 93.7% of the participants who were not stressed felt happy, but only 60.4% of the participants who were stressed felt happy. The proportion of those who felt happy was higher in the non-smoking group and non-drinking group. The participants who was physically active for more than 5 days a week and weight- controlled students were more likely to feel happy. These were also statistically significant difference 70.7 of participants who had breakfast more than 5 days a week felt happy, but only 62.8% of those

who had less than 4 days a week felt happy. 82.6% of the participants who slept more than 8 hours a day felt happy, but only 61.9% of those who did not get enough sleep felt happy. 67.3% of the participants who did not take the banned substance felt happy, but only 53.9% of those who took the banned substance felt happy. Although 70.6% of participants who used smartphone for less than 3 hours a day felt happy, only 63.7% of those who used them for more than 3 hours felt happy. There was a statistically significant difference between the above health behaviors and Korean students happiness (p<0.01).

2.3. Health behavioral factors affecting student happiness

I conducted the logistic regression analysis to explore the effects of socio-demographic factors, health status, health related behavioral factors on the student happiness. There was adjusted for socio-demographic factors in model. The student happiness was higher among male students than female students (OR=0.84, 95% CI=0.80-0.88). The student happiness was higher among middle school students (OR=1.13, 95% CI=1.07-1.19), better school academic achievement students (OR=1.29, 95% CI=1.21-1.37), and higher family economic status students (OR=1.31, 95% CI=1.22-1.41). The students that had emotional supporter (OR=2.31, 95% CI=2.17-2.45), the students that were in healthy status (OR=3.14, 95% CI=2.99-3.30), and the students that had not experienced stress (OR=8.87, 95% CI=7.94- 9.91) had a higher happiness to the group that did not.

The results indicate that the students who were non-smoking group, non-drinking group were happier. The students who were happy were more likely to do physical activity, to eat breakfast, to have enough sleeping, to control their weight. And the students who were happy were less likely to experience illegal substance, to use smartphone. Statistical significant differences (p<0.01) in the student happiness were found among all factors except father's educational level, physical activity and smartphone usage.

3. Discussion

This paper has carried out an investigation into the differences in adolescent happiness according to socio-demographic factors, health status, health behavioral factors, as well as the main contributing

factors of happiness among South Korean students. In relation to socio-demographic factors, The results showed that male students, middle school students, those who were in high level of academic achievement, students who were higher level of family economic status, and students who had emotional supporter felt a higher level of happiness. In relation to the health status, students who had better health status felt a higher level of happiness. In relation to the health behavioral factors, without stress perception group, non-smoking group, non- drinking group, the group that performed vigorous physical activities, the group that had breakfast more than 5 days a week, the group that got enough sleep, the group that controlled their weight felt a higher happiness respectively. The students' happiness was low among students who experienced illegal substance or who used smartphone a lot of time.

Fabio [4] showed that happiness is strongly correlated with perceived good health. This was consistent with my research. It is reasonable to assume the existence of reverse causality, since health may be considered as an important determinant of happiness. My results indicated a negative relationship between happiness and smoking or drinking. Students who are not satis-fied with their lives smoke and drink more often than those who do not experience these feelings. These results correspond to previous findings [7]. And eating breakfast was negatively related to depressive states [8]. It is supporting my findings. With respect to the relationship between happiness and physical activity, there was not statistical significant difference. An analysis of the prospective national population health survey revealed that a change in the status of leisure-time physical activity from active to inactive was associated with increased odds of becoming unhappy two years later [9]. There is recent trend in Korea, where high school students are spending less time on physical activities due to lack of time from heated efforts exhausted on college entrance preparation, and this can have a negative impact on health and happiness. Especially among emotional and socio-psychological factors, depression and degree of perceived stress of adolescents are considered variables that significantly explain their happiness. The present study also found that degree of perceived stress had significant influence on happiness. In other words, they were under the less stress, they tended to be the more happiness. Socioeconomically disadvantaged children and adolescents

were two to three times more likely to develop mental health problems [10]. According to a study by Natvig etc. [3], which examined the associations between psychosocial factors and happiness among Norwegian students, an increasing degree of stress experience reduced the feeling of happiness significantly. And social support from teachers also enhanced happiness significantly. A less consistent pattern was found for support from peers, but the most happy students experienced significantly more support than students who reported being unhappy. The inverse association between student's happiness and their weight, as well as the positive asso-ciation between happiness and physical activity support the idea of the importance of health behavior as determinants of perceived well-being [11]. This is consistent with the fact that weight control is an important factor in student happiness.

Conclusion

This study was cross-sectional, so cause-effect relationships could not be confirmed. My findings were based on self-reports of happiness assessed using a single item. Some of the responses may not have been reliable. In addition, there were limits of failing to take into account various variables such as personality, social relationships and envi-ronment. Nevertheless, it is notable that this study identified significant relationships between self-reported happiness and health behaviors. In the end, Public health strategies promoting health related behaviors among adolescents may easily be improved by encouraging adolescents to appraise their own lives in a positive manner. In addition, adolescents should be given broad opportunities to select programs based on a variety of methods so that these adolescents can lead healthy and happy lives.

References

[1] Melin, R. Fugi-Meyer, K.S. Fugi-Meyer, A.R. "Life satisfaction in 18 to 64 years old Swedes : in relation to education, employment situation, health and physical activity", Journal of Rehabilitation Medicine, 35(2), 2013, pp. 84-90.

[2] Graham, C. "Happiness and health: lessons and questions for public policy", Health Affairs, 27(1), 2008, pp. 72-87.

[3] Natvig, G.K. Albrektsen, G. Qvarnstrom, U. "Associations between psychological factors and happiness among school adolescents", Interna-tional Journal of Nursing Practice, 9(3), 2003, pp. 166-175.

[4] Fabio, S. "The relationship between happiness and health: Evidence from Italy", Social Science & Medicine, 114, 2014, pp. 178-187.

[5] Lyubomirsky, S. King, L. Diener, E. "The benefits of frequent positive affect: does happiness lead to success?" Psychological bulletin, 131(6), 2005, p. 803.

[6] Korea Centers for Disease Control and Prevention. Youth Risk Behavior Survey, Available from http://yhs.cdc.go.kr

[7] Booker, C.L. Skew, A.J. Sacker, A. Kelly, Y.J. "Well- being in adolescence an association with health related behaviors: findings from understanding society the UK Household Longitudinal Study", J. Early Adolesc, 34, 2014,

[8] Kawada, T. Kuratomi, Y. Kanai, T. "Lifestyle determinants of depressive feeling and a feeling of unhappiness among workers: a study in Japan", Work, 33, 2009, pp. 255-260.

[9] Wang, F. Orpana, H.M., Morrison, H. de Groh, M. Dai,S. Luo, W. "Long-term association between leisure-time physical activity and changes in happiness: analysis of the Prospective National Population Health Survey", Am J. Epidemiol, 176, 2012, pp. 1095-1100.

[10] Reiss, F. "Socioeconomic inequalities and mental health problems in children and adolescents: A systematic review", Social Science & Medicine, 90, 2013, pp. 24-31.

[11] Pastor, Y. Balaguer, I. Pons, D. Garcia Merita, M. "Testing direct and indirect effects of sports participation on perceived health in Spanish adolescents between 15 and 18 years of age", Journal of Adolescence, 26(6), 2003, pp. 717-730.

How Do My Students Feel When I Use Various Procedurals Feedback?

Maria Martha Nikijuluw
Pattimura University, Indonesia
mnikijuluw@yahoo.com

Abstract: *In this study I intend to show that feedback procedure towards student's errors or mistakes in teaching and learning process is reflected by many features of student' perceptions and that the negative teacher's feedback procedure impacts students learning behavior. To evaluate this, I consider three distinct techniques of data collections within observation, questioners and interview. The respondents were 28 German language students. The three procedural feedback were applied, which are: (1) "direct in speaking (interrupting) to correct", (2) discussing the student's mistakes at the end of the lesson, and (3) the students, who made the mistakes should stand in front of the whiteboard and may have their seat back, if they can explain sentence given by their fellow student. The results show that the third procedure feedback is a bit hard for students but the procedure could increase student's motivations to work the task properly.*

Introduction

Learning result is always assessed based on students achievement; high or low scores, passing or not passing the test, but rarely seeing other factors such as teacher′s feedback, for instance on assigment. Related to this feedback, Brookhart (2008:7-8) mentioned that several studies investigated the effects of grades versus comments on students performance. Receiving comments was more effective for learning than giving grades. Further, the group that received no feedback performed poorly on tasks and less motivated. In facts, there is a routine evaluation at the end of semester that the students will give their feedback based on questionnaires. The student′s feedback about teaching and learning is in the form of satisfaction scale feedback, or in the form of agree or disagree questions. Meanwhile, the evaluation is rarely measure the comprehensive feedback on teaching and learning results. On the other hand, it contains no evaluation about teacher's behavior in mistake or error correction as well as student′s feedback on teacher′s attention to the weakness.

Semke (1984, in Eyengho and Fawolo 2017:47) emphazied that some researchers speculated second language students had negative feelings toward error correction. While, learner′s error is considered as something undesirable, sign of mislearning and it regards as undesirable to proper process of language leraning. In addition, errors are systematic and errors are goofs in the learners underlying competence. Related to foreign language learning, Hendrikson (1978) noted 5 important questions, which is principle to describe the effective error correction, among other is "how should learner errors be corrected" (see, Amara 2015: 59, 61). Moreover, effective feedback and teacher′s feedback behavior in teaching and learning process are complex phenomenon, while it

can be difficult for teachers to consciously deal with their own corrective behavior during the class (see, Polgar Rita, 2009).

However, what about the corrective behavior and whether it brings a positive performance to the weakness? In Indonesia environtment, where German language is 2nd foreign language beside English, there are alot of problems regarding teaching and learning, which need teachers attention. Even worse, if a student learns a foreign language at the university level, starts from zero knowledge and does not have the opportunity to practice foreign languages what they learn with native. In other word, there is learning only in the classroom, but outside the classroom there is no foreign-language community to practice. Those are challenges for the students and teachers in foreign language teaching and learning. Besides, language compotency in learning foreign language should be important point, feedback is needed. Based on the reasons above, the research question should be focused on: *How do my students feel when I use various procedural corrections*, and what possibly changes in my teaching? This article is dedicated to discuss relevant issues and concerns regarding the correction behave and feedback in classroom impacts the learning behavior.

2. Statement of the Problem

The students are not active in the class activities, or no answer to teacher's questions during a lesson in the class. Sometimes we as a teacher, we identified them as weakness. Teacher does not ask them personally the reason why, if it is possible that they have any bad experience before, or it caused by teachers correction behavior, etc. This happened to my students who have low competency in German. They have low scores generally in all subjects and they are normaly not

active in learning activities. Further, it seems like those students tend to be afraid for answering questions or making mistakes.

3. Various Procedural Feedback

To understand more about this research all, the term used in the research must be clearly defined.

The terminology and theory about feedback arose from the psychological perspective, which called behaviorism, for instance Thorndike 1913. The term feedback refers to teacher′s feedback on student assignment, or it is also called as an important component of the formative assessment process. This related to the information and comments which afford student′s learning, while the summative assesment activities means result in mark or grade (see. Irons, 2008: 7).

In addition, there are commonly positive feedback and the negative feedback. The positive feedback is considered as reinforcement, and the negative feedback is considered as punishment. Both reinfor-cement and punishment affect learning. For that reasons, most of researchers tried to find out the effective feedback. Moreover, some recent studies recognize the role of the student in the feedback process. The message sent is filtered through the students perception, which influenced by prior know-ledge, experiences and motivation. While, not all studies about feedback show positive effects. Meanwhile, a good feedback must be addressed both cognitive and motivational factors at the same time. Further, it gives students information which student can understand about their learning and what they have to do next. The information means something that students be able to hear and understand it. This must be related with students feeling if it's able or it's good to hear. In addition, good feedback should be part of a classroom assessment which contains a cons-tructive critic as a good thing, also as understanding that learning cannot occur without practice (Broo-khart, 2008: 1-3).

Further, ccorrection can be defined as feedback, which teacher does when student make a mistake or an error. Further, feedback or correction in learning, for instance "German as a foreign language" aims to measure the performance of the students. The content of the lesson should be clearly understood and there should be no mistakes of learners. Due to the know-ledge of the context, also which corrective behavior is appropriate, the decision lies in the students themself. Therefore the possible conse-quences of their procedure should be reflected. The teachers should

decide in fractions because there are many factors (Schart & Legutke: 126-7).

Moreover, Hattie and Timperley 2007 (in Brookhart, 2008:3-6, in Burke and Pietrick, 2010: 15, 16) distinguished feedback in 4 levels: (1) feedback about the task, whether answers were right or wrong or direction to get more information; (2) feedback about the processing about the task, strategies used or strategies could be used; (3) feedback about self-regulation or about student self-evaluation, and (4) feedback about the student as a person, he/she is good or smart. The feedback about qualities of work and feedback about the process are most helpful. Brookhart mentioned that there are feedback stra-tegies and feedback content. The feedback strategies summarized in timing (when it is given, how often), amount (how many points), mode (oral, written, visual) and audience (individual, group/class). While feedback content is compared in focus (on work itself, student personally, etc.), comparison (criteria good work, performance), function (description, eva-luation), valence (positive, negative), clarity (clear, unclear) and specify (nitpicky, just right, overly general). Further, according to empirical inves-tigations, corrective behavior cannot guarantee a positive learning effect, but merely stimulate a reflec-tion on corrective measures (Schäfer, 2013:159). While, Juwah.etal. (2004:3, 6) argumented that the feedback should be used to empower students as self regulated, to motivated and self esteem. It is difficult to design effective feedback. Juwah noticed the seven principles in doing effective feedback. Those prin-ciples are, (1) facilititate the student′s self reflection; (2) encourage teacher and peer dialogue around learning; (3) helps clarify what good performance is expected; (4) provide opportunities to close the gap; (5) delivers high qualitiy; (6) encourage positive motivational beliefs and self esteem; and (7) provide information to teachers that can be used to help shape the teaching. Further, the recent studies confirmed that explicit error correction technique are more effective than implicit error correction technique. Besides, the negative feedback is very influences promoting lear-ner′s interlanguage (see, Rezaei, 2011: 47, 55).

In this research, procedural feedback chosen is forma-tive feedback or the oral feedback mode with the individual audience. The oral feedback is used to convey more information about learning and teaching with specific feedback (Brookhart, 2008:17-18). While, Ferris (2003, in Nakanishi 2007: 218) con-cluded the studies on student′s views on various form of feedback and its result shows three significant generalizations on that research, among others that

students feels very strongly receiving feedback about their language errors. In addition, the combination of feedback sources can give benefit to themself. Meanwhile, Edge (1989:69) mentioned that mistake is a part of learning and correction is a part of teaching. Furthermore, Kleppin (1998) emphasizes that the oral correction has a strong effect on learner motivation. Such correction combines with negative memories, students feel expose to the group. DeKeyser (1993), Lyster (1997: 37), in his *Corrective Feedback and Learner Uptake* study mentioned that one teacher should correct students' mistakes as often and explicitly as possible during free speaking and the other hand should avoid error correction. The error corrections are also associated with personal student characteristics. Furthermore, there are "direct" and "indirect correction", another important thing is the communication in the classroom through the controlled impulses of the teachers (see, Schart & Legutke, P. 126-7). Regarding teaching language, following argument explained clearly that students need to understand teaching goals, and teacher need to know the progress of student, as follow:

"Students need to understand clearly what goal or standard they are aiming at, whereas teachers need to know about their students' progress and difficulties with learning so that they can adapt their work to meet their students' needs. As students' needs may vary, teachers can find out what they need in a variety of ways (through observation, discussion, from written or oral work) and give feedback. Thus, in the teaching process feedback is "information provided by an agent (e.g. teacher, peer, book, parent, self, experience) regarding aspects of one's performance or understanding. It occurs typically after instruction that seeks to provide knowledge and skills or to develop particular attitudes" (Timperley 2007, in Burkšaitień, 2012: 37).

Furthermore, feedback and learning is like a coin which is related each other and making learning be effective. The recent research arguments that feedback can be underpinned by seven factors, including: 1) students' intrinsic motivation, 2) students' extrinsic motivation, 3) learning by doing, 4) learning through feedback, 5) making sense through getting one's head round ideas, 6) explaining or teaching or coaching in order to help students to deepen learning, and 7) making assessment to enable students to fully deepen their learning. In addition, feedback gives possibility to occur students' self-assessments (Race, in Burksaitien, 2012: 37). Through feedback teacher can provide information regarding students' performance and understanding and a student can find the answer

to evaluate the correct response as well. Besides, Feedback then is a "consequence" of performance (Timperley., review, 2007).

Moreover, the approaches to student feedback start by designing a questionnaires rather than exploring the purpose of student feedback. Purpose and use of student feedback is a structure from implementing and communicating changes which is designed to improve the student learning experience as well as the linkage between feedback from and feedback to student. Feedback is important for quality of academic (see, Nair and Mertova 2011: 23). This argument is an important point of view that feedback from and to student can change learning experience and result. In conclusion, feedback is considered as knowledge of result and reinforcement of learning, process of returning part of the output also feedback is verbal and nonverbal response. As later research on feedback found that students had different interpretations and understanding regarding their task; thus it must avoid things as well as interrupting students with feedback if students are actively engaged. Further, teacher do not present feedback that discourage students or threatens the students' self-esteem (see, Burke and Pietrick, 2010: 3, 22, 17).

4. Method

The method combination of student observation and questioning were adopted for the study. Further, the aims of this study is to find out how the corrective behavior in the classroom should be presupposed from students' point of view. The main research question focuses on how do my students feel when using various procedural feedback, and what is changing in my teaching? The observation was carried out first, while I used the various procedural feedback. Because there are a lot of procedures, the three procedural feedback were applied, which are: (1) "right in speaking (interrupting) to correct", (2) discuss the common mistakes at the end of the lesson, and (3) when the students make mistakes they should stand in front of the whiteboard. While this student was standing, the next student came to supplement the word formation on the whiteboard; he/she had to try again to explain his/her fellow student's supplements. If not, he/she should came forward to write and explain the task on the whiteboard. He/she may sit back if she could explain it briefly and correctly. This (third corrected correction) is an old correction commonly used by teachers in the school.

The respondents were students from 2 different grades (3rd and 5th semester, A2 - B1 level), from different

subjects namely "German Linguistics" and "German for Interpreters". For the students of the subject "German Linguistics", the students were asked to write the words in German on the whiteboard. The topic was about "phonology" and they had to explain it orally. In the "German for interpreters" subject, the students had the task in class to practice (played the role) as an interpreter. Further, the questionnaire was in Indonesian so the students could understand that well. The total respondents were 28 students; in the subject "German linguistics was 22, and German for interpreters" were 6 students. Only 20 students were randomly selected for the evaluation. This was the first research. The second research was done to ensure the result from another students. The questionnaire with 10 questions was given to students of all grades, namely the 2nd, 4th, 6th and 8th semester with total of 40 respondents. To analyze the supporting data 3 questions were chosen, which related to the questions in the first research.

Moreover, Bitchener and Ferris (2012:7) argumented that even Burt (1975) reported that no current standarts existed on wheter, when, which, or how student errors should be corrected or who should correct them, and Robinson (1971) noted that there were few widely accepted linguistic criteria for grammatical and lexical correction in foreign language teaching. The authors emphasized that students' errors should be corrected was considered in more limited way.

5. Data Presentation and Analysis. The 1st research with 20 respondents:

The discussion findings are paralleled to the 8 (eight) research questions. Only 5 (five) questions are descrybed, the 3 other questions are just open ques-tions about the students' opinions on what to suggest in terms of feedback.

Here, the reactions of the students were observed, including the situations in which the feedback was made, especially if the last procedural feedback was implemented and "how did they react to it".

Research Question 1: How do my students feel when they direct in speaking (interupting) be corrected?
The student's described their feeling as the answer of question no.1, are feelings disapointed (4 Resp.), unmotivated (1 Resp.), nervous and unhappy (3 Resp.), ashamed (2 Resp.), directly forget what to say (3 Resp.), dislike and feel inconvenience (4 Resp.), disturbed and angry (1 Resp.), quite sad (1 Resp.), normal (1 Resp.).

Research Question 2: Student's Feel toward the direct feedback in front of class
The student's described their feeling that they feel confused, nervous, unmotivated and unhappy.

Research Question 3: Student's choice toward the various procedural feedback

The students should choose one of procedural feedback, namely (a) *direct in speaking*, (b) *giving personally feedback*, (c) *teachers notice students mistake and give them in person*, and (d) *discussion in the end of teaching time*. The result shows that students choose (a) 6 respondents, (b) 2 respondents, (c) no one, and (d) 6 respondents, while other 3 respondents chosen (a) and (d), and 3 others chosen (b) and (d). This result shows that the procedural feedback (a) and (d) are the best feedback procedural according students point of view.

Research Question 4: The students point of view toward themselves, whether they are a type of like to be corrected person or not.

The answer to the quesion 4 shows that almost students are like to be corrected (19), only one student is notbelong to this type. This result shows that students can accept all kind of feedback becauce they are kind of persons who have no problem with any procedural feedback. On the contrary, to identified the answer toward the open questions about feedback, 100% students answers that they have no problem with feedback however it must be impelemented without any insults; for instance "you are not a good students, you are stupid" as they experienced at school.

Research Question 5: The students point of view toward deliberate of the feedback benefits
The students answered that all kind of feedback give benefit to them, namely, their language ability and their knowledge in German can be improved. They will not dothe same mistakes in the future, they are motivated, they reach further knowledge, they learn from a mistake, and feedback can improve them.

The 2nd research with total 40 respondents:

Research Question 1: Had you ever been corrected by lecturers when you are trying to answer the question?

Table 1: Student's answer toward the question about lecturer's feedback by speaking (interuption)

No.	Items	Total Respondent In %
1	I had *ever* been corrected by lecturers when I was trying to answer the question	31 respondents (77,5%)
2	I had been rarely corrected by lecturers when I was trying to answer the question	3 respondents (7,5%)
3	I had been *very often* corrected by lecturers when I was trying to answer the question	2 respondents (5%)
4	I had *never* been corrected by lecturers when I was trying to answer the question	3 respondents (7,5%)

Research Question 2: How do you feel if your lecturers give you feedback toward your mistakes in front of class?
Table 2: Student's answer toward the question about lecturer's feedback in front of class or other students directly

No.	Items	Total Respondent In %
1	I feel nervous	10 respondents (25%)
2	I feel ashamed/shy	7 respondents (17,5%)
3	I do not feel bad	22 respondents (55%)
4	I feel disapointed	1 respondents (2,5%)

Research Question 3: Which one of teacher's procedural feedback do you prefer to have?

Table 3: Student's answer toward their choices of lecturer's procedural feedback

No.	Items	Total Respondent In %
1	Direct feedback when I am speaking in German	3 respondents (7,5%)
2	I prefer to have feedback personally	8 respondents (20%)
3	Teacher notes the mistake and give me personally (writing feedback)	2 respondents (5%)
4	Teachers give feedback in the end of class lesson	23 respondents (57,5%)
5	Students had more than 1 choice (1,2; 2,4; 1,4 and 2,3,4)	4 respondents (4%)

It can be seen from Table 1 above that most students have ever been corrected by lecturers when they are trying to answer questions, or teachers interupted students about 77,5%. Table 2 shows that about 22 respondents from total 40 respondents or about 55%.students do not feel bad if teachers give them feedback in front of the class or other students. While Table 3 shows that students prefer their lecturers (most German lecturers) give feedback in the end of lesson about 23 respondents (57,5%.). To compare the answer toward the question research 2 (first research) above with the result of Table 2 (second research), the result is contradictive that for open questions the students feel shy toward the feedback in front of class. In the Table 2, or closed questions, they said that they dont feel bad when they are corrected in front of the class. Those data show that effective feedback depends on how the procedural feedback form teacher is implemented. If students should choose they feel good with any kind of feedback.

Further, about the 3rd procedural feedback the students said that the procedure was strongly motivated them however no one expressed any satisfaction on their face. Especially when the students have strongly corrected in front of the class before their fellow students or when they should stand in front of the whiteboard. The next students tried to make lesser mistakes and explain something briefly about the task. After finished the lesson, I asked my students to write their feeling on a paper which was a part of my research.

The data shows that students are aware that feedback in foreign language learning is beneficial for improving their German. The various procedural corrections affect the reactions of the students to whom the correction is applied. The particular correction behavior is the third correctional behavior, although it is a bit hard for students, but it could increase their motivations to work the task properly. Even though, the feedback suggested is the feedback at the end of the lesson, but the direct correction is also well-suited if they are made by the teachers without insults (for example, you are stupid, etc.) as most students have experienced at school.

Conclussion

Feedback procedure in teaching and learning process is reflected by many features of student′s perceptions. For some cases, the negative feedback, which is considered as punishment, can strengthen students to change their self esteem and performances in learning. If the various procedural feedback were implemented, the students has different feelings, like nervous, unhappy and unmotivated. Even though those procedures could increase student′s motivations to work the task properly. Besides, it strenghten student tried hard to finish their task and doing less mistakes. Students are aware that the procedure even strongly in foreign language learning, it is beneficial for improving their German. The direct correction is also well-suited if they are made by the teachers without insults, for example "you are stupid", which many students have experienced.

References

[1] Amara, Naimi. (2015). Errors Correction in Foreign Language Teaching. The Journal of New Horizons in Education. Vol. 3. Issue 3. July 2015. Pp. 58- 68

[2] Bitchener, Jhon., Ferris, Dana R. (2012). Written Corrective Feedback in Second Language Acquisition and Writing. New York and London: Routledge.

[3] Burke, Deirdre, Pietrick, Jackie. (2010). Giving Students Effective Written Feedback. England: Open University Press.

[4] Burke, Deirdre., Pieterick, Jackie. (2010). Giving Students Effective Written Feedback. England: Open University Press.
[5] Burkšaitień, Nijole. (2012). Promoting Student Learning Through Feedback in Higher Education.

Online Journal on ResearchGate. Published in 2017. Pp. 33-46

[6] Brookhart, Susan M. (2008). How To Give Effective Feedback To Your Students. Virigina, USA: Association for Supervision and Curriculum Development (ASCD).

[7] Eyengho, Toju & Fawolo, Oyebisi. (2017). Student′s Attitute Towards Oral Error Correction Techniques Employed by Secondary School Language Teacher′s in South Western Nigeria. Journal of Science for Policy Implication. Vol.5. No.1. pp. 46-51. American Research Instute for Policy Development.

[8] Hattie, Jhon & Timperley, Helen. (2007). The Power of Feedback. Riview of Education Research. Vol. 7. No.1. March 2007. pp.81-112

[9] Irons, Alastair. (2008). Enhancing Learning Through Formative Assesment and Feedback. London and New York: Roudledge Taylor and Francois Group.

[10] John Hattie and Helen Timperley. The Power of Feedback. Review of Educational Research. Wilsonweb. March 2007, Vol. 77, No. 1, pp. 81-112

[11] Juwah, Charles. etal. (2004). Enhancing Student Learning Through Effective Formative Feedback. The Higher Education Academy Generic Centre.

[12] Nair, Cheni Cheri Sid, & Mertova, Patrice. (Eds.) (2008). Student Feedback: The Corestone to an Effective Quality Assurance System in Higher Education. Oxford Cambriedge New Delhi: Chandos Publishing.

[13] Nakanishi, Chiharu. (2007). The Effects of Different Types of Feedback on Revision. The Journal of Asia TEFL.Vol. 4. No.4. pp. 213-244

[14] Rezaei, Saeed. (2011). Corrective Feedback in Task-based Grammar Instruction: A Case Study of Recast vs. Metalinguistic Feedback. Lap Lambert Academic Publication.

[15] Rita, Polgar. (2009). Mǘndliche Korrektur und Korrekturverhalten. Web: http://modszerver.Babits.pte.hu/wpcontent/pdf/szakmodszertan/Polgar_Rita.pdf

Educational Values of Mathematics in Local Wisdom of Sempe and Porna Sagu (Study of Sempe and Porna in the context of Mathematical Learning)

Theresia Laurens, Rudolf Kempa
Pattimura University, Indonesia
theresia17@gmail.com, rudolfkempa@gmail.com

Abstract: *Mathematics has an object of abstract study and educational values that indirectly affect the character of students. The making and utilization of the sempe and sago porna as the local wisdom of the Ouw community can be used for mathematics learning and the cultivation of educational values. Sempe and Porna sagu as the local wisdom of the Ouw community made of clay have mathematical values that can be explored and used as contexts in mathematics learning. Data sources were obtained from 2 earthenware craftsmen and the results of an analysis of the school mathematics curriculum. The results showed that people's knowledge of mathematical concepts had existed since their ancestors and the spatial ability of geometry possessed was transformed in the form of sempe and sago porna. The process of making sempe and sago porna shows the values of education related to social values and cultural values. Learning mathematics using the context of Sempe and Pornasagu contributes to the development of mathematical values such as thoroughness, creativity, aesthetics, kinship, and responsibility and discipline.*

Introduction

The development of globalization which has an impact on changing people's behavior can be known through observing various phenomena that lead to the waning of human values. The values referred to are abstract and related to ideas or meanings that are not measurable clearly, including justice, honesty, freedom which leads to more behavioral values. [1], [2]. These behavioral values can only be observed through daily activities, for example in the learning process and activities in the family and community environment.

The values which visible through action are called character or operative values [3]. In the Ministry of National Education [4] it is said that in general character is defined as character, trait, disposition, or personality of a person formed from the results of internalizing the various virtues that are believed and used as a basis for perspective, thinking, behaving, and acting. Virtue consists of a number of values, morals, and norms, such as honesty, courage to act, trustworthiness, and respect for others. The character is actually a good value that builds a person's personal, and is formed because of the influence of the environment (culture / local wisdom), then manifested in attitudes and behaviors of everyday life.

Mathematics as a science that has an object of abstract study has educational values which indirectly affect the character of students. Concepts, Facts, Principles and skills as mathematical objects contain various meaning values that can shape the character of students. According Soedjadi [5], mathematics as a vehicle for education can not only be used to achieve one goal, for example educating students, but also to shape the personality of students and develop certain skills. It directs attention to learning values in life through mathematics.

These values can be indirectly obtained in the mathematical knowledge itself and the mathematics learning process as the learning carried out. For example in solving mathematical problems, students will learn to obey the rules or mathematical theorems that are set and in the process of problem solving can be developed the values of cooperation, mutual help and respect for others. According to Bishop [6], there is a difference between values related to mathematics (eg logical arguments), education in general (eg emphasis on goodness) and mathematics education (eg doing regular percentages of discussion results). These values can be categorized as mathematical values, namely values developed in mathematical material, general education values, values that are associated with general norms in society and mathematical education values, especially the values developed in the curriculum, books text and learning in class. This shows that through mathematical learning that is well-designed the value of cooperation, discipline, freedom of opinion, carefulness, diligence and accepting people's opinions can be internalized.

Maluku as one of the Indonesian archipelago has a variety of local wisdom that raises almost the same values, but one of the unique philosophies of life is the philosophy of Siwalima which has been institution-

nalized and is a way of looking at society about shared life in diversity. In this philosophy, various institutions have common values and can be found throughout the Maluku region. The intended social institutions include masohi culture, pela gandong, eating patita and sasi. In addition to various social institutions, Maluku also has various practical practices related to cultural products in the form of handicrafts made from various objects around the neighborhood. One of the handicrafts known is earthenware with clay. Sempe and Porna as one of the clay products skills that are generally grouped in craft arts. Sempe handicrafts have been cultivated in Ouw country because the sempe has been made since the ancestors of the people of Ouw village and has been preserved to this day as local wisdom. Local wisdom is interpreted as a number of good values that are used as norms in a community. Besides sempe, there are several types of handicrafts that are made using clay base materials, namely balanga, tajela, porna, tampayang, jugs, flower pots and other furniture. This form of craft art can be used as a context in mathematics learning and has student values that can be traced and developed in learning. These values are explicitly developed in the planning process, teaching and learning of mathematics education, namely epistemological values, social and cultural values [7], [8]

These values are explicitly developed in the planning process, teaching and learning of mathematics education, namely epistemological values, social and cultural values.

1.1 Values in Mathematics Education.

Value in the Ministry of National Education [9] interpreted as characteristics that are important for humanity or something that perfects human beings according to their essence or closely related to ethics. Some categories of values are values in psychology, sociology, philosophy, economics, marketing and other disciplines. In the field of education, the concept of value is focused on preparing attitudes, mentality and character based on religion, Pancasila and culture. Improving the quality of education is directed at improving the quality of Indonesian people as a whole through exercise, thinking, sports and sports in order to have competitiveness in facing global challenges [9].

The development of character education through class discussion needs to pay attention to the Values inculcation approach that transmits the value of a number of activities, for example reading a book, identifying problems through discussion or through a process of reflection, clarification values. Namely an approach where students are given the opportunity to articulate the values they have. Values analysis, na-mely the approach in evaluating the logic process and rationally through the submission of questions made in the discussion, Lastly moral reasoning is an approach where the teacher does not make a decision about the value that is made by the student but pro-vides an opportunity to express those values in action [10], [11].

The above approach shows that in the learning process certain values such as hard work, honesty, tolerance, discipline, independence, national spirit, love for the homeland, and fondness for reading can be realized through activities designed by the teacher. For the development of several other values such as caring for the social, caring for the environment, curiosity, and being creative requires conditioning efforts so that students have the opportunity to emerge behaviors that show those values.

Mathematics as one of the disciplines that have an object of abstract study rests on the axiomatic process of deductive thinking but is often identified with numbers without values [5], [8],[12]. Mathematics taught in schools supports the achievement of national education goals because mathematics is taught with the aim of emphasizing reason and personality and the ability to solve problems and apply mathematics. Various variations of the use of models and learning strategies that can be used to teach the principles of value education through mathematics.

In the mathematical learning process there is interacttion between students which certainly involves feelings, emotions and thought processes in expressing opinions or discussing. Nilai-nilai matematika dapat ditanamkan melalui sifat matematika dan melalui pengalaman seseorang di kelas matematika [8]. According to Atweh and Seah [6], there is a difference between values related to mathematics (eg logical arguments), education in general (eg emphasis on goodness) and mathematics education (for example, doing a percentage of the results of discussions regularly). These values can be categorized as mathematical values, namely values developed in mathematical material, general education values, values that are associated with general norms in society and mathematical education values, namely the values developed in the curriculum, books text and learning in class. Through mathematics learning, students also experience behavioural change, among others, having an awareness of the importance of the future so it is important to have self-discipline, cooperate, be dili-

gent, responsible and sensitive to problems and able to solve them. [6]. These values can be identified through activities in school and activities in reading math books, writing mathematics and carrying out math tests [8].

1.2 Sempe and Porna Sago Loca Wisdom

According to Sartini [13], local wisdom can be understood as local ideas that are wise, full of wisdom, good value, embedded and followed by community members. Same opinion also voiced by Agung [14] that local wisdom is a life value order inherited from one generation to another in the form of religion, culture or customs that is commonly spoken in the social system of society. Local wisdom in the commu-nity is the result of a process of adaptation to inhabited environments where interactions often occur from one generation to another over a very long period of time. The values of local wisdom that grow and develop need to be preserved and preserved as cultural assets that reflect the identity of the local community. According to Pornpimon, et al [15] said that local wisdom is a local cultural identity that should be maintained so as to provide value for the development of a nation. Local wisdom in question is based on every social institution that comes from the philosophy of community life in a region or location that can be understood as local ideas wise, full of wisdom, good value, embedded and followed by members of the community.

Maluku as an archipelago has a variety of potential in terms of social and cultural aspects. The life environment of the people that cannot be separated from the life of the island community provides an illustration of how rich the natural environment is as a gift from God that has been enjoyed by the Moluccas from generation to generation. One of the values of local wisdom that is preserved is the craft of processing clay into objects that are used in everyday life and can also provide economic value to the local community. These objects include Sempe and Porna. These two objects are used to process and accommodate typical Maluku food called sago which originates from the sago tree trunk (Metroxylon sagu Rottb.) the height is about 30 meters and can produce 150-300 kilograms of sago flour raw material. To process sago flour it is necessary to use a cooking tool called sempe and porna.

Sempe is one of the pottery produced and preserved in the Maluku community, especially the Ouw community. Sempe is a result of the gandong culture that is owned between Ouw and Seith countries [16]. Besides being a food storage device, Sempe is also a symbol

of unity between the two villages that have a history full of value as a culture that is still preserved to this day. This is seen from the initial process of making sempe which begins with a traditional ceremony and a prayer when taking clay [16]. Here are some pictures of the porn making process (picture 1) and sempe (picture 2).
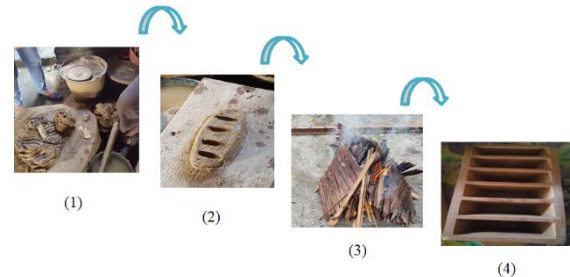

Figure 1 The process of making pornasagu

Based on figure 1, in the first stage, the basic ingredients for making sago porna are water, clay and sand. Then the second stage is made of sago porna mold. The third stage of the sago porna mold is burned and then left for about 60 minutes. Furthermore, to hold the fourth surface of the sago porna smoothed by using resin stones.
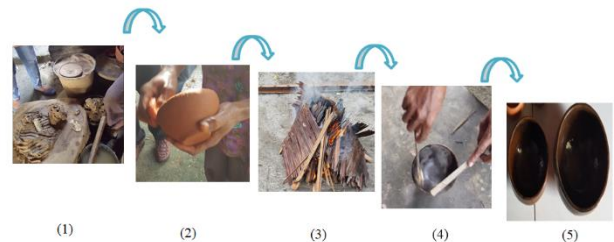

Figure 2 Sempe's Making Process

Based on figure 2 above, in the first stage the basic material provided is the same as making porn, namely water, clay and sand. Then the second stage is made into a perfect template. The third stage of the sample is burned and then left for about 45 minutes. Then, on the fourth surface, the sempe is smoothed by using resin stones.

2. Method

This research is a qualitative study with the location of research in the community of gerbah craftsmen in Saparua, amounting to 2 people with research instruments are researchers equipped with interview guidelines and observation sheets, recording devices and field notes. The collected data was analyzed using qualitative data analysis techniques according to Moleong [17] namely the reduction process, by

reducing or eliminating unnecessary data, then exposing the data in the form of narratives and making conclusions. To prove the validity of the data, a triangulation process is carried out both with sources and methods.

3. Result and Discussion

Handicraft is one of the activities that shows the existence of creative thinking from primitive communities in several regions in Indonesia, including the Maluku community. Thinking creativity actualized in various forms of processed clay traditionally produces various forms of objects used to meet daily household needs, and can even be used as a source of meeting the family's economic needs.

Processed clay crafts or pottery or pottery made by people in Maluku include sempe, sago porna, tajela, flower pots, and others for the people of Central Maluku (Ouw) and sempe, belanga, gloomy, cauldron for Southwest Maluku people (Tutukey) is a cultural product that provides economic value and cultural values that need to be maintained.

When observed the process of making sempe begins with a lump of clay consisting of a mixture of sand and clay which is then formed into desired objects. The initial process is to make a hole in the middle of the clot by hand, then put it on the rotator and rotate it while flattening it by hand so that a space object that has thickness, height, width and length is formed. When asked how to think about making it, the subject (MP) gave the following explanation:

Pada waktu mau bikin katong su tahu apa yang mau di bikin, jadi katong ambil tanah yang su campor lalu katong biking akang begini (sambil memadatkan dengan tangan sehingga menjadi padat dan agak bulat), lalu taruh di atas tampa putar nih (Translated: *when we want to make soga porna, we will take mixed so we will shape them like this (as he flatten the mixture with his hands and rounded them up) then we put into this spinning table*).

Flattening the surface of the ground, then using the player to shape it while using the right hand using a massage technique to form a circle, then taking the clay in the center of the object that was made and placing it on another stack, then using the right hand to flatten the inside of the clay formation. so that it becomes a sempe shape which is still rough on the surface.

Then another question is asked regarding the spatial ability used in forming the sample as follows: Jadi kalau mau bikin akang pung bentuk sama sempe kah, porna kah, itu su ada bayangan? (Translated: So if you want to make the shape of porna, you imagine them first?)

*Kalau itu su ada jadi waktu katong bikin akang pung lobang for atur jadi sempe, katong su pikir akang bentuk bagaimana, kalau sempe akang musti begini (menunjuk sempe yang sementara dibuat).Katong su tahu, jadi mulai ambil tanah liat tadi, biking akang pertama kayak tadi, kalau sempe biking akang bulat dolo, kalau bentuk lain terserah mau patung kah, berarti akang seng bulat, sama dengan porna sagu, biking akang musti pakai ukuran. Mau bikin model apa, dasarnya bikin bulat, bikin panjang, baru bentuk sesuai keinginan. (*Translated*: We already have the imagination, so we immediately try to make the hole for putting the sempe, or if we want to make a sculpture we would try different shape. However, the thing is we always have to measure everything first, like porna sago. After that we can shape them freely)*

The results of this interview indicate that the process of thinking in making a sempe pottery begins with the ability of spatial thinking about the shape of objects. Objects that are made are always preceded by a rounded base shape and then shaped according to the object previously imagined. For example, if the object to be made has a flat surface, the shape will be different from objects with curved surfaces.

This shows that in the process of making sempe the community has primitive knowledge (indegenious knowledge) of mathematical ideas such as round, flat, arch, height, depth, width and size. The measuring instrument used uses part of the sago tree as explained in the following interview.

*P: Tadi usi bilang kalau bikin porna sagu katong musti ukur, itu ukur akang bagaimana (*Translated: *So, sister already explained about the measurement, so how you measure it?)*

MP: Kalau ukur itu katong pakai gabah-gabah for lia akang pung tinggi, karena kalau seng sabantar sagu akang pung ukuran seng rata, begini (sambil mengambil sepotong pelepah sagu dengan ukuran sekitar lebar sekitar 2 cm dan panjang 30 cm), ukur akang pung tinggi kira-kira sampe di sini (menunjuk dengan 2 ruas jari). Porna itu Tidak ada yang 5, kalau yang 5 itu namanya porna ambon, porna untuk membuat sagu gula, (Translated: *Measurement is done with the sago's midrib, because otherwise sago's size*

would be uneven (as she grabbed a midrib with 2 cm in width and 30 cm in length), measure it until here (pointing with 2 fingers) There is no 5 porna, the 5 porna is for Ambon Porna to made sugary sago).

The porna image for sago sugar has an inner size that is wider than the porna for ordinary sago. The following is a porna image for sugar sago which consists of 5 holes and processed sugar sago.
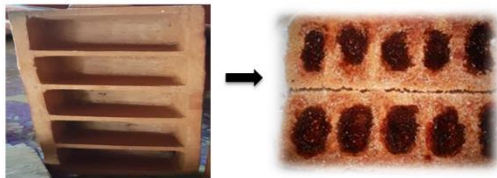

Figure 3 Porna Sago (left) dan Sugar Sago (right)

Educational values that can be seen from the process of making sempe and sago porna are the values of toughness, accuracy, intelligence, patience accompanied by aesthetic values. If observed from the initial process of formation, there are religious values that underlie the process of making, it can be seen the values of respect and respect for parents and ancestors [16].

3.1 Study of Mathematical Values in the Process of Making Pottery and Sago Porcelain

By paying attention to the process of making sempe and sago porna, there are several mathematical ideas that are used, among others, to get up flat and build space in the concept of geometry. The mathematical elements that can be extracted from sempe pottery or glass made by the community are round or round which leads to the concept of a circle.

Circles are one of the material in the school curriculum that can be introduced through the sempe contextual approach. By analyzing the form of the sempe contextually and in the form of an image, the concept of the circle can be abstracted by aborting thickness and height as can be seen in figure 4 below:

Figure 4 Sempe (Left), Porna Sago (Right)

To introduce the concept of a circle to students, the teacher can show the surface or the image as the context. In the context of mathematics it is considered important to introduce mathematical concepts [18]. When students have observed the object then through the process of abstraction and generalization they can be introduced to mathematical concepts related to objects seen so that the planting of the concept of circumference of the circle can be constructed by the students themselves. In addition to the circumference of the circle, circle elements such as the midline, fingers, bowstring can also be introduced in the junior high school curriculum.

When looking at the sempe form, to improve students' mathematical understanding, the sempe image can be illustrated as a space object which is the rotation of a curve in a flat plane known in the concept of swivel objects at the high school level. In addition to calculating the volume of the sempe, problems can be raised relating to the utilization of sago-specific foods which are an inseparable part of the use of the sago porch and porna.

The mathematical ideas that primitive societies have in making sago porcelain and also as tools that have philosophical and economic values can be used to show mathematical concepts especially the introduction of parallel lines, the concept of angles, and also the concept of square and volume.

Conclusion

Indigenous people do not recognize mathematical terms, but in the process of sustaining life, they have used mathematical ideas in the manufacture of pottery including the Sago porcelain and porcelain. When viewed from the initial process of making Sempe pottery and pornography, there are philosophical values and cultural values including religious values, values of obedience, respect for ancestors, values of cooperation, values of toughness, and values of mutual respect for one another.

Sempe and sago porna as the context in learning give students values in the form of discipline, consistency, intelligence, thoroughness, principles, creativity, kinship, aesthetics, love of their own culture and love of the homeland. This is important so that local wisdom is maintained.

References

[1]Mulyasa, E. 2011. *Menjadi Guru Profesional,* Bandung, Rosdakarya.

[2]Mulyana, R. 2004. *Mengartikulasikan Pendidikan Nilai.* Bandung: Alfabeta.

[3]Wiyani, N. 2013. *Membumikan Pendidikan Karakter di SD.* Jogyakarta: AR-Ruzz Media. w*ww. indonesiakaya.com/.* (n.d.). Retrieved 2019, from jelajah-indonesia/detail/sagu-makanan-pokok-anda lan-orang-maluku.

[4]Dirjendikti. 2010. *Kerangka Acuan Pendidikan Karakter.* Jakarta: Kemdiknas.

[5]Soedjadi. 2000. *Kiat Pendidikan Matematika di Indonesia.* Jakarta: Depdiknas.

[6]Bill Atweh, P. C. 2010. What values Do Middle School Students Attribute to Studying Matrhematics. *https://www.academia.edu/.../Atweh_B._Clarkson_P. _and_S...,* 9-20. Retrieved from https://www. academia .edu/.../Atweh_B._Clarkson_P._and_S...

[7]Sam, L. C. 1997. Values in mathematics education. *Proceedings of the Day Conference* (pp. 37-44). Nottingham: University of Nottingham.

[8]Bishop, A. J. 1999. Values in Mathematics Education: Making Values Teaching Explicit in the Mathematics Classroom. *Annual Meeting of Australian assosiation for Research in Education* . Melbourne: Australia & Newzeland Assosiation for Research in Education.

[9]Depdiknas. 2005. *Kamus Besar Bahasa Indonesia.* Jakarta: Balai Pustaka.

[10]Superka, D. A. 1976. *The Values Education Sourcebook.* Washington: Social Science Education Consortium.

[11]Stedje, L. B. 2010. *Nuts and Bolts of Character Education. Oklahoma: Character First.* Oklahoma. Swadener, M. &. 1988. Values, Mathematics Education and The Task of Developing Pupil's Personalities: an Indonesian Perspective,. *Educational Studies in Mathematics*, 193 -208.

[12]Hapsari, T. 2018. Nilai-nilai Dalam Matematika. *Prosiding SNMPM II,* (pp. 123-131). Cirebon: Prodi Pendidikan Matematika.

[13]Sartini.2004. Menggali Kearifan Lokal Nusantara, Sebuah Kajian Filsafati, Jurnal Filsafat 14(2), UGM (pp.111-120

[14] Agung, Leo S. 2015. *The Development of Local Wisdom-Based Social ScienceLearning Model with Bengawan Solo as the Learning Source*. *International Journal of Social Science*. Vol. 4 No. 4, hal 51-58

[15]Pornpimon,A, Wallapha, Ch, Prayuth.(2013). Strategy Challenges The Local Wisdom Applications Sustainability In Schools, *International Conference on Education & Educational Psychology* (pp.627-634), Availab le online at www.sciencedirect.co

[16]Seilatu, F. 2016. Pemaknaan Simbol Sempe Sebagai Identitas Sosial di Negeri Ouw - Maluku. *Ouw Negeri Sempe*. repository.uksw.edu/.

[17]Moleong. 2009. *Metodologi Penelitian Kualitatif*. Depdikbud. Jakarta

[18]Ariyadi Wijaya. 2012. *Pendidikan Matematika Realistik, Suatu Alternatif Pendekatan Pembelajaran Matematika* . Yogyakarta: Graha Ilmu.

Risk-based Approaches to Food Safety Regulation and Governance: the Evidence from Shanghai

Bo Tang
Fudan University, China
tangbo@fudan.edu.cn

Abstract: *"From farm to table" has increasingly become the core direction of China's food safety regulation and governance. It involves various actors in the process of supervision and governance: government, producers, operators, NGOs and consumers. Based on beck's risk society theory, this paper deeply analyzes the information asymmetry in the food production process in China, and the results show that there are various risk factors in the food supply chains in China, which increase the regulatory difficulties and make it difficult to implement food safety governance. Based on the empirical experience of Shanghai's regulation process, this paper identifies various risks in the food supply chains, as well as the shortcomings of government departments in the process. Finally, a new method of co-regulation and co-governance is proposed on how to better implement food safety regulation.*

Introduction

2019 marks the tenth anniversary of the enactment of China's Food Safety Law. In the past ten years, China promulgated the Food Safety Law and related laws and regulations, which consolidated the foundation of ensuring food safety. In terms of supervision, the government established the Food Safety Committee and integrated the Food and Drug Administration to solve the problems of unclear powers and responsibilities and difficult coordination in the process of supervision, and tried to form a unified and coordinated supervision of food supply chains. On guarantee, China has learned from the advanced experience of developed countries and regions such as Europe, America and Japan in food safety guarantee, introducing risk assessment and information traceability mechanism, and ensured food safety with the help of modern scientific and technological forces.

At present, the situation of food safety in China is improving, but there are still many problems. Food safety incidents are still frequent, causing anxiety and discontent among the people. Therefore, a series of problems in the process of food safety guarantee need us to explore and think deeply, such as why food safety is difficult to guarantee, what the risk characteristics of different processes in food safety supply chain are, what kind of policy innovative design should be adopted to better guarantee food safety and so on. This paper tries to respond to the above problems by analyzing the risks in the process of food safety production and operation and the strategic choices of relevant stakeholders.

Recently, there has been an increasing number of studies on food safety in China. These studies mainly focus on:

(1) Why food safety problems occur. In modern society, food safety risk exists in the envi-ronmental pollution in the production process (Liu Weijun, 2007), serious information asymmetry in the whole chain of food production, circulation and retail operation, and imperfect quality control in food processing (Xu Xiaoxin, 2002). In addition, unba-lanced economic development, rapid urbanization and the existence of small food production work-shops (Sun Xingquan, 2015) have also laid a hidden danger for food safety.

(2) How to supervise food safety. Researchers try to make up for the "fragmentation" of the government's regulatory functions by starting from the regulatory system, to construct a holistic governance mechanism for food safety assurance. Because the food market has the characteristics of externality and information asymmetry, it is difficult for regulators to supervise producers accurately and compre-hensively, and to realize the supervision of food safety supply chain. Therefore, researchers have proposed to change the mode of food safety supervision, realize the transition from authoritarian control mode to cooperative governance mode, and promote the interaction among government, food production enterprises, the third sector and other organizations. Active coordination to achieve common social governance of food safety (Qinli, Wang Qingsong, 2008; Zhang Chengfu, Xie Yifan, 2009; Yan Haina, 2010; Zhang Hongfeng, Chen Xiaojun, 2011; Chen Songqiang, Geng Hong, 2012; Qimeng, 2013; Ding Huang, Sun Wen, 2014).

Most of these studies focus on normative research, and lack the support of positivist research in the study of process of food safety supervision. Therefore, based on the policy network approach and the theory of information asymmetry, this paper will identify the risks of social production division in the process of food safety assurance. The paper defines the risk of different processes in food supply chains in Shanghai, to provide theoretical and empirical basis for further policy tool selection in the process of food safety assurance.

2. Analysis of Risk Theory in the Process of Food Safety

(1) Risk Threats in Food Production

Risk arises from the combination of various constraints and human value judgment (Ge Zhaoqiang, 1997). Unlike the complete rationalists assumed by traditional economic theory, due to the inherent uncertainty of the system and the scarcity of the actor's psychological resources (Yuan Yi, Mao Ning, 2007), in the real society, the actor shows more limited rationality. Therefore, the complex events of modern society, coupled with the value judgment of limited rational actors, make risk highly complex.

Since modern times, the rapid development of industrialization has greatly improved the ability of human beings to understand and transform the world. Therefore, the civilized society has a high degree of dependence on industrialization, and various production factories have been established. At that time, human beings did not know enough about pollution and did not have the relevant technology and conditions to deal with pollutants. After centuries of accumulation, industrialization has caused great damage to the whole world's ecosystem. With the acceleration of the research process of high and new technology, more and more environmental problems have arisen. Such as the radiation effects of nuclear leaks.

Among the risk factors of food safety, there are some factors such as excessive heavy metals, excessive residues of agricultural and veterinary pesticides, contaminated soil and excessive use of fertilizers. Due to the long-term emphasis on development, light environmental protection of the economic development model, the long-term accumulation of various types of pollution, a variety of pollution overlap, thus increasing the risk of food safety. In addition, in the process of production and operation, in order to pursue profits, the illegal use of additives, fraud and other acts also increase the risk of food safety. All kinds of potential risks interweave with each other, together with the value preferences of producers and operators blindly pursuing economic interests, which makes modern society face complex food safety risk threats.

(2) Information Asymmetry Theory

In 1970, American economist George A. Akerlof published "lemon market" Theory. Taking the American defective car market as an example, he proposed the famous "lemon market" theory and elaborated the "adverse selection" caused by information asymmetry in the market mechanism. According to the theory in the process of market transactions, the seller has more information and knowledge about products than the buyers do. Under the information asymmetry conditions, sellers are motivated to sell inferior products, not only makes the low-quality goods will be out of the market with high quality goods, the market is filled with low-quality goods, can also lead to reduce the size of the market. There are various actors in food safety, such as producers, wholesalers, retailers, consumers, government regulators and so on. There is an obvious information asymmetry between different actors, and there are still many unsanitary and unsafe foods filling in the production, circulation and sales of all processes, so that the food safety risk is still complex and severe.

(3) Incomplete Contract Theory

The incomplete contract theory can trace back to Coase's famous 1937 paper "the Nature of the Firm". Coase believed that "due to the difficulty in prediction, the longer the contract term of the supply of goods or services, the more impossible and inappropriate it is for the buyer to specify what the other party should do" (Coase, 1937). At this point, the transaction process no longer bases on the traditional economic assumptions of rational actors under the full contract of economic action. After that, Williamson (1979) distinguished the trading process between buyers and sellers on the key dimensions of trading (trading frequency, specific investment and uncertainty). According to incomplete contract theory, opportunism pervades the transaction process of buyers and sellers, and it is difficult for them to conclude a completely rational contract. Due to the limited rationality of human beings and the existence of transaction costs, it is difficult for the contracting parties to make detailed provisions on various possible future events at the time of

contracting.

(4)   Policy Network Theory

Network analysis is a new method of policy research and analysis in the field of public policy research since the 1970s, to distinguish it from the previously prevailing meritocratic and pluralist studies of state and society and political and administrative dichotomy (He Junzhi, 2004). Policy network analysis processes macro analysis of policy process with microanalysis of individual actors by introducing stakeholder actors into public policy process.

In the policy network. Actors distinguish themselves from other complexes through resource interdependence, interconnection and changes in the structure of resource dependence (Benson,1982; Rhodes & Marsh, 1992). This definition highlights the core components of a policy network: actors, resources, and their interrelationships.

(5) Breeding of Risks: Division of Social Production

Social division of labor has promoted the development of productivity and industry in modern society. However, the highly differentiated division of labor corresponds to universal collusion, which corresponds to universal irresponsibility (Beck, 1986). In food production, there is a large number of transaction process and long supply chain from field to table. Information asymmetry and incomplete contract fill the whole process, making food safety supply chain has a large number of potential risks and threats. This paper will make an in-depth analysis of the impact mechanism of social production division on the generation and diffusion of food safety risks, and identify the risk characteristics of food safety based on the objectives, resources and action strategies of actors in different processes of the supply chain.

3.   Characteristics of Food Safety Risks: from field to table

Food safety covers a long supply chain. In general, it is from production and circulation to catering, running through the whole process of "production - circulation - consumption". Starting from the social production division, the existing actors include planting producers, acquirers, wholesalers (circulation processes), catering operators and consumers.

Due to the multiple attributes of traded commodities, the asymmetry of quality information makes it difficult for the market to guarantee high quality and good price (Chen Yanli, 2012), it is difficult for the market to form an incentive for producers to improve quality (Zhou Deyi, Yang Haijuan, 2002). Taking vegetables as an example, its commodity properties include color, pesticide residue, quality, freshness, vitamin content, water content, etc., which can hardly be fully and clearly displayed in the market. In addition, consumers do not have the knowledge, skills and tools to identify the attributes of related goods. For example, when farmers sell vegetables, they do not put a label on the vegetables listing all the attributes of the vegetables. On the contrary, the milk powder, as easy to implement standardized production of industrial products. Although the compositions are easy to list clearly, but that does not mean producers fully showed the food information to the consumers, the lack of professional knowledge and resolving power of the consumer cannot get food all of the information (even key information). Whether it is decentralized small-scale peasant production or modern industrial standardized production, there is a huge information gap between them and consumers. In the whole process, producers and operators will tend to choose opportunistic behaviors, such as adding prohibited substances (low-quality highly toxic pesticides/harmful additives, etc.), in order to reduce costs and make products look "high quality", thus obtaining more benefits. What is more, some producers will deliberately confuse the concept of product ingredients. For the latter, the production process and product content may be in accordance with the provisions of the production, but the product does not have the corresponding nutritional standards, should also be included in the food safety products. In order to discuss the convenience and clarity, the author will take tomato experience in Shanghai as an example to analyze the information asymmetry, transaction relationship between actors and their strategic behaviors in the whole process of tomato production, circulation and final catering.

We investigated 20 tomato producers, 47 vegetable markets that wholesale and distribute tomatoes and 95 supermarkets that sell tomatoes in Shanghai, and interviewed relevant staff of various regulatory departments, 20 people in total. The analysis of this paper bases on the data and materials mentioned above.

(1) Production Process and Risk Identification The food safety risk in tomato production process is mainly that the producer USES prohibited pesticides

or USES illegal pesticides, so that the tomato surface is attached with substances that are harmful to human body. In the absence of standardized production environment, tomato planting, fertilizer use and final harvest are all accomplished by manual operation, which is difficult to achieve standard production. Artificial planting makes tomatoes grow differently during the growing process, resulting in different tomato products. They do not have the same requirement and absorption degree. In addition, in the specific process of medication, due to the agricultural operation and the actual function of the equipment, the producers often use the concentration ratio that is inconsistent with the recommended standards of the agricultural department. However, when filling in the Field Archive Record (FAR), the concentration ratio is filled according to the standard value, but the actual ratio is difficult to be defined.

"For some pesticides, the standard is 120 to 180, and we don't use that concentration, we use a different ratio. When you spray, the concentration is this ratio, but the drug does not necessarily meet this standard. Because now it is machine spraying, the proportion of pesticides reached, but the mechanical water output is not consistent. So the mu is going to be different." (JD-B2-170731)

Although the current government departments on the sale and use of banned pesticides and fertilizer strict supervision, but there are still "fish out of the net", some producers tend to use quick effect, strong toxicity of three-without-products. In the interview with the basic regulatory personnel of the government, some interviewees mentioned that some producers of small workshops with no medicine and fertilizer would directly drive the medicine and fertilizer to the fields for the convenience of the producers to buy. These pesticides and fertilizers have low prices and quick effects (due to their strong toxicity), and the producers can obtain the same or much more than the regulated production at a lower cost.

(2) Circulation Process and Risk Identification
The circulation process is the intermediate chain connecting the production end and the sales end. The food becomes the commodity facing consumers in the market through the circulation process. Its main bodies are the wholesale market/vegetable market (hereinafter referred to as "circulation market") managers and circulation market vendors. In general, stallholders in circulation markets have regular, larger suppliers to ensure that enough tomatoes are available for sale each day. These suppliers are mainly large-scale production cooperatives or purchasers specialized in field acquisition.

Due to the low price of tomatoes and limited profit space, it is difficult for individual farmers and small production cooperatives to bear the high logistics costs and labor costs. As a result, they prefer to harvest tomatoes and sell them near the production area, such as in roadside mobile stalls or by electric vehicles to the surrounding residential communities, or as a direct supplier to the nearby small supermarkets, or directly to tomato buyers.

The risk of food safety in circulation mainly comes from the entry of inferior products and the storage conditions during transportation. Circulation opens the door to the production of food. As the source of food safety risk, the production process needs to occupy a certain space before it can be produced. Therefore, to a certain extent, it can achieve the coverage of government supervision, to supervise and control the risk at the source. In addition, once the product enters current process, all products mix together, flood in current market. At this point, all product quality inspection and certification, the need to invest a huge cost, and very little revenue. Therefore, the government departments can only carry out sampling inspection on the products in the circulation market, and present the food safety situation through probabilistic sampling inspection and inspection qualification rate. For example, government departments randomly select a certain amount of products every month and publish the unqualified products.

In addition, storage conditions during transportation are also potential sources of food safety risks. If not well preserved in the process of transportation, it will easily lead to the deterioration of food, thus endangering the health of consumers.

For tomatoes, the market manager just copied the stallholders' purchase data of tomatoes today and put it on record, such as "XX amount of tomatoes purchased from XX stall on XX day", without any more information.

(3) Catering Process and Risk Identification
Catering is the terminal of the food supply chain and the most important process for consumers to buy food. The main body of this process is mainly catering operators, and its food safety risk mainly related to the relevant situation of restaurants. It mainly includes the sanitary condition of the shop, the condition of food stored in the kitchen, the health

condition of the employees and the operation condition of processed food, etc. It is the last hurdle of food safety, even in the front and the middle of the strict defense, to ensure the safety of food sources, once in the catering process went wrong, food safety before. In this paper, the catering operators are distinguished and the action choices of these actors in the food safety process are described in detail.

A. large or medium-sized restaurant operators
Most large and medium-sized restaurants are chain stores, having their own fixed supply direct delivery channels, or by the company headquarters for part of the processing, unified distribution to each branch, to achieve from the origin/headquarters directly to the restaurant, to avoid the middle of too many circulation processes. At the same time of saving costs, such standardized operation can guarantee the unity of each branch product largely, thus ensuring food safety. These large and medium- sized hotels generally set up an internal purchase record system, a good food storage environment, a healthy food-operating environment and a healthy operator.

However, this does not mean that large and medium-sized restaurants can be free from food safety risks. After the headquarters developed the standardized operation text, it was difficult to have enough workers and energy to supervise the specific implement-tation process of each branch, so the food safety of each branch was uneven.

On August 25, 2017, the Legal Evening News exposed the health condition of haidilao (Beijing Jinsong store) :

"Rats scurrying on the kitchen floor, washing their dustpans and utensils in the same pool, emptying the drain with a ladle from a customer's hot pot, and staining the inside of the dishwasher. In particular, when asked to advise dishwashers not to mix tools and utensils, the staff said, "just do your own thing.""

B. Bistro

From the number of comparison, the number of small restaurants far more than large and medium- sized restaurants, they can be seen everywhere, distributed near residential areas, near the commercial center. In order to ensure an adequate supply of ingredients, the more prosperous shops tend to sign agreements with the supplier companies to deliver a fixed amount of food every day. However, for stores with ordinary or poor business, the daily demand for food materials is small, which cannot meet the minimum

delivery standard of the supply company. Therefore, the main purpose is to buy food in the vegetable market. In order to avoid others in the procurement process concealment, misstatement or deduction of procurement costs, generally by the restaurant operator to the vegetable market to buy.

The food safety risks in small restaurants mainly lie in the quality of food materials, the degree of cleanliness, the sanitary conditions of the shops, and the health status of the operators and so on. In order to save costs, some stores will tend to buy damaged and unsellable food in the market, such as tomatoes with damaged skins and ribs with slightly rancid smell. The prices of these food materials are very low, which is in line with the expectation of small restaurants to reduce costs.

As for the cleanliness of food materials, there are few workers in the store, and the cleaning of food materials takes a long time. Therefore, in the cleaning process, many food and beverage stores just go through the water, or even directly cook, and then sell to consumers. It is difficult to guarantee the health condition of the kitchen staff. Moreover, it is difficult to regulate the professional configuration (such as wearing a mask and a kitchen cap) in the operation process. It is difficult for the service staff to check whether there will be pollution in the process of dish delivery, and how clean the dishes are, all of which are places where food safety risks are concentrated.

(4) Comparison of Food Safety Risks in Different Processes

There are many actors in the whole process of food supply chains, which have different positions and play different roles in the network. Some are in a specific process, such as producers, circulation market vendors; some will be different processes in a series, such as suppliers. Different actors have different goals and different resources, so their final behavior choices are different. Actors have different objectives, resources and strategic behaviors in each process, shaping the differences in the structure of policy network, and ultimately affecting the types and nature of risks. Therefore, there are different risks in different processes of the food supply chains. This is also one of the root causes of the complex risks in the food security process.

As can be seen from the above analysis, there are many key risk points in the long supply chain of food safety. Once the river polluted, the whole

downstream polluted. Once a risk point suddenly erupts, then food safety accidents will affect the market and consumers with the rapid circulation of market transactions.

In the food safety supply chain, the acquirer is the core action subject. It connects the production end, circulation end and sales end of the supply chain, which is the most concentrated key point of food safety risk. Once the food in the process of planting, production to the risk factors, government and producers can through the related measures, it is prohibited to have problems of products into market, and will minimize risk source, thus to prevent food safety accidents, such as the recent rural agriculture department's handling of African swine fever infected pigs. After entering the circulation market, food safety gradually develops towards miniaturization and decentralization, becoming a ubiquitous risk threat in the market. The risk of food safety in the catering industry is the most direct contact with consumers and sensory knowledge; it is very easy for consumers to fear.

4. Risk Response: Implications of Policy Innovation

Based on the theory of information asymmetry and incomplete contract, this paper takes the food safety guarantee process in Shanghai as an example to discuss the risk of food safety in the division of production in modern society. Based on the policy network method, the author discusses the status and strategic behavior of each action subject in the food safety guarantee process, and identifies and deeply analyzes the core risk points and risk characteristics of different processes in the social production division. When China is still facing a severe food safety situation, we need to answer what kind of policy tools we should choose to better ensure food safety, improve the market environment, reduce market transaction information asymmetry, and finally achieve the synergy and co-governance of government departments, producers, industry associations, consumers and other relevant subjects.

(1) Strengthen the Coordination and Co- governance of Risk Sources

The production process is the front end and the first process of food safety, which is the source of food safety risks. There are many other processes between this process and consumers, and the information asymmetry becomes more and more serious, so consumers are more worried and suspicious about

the production process. Through the coordination and co-governance of risk sources, with government supervision as the main body, industry associations and market testing institutions as the auxiliary body, the market's forcing mechanism should give full play to ensure the food safety in the production process.

First, government takes the lead to establish industry associations and formulate industrial production standards. As the overall management of food safety, the food and drug administration shall lead the establishment of an industry association. At its inception, the association may consist of producers/producers cooperatives operators of a certain size. The main responsibility of the association is to formulate standardized production standards for the production of products in the industry, list prohibited drugs, fertilizers, additives, etc., and strengthen the self-supervision and self- discipline within the industry, to ensure the standardization of the products of producers/cooperatives that join the industry association.

Second, government strengthens the testing of products and cooperates with third-party testing institutions. Because agricultural product cost is low, profit is low, at present most agricultural product belongs to setting sun industry. It is difficult for producers to bear the high investment of testing cost, and the government has insufficient investment in the detection of agricultural products. Therefore, the detection speed is slow and the effect is poor, which aggravates the information asymmetry in the transaction process of consumers. Due to the positive functions of product testing, such as screening out inferior products, labeling product quality information, reducing transaction asymmetry, and enhancing consumers' confidence in food safety, etc. Therefore, the government should strengthen the testing of products. However, the government does not need to test all products, but only needs to invest in special testing of products with high output value and great influence.

Third, government departments continue to strengthen supervision, but the content of supervision needs to be changed. As the source of food safety risks, the government should strengthen supervision and control over the production process, raise the cost of violation by producers, and make them use standardized and legal pesticides, fertilizers and additives, to control the source of production risks. Agricultural departments should pay more attention to the supervision of products, and work with health and health commission and other departments, indus-

try associations, scientific research institutions and experts and scholars to develop the corres-ponding product standards, and mark the product quality results in different grades, to form professional and credible standards.

(2) Unify the Entrance and Exit of Production and Circulation processes, and realize the connection of processes

The FDA shall organize the agricultural department and the commercial commission department to form a unified standard for the entry and exit certificates of the production and circulation links. Producer/ producer cooperatives may enter the circulation market only after they have provided relevant product testing results, certification from trade associations or grading labels of agricultural departments. The commercial commission only needs to supervise the products in the circulation market that do not have any of the above three items, and punish the market managers and street vendors.

(3) Give full play to the main role of consumers in the process of food safety supervision

The government needs to provide corresponding policy support in the process of consumer rights protection, reduce the cost of consumer rights protection, expand the channels of consumer complaints, strengthen the influence of consumer organizations, and realize the supervision of the whole link of food safety by consumers, especially the circulation link and the catering link. The protection of the main role of consumers will change consumers' disadvantage of information asymmetry in market transactions, and make producers and operators face high compensation costs, thus paying more attention to the supply of goods, preservation and catering processing health. To avoid being at a disadvantage when disputes arise, producers and operators need to comply with the relevant regulations of government departments and be more proactive in providing standardized services and safe food.

In addition, with the help of the product identification standards of government departments, consumers will tend to buy safe and high-quality products, so that the market forces force producers to meet the standards of government departments, especially in the classification standards at a high level of quality, in order to have a higher competitiveness in the market.

References

[1] Beck Ulrich. Risk Society: Towards a New Modernity. SAGE, London, 1992.

[2] Williamson, Oliver, and Sidney Winter. The nature of the firm: origins, evolution, and development. Oxford University Press, London, 1993.

[3] Rhodes and Marsh. New directions in the study of policy networks. European journal of Political Research, London, 1992, pp. 181-205.

[4] Akerlof, George A. "The market for "lemons": Quality uncertainty and the market mechanism." Uncertainty in economics. Academic Press, Salt Lake City, 1978. pp. 235-251.

[5] Liu Weijun, Pan Jiarong, and Ding Wenfeng, "Review on the understanding, causes and countermeasures of food safety", China Rural Survey, Chinese Academy of Social Sciences, Beijing, 2007, pp. 73-80.

[6] Xu Xiaoxin. "Food safety in China: problems, causes and countermeasures", Issues in Agricultural Economy, Chinese Society of Agricultural Economics, Beijing, 2002, pp. 45-48.

[7] Sun Xingquan, Yao Jia, and Han Hui. "Research on the status quo, causes and countermeasures of food safety problems in China", Food Safety and Quality Detection Technology, Beijing Electronic Product Quality Testing Center, Beijing, 2015, pp. 10-16.

[8] Chen Yanli. "Market failure, lax supervision and multiple governance: on China's food safety problems", Journal of Harbin University of Commerce, Harbin University of Commerce, Harbin, 2012. pp. 59-64.

[9] Zhou Deyi, and Yang Haijuan. "Food safety regulations and regulatory systems in various countries", China Agriculture Information, Agricultural Information Branch of Chinese Society of Agronomy, Beijing, 2002. pp. 18-19.

[10] Qin Li and Wang Qingsong. "New perspective of food safety management", Journal of Changchun Institute of Engineering (Social Science Edition), Changchun Institute of Engineering, Changchun, 2008, pp. 34-36.

[11] Zhang Chengfu and Xie Yifan. "Risk society

and its strategies for effective governance", Journal of Renmin University of China, Renmin University of China, Beijing, 2009, pp. 25-32.

[12] Yan Haina. "China's food safety supervision system reform: based on the analysis of the whole government theory", Academic Research, Guangdong Association of Social Sciences, Guangzhou, 2010, pp. 43-52.

[13] Zhang Hongfeng, and Chen Xiaojun. "Government regulation dilemma and governance model reconstruction of food safety problems in China", The Theory, Shandong Provincial Party School of CPC, Jinan, 2011, pp. 63-67.

[14] Song Qiang, and Geng Hong. "Holistic governance: the new trend of China's food safety supervision system", Social Sciences in Guizhou, Guizhou Academy of Social Sciences, Guizhou, 2012, pp. 86-90.

[15] Qi Meng. "From authoritarian regulation to cooperative governance: the transformation of food safety supervision mode in China", Hebei Law Science, Political and Legal Committee of the CPC Hebei Provincial Committee, Shijiazhuang, 2013, pp. 50-56.

[16] Ding Huang, and Sun Wen. "From administrative supervision to social governance: institutional breakthrough of food safety supervision: from the perspective of network analysis". The Journal of Jiangsu Administration Institute, Jiangsu Administration Institute , Nanjing, 2014, pp. 109-115.

[17] Ge Zhaoqiang. "Theoretical origin and institutional attribution: mechanism analysis of financial risk formation in China", On Economic Problems, Shanxi Academy of Social Sciences, Taiyuan, 1997, pp. 52-55.

[18] Yuan Yi, and Mao Ning. "From economic rationality to bounded rationality: the evolution of rational assumptions in economics", Economist, Southwest University of Finance and Economics, Chengdu, 2007, pp. 21-26.

[19] He Junzhi. "Network analysis of policy process-the emergence, deepening and expansion of conceptual framework", Journal of Party School of Zhejiang provincial Party committee, Zhejiang Administration Institute, Hangzhou, 2004, pp. 17-21.

[20] Zhu Yapeng. "Analysis of western policy network: origin, development and theoretical construction", Public Management Research, Sun yat-sen university, Guangdong, 2006, pp. 204-222.

[21] Zhao Deyu. "Genealogy and picture of public policy science: a medical metaphor", Academia Bimestris, Jiangsu Academy of Social Sciences, Nanjing, 2016, pp. 18-24.

Food-related Recreational Experiences Around the World

Saniye Gül Güneş
Selcuk University, Turkey
gulgunes@selcuk.edu.tr

Abstract: *Today, there is high interest in local, healthy and sustainable foods, traditional cuisines and gastronomy tourism. As a result, the demand for food-related recreational activities both in the environment people live in and in the tourism destinations they visit increase. There are countless food events and food-related activities around the world. These are gastronomy demonstrations, conferences and seminars, farm and food market tours, food museum visits, food and drink tastings, dining in different (sustainable, ethnic, organic, flying, etc.) restaurants, culinary shows, hands-on cooking classes, cooking workshops, family cooking classes, cookery-school holidays, cooking and baking camps, special events at a restaurant, indigenous food expe-riences and food festivals.In this paper, recreation and culinary/gastronomic/food tourism are explained; different food related recreational experiences such as cooking classes, hands-on cooking workshops, cookery-school holidays and festivals are examined; and suggestions for the future of food related recreational activities are established.*

Introduction

Cuisine is a crucial element of culture. It reinforces a sense of place and provides some of the glue that binds together the social and gastronomic identity of the inhabitants. In seeking out 'authentic' aspects of the cuisine of a particular place and undertaking 'food experiences', perhaps by interacting with those who are producing traditional foods, tourists are able to significantly enhance their sense of enga-gement with the locale and its population [1].

Gastronomy is about people and places – to tell a story; value the tangible and intangible; harnessing technology as a tool to preserve and promote authen-ticity in local communities, enhancing the consumer experience [2]. According to Povey [3], gastronomy is a key motivation to travel and is able to satisfy our neophilic desires to try new foods, which some consider has been fundamental to our ability to succeed as a species, enabling us to derive nutrients from a variety of sources. It can make an important contribution to the sustainable development goals: set policies and business strategies for food waste, community empowerment and job creation [2].

In recent years, a great increase has been observed in the food-related recreation activities of people around the World in their leisure time. This is influenced by people's interest in gastronomy and local cuisine and the desire to recognize new cultures. Mclean, Hurd and Rogers [4] explain the social functions of community recreation as:
- Enriching the quality of life,
- Contributing to personal development,
- Making the community a more attractive place to live and visit
- Preventing anti-social uses of free time,
- Improving intergroup and intergenerational relations,
- Strengthening neighbourhood and community ties,
- Meeting the needs of special populations
- Maintaining economic health and community stability,
- Enriching community cultural life,
- Promoting personal health and safety.

Recreation opportunities and activities can be and are found in all the places and spaces in which people gather to play, enjoy, and relax [5]. Public sector provision for leisure and recreation is primarily concerned with encouraging participa-tion, maximizing the use of facilities and there-fore providing a beneficial service to local and regional communities. Groups including the unem-ployed, disabled people, rural dwellers, ethnic minorities and women have been the focus of local, regional and national campaigns, in an attempt to increase participation in leisure and recreation [6].

Today, there is an increase in the demand for coo-king workshops, food and drink tasting events, multi-day cooking camps, food tours, farm-garden and market visits and similar organizations due to the interest in food-related activities. There are even recreational activities such as family cooking classes to bring family members together for enjoy and lear-ning. In addition, the effects of digital tran-sform-ation, which is getting more and more important in the world, are reflected in recreation activities. In

this way, people can participate in online, interactive cooking courses or having coo-king experience within the scope of home-based recreation activities. According to a survey by Supermarket Guru [7], an overwhelming 91% of people surveyed said they watch food shows. Addi-tionally, 36% of people surveyed said they watch cooking shows multiple times a week, 79% of people said they watch cooking shows to get new ideas and 63% watch simply for entertainment [8].

Tourism, recreation and leisure are generally seen as a set of interrelated and overlapping concepts [9]. If leisure is a measure of time, and recreation embraces the activities undertaken during that time [10], then tourism could be considered to be simply one of those leisure activities. Conversely, a central part of the tourism experience usually focuses on lei-sure and recreational activities [11]. Nowadays, tourists are more experienced, have sufficient funds allocated to travel, have more free time. Through tourism they can escape the daily routine of their lives and they sink into a whole new world full of freedom and new things. More and more tourists in the world are seeking to learn new experiences. Gastronomy is such an experience. The notion of gastronomic tourism is applicable to tourists and visitors who plan the trip entirely or partially in order to taste the local products or to take part in activities that are related to gastronomy [12]. Taleb Rifai UNWTO (United Nations World Tourism Organi-zation) Secretary-General in 2012 empha-sized that for many of the world's billions of tou-rists, returning to familiar destinations to enjoy tried and tested recipes, or traveling further afield in search a new and special cuisine, gastronomy has be-come a central part of the tourism experience [13]. In this context, food events such as food tours, tas-ting and cooking classes, food festivals, cookery-school holi-days, etc. are more involved in the promotion and marketing of tourism destinations.

2. Gastronomy (Food/Culinary) tourism

Food and particularly gastronomy have always had a significant presence in tourism [13]. Gastronomy is reasoned knowledge about what we eat and how we eat it. It is an area of inter-disciplinary know-ledge which studies and generates physi-coche-mical, cultural and socio-economic processes in which human beings cultivate, process, distribute and consume good foods and beverages which affect their physical, mental and social wellbeing. Gastro-nomy has always formed part of tourism, but the relationship between them has changed significantly over recent decades. In recent years, we have seen a phenomenon in which increasing interest in food has led the relationship between gastronomy and tou-rism to evolve towards new models, giving rise to a new tourism segment, that of gastronomy tourism [15]. As global tourism is on the rise and com-petition between destinations increases, unique local and regional intangible cultural heritage has become increasingly the discerning factor for the attraction and amusement of tourists. Gastronomy tourism has emerged as particularly important in this regard, not only because food and drink is the central to any tourist experience, but also because the concept of gastronomy tourism has evolved to encompass cultural practices and include in its discourse the ethical and sustainable values of the territory, the landscape, the sea, local history, values and culture heritage [16]. According to Lee, Packer and Scott [17], gastronomy tourism "is a journey, in regions rich in gastronomic resources, to generate recre-ational experiences or have entertainment purposes, which include: visits to primary or secondary pro-ducers of gastronomic products, gastronomy festi-vals, fairs, events, cooking demonstrations, food tastings or any activity related to food."

Gastronomy (gastronomic) tourism (gastro-tou-rism), culinary tourism and food tourism are terms that have been used interchangeably to refer to food-related special interest tourism activities by scholars [18]. According to Hall [19]; culinary tourism, also referred to as gastronomic or food tourism, is a niche area of tourism studies that has grown rapidly in recent years in terms of tourism research and education.

Definitions of food tourism, gastronomy tourism, culinary tourism, and gourmet tourism consider food as the primary motivational factor for these groups of tourists to travel. For example, the definition of food tourism is "visitation to primary and secondary food producers, food festivals, restaurants and spe-cific locations for which food tasting and/or experiencing the attributes of specialist food pro-duction regions are the primary motivating factor for travel". The importance of food in tourism is evi-denced by the growing investment of local gover-nments in promoting food-related activities in order to attract tourists with food interests. Many countries such as Singapore, France or Italy, and cities such as Hong Kong or Adelaide, seek to develop their own culinary image [17].

Historically, the role of food in tourism was much underrated, academically and by the travel industry

itself. Yet, since travel began food has been a very important element of the tourist experience. All tourists have to eat every day, and so destination food is intrinsically important, whether it is a primary or secondary motivation. During the last two decades, the study of gastronomy has progressed rapidly, encompassing a range of disciplines, including history, geography, anthropology, ethnography and sociology [3]. According to WFTA (World Food Travel Association) [20]; food tourism is the act of travelling for a taste of place in order to get a sense of place. Their definition includes beverage-loving travellers as much as food-loving travellers. It includes farm visitors, as well as gourmet aficionados. It encompasses nearly 20 different industry sector and nearly two dozen types of activities. WFTA also now see that locals can be considered food "travellers" right where they live. According to OCTA (Ontario Culinary Tourism Alliance), a nonprofit organization that consults on F&B (Food and Beverage)-themed tourism development worldwide, "Food tourism is any tourism experience in which one learns about, appreciates, and/or consumes food and drink that reflects the local, regional or national cuisine, heritage and culture [21].

According to WFTA [20], the food tourism industry was born in 2001. Since then, food and beverage industry has experienced a tremendous growth in quality products and experiences for food and beverage lovers. Food tourism is much more than just providing a list of gourmet restaurants and wineries. Unique food and beverage products and experiences can:

- Help build an area's brand equity,
-Increase revenue and taxes from visitor arrivals, and
-Drive export demand for local food and beverage products [20].

In recent years, food tourism has grown considerably and has become one of the most dynamic and creative segments of tourism. In 2012, it was estimated that tourism expenditures on food services in the U.S. topped $201 billion, nearly a quarter of all travel income. That makes food service the highest category of travel spend, according to the University of Florida report: "A Flash of Culinary Tourism." The report estimates that 39 million U.S. leisure travelers choose a destination based on the availability of culinary activities, while another 35 million seek out culinary activities after a destination is decided upon. The Mandala Research firm,

publisher of the 2013 "American Culinary Traveler Report," says leisure travelers, defined as someone who has booked at least one vacation in the previous 12 months, represent 71% of the U.S. adult population, or around 170 million Americans. Mandala reports that 77% of those leisure travelers can be classified as culinary travelers, having participated in culinary travel activities such as dining out for a unique or memorable experience, taking cooking classes, or attending food festivals. The most interesting data point in that study shows the growth of culinary tourists traveling specifically for the purpose of engaging in destination-specific culinary experiences. The report reads: "About half of all leisure travelers travel to learn about or enjoy unique and memorable eating and drinking experiences (51%), a notable gain from 2006 (when 40% said they traveled for these reasons)." Another report by the American Journal of Tourism Management released in 2013, "A Study of Factors Influencing Food Tourism Branding" suggests that the growth of food tourism "is seen as an outcome of a trend where people spend much less time cooking, but choose to pursue their interest in food as part of a leisure experience." Increasingly, going out for a meal with friends is as much about the social interaction as it is the food and the ambiance it is served in [22] .

In 2015, WFTA recognized the need for an Awards program "Food Trekking Awards" for food and beverage tourism industry. The Awards celebrate excellence and innovation in experiences delivered to food and beverage lovers who travel. There are seven categories:

- best food or beverage destination,
-best food or beverage tour experience,
-best food or beverage lodging experience
-best creative use of space for a food lover attraction
-most ınnovative food or beverage marketing campaign for a destination
-most ınnovative use of local ıngredients in a foodservice menü and
-best local storytelling in a food or beverage experience [23].

Providing unique, local, authentic, and sustainable foods is essential in local or regional food tourism strategy. Food and drink may also connect visitors to a local culture. The 2016 Food Travel Monitor reported that 81% of leisure travellers who responded like to learn about food and drink when they visit a destination. Also 81% agreed that food and drink help them to understand the local culture. Food tourism can;

-generate positive economic impact to an area through food or drink experiences;
-protect local heritage
-promote the image of a destination
-promote peace/understanding between cultures
-connect visitors with agritourism/agricultural production [20].

Both destinations and tourism companies are aware of the importance of gastronomy in order to diversify tourism and stimulate local, regional and national economic development. Food Tourism includes in its discourse ethical and sustainable values based on the territory, the landscape, the sea, local culture, local products, authenticity, which is something it has in common with current trends of cultural consumption [13]. According to Richards [24]; food can provide the basis for the development of tourism experiences in a number of ways:

-Linking culture and tourism – food is often a gateway to local culture and can bring tourists and locals together in a shared cultural experience. Food can be linked to local customs, traditions, landscapes and systems of food production to provide engaging authentic experiences for tourists.
-Developing the meal experience – meals are a central part of the tourist experience and they provide an ideal setting for the creation and staging of memorable and meaningful experiences.
-Producing distinctive foods – foods can become distinctive elements of the brand image of places and help to create distinctiveness in a crowded marketplace.
-Developing the critical infrastructure for food production and consumption – there is a growing critical infrastructure around the production, preparation and consumption of food. This includes food producers, chefs, critics, other culinary trendsetters, journalists, bloggers and information providers.
-Supporting local culture – food experiences can directly support local cultural development by providing the cultural capital necessary to create and sustain cultural production and consumption.

Nowadays, many people prefer to food-related recreational activities around the World. According to The American Culinary Traveller Report (2013), the percentage of US leisure travellers who seek to learn about dining experiences on their travels rose from 40% to 51% between 2006 and 2013. However, besides simply "something to do", food and drink can provide memorable and authentic, sustainable, or unique experiences to visitors. Such experiences can also educate visitors. According to WFTA, 90% of food and drink experts agreed that due to the importance of food and drink to a region's socio-cultural and environmental framework, food tourism should play a greater role, namely to educate visitors while they are being fed or entertained [20].

Through a visit to a food festival, cooking class, or farm-to-table dining experience, tourist garner a better sense of local values and traditions. An increasing number of tourist destinations are very sough-after because of their unique culinary and gastronomy. In addition, food has an important role in differentiating destinations in a meaningful way. Local and regional food can add value to a destination because visitors consume the products of a destination; hence, the products must be something that satisfies their needs and wants. Familiarity with local, regional, and national cuisine has become an interest for tourists. Local food is a fundamental component of a destination's attributes, adding to the range of attractions and the overall tourist experience. This makes local food an essential constituent of tourism production as well as consumption. This implies that gastronomy tourism is better developed in areas where there is a weaker connection [18].

In order to develop gastronomy tourism, destinations must have resources as well as a well-managed destination strategy, with which one can build a well-structured story that appeals to tourists. According to UNWTO [25], 10 keys to strengthen the management of gastronomy tourism:

1. Gastronomy tourism is dynamic: As an essential part of culture, gastronomy tourism should not be approached as something static, but analyzed as a living entity that is subject to constant change.

2. Maximize the opportunities of sustainable tourism management: Gastronomy tourism embraces the dimensions of sustainable development – it is a tool for economic development, cultural preservation and local community empowerment

3. Diversify the cultural tourism attractions: Gastronomy plays a fundamental role in diversifying the tourism offer through new cultural products and enhancing the visitor experience.

4. Reduce seasonality in destinations through gastronomy tourism: Unlike other market segments with high seasonality (such as snow tourism, or sun and beach tourism), gastronomy tourism can be

developed throughout the year, and may also play a key role in attracting demand during low season.

5. Encourage territorial decentralization of tourism, boosting local economies: Gastronomy tourism can become an essential tool for the revitalization of local businesses and economies through the promotion of tourism services provided by local residents.

6. Promote social inclusion and redistribution of income: Gastronomy tourism offers a unique opportunity to promote the local cuisine and traditions at different levels within a society.

7. Strengthen coordination between sectors to address the phenomenon of tourism globally: Gastronomy tourism management requires defining strategies beyond the tourism sector, therefore, a holistic vision for development may be achieved among different areas of government (Tourism, Agriculture, International Trade, Environment, Natural Resources, among others).

8. Promote public-private partnerships at different levels and across the value chain: Professionals from accommodation, tour operators, travel agencies, and many other stakeholders of the value chain need to work closely and together with public sector in order to develop tourism policies and successful products.

9. Encourage the active participation of local communities: Gastronomy tourism is based on the traditions and customs of local people, and therefore, their participation as well as their gradual adaptation to tourism through awareness and capacity building activities is a key area.

10. Promote an authentic experience based on cultural identity: The experience of gastronomy tourism should be grounded in the authentic culture and genuine values of the host community.

3. Food-related recreational activities

Today, there is high interest in local, healthy and sustainable foods, traditional cuisines and gastronomy tourism. As a result, the demand for food-related recreational activities both in the environment people live in and in the tourism destinations they visit increase. The popularity of food-related recreational activities, led many institutions, platforms, colleges and different organizations provide this service. There are countless food events and food-related activities around the world.

The CIA (The Culinary Institute of America), one of the Started in 1946, is one of the world's premier culinary college dedicated to excellence with world-class faculty from around the globe and facilities that are state-of-the-art. Their slogan is "Eat, drink and discover". CIA have cooking, baking, wine classes in four different campuses located in California (Copia in Napa and Greystone in St.Helena), New York (Hyde Park) and Texas (San Antonio). These campuses are all located in the heart of vibrant culinary regions, and each one offers a unique, locally-inspired, and unforgettable experience. There's a class for everyone at each of locations. In these campuses, people will be able to explore:

- dining in the restaurants (can interact with chefs in the beautiful open kitchen, 3D dining experiences, and experience hospitality from the staff),
- attending an event such as chef demonstrations, seminars etc.,
- visiting museums, exhibits, (artifacts of specialty cookware, bread baking and culinary tools, appliances, and tableware the exhibit), and gardens,
- taking different food and drink classes, or
- participating multi-day "Farm to Table" Cooking and Baking Boot Camps (to explore regional cuisine, learn the techniques, ingredients, and recipes).

Classes can be divided into four groups;
- A day hands-on cooking classes (to discover street foods, learning grill techniques and how to bake pies and tarts at home, etc.),
- Wine and beverage classes
- Family-friendly classes (Shared experiences are the best way to connect with family and friends. For example, every sunday is "Family Funday" at Copia campus. People can enjoy an interactive demonstration with their child, Or enroll their young son/daughter in one of day camps, where they'll have a blast learning all about new cuisines and cooking techniques).
- Holiday classes (People can make holidays fun for them and their family. They can create cupcakes for Halloween, build and decorate their gingerbread house, etc.)

People can be also a member (DISH) of community of food lovers. The web page of the institute include recipes, e-books, events calendar, shopping deals and discounts, demonstrations, videos, chef's notes, and subscription to mailing list [26].

Eatwith is one of the world's largest platforms for immersive dining. People whether in their city or

traveling to incredible destinations can find exclusive events hosted by local communities; join dining experiences (Dinners, lunches, brunches, picnics, tastings, aperitifs, etc.); hands-on cooking classes (champagne and macaron making class with Masterchef who won the contest thanks to the macaron challenge, learn to make fresh pasta at a chef's house, outdoor Mediterranean baking workshop, Palermo market tour and Sicilian Cooking Class, etc.) and food tours (discover foodie hotspots) with local tour guides in more than 130 countries. There are also mind blowing culinary events called "wow experiences" such as hiking and sunset picnic with a panoramic view, a journey around the Santorini island (tour 3 different local wineries, learn about local grapes and wines, experience in the wine culture of island), etc. [27].

Liaison College founded in 1996 in Ontario-Canada focus exclusively on training in the culinary arts. The College has also in-depth interactive, recreational cooking classes. There is no need any previous food and cooking experience for recreational cooking classes. If people have an interest for food and like to have fun and meet new people, they can participate 2 nights (Monday and Tuesday) a week the small (maximum of 12 participants) hands-on classes with professional chefs [28].

The World Tourism Organization (UNWTO) defines gastronomy tourism as "a type of tourism activity which is characterized by the visitor's experience linked with food and related products and activities while travelling. Along with authentic, traditional, and/or innovative culinary experiences, Gastronomy Tourism may also involve other related activities such as visiting the local producers, participating in food festivals and attending cooking classes. Eno-tourism (Wine Tourism), as a sub-type of Gastronomy Tourism, refers to tourism whose purpose is visiting vineyards, wineries, tasting, consuming and/or purchasing wine, often at or near the source" [15]. Cooking classes and workshops are also one of the popular food tourism products. Cooking sessions are quite common in a number of countries including Japan, France and Italy, where tourists are able to visit local villages or gardens to collect ingredients and later on, cook meals from scratch accompanied by the locals.

There is growing evidence that tourists are consciously seeking out food experiences. According to Everett [29], food is regularly developed into something iconic, which can be central to identity at an ethnic and national level, where the adoption of heritage identities is powerful because they meet customer and stakeholder needs by encapsulating emotions and needs and building identity. Food has a central and iconic role in society and carries significant cultural, historic and social significance in terms of identity construction. Dishes like the street food of Penang, Malaysia, are endowed with iconic status, and food heritage is believed to be worthy of celebration and conservation, and even if it is less established in the case of Singapore, it carries powerful messages that attract consumers but may also underpin longstanding political agendas.

Certainly food can be the driving force that motivates people to visit places we see as gastronomic destinations, such as Italy and France, but certainly less culinary established destinations, such as Australia and Switzerland, are now responding, and spend on marketing and promoting is increasing. Destinations are creating new narratives, compensating and inventing heritage traditions to capitalise on the demand for special interest tourism. For instance, the World Heritage town of Hoi An in Vietnam is an example where one just has to walk through its pedestrianised areas to see rows of new cookery schools, a backdrop to tourists enjoying its colourful and buzzing market; certainly visitors enjoy culinary offerings to rival any top culinary destination [29]. According to Kumar Dixit [18]; the gastronomy tourism experience is a form of tourism experience that is related to tourists savouring the gastronomy in local restaurants, sampling street foods, attending cooking classes, and visiting local food markets and food exhibitions or festivals in unfamiliar places. It encompasses tourists who travel with local gastronomy sampling as the primary purpose of their trip and those who deliberate local gastronomy sampling as a side activity of their vacation.

The concept of learning to cook while on holiday - "Cookery-School Holidays"- appears to be an attractive one, made up of a number of exciting ingredients, carefully presented for its invited guests. Ballymaloe is one of Europe's foremost cookery-schools (organic farms and gardens), and has attracted students from around the World since its opening in 1983. The school is situated in one of the most scenic areas of Ireland, East Cork, surrounded by beautiful rolling countryside and only half a mile from the sea. The school is run by Darina and Tim Allen, both well-known cooks in their own right, who keep the culinary style pioneered by Myrtle Allen, from the nearby Ballymaloe House, at the heart of their operation. This well-loved award-

winning country house hotel and restaurant, situated 2 miles from the cookery school, has helped to establish Ireland's rightful place on the international culinary circuit, with its tireless commitment to the use of excellent fresh local ingredients on its menus. Darina and Tim have also adopted this ethos and this is demonstrated by the school's approach to food supply. The cookery school obtains most of its vegetables and herbs from the Allens' own organic gardens, free-range eggs are collected daily from their chickens and fish is bought daily from Ballycotton harbor nearby. Fresh meat and farmhouse cheeses are all purchased from local suppliers. The school attracts students of all ages and abilities. Some are complete novices, while others are more experienced cooks, keen to improve their skills and expand their culinary horizons. Many of the students in attendance enroll purely to have a 'fun' experience but the school also offers intensive twelve-week certificate courses designed for those who wish to embark on a career within the hospitality industry. Many of the courses on offer are booked up well in advance and have waiting lists, a clear demonstration of the school's popularity. The courses range from simple one- to two-day courses, based on a certain theme, for example baking, entertaining, salads or pasta dishes, to more lengthy week-long courses which are designed to establish a foundation of culinary skills. The teaching style is relaxed and friendly, and at lunch times students and tutors sit down together to enjoy the fruits of their labor over a leisurely lunch. The school's facilities are excellent and while some sessions are taught by the owners the school also calls upon the expertise of a number of guest tutors. The school even offers a number of cookery demonstration afternoons for those people who are too busy to embark on a day's course. The school has a number of complementary courses in its portfolio, for example in foraging, gardening and wine tasting [30]. The school's web site includes a useful job section, recipe ideas, past student news, guest chefs, videos and other local tourism links [31].

This type of holiday also has a strong cultural dimension. Many of the experiences on offer concern themselves with an exploration of national or regional food ingredients and dishes, which have their roots deeply embedded in the geography of the area.

There is also educational dimension. It is important to make a distinction between the accredited diploma/degree catering courses taught worldwide at colleges, hotel schools and universities, which are specifically aimed at training professionals for employment in the hotel and catering industry, and recreational courses taught at cookery schools which are primarily aimed at the leisure market. Of course, the two products are somewhat blurred due to the educational culinary element of both types of courses. For some hobbyists embarking on a cookery holiday this 'learning' element may be very important as there may be a desire to return home with a package of new or improved culinary skills, which can be used to impress their family and dinner guests. This newly acquired knowledge may even act as a catalyst and push the participant towards a career working with food. For other clients the hedonistic element is more important – they simply want to have a good time surrounded by good food and wine.

The cookery school holiday also has a strong hobby or special interest factor. Many of the people deciding to enroll for this type of holiday will already have a passion for food and may see the holiday as an opportunity to share information, cook and eat with other like-minded 'foodies'. In special interest tourism the activity becomes the main attraction or motivating factor for travel as opposed to more general interest tourism where the destination is the major pull factor [30].

There is likely no single optimal strategy to help visitors learn about local culture through food, but according to WFTA research [20]; expert panellists preferred "active" food and drink activities. In particular, they found visiting a local market or taking a local market tour to be most effective, with over 75% rating them as "extremely" or "very" effective. However, not all regions have local markets, or local markets may be seasonal. The next highest-rated activities for learning were taking a food tour and dining in the home of a local. While these may not allow a visitor to see the source of the food, it still gives them opportunities to consume the food and to ask questions related the food. The more passive activities were still effective, but to a lesser degree. Watching travel shows was moderately effective, while self-guided food and beverage tours, talking to destination and hotel staff, and reading guidebooks or brochures were deemed to be only slightly to moderately effective [20].

A meal is an event in itself. But food also provides the basis for a whole series of other events, including exhibitions, festivals and celebrations that can help to develop the food experiences and market the tourism product. Gastronomic events and food festivals

play powerful roles in community development far beyond their economic impacts. Perhaps the most obvious of these is that they help enhance community cohesion and pride. By exposing outsiders to local food traditions, festivals help raise awareness of traditional food products, local food culture(s), tastes and innovation. In sharing their edible patrimony, and seeing visitors' interest in what they do well, residents appreciate and take pride in their own heritage. This promotes solidarity, collabo-ration and a stronger sense of place, which reinforces place-specific uniqueness. This fosters local support for heritage foods and facilitates communities in building solidarity and pride in their comestible heritage. Profiling local food producers via culinary events draws attention to their importance in the community and connects them to the area's broader socio-economic development (usually through tourism) beyond their day-to-day agricultural operations [32].

According to Scheuch [33]; there is no better proof of the economic resonance of a given phenomenon than a festival; an abundance of variations in a specific cultural sector, which by the very virtue of its countless organisational and financial risks must find great appeal and consumer approval to continue to exist. For that reason, culinary festivals were developed as an additional economic basis over recent years. This is a wide-ranging field, extending from presentations of new products, to innovative food processing, to maps of regional specialties, to gourmet temples providing the finest dining imaginable. A few examples of this are:

-a springtime festival in the Wachau spotlighting a special variety of apricot, unique to the area, with all the dishes which emanate from it;
-a culinary festival in Burgenland concentrating on small food-processing operations;
-a cheese festival in the state of Carinthia;
-a "Vienna Culinary Enjoyment Festival" focusing on non-elite enjoyment of regional specialties; and
-numerous festivals revolving around wines, their harvesting and processing, etc. Festivals and gourmet regions are only one way to market Austria as a culinary paradise.

4. Results and Discussions

Food is a basic physiological requirement to sustain life; it was one of Maslow's lowest-order needs. The manner in which food has been consumed throughout history has been shaped by wider societal traditions, customs and fashions, and it would not be overgeneralising to say that it was reflective of a shared experience of enjoying meals with family members, friends and relatives [34]. Social networks helps to develop a "community" of producers and consumers who are constantly in touch with one another. There is growing evidence of co-creation and communities springing up around food experiences. The consumers of food increasingly want to become involved in the production and preparation of food, including in their tourism experiences. Examples of emerging food communities include Slow Food, CookEatShare, SeriousEats, yumit, etc. [17]. Food consumption was originally a domestic activity, but it has now shifted to outdoor and become a leisure activity with craving to spend disposable time/income for pleasure [18].

There is also high interest in local foods and cuisines. Accordingly, different food-related activities have become preferred all over the World. These activities can be carried out in the living environment or in the visited tourism destination, and can be performed as a single or group or as a family. They are generally interactive and experiential learning activities.

These are gastronomy demonstrations, conferences and seminars, farm and food market tours, food museum visits, food and drink tastings, dining in different (sustainable, ethnic, organic, flying, etc.) restaurants, culinary shows, hands-on cooking classes, cooking workshops, family cooking classes, cookery-school holidays, cooking and baking camps, special events at a restaurant, indigenous food experiences and food festivals.

As mentioned in the 1st UNWTO Global Report on Gastronomy Tourism, 88.2% of destinations consider gastronomy a strategic element in defining its image and brand. WFTA estimates that gastronomy tourism generates an economic impact of $150 billion annually. According to the Global Food Tourism Report by Mintel, which specializes in market research and consumer behaviour, for 27.3 million American tourists, the main motivation for travel is to engage in gastronomic activities [16].

The interrelationship between tourism and food is now well established in virtually all western countries and in many other areas of the world. Food tourism has been defined as "visitation to primary and secondary food producers, food festivals, restaurants and specific locations for which food tasting and / or experiencing the attributes of specialist food production regions are the primary

motivating factor for travel". There is a related category of 'culinary tourism', which is "any tourism trip during which the consumption, tasting, appreciation or purchase of [local] food products is an important component" [1].

Local food can guide and enhance the tourist experience of visitors when is part of the cultural landscape. Nevertheless, aspects of intangible cultural heritage such as food and gastronomy have only recently been recognised as such, legitimizing its importance to our identities. In this same sense, cultural heritage is now considered a highly effective tourist resource, and the official recognition of «food culture» (production landscapes, food, dishes, wines and drinks, tourist routes, industries) is also taking place in the context of tourism [14].

According to World Food Travel Association-WFTA [20], food and drink experiences are certainly entertaining and enjoyable for travellers, but these experiences can provide additional substantial benefits, positively impacting everyone, from visitors to local businesses and residents. Besides, the obvious economic impact, food tourism can benefit us by creating cross-cultural connections, preserving heritage and traditions, and contributing to the sustainability of destinations and their culture. Gastronomy tourists tend to look for more authentic and local experiences. Many tourist experiences involve either consuming food and drink, or de-ciding what and where to consume. One of the essential tasks in developing and marketing gastronomy tourism, therefore, is to find ways to add value to the eating experience in order to make it more memorable. This is especially important since control of the tourist market has shifted from producer to consumer, and consequently, to the traveller who is not only seeking quality service but is also interested in playing an active role in creating their own authentic experiences. Local dining holds great appeal to this type of tourist who tends to be more educated, and is therefore more discerning and demanding [25].

Specific areas for improvement in food tourism include opportunities for stakeholders to work together and align plans and strategies to ensure that authentic and local experiences are offered sustainnability to maintain local heritage and educate all locals. Food tourism contributes to economic sustainability, and environmental sustainability. It is therefore important for food and drink experiences to generate positive economic impact and also protect local heritage. While food tourism is often seen as providing experiences and benefits to tourists, it is important outcomes for residents [20].

In many countries (such as France and Italy, but also Slow Food in Japan and Korea), there are associations that promote local specialities and encourage gastronomic culture. Raising awareness of such groups and providing contact with them should also be an aim of tourist organisations, in order to respond to tourists on the lookout for truly exceptional experiences. Also guided tours are important to a destination's culinary culture (workshops, factories, cantines, farms, etc.) – focus placed on nutritional aspects of ancient history for example, taverns or kitchens in Pompeii. In this way, a town represents a sort of contemporary museum of eating. Entry into this living museum constitutes a unique and on-going experience [35].

Food and food-ways are at once threatened in a modern reality desirable to tourists looking to connect with local food and its producers as part of 'authentic' travel experience. But this tourism development linked to gastronomy requires new ideas, new initiatives, and new perspectives [14]. For example, sustainable restaurant has come out of the need to meet every higher numbers of consumers who want sustainable healthy food and who are aware that having certain lifestyle habits reduces environmental impact [36]. The segment of consumers who consciously buy ethical or sustainable products, like organic, fair trade or animal friendly, is increasing, and like for any other marketable product, consumer acceptance is crucial for the success of sustainable products [37].

According to "The Report on Gastronomy Tourism: The Case of Japan"; two end goals for sustainable regional development by means of gastronomy tourism were defined [38]:

1. Destination development: Developing a destination that not only receives attention domestically and abroad, but is actually visited by tourists; and

2. Culinary-culture preservation: Preserving the traditional culinary culture, environment and way of life of a region that already enjoys a number of visitors.

Over recent decades, gastronomy tourism has gone beyond the table setting and now includes all sectors of a destination's food and tourism chain – producers (agriculture, fishing, etc.), processing firms (dairies, olive mills, canning plants, wineries, etc.),

the tourism and hospitality sector (restaurants, specialized accommodation, gastronomic activity firms, etc.), the retail sector, the commerce sector (sale of products) and even the knowledge sector. Gastronomy tourism today cuts across many tourism products. It has expanded the possibilities for enjoyment and knowledge offered by good-quality local gastronomy products in the different territories and by the activities that are possible in their productive and processing environments. Gastronomy tourism is therefore based on a concept of knowing and learning, eating, tasting and enjoying the gastronomic culture that is identified with a territory.

However, According to WFTA [20]; many visitors do not have a clear understanding of the local food and drink, or their knowledge may be limited to national or regional stereotypes. Therefore, educating visitors is a key element of food tourism strategy.

Looking into the near future, WFTA (World Food Travel Association) expect to see the most growth in active combination experiences (like culinary bike tours), street food, in-home experiences, and multi-day tours focusing on food and drink. According to OECD [39]**;** future growth in the dining and travel experience realm can be expected in the sharing economy as well, as consumers become more comfortable and familiar with the opportunity to eat in someone's home when on a trip (through platforms such as BonAppetour andVizEat), or take advantage of a tour or personalised experience through platforms like Vayable, ToursbyLocals and recently through Airbnb's Trips feature, which offers tours and unique experiences hosted by locals.

In the light of all these developments, it is seen that the importance of food-related recreational activities of people around the world will gradually increase. At the same time, these activities will be diversified to include current topics such as sustainability, local food, traditional cuisine, healthy cooking techniques, use of organic products, and cooking for chronic diseases.

References

[1] P. Collinson, Consuming Traditions: Artisan Food and Food Tourism in Western Ireland. *Food, Gastronomy and Tourism Social and Cultural Perspectives,* Ed. Mediana, F.X. and Tresserras, Universidad de Guadalajara, Mexico, 2018.

[2] Anonymous, *4th UNWTO World Forum on Gastronomy Tourism Closing Remarks.* 30 May to 1 June 2018 in Bangkok, Thailand, 2018.

[3] G. Povey, Gastronomy and Food Tourism. *Tourism-The Key Concepts.* Ed: P. Robinson, London: Routledge, 2012.

[4] D.D. Mclean, A.R. Hurd and N.B.Rogers, Kraus' Recreation and Leisure in Modern Society. 8th edition, Sudbury: Jones and Barlett Publishers, 2008, 397 pp.

[5] E. O'Sullivan, Power, Premise, Potential, and Possibilities of Parks, Recreation and Leisure. *Introduction to Recreation and Leisure*. Edited by: Kassing G. et al, Champaign: Human Kinetics, 2006.

[6] R. Youell, Leisure and Tourism. London: Longman, 1995.

[7] https://www.supermarketguru.com/ (4.07.2019)

[8] S. McGuire, 88.2% Of People Travel The World To Get Their Hands On This Infographic. https://venngage.com/blog/88-2-of-people-travel-the-world-to-get-their-hands-on-this-infographic/, 2015 (01.07.2019).

[9] C.M.Hall and S.J. Page. The geography of tourism and recreation: environment, place and space. Oxon: Routledge, 2006.

[10] C. Cooper, J. Fletcher, A.Fyall, D. Gilbert and S.Wanhill. 'Interrelationships and Classifications', *Tourism: Principles and Practice*, 4th ed., Prentice Hall, Pearson Education Limited, Harlow, 2008.

[11] D.Newsome, S.A.Moore and R.K.Dowling, Aspects of Tourism 4: Natural Area Tourism-Ecology, Impacts and Management. Clevedon: Channel View Publications, 2007.

[12] G.Gheorghe, P.Tudorache and P.Nistoreanu. Gastronomic tourism, a new trend for contemporary tourism?. Cactus Tourism Journal Vol. 9, Issue 1/2014, Pages 12-21, ISSN 2247-3297.

[13] UNWTO. Global Report on Food Tourism. Madrid: UNWTO, 2012.

[14] F.X.Mediana and J.Tresserras, Introduction: Gastronomy and Tourism: Social and Cultural Perspectives. *Food, Gastronomy and Tourism*

Social and Cultural Perspectives, Ed. Mediana, F.X. and Tresserras, Universidad de Guadalajara, Mexico, 2018.

[15] UNWTO and Basque Culinary Center, Guidelines for the Development of Gastronomy Tourism, UNWTO, Madrid, 2018.

[16] UNWTO. UNWTO Gastronomy Network Action Plan 2016/2017. Madrid, 33 pp., 2016

[17] K.H.Lee, J. Packer & N.Scott. Travel lifestyle preferences and destination activity choices of Slow Food members and non-members. Tourism Management, 46, pp. 1-10, 2015.

[18] S. Kumar Dixit, Introduction and Gastronomic Tourism: An Insight. *The Routledge Handbook of Gastronomic Tourism.* Oxon:Routledge.

[19] M.C.Hall. Introduction: Culinary Tourism and Regional Development: From Slow Food to Slow Tourism?, *Tourism Review International*, April 2006, 9(4):303-305, 2006.

[20] WFTA[1], 2019 State of the Food Travel Industry Report.
https://www.worldfoodtravel.org/cpages/state-of-the-food-tourism-industry (2.07.2019).

[21] https://ontarioculinary.com/ (29.06.2019).
[22] Skift Report. Ontario Culinary Tourism Alliance + Skift Present: The Rise of Food Tourism, 2015, www.skift.com (23.06.2019).

[23] WFTA[2]-www.foodtrekkingawards.org (3.07 .2019).

[24] G. Richards. An overview of food and tourism trends and policies. *Food and the Tourism Experience: The OECD-Korea Workshop*, OECD Studies on Tourism, OECD Publishing, 2012.

[25] UNWTO. Affiliate Members Report, Volume sixteen – Second Global Report on Gastronomy Tourism, UNWTO, Madrid, 2017.

[26] https://www.ciafoodies.com/ (3.07.2019)

[27] https://www.eatwith.com/ (2.07.2019)

[28] http://liaisoncollegeoakville.com/ (4.07.2019)

[29] S. Everett, Iconic cuisines, marketing and place promotion. *Heritage Cuisines-Traditions, Identities and Tourism*, Ed.D.J.Timothy, London:Routledge. 2016

[30] L. Sharples, The world of cookery-school holidays. Food Tourism Around The World-Development, Management and Markets. 2003.

[31] http://www.cookingisfun.ie/ (30.06.2019)

[32] D.J.Timothy and M.Pena, Food festivals and heritage awareness. *Heritage Cuisines-Traditions, Identities and Tourism*, Ed.D.J.Timothy, London: Routledge, 2016.

[33] M.Scheuch, The culinary experience: A major pillar of Austrian tourism . *Food and the Tourism Experience: The OECD-Korea Workshop*, OECD Studies on Tourism, OECD Publishing, 2012.

[34] S.W. Boyd, Reflections on Slow Food from 'movement' to an Emergent Research Field. *Heritage Cuisines-Traditions, Identities and Tourism*, Ed.D.J.Timothy, London: Routledge, 2016.

[35] A. Capatti, Educating tourists in the art of gastronomy and culture in Italy. *Food and the Tourism Experience: The OECD-Korea Workshop*, OECD Studies on Tourism, OECD Publishing, 2012.

[36] S.G. Güneş Eco-gastronomy, Tourism and Sustainability: The Rise of Sustainable Restaurants in the World. Erasmus International Academic Research Symposium on Educational and Social Sciences, 5-6 April 2019, İzmir.

[37] A. Forster, Sustainability: Best Practices in the Food Industry. UW-L Journal of Undergraduate Research XVI, pp.1-9, 2013.

[38] UNWTO, 2018 Report on Gastronomy Tourism: The Case of Japan. Affiliate Members Report: Volume Seventeen, Retrieved from www.e-unwto.org (30.03.2019).

Acknowledgement

Self-employed Workers' Preparation for Aging among Thailand's Aging Society

Teera Sindecharak
Thammasat University, Thailand
teera.sd@gmail.com

Abstract: The objectives of this 'Self-employed Workers' Preparation for aging among Thailand's Aging Society' aims to explore the self-employed workers' preparation towards the aging life. In this study, we used the survey research method and the focus group techniques to focus on studying the self-employed workers' preparation for their aging life in 4 dimensions; society, economy, health, and accommodation. Research data are collected from Thai self-employed workers aged 40-59. For the results of the survey, most of the Thai self-employed workers prepare themselves quite well for social dimension; adapting the changing roles and social status, doing some social activities as their leisure, participating as a member of some groups within their communities. The preparation for health is another dimension which they also do well. They are likely to maintain their physical and mental health. They also seek for the information about health and illness as well. However, the self-employed workers do not well prepare themselves for economy and accommodation dimensions. They do not arrange or look for safer and proper residence for their later lives, including not searching for any information about the housing welfare provided from state and private sector.

Introduction

The population structure of Thailand has changed. A birth rate decreases as the elderly population increases because of lower fertility. Medical technology is helped to increase life expectancy resulting in the population forecast in May Friday 1968 17 years ahead that the Thai Society will be a society by the society. The population of children will take care of the elderly will increase by 6 million or more than 25 percent of the population. (Institute for Population and Social Research Mahidol University, 2006) Thai society therefore needs to be prepared to fully support the Aging Society.

Currently, the results of the Thai population survey in year of 2017 have a total population of 67.6 million people the population is age 60 years or more 11.3 million people representing 16.7 percent of the total population. The elderly can be divided into 3 groups the primary-aged elderly, the middle-aged elderly, and the late-aged elderly. When considering the ratio of population of 100 people, survey was found that most of the elderly in Thailand were aged between 60 to 69 years old.

The survey found that the number of elderly people increased significantly to 14.9 percent in 2014. We expect that in 2027, 100 working-age people will have to take care of the elderly and childhood population to 64 (National Statistical Office, 2018) This information results in Thai society should be prepared to cope with this situation in the future. For example, preparing for taking care of the physical and mental health of the elderly, provision of accommodation and appropriate living, and preparing for entry into the aging society of the Pre-aging or those aged 50 - 59 years (National Statistical Office, 2018) to prevent problems with future generations. Based on statistical data in the year 2017, it was found that workers in Thailand had a total of 37.7 million people, with 20.8 million workers, calculated as 55.2 percent (National Statistical Office, 2018). Is protected by law and without social security from work They are called "Informal labor" which reflects that The number of informal labors is a large labor force that has the greatest impact on the economic activity of the country. *At present there is a lack of appropriate welfare systems. In the future, this population will be the largest group to be affected much from the fact that tie society will step into the elderly society completely. The most common problems found an informal worker are workers who are not protected will be more negatively impacted by the work in the economy because there is no registration tangible labor and social protection from the government which may affect the future of the elderly population.*

Under the circumstances of entering the elderly society completely, the government has tried to find ways to support the situation with the policy of public administration. Focus on issues related to the elderly, such as reducing social inequality and creating opportunities for access to public services, developing social protection systems. Saving system and community welfare system should be more efficient and sustainable including caring for a fair

loan system and helping the poor. Moreover, preparing to enter the elderly society to promote quality of life (Ministry of Social Development and Human Security, 2016) with the preparation of integration into the aging society in 5 dimensions, including economic dimensions, social dimensions, health dimensions, environmental dimensions and innovative technology dimensions. In addition, there is a memorandum of understanding in government agencies to drive the work of the 4 ministries, namely thce Ministry of Public Health, Ministry of Education, Ministry of the Interior, and the Ministry of Social Development and Human Security to jointly promote social health activities to improve the potential for the elderly to participate in society with strong health and security. These attempt to create legal protection and social protection for informal workers who is not as empirical as it should be. These caused informal workers continue to rely on themselves as the same.

This study focuses on " Do Thai informal workers ready to become an aging society? ". On the idea that, many informal workers are going to become elderly in the future will have insufficient welfare or protection. Therefore, there is an interest in studying the preparation of informal workers in various fields in order to become the elderly in the future. In addition, the research aimed to study the attitude of informal workers towards preparing for the elderly in the future. Most of the previous studies will focus only on the population that has the right to welfare and protection from the state, such as civil servants before retirement such as private company employees, teachers, etc. (Malai Chuangduang, 1996; Thaksor Sripa, 1998; Ratrijem Jarupa, 1999; Lalilaya Loi Lom, 2002; Daraporn Mangkalapinan, 2002; Duangchan Boonrodchoo, 2002; Sirichai Khamchomphu, 2007; Mathurin Worasak, 2007; Siriwan Rungkun, 2008; Arirat Annu, 2009) While the study of the population that lacks the welfare and protection rights from the state, there is a relatively small and non-specific education. Therefore, it is interesting that informal workers are prepared or not and how before they will become elder population.

With the awareness for good preparation for entering the elderly will lead to a better quality of life when they are elderly. In addition, knowing how to prepare for it will lead to a policy to plan to prepare for the complete aging society in the future. It is not only aim to expect benefits that help reflect the phenomenon "Thai informal workers Ready to become an aging society "only, but also presenting an elderly sociological perspective on the phenomenon in another way. To enhance the knowledge about the

elderly to grow and to be used in the planning of human development to suit the age range leading to the elderly society with complete quality and covering all Thai people.

Research scope

This research project aims to study the informal workforce population into the elderly with population boundaries and the area of study area as following

Population boundary

The population in the labor age is the informal labor who is in a job that is not protected and without social security from work by setting the age range at 20 years before the age of 60 years (age 40-59 years) ;in which Thai society is considered the elderly

Area boundaries

Informal workers (aged 40-59 years) in Bangkok and other 4 regions nationwide Consisting of the North, the Northeast, the Central and the South

2.To understand related concepts, theories and research in the subject of "Informal workers", we need to understand the meaning of the word "Informal economy" first.

In order to be the basis for mutual understanding of the relevance and consistency under the important context of both of these words.

The term informal economy is a type of activity that allows workers or professionals to have an easy entry into the profession from being an independent economic activity that is not fully under the control or supervision of the government. It has both illegal economic activities informal and by households for their own consumption. Being a small business may lead to unauthorized or unregistered production from the state including avoiding tax systems with employment characteristics that are highly unskilled workers. Mostly, they focus on the work that needs to be used in the intensive work force in the manufacturing sector in the skills of knowledge in the profession can be learned from the work. Due to the use of uncomplicated technology and very advanced technology combined with skills know-ledge gained from ancestors or learning from work which the resources used are usually local resources and are within the family, community and in specific economic activities.

The term informal workers, scholars have related experts to get a variety of definition of the word experts provide different workers to show more clear features and patterns by providing definitions or definitions of informal workers as follows

1) Those who are in the workplace with less than 10 employees Private Business operators without employees who helped family businesses without wages excluding employees and government officials in government and state Enterprises. (National Statistical Office, 2003, referred to in Seksan Sangwisut, 2004 and Subcommittee on Research Social Security Office, 2003, referred to in Seksan Sangkhisut, 2004)

2) Those who know how to work but do not receive the rights and legal protection or are not recorded and in the labor database and are not clearly identify the society is like the labor in the system there is no employer or contract for employment 1990. (Wachanakit Siriphanit, 2006; Slitkaew Lamoon, 2006; Sukhothai Thammathirat Open University, 2005; Social Security Office, 2005; National Statistical Office, 2010 and Subcommittee on Research Social Security Office, 2003, referred to in Seksan Sangkhisut, 2004)

3) Those who work or hire and have income such as those who are workers of the Agricultural sector. Those who have an employer to work on occasional or seasonal basis those who are involved in household work but do not have a business included with the workers to do at home (Slitkaew Lamoon, 2006; Social Security Office, 2005 and Subcommittee on Research Social Security Office, 2006 referred to in Seksan Sangkhisut, 2004)

4) For example, there are also general-purpose workers, such as agricultural and outdoor independent workers or business owners, service workers, taxi drivers, hairdressers, etc. (Slit Kaew Lamoon, 2006; Sukhothai Thammathirat Open University, 2006; Social Security Office, 2005 and Subcommittee on Research Social Security Office, 2006 referred to in Seksan Sangkhisut, 2005)

5) Those who do not have a regular salary or a regular salary, but not a government official (Social Security Office, 2005 and Research Subcommittee Social Security Office, 2003, referred to in Seksan Sangkhisut, 2004)

6) Non-regular workers can also be job creation and absolute regulation, employing employment unions, wages, hiring wages and employing labor to utilize non-regular workers, education and technology. (Phasuk Phongphichit and Faculty, 2000 and Slit Kaew Lamoon, 2006)

Therefore, according to the classification of informal workers according to the nature of the above production activities the definition of meaning or limitation of informal worker can be defined as informal labor means.

1) An employer of a small business or outside operator.

2) The unofficially independent workers are self-employed and family members who work for free. (Unpaid family worker)

3) Informal workers who may be employed in formal and informal businesses as family workers are in it ended workers who do not have a definite employer and do not have regular income salary but not an individual who is an independent professional general which reports this group includes daily labor subcontracting workers in the labor industry.

While the definition of the word Elders is in accordance with a criteria for determining the characteristics of the elders who have different definitions relating to the author from the definition of the term that many seniors have pointed seeing that the current numbers are often used his criteria for determining the meaning of being an elder however the use of numerical age is a Criterion is different from each other each Society in each country it is difficult to make an equally accepted by all countries. The organization of Nations has agreed to provide the meaning of the word elderly in the country of 2505 referring to both male and female persons aged 60 years and over.

According to the word "nain," researchers say that older people are over 60 years old, and that their social role has grown.

It can be seen that the definition of the elderly above is just a broad definition. However, to make education about the elderly clearer Therefore there is an additional perspective on the elderly which can be classified into 3 perspectives as follows

1) Biology and Aging

Issues of age and biological factors argue for an academically consistent definition of age. Strehler (1962) has proposed the concept of such issues as Aging or aging is different from other biological

processes, with at least 4 criteria to consider as follows

1.1) is a characteristic of hyperinflation, and it's going to happen to every one of all ages. People of very high ages are cancer, but cancer is not common because older people don't have cancer.

1.2) means that a change in the fault occurs in the individual organs, not in the individual gut.

1.3) is a gradual process. The state of the key changes over time through a very gradual process.

1.4) means human negative effects, and aging of meat causes institutional destruction. The long-term ability to fight environmentally, and as a result, organs die. This factor affects abalone and decline.

Harris และ Cole (1980) From a biological point of view, the life support cover of an elderly person is a process that takes place during their lifetime, and is a biological study that tells two things: sustainability and extension of life to enhance aging.

2) Psychological Aspect

Birren Intuitively, the psychological processes for all environments, such as cognitive, logical, memory, and learning ability, were described as falling. That is, the process of mental age at height includes schizophrenia, but the consequences of schizophrenia are not self-sufficient in older people. Harris and Coule (1980) studied the importance of elderly education in psychology to show interest in the sense of duty, emotional control, learning and emotional needs, bringing great attention to the correction process for disability in the younger generation.

3) Social Aspect

The problem with age and social factors is the one that often becomes part of demographics, targeting the elderly welfare sector, focusing on social compassion, and focusing on social mandates. Aging behavior and motivation are provided as you grow older, middle-aged, and older. Older people play a different role of being largely excluded from the profession, which, in addition to a decline in income, also has a bad influence on general social relations. There are also some things that involve living in isolation, some feelings of social futility, others who know and will experience near death.

Referring to preparations for an aging preparedness can be seen as more important to Thai society at present, pointing out that older people with generations and functions also have different national welfare and priorities, and their importance is determined. In light of many studies before the aging population in the community. The paper in a number of forums gathered opinions from professional intellectuals, including preparation agencies, experts and civil petitions for an aging society, to discuss preparations for aging and others based on this age. Older people can be classified in 5 ways

1) Physical and mental preparation

Preparing for human health care before it reaches an advanced age is important to become an adult from an early age, so that maintaining youth and middle-aged health is healthy according to the results, and is prepared to be healthy. Nutrition terminal, leisure, leisure, mental health experience

Maintaining the mental health of being healthy is the ability of people who are both physically and mentally happy to live and directly accept and accept things that occur alone or indirectly without emotional direct stress. Because mental health care is easier to understand and coordinate these changes on a regular basis before retiring, you will be able to live happily and well the rest of your life after retirement.

2) Preparation of income and spending

Preparations for this expenditure will decrease when a retired person dies, so that he or she will not make enough money earned, and then, if not planned for an investment, will have to have a middle-class or significant other economic base. Keeping a stable economic system and spending balanced is a retirement, as it requires a long time of life, and accumulated capital. They are content with life, and they also have their own needs and guarantees that they may spend money to stay healthy.

3) Hobby preparation

Hobby is still before retiring about itself, based on personal desires, pleasures and knowledge, depending on what kind of thing it is. Therefore, each has his or her own favorite time and attention, and also respects his or her own personal taste. Hobby may seem to be someone who has been indulged in pleasure, or even contributed to society. Retiring people have to do very big hobbies since middle age to make time to heal better bodies and minds after retirement.

4) Housing preparation

People will have to be prepared before they retire, build a house to fit their own bodies, and be prepared

to find a home suitable for your health, too. And if you need to enter a nursing home, it should first study the residential environment and environment.

5) Preparation for participation in society

Preparations for social participation are very important and retired people, because in closing in on full-time jobs after retirement, retired people can also be miserable if they don't plan the rest of their days and plan their leisure. Well, the reason for socializing with people of your age. It turns out that senior citizens in Thailand are very important for religious activities, especially as they attend religious activities, volunteer work and improve the social experience of retired people. Because this letter, which will retire after retirement, is as free as it is to stop being suspended Retired people can ruin their leisure time if they don't plan how they plan for the rest of their lives, participate in other social activities other than hobbies, and provide emotional support to older people or other social participants who can participate in social gatherings of younger ages. I also took part in Thailand's senior suspension, which found that when I got older, Thai people participated the most in religious events. Political activities are fun festivals and volunteer activities outside.

In studying age group preparation for aging preparedness, educators have research views for aging entrance exams that are ready for preparatory talks for age 4 or younger as they grow older.

1) There are preparations at the social level, recognition of duty and preparation for acquiring changed status, family, social relations, and social participation, welfare and leisure activities.

2) Preparing the economic dimension includes financial planning, savings preparation, and preparation for the aging profession in advance.

3) They include medical-level preparation, physical strength enhancement, and medical promotion, participation in medical promotion activities, mental health promotion preparation, physical resources preparation and mental health information capabilities.

4) It helps promote housing construction that is ready for housing complexes, improve living conditions, provide adequate public services and keep the old-age lifestyle.

3. Concepts and theories used to explain "The Readiness of informal workers and the Aging Society in Thailand"

1) Exchange Theory

Exchange theory is a theory that tries to explain how individuals can socialize their individual behavior. This can only observe what can happen in close relationships, even in trade or family relationships. Social interaction is possible because you can benefit from social welfare. By social interaction. (Thiraphon Thawithamcharoen, 2002: 14) For key thinkers in the social exchange theory camp, Peter M. Blau (1914), which introduced the concepts and principles of popular utility Although it's the birthplace of economists, Blau adjusted the concept by social interconnection and social interconnection, and it happens when some parties to social relationships do something because social relationships are formed. If there is a willingness to do so, then there is an incentive for actions that the actors expect to be rewarded. If a party responds in an appropriate manner, this exchange method may enhance interconnection and promote reconciliation between the parties.

2) Role Theory

One of the important theories of the concept of sociology. There are important studies like Kochakorn Sangkhachat (1995, 20-22). It's a very important institution to understand the role of an elderly person in eliminating something to members of the family when a demographic approach is made, such as targeting the elderly, and when a family member retires. Older people also play different roles, such as their parents, parents and grandparents, who share social status with others. Or until wealth is a parasol to grandchildren and their children, and they should be given clemency.

While the social aspect can help the elderly a lot such as the establishment of associations or elderly groups within the Villager for the elderly to be able to meet exchange experiences or even allow the elderly to do others for society will be able to make the social role of the elderly more pronounced.

The basic idea of this role theory is that it can create the sort of people of other ages to enter the old age by preparing to receive situations that may occur in the future with happiness.

Somsak Srisontisuk (1996: 3-4) Describing or choosing education for the characteristics of health

care for the elderly is the need to understand the social characteristics of the social relationships that occur when an aging phenomenon changes, such as social status, social status, social reference points, and institutional contexts. Older people who are aging and strictly social awareness are as follows. The social awareness-based lifestyle of the elderly and elderly comes purely on religious and habitual days to take care of their families or children, to guide them and take care of their grandchildren at work.

Also, there is a change in the structure of the family, where the family's appearance is extended into one family, and production and economic systems are not combined into the family, it will revert to high-capital, technical and labor-intensive urban workers. The all-new fact has allowed young people to be prevented from old-age economic control. And in the past, as well as the question of the ability of such an elderly person, the relationship of family members is becoming increasingly distant.

3) Phenomenological Theory

Phenomenological Theory Another theory that gerontology seeks is to explain the meaning of life, which is to reconstruct and age the meaning of adult society through the process of aging involved in the aging process. It does not simply mean that everyone should have the same perspective on old age as his own. If people can build relationships with other people, and if that definition can affect others, then this theory is that we actually discuss and negotiate the meaning of aging, as sociologists, it reminds us of an ageing situation. (David L. Decker, 1980: 146-147)

4) Modernization And education for the elderly

This theory seeks to focus on social changes due to industrialization and technological growth, which develop into roles, social relations, especially traditional industrial relations, because of all the improvements in the quality of life and high-tech. This theoretical theory concentrates the old headquarter to analyze the elderly that occur with social changes. And that's how we get education for the elderly. For example, the study of the Salvation Army sums up how old age is characterized by social problems or more complex societies, including more complex societies and sophisticated organizations throughout society. Society has varied with education, knowledge acquisition, modern science, and advanced technology. As a result, the role of the elderly, the elderly or the elderly has been reduced.

In each context of society, older people or older people translate proposition into the right language, define and define the sure old, and this probably defines the definition of what experts mean as the altitude of social justice. Building such a definition is closely related to the process of social change in the course of such social change. It makes you look at aging differently.

5) Social Disengagement Theory

The theory of self-exclusion from society this theory first appeared in the book about the aging of Elaine Cunaming and William Henry in 1961, in which the writings of the elderly Yuwadee Kritwattanakon (1994, 23-24) claimed the basic idea of this theory is that

"It is common to believe that older people are not related to separation or social separation theory in a situation where social advancement is reduced along with aging activities, older people try to escape from the reduction of physical strength, social unrest, and social tensions are reduced. That's because only three men or men who play better roles need skilled people. More new workers than older people, at first the elderly may not feel anxious, anxious or anxious. But in the end, we can embrace a whole new situation. According to the theory, the elderly are old people who have suffered from their social, lack of energy, and once weaken their capacity, and also require them to leave office. Am Henry pointed out that older people were allowed to engage in various activities. In society, in society, there is more time to build relationships between families than the elderly who spend time outside the home."

6) Social Support

Social Support In social science, one concept traditionally used widely in the study of domestic violence is that many definitions, for example, in December 1976, such as quote phosphorus, respect social assistance and use it in a 34th meaningful way that sharp

In summary, social support is a person who is partially recognized and loved, and social support provides individuals with information to solve and coordinate problems. (Cobb, 1976; Chotima Kanchanasakun, 1997: 45 Cited in Vilasinee Phanakornsap, 2002: 19) The above social support arises from the social interactions formed by individuals receiving and responding to help or by social support, which affects the lives and decisions of

individuals in crisis situations. (Vilasinee Phana-kornsap, 2002: 19)

Thus, social assistance is a social assistance that affects the outgoing people's important social support in their retirement and post-retirement lives, with considerable social support to prepare them for the retirement of the elderly. Lalilaya Loymom (2002: 34) to make matters worse, there are three types of social support before retirement: family support, social support, and social support is widely used as a whole. At age, they are prepared for relatively high residential facilities, which are largely supported by family. The elderly were required to plan and prepare for retirement, and the elderly provided the benefits of preparing for their old age and raising their emotional concentration and emotions.

7) Family Relations Theory

Family relations is considered the most important institution because it is the system that forms close relationships with all humans throughout society, so it is the first institution on social performance, party affairs, party affairs and social norms when two family members gather. They are bound by marriage, by holding a spouse or by blood ties, living as a perfect family within the same family, and only having children. (Chamnong and Faculty, 1997)

Labor education, such as social security, social welfare period and aging, mostly received education focused on social insurance focusing on collective education insurance, and analyzed the demand side, availability of education, and understandability. The ability to pay for public interest is the difficulty of the social security system and, only, the social security system of the underprivileged.

The study is little different from the assessment of labor conditions in the public health sector, especially Thailand's high social responsibility, but at the same time it aims to show that society is fully prepared and is a social security system against aging. And that's where the understanding of the other factors starts. Related to this is a study on preparations for spring-up in Thailand's aging society.

4. Conceptual framework for research
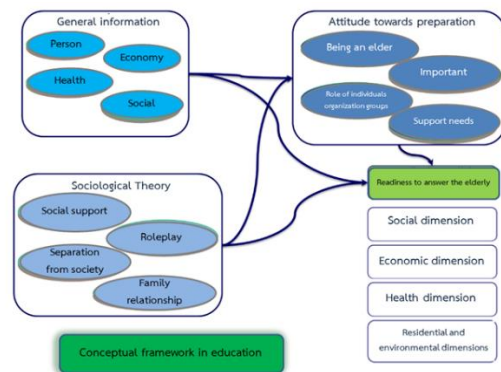
5. Research methodology

Research project "Thai informal workers ready or still being an aging society? Use survey research methods (Survey Research) to explore the readiness of informal workers towards becoming an aging society. Which develops questions from the set of study issues in the literature review according to the research framework created.

And also using documentary research to search documents, texts, books, academic articles in various journals And other related documents both at home and abroad To be used as a basis for understanding previous studies Welfare system Preparing both conceptual and theoretical readiness

Researchers also use group meetings to describe issues that are more interesting through the results of a general assessment of the understanding of the current public welfare system and to refer to quality education to express detailed views on understanding exceptional issues. Old age and benefits are today's non-external labor unions that must be in line with the needs of the elderly.

Population used in education: The sample group used in this study is the population in the labor age, which is an informal labor. And not protected without social security from work Aged between 40-59 years, only 2,087 people in urban and rural areas.

Sampling and sample size determination: In this research study, the researcher selected a random sampling based on the probability to obtain a representative sample that can be used to reference and infer instead of the population in order to obtain a sample of as a representative in this study, therefore using random sampling 2 different groups with the following details

1) The exploitation of labor by the system in Bangkok area is used in 3 stages. (Three-Stage Sampling) Which has the following details

Step 1: From the number of Bangkok subdivisions, 50 districts were classified into 3 districts using the stratified sampling method. With all subdivisions random sampling In order to obtain the administrative area of Bangkok into 3 groups of districts according to the location of the area, namely

1) There are underwear group Seoul Metropolitan Area, former fortresses, hairstyles, secularities, volume, volume, Duungjeon, Anseong, and Daejeok.

2) The middle class group consists of 18 administrative districts, namely Phra Khanong, Prawet, Bang Khen, Bang Kapi, Lat Phrao, Bueng Kum, Bang Phlat, Phasi Charoen, Chom Thong, Rat Burana, Suan Luang, Bang Na, Thung Khru, Bang Khae, Wang Thonglang, Khan Na Yao, Saphan Sung and Sai Mai.

3) Overseas staircases are also included. In the 11 administrative districts are logic, agriculture, wetlands, swamps, swamps, marshes, floriculture and broad jump, candles and four major rivers in the middle and Ipchun.

Step 2: Using group sampling method From the Bangkok Administrative Area Both inner zone Middle class group And the outer zone group By randomly choosing 2 districts in each area And using Simple Random Sampling by using Microsoft Excel program in random sampling in each zone group.

   (1) Inner zone groups are Bang Sue District and Khlong Toei District
   (2) The middle class groups are Bang Khen and Bang Phlat.
   (3) The outer zone group is Don Mueang and Taling Chan

Step 3: Use a simple sampling method from the list of names, which are derived from the listing (Listing) by requesting help and cooperation from the area coordinators, including community leaders, network groups, people who know etc. to randomize informal workers from the list Created according to the desired amount.

   2) Sampling of informal workers in all 4 provinces of the province to select representatives the sampling method uses 5 sampling methods which are as follows.

Step 1: Classification of informal workers into different sectors, namely, the central region (18.7 percent), the northern region (21.8 percent), the northeast region (41.5 percent) and the southern region (12.6 percent). Outside the system year 2009

Step 2: Using cluster sampling method to randomly select a province to represent each sector 1 province using Simple Random Sampling with Microsoft Excel randomly in a total of 4 provinces, distributed in various sectors as follows

   1) Central region (excluding Bangkok) Nakhon Nayok Province
   2) The northern region is an example. Chiang Rai province
   3) Northeastern Get an example is Nong Khai Province
   4) The southern region can be example Trang

Step 3: Using Stratified Random Sampling method by dividing district groups according to population consisting of small, medium and large districts which will randomly select districts in all district groups as examples.

   Step 4: Use simple random sampling methods to randomly select district groups. 1 Districts in each group using Microsoft Excel to help randomly choose randomly

   Step 5: Use simple random sampling methods from the list of names that the researcher has asked for help and cooperation from local coordinators, including the village headman, sub-district administrative organization, etc., in order to count the informal workers in the area and then randomly sampling informal workers from the list to inquire further.

Sample size: In this study, researchers carefully analyze the sample size, including the following, to analyze it from the population of the entire working age and determine the sample using statistical methods.

Step 1: Classify the informal workers into different sectors by referring to the informal labor survey by the Bureau of Economic and Social Statistics, National Statistical Office Year 2009, which surveyed and identified the informal workers in the informal sector, informal workers who worked without protection and without social security from work, about 24.3 million people, or equivalent to 63.4 of the whole country

Step 2: From the population of informal workers across the country and being classified into regions the researcher therefore has established himself by using statistical methods to figure out the number of informal workers you need a list to create a sample frame of 0.1 percent the number of all informal workers in order to determine the size of the informal worker has a large amount making it practically impossible to collect all the mind hunters from the base of the population of the whole thing.

Step 3: Once the sample framework has been defined in all regions the researcher relies on opening the sample configuration table of R.V.Krejcie and D.W. Morgan (Chat Sumon Phutthipinyo, 2010: 190) to determine the sample size that you want to study the researcher has determined errors that may occur from collecting data and fielding another 20 percent

Therefore the sample size that the researcher must collect data from all informal workers as a total of 2087 people in the sample size must be distributed in the area of each province and district according to the proportion of population.

Research tools: The researcher use the questionnaire as a tool to collect data in the survey by dividing the question sections into measures as follows.

Part 1: The basic features of the sample include general information age education level marital status death and youngsters the characteristics of coon personality economic data questions related to supplementary occupational experience in addition to the main income career per month compare income expenditure Finance savings and liabilities. Entering the basic health condition is the illness in the past year and social background information such as the need to live with any person after 60 years of age, expecting to be with anyone, aged 60 years, being a member of a club or activity group. And relationships with friends, friends, close friends, neighbors, work colleagues and friends.

Part 2: The question of attitude towards preparing for entry into the elderly with the elderly is related to having to prepare before becoming an elderly person in the role of individuals groups and organizations that are involved in caring for the elderly in the need both practical and knowledgeable prior to entering the elderly.

Part 3: Sociological concepts and theories in preparation for entry into the elderly namely the role of informal workers in preparing into the elderly Society social support in preparation for entry into the elderly. Family and essay for aging and separation from society and preparation for entry into the elderly.

Part 4: There are many dimensions to be prepared for the work force. It is a four-dimensional preparation for aging into the early years of society, preparation for aging, health and well-being, and preparation for entering the housing-level world.

Comments made in this section create minimum questions for researchers to review pre-specified topics and determine: Before re-investigating the number of questions, it derives from theories and theories, including relevant arguments. Each of the above issues has undergone a structural accuracy and verification process. That's the whole lunch thing.

Testing tools used for data collection: Content Validity, Constructed Validity, Internal Consistency the textual review will make it easier and more convenient for researchers to get the right answers while reducing the number of answers to the appropriate and necessary questions actually used to gather data.

For internal consistency and consistency testing, based on initial data collection for statistical testing 30 preliminary numbers in Bangkok By statistical testing based on the Principal Component Analysis (PCA) or commonly known as Factor Analysis

In order to examine the structural validity for a multidimensional set of questions, then want to test whether the questions generated can reflect the dimensions according to the concepts or theories mentioned in the structure or not. The internal consistency test relies on statistics to measure consistency in the case of levels of sorting, ie 1-4 and 1-5, such as strongly disagree uncertain. Strongly disagree, etc. By using the coefficient of Cronbach (Cronbach's Alpha Coefficient) and relying on the Kuder-Richardson Formula 20 or KR-20 for questions with a 2-level measurement, including 0 and 1, such as doing / not ready / not ready, etc.

Successful verification of devices for collection allows actual data to be collected through the verification process used to collect actual data.

6. Finding and data analysis

In this study after receiving information from the field the study will process the data by using statistical software to help present and analyze data.

The presentation of the study results will consist of 3 parts

Introduction of information: Rejoice to present the basic information that has been collected according to various sections of the questionnaire including basic characteristic information General economic data illness and social aspects. The attitude of focusing on competition into old age, individual differences (successful existence) focuses on the importance and theory of individual, organization, institution, concept and support, the concept of social responsibility and social relationships among family members. Which will present the information in the form of numbers and percentages to show the characteristics of informal workers who have inquired in the questionnaire in all 4 episodes for questions that have a measurement level, range and ratio (Interval / Ratio Scale) is the data that can tell the difference in quantity, such as age, work experience Monthly income, etc. The researcher will present by dividing the data for easy visualization. Along with specifying minimum values, maximum values, average values and additional standard deviations.

1) Analysis of preliminary preparation data

Researchers are involved with groups of people who do not have visualization guidelines that can be easily assembled because their initial interests are classified in three levels: social, health, housing, and so on. It also reflects the appearance of outside workers who they think will benefit from their availability. The basic information section includes the general characteristics of labor in environmental, economic, health and social aspects.

2) Data analysis of attitude towards preparation and readiness by using statistical methods

When analyzing for relational analysis, a statistical analysis method with different characteristics is chosen depending on the level of measurement of the data, such as different data analysis or diversification analysis (complex capability analysis).Here the study measures the Nominal or Ordm determined by variables based on the basis of the study. The attitude toward readiness and availability before entering the pre-aging stage is to analyses theories and ideas in relation to the general attributes of the above two variables and the readiness of the high-aged.

Data analysis can be summarized as follows:

1) The sample of 1,898 informal workers, mostly male age between 45-49 years of age, graduated from primary school level 6, married more than 3 in 4 of all informal workers and have nearly 90 percent of children already living in single family. Is more than 5 times more local people than foreigners, has the most introverted personality, but is the most stable, different from the self-acting personality and is extremely shaken In terms of economic, informal workers who have collected data almost all will engage in trading or general employment as their main occupation. More than half have additional careers and earn income. 3,000-15,000 baht. But with uncertain income when comparing between income and expenditure, it was found that most of them had income as much as 40 percent. There are less than 10 percent that income is greater than expenses. Which resulted in more than 60 percent of informal workers without savings and liabilities in health, there is only 1 in 5 that the body is healthy. Almost all have had health problems in the past 1 year. Mostly socially, they hope to outpace their spouses and offspring, but only about 5 percent of them are socially disabled, have family members, cousins or acquaintances, or have children to look after their cousins or close relatives. Living together, with friends, in order.

2) The attitude of informal workers towards aging most viewed that the best time in life is to do what you want. Received praise from others and have concerns when the elderly especially the preparation of informal workers before entering the old age, where health matters first Followed by housing, economy and society (Table 1) Families, communities, and the public sector are all required. The role of society is also important, especially for older people to support benefits and welfare benefits. Appropriate functions and welfare, such as preparation, participation in various actions, and various kinds of programs to enjoy. It's like a support club or an old man.

Table 1 the most important aspect of preparation in all 4 dimensions (percentage)

side	Rank				number
	1	2	3	4	
social	10.34	10.28	26.55	52.83	1,819
economy	16.99	27.10	39.09	16.82	1,819
Health	50.05	30.70	13.16	6.09	1,824
residence	22.80	31.98	21.15	24.07	1,820

3) To explain individual concepts and socio-economic phenomena, an aging phenomenon, which is one of the role plays, mainly serves as an advisory for family members, and makes important decisions as an educator-centered person. To take care of the family's grandchildren and relatives, or serve as the elderly and society's senior citizens in the community, while respecting decisions, knowledge transfer, experience, respect for society and other activities that help people living in the community.

In the concept of family support, most in vitro workers found that the meaning, information and advice and good interactions between family members and outside workers were reflected at a very high level. In the concept of separation from society, almost all marginalized workers, 6 percent of whom live together, communicate with each other on major days, meet friends, live with their families, and do not marry, go back to their relatives.

4) If considering the readiness of informal workers before entering the elderly, including social, economic, health and housing dimensions, it was found that most informal workers aged between 40-59 years or less than 20 before being elderly Is very ready in social dimensions (Table 2) Whether preparing for changed roles and conditions, they are highly prepared for mental high readiness and physical reinforcement, including participation as family, community and community members, as well as providing medical and personal health care in terms of leisure and hobby life. Older adults try to stand on their own feet and always try to track down health information.

Table 2 Preparation before entering the elderly in the informal sector (Percentage)

Readiness in various dimensions	I'm ready	Not ready	number
social	87.82	12.18	1,815
economy	61.61	38.39	1,834
Health	88.86	11.14	1,813
residence	58.96	41.04	1,808

However, even if social and medical dimensions are already aging, there are several factors that seem less sensitive to the number of people in the economic and residential sector, such as the economy and savings, who do not receive monthly savings deposits. From regular salaries in the housing sector to providing proper housing for the elderly. Residents were allowed to use the aging preparedness and

lifestyle services owned by the state, university, state and private sectors.

5) Considering in vitro labor, the economy, health and living conditions before the aging workforce shifts to a social dimension, most of those with aging disabilities in 40 to 95 years are allowed to benefit from reverse wages for each age and aging society. The economy, health and living conditions vary depending on the different characteristics of the elderly. The results of the relationship analysis using statistical analysis methods can be summarized as follows

5.1) Social dimension Now entering the early (40-49)s, the aging, elderly and non-military, once experienced relationships with family members, clubs and good friends during the year. Is likely to be more readily available in social dimensions than female informal workers who do not have much time to prepare for entry into the elderly (50-59). The past year and not being a member of any group or club including having a good relationship with friends

5.2) Economic dimensions Nor is there a non-economic one, meaning that when older workers are elderly and married and their children earn a large income for a month, they have a good relationship with poorer friends, including less money, lower income, youth and marriage income.

5.3) Health dimension Female workers who are neither married nor unmarried all know that they are older than men, marriage and accompanying physical labor.

5.4) Residential dimension Gender, age, marital status, and the general types of characteristics of children's lives affect the availability of different residents. Because economic and social differences are different, there is a risk of defaulting on mortgage loans due to changes in mortgage loans, ie outside of the room with a savings system, and certain age groups/sub-members are more prepared than those without debt. They will show significant differences in social, economic, household, or housing in terms of higher education levels, family characteristics, and disparate inability.

6) While their study of the underprivileged positive attitude toward the workforce does not affect the early arrival of elderly people of all ages, it is to find out whether investing on one's own in line with other economic dimensions can rely on socially marginalized classes. He is more ready than he is waiting for help.

At the medical level, outside workers who are first out of a social-preparation priority system are getting ready before they get older, while they're getting health insurance together. In particular, the overall perception of the elderly population problem and the elderly welfare system is not explained. Knowledge affects the ease of homework.

From small group meetings in two areas Found interesting findings that Informal workers who have different occupations (Trading and contracting) are ready to enter the elderly, similar in all dimensions. Except for the economic dimension that even though the preparation is not different But with different conditions of readiness or not being prepared, that is, informal workers who are employed Almost all income is unstable, but there are many expenses. While informal workers with a trading career Sales exceed daily income, but since there is no time to consider daily expenditure, subcontracting and working outside merchant institutions are ready for a higher economic position than other conditions.

In addition, informal workers also have a need for a central area to promote and promote Health whether they are in Bangkok or in other provinces social and housing informal workers reflect that they do not have any problems with each other's progress in the Thai way of life the good relationship between neighbors colleagues, colleagues users housing is not a problem for them.

State Welfare is something that informal worker pay attention to ask and want to know very much details but cannot be reached because of lack of knowledge and understanding of things that have various benefits that they have in one of the relevant government agencies publicized to the community directly which are ready to pay at the rate that they can pay for the what are the benefits and Cara from the stage rather than rely on their children.

7. Discussions

Education "Self-employed Workers' Preparation for Aging among Thailand's Aging Society" Without aging, socio-economic dimensions, and the study of the availability of the elderly on the periphery, the level of education and the level of the surrounding area, arguments and interpretations of the most important issues can be made.

Sociological dimensions and the readiness of informal workers and the aging society in Thailand

The beginning of the role of the elderly, especially in the community and society, affects the preparation of social, economic and residential dimensions. This is because the social role in adapting to the elderly As a result of accepting their role in each age group Which affects social acceptance that will change in the future when entering old age, according to Kochakorn Sangkhachat (1996) stated Adapting to research results that affect workers' readiness outside of this system suggests that outsiders of the system who can be older people can make full use of all layers except for the medical dimension.

However, family support is still necessary for the preparation of informal workers, especially in social and residential dimensions. Because the study found that if informal workers receive support for things, including money and emotions the readiness to enter those old age will be very much according to such social support is caused by social interaction. It makes individuals aware of how to get help and respond, and it is in line with concerns about social support that has been done previously in accordance with social support for age and found that there is a relationship between Lalilaya Loi Lom (2002) and Malai Chuang (1996). In which informal workers, if supported by family in things Money and emotions will be ready for living when they are elderly.

In addition, the social exchange according to Blau's concept (1968) at Chirapa Woraruksuk (2009) discussed the readiness of entry into the elderly through the concept of exchanging interesting and likely can be mentioned here is receiving social support from the family in any way both the giver and the recipient expect the return, which must be based on the principles and principles of reciprocal interests and partners of both parties. The study's findings suggest that outside workers are supported by water, money, and family sentiment, which would be expected to get them from a much more comfortable home than they would ever get from the family as an old man.

But the problem is, as a result, a very small number of working-class people were almost as similar as they wanted to be with their own families. But it's really showing that being alone or wanting to live with others is a big difference in getting support from the family support. It can be an opportunity to create living opportunities, especially aging and aging, or to form a literal form for interconnectedness, and to work closely with close friends and co-workers than family members and co-workers. He's a chef.

Meanwhile the interaction with family members clearly shows that there is a significant effect on the preparation of informal workers towards becoming an aging society in all dimensions except economic aspects. That is, if those who are going to enter the elderly, having a good relationship with family members will result in them being ready to enter the age of social dimension. Health and housing which is consistent with previous relevant studies Friedman (1986) cited in Phuang Pha Chuen Saeng Nate (1995), Thaksor Sripa (1998) and Daraporn Mangkalopinan (2002) Generally speaking, there can be one discriminatory alternative, because home institutions are institutions that communicate social values and make social behaviors and norms different.

Nevertheless, the results of this study found that lack of readiness in the health and housing dimensions In accordance with the writings of the elders of Yuwadee Kritsawattanakorn (1994) which cited the basic concepts of Elaine Cunaming and William Henry in the book about aging in 1961 That said It is common for seniors to reduce their activities or reduce their role from society when they enter old age. And will try to escape and get away from the pressure and social tension And let the new generation who are ready rather than come to take responsibility and do activities that were previously done instead As a result, the readiness to enter the age of these people is not prepared before and does not give importance because they think that they are no longer part of society.

Giving importance to the readiness and attitude of the elderly

This study puts high-quality social availability at the top of the list, with residential, economic and socio-economic views of residents moving forward with consistency and inconsistency. Such as the study of Daraporn Mangkalapinan (2002) in the first housing sector, housing, the economy, health and health issues were placed in the same group of government officials, and previous studies produced different results. Sirichai Khamchomphu (2007) Improvements in medical care, income and social welfare are prioritized before they reach different ages.

While the results are consistent with this study of Patcharapa Manoon Pattarachai (2002) and Supawadee Sawangchit (2003) a large group of people who are focused on the medical dimension is in the first stage, but it's the same sequence that we've had since, and before we grew up with high-level gestures, we put importance on health first. With healthy

people, old people can play any role for the elderly and promote social interests without relying on their jobs, so they should be able to take care of individuals who take care of themselves, especially the private sector. This practical implementation was made by investigating attitudes toward the aging disease of the underprivileged.

The readiness of informal workers and the aging society in Thailand

A study has shown that high levels of social behavior and corresponding elderly readiness remain high for men as well as for women's health before men and women advance to higher levels of society. Which the social dimension corresponds to the study of Dara Phon Mangkalaphiwan (2002) But did not find that the availability of housing depends on gender As well as not finding that sex is associated with the economic readiness found in the work of Patcharapa Manoonpatracha (2002) and Kawewat Sincharoen (2006) Found that males are more economically ready than females While some studies found in return, such as the work of Manna Phananirama, Somboon Yana and Faculty (2008) In economic and residential dimensions This study did not find any differences between males and females. Which is consistent with the study of Mathurin Worasak (2007) and the study of Areerat Ennu (2009This shows that male and female workers are economically and socially different, but depending on social and health, they are prepared for a higher age than other age groups. As for the age before entering the age, there will be differences in social and economic dimensions. While the health and housing does not depend on the age of the elderly before entering the age. Which conflicts with the results of the study Kawewat Sincharoen (2006It said that the older a conglomerate gets, the higher the employyment, the higher the tuition fees for the fund, but the more workers will be outside the declining areas where income is uncertain.

Other factors, such as the economy, socio-economic aspect, and human factors, have gone against the importance of this study, although this study, which is related to aging thinking and theoretical aspects, has resulted in earlier studies organized far ahead of certain reasons. An aunt is often a civil servant or a group of ordinary citizens, not related to a demographic group.

Outside this system, workers can contribute to aging, accessibility or welfare compared to other population groups, and people of different ages can consider or adapt more accurately to form policy

concepts to act on the purpose of this group. It was prepared for workers outside labor and management to enjoy high social status during the year. Priority should be placed on these people in understanding and first in understanding the nature of organized economic behavior. The study presented the results of education with the following considerations and policy recommendations to relevant agencies for decision making.

8. Suggestion

1) The preparation to become an old man is a personal responsibility and many parties are concerned with the social welfare that individuals do not set up their own future, and the government recognizes that health care professionals who are suffering from population shortages have to pay a considerable amount of money. If you are not aware of the responsibility to prepare for the implementation of the elderly in advance, prejudice against age may increase. Serving the elderly means an old man who appears to be a huge social burden.

2) Each country is Germany, and there is a principle to use social values such as Japan, the U.S., and South Korea to do welfare, promote social welfare and promote diversification for the elderly.

3) Decentralize management power to the community level The provision of social welfare for older persons requires more distribution of management to the community / local level, such as the establishment of offices that provide health services. Receive complaints and acknowledge the needs of the elderly in all aspects Coordinate in welfare management including public relations, news about quality of life in various fields, etc.

4) To enhance the trust of the social welfare system, operating a social security system, including other welfare systems, should also directly provide the benefit of insurance for personal insurance, while placing importance on the quality of services such as population, overlapping expenses and allowance bills. Revenge benefits trust and quality are very important parts of the people's decision to buy self-insurance within the system.

5) In a system that calculates salaries according to workers' duties, the system can introduce a three-month or two-month pay system in January to fail to benefit from its own duties.

References

(In Thai)
Books / texts

[1] Kochakorn Sangkhachat. (1995). Basic knowledge about the elderly. Department of Education system Faculty of Education Burapa University.

[2] Chiralak Chongsattham, Pornprapa Sinthunawa and Napas Sirisamphan. (M.E.) Assessment of the State Pension for the Elderly: A Case Study of 3 Homes. Bangkok: Public Health Research Institute.

[3] Chatsumon Phranphinyo. (2010). Social Research Principles. Bangkok: Charoen Dee Kong Printing.

[4] Chaiyasit Chalermmeeprasert. (2001). Statistics for executives. Bangkok: Chulalongkorn University.

[5] Nisa Chuto. (1982). Thai old people. Bangkok: Social Research Institute Chulalongkorn University.

[6] Benja Jiraphatphimol. (2000). Social and cultural basic concepts. Faculty of Social Sciences Chiang Mai University.

[7] Acharn Siriphanich and Faculty. (1996). Elderly Club: Study of patterns and operations that Suitable. Bangkok: Council of the Elderly of Thailand.

[8] Acharn Siriphanich. (1999). Thai Elderly Elderly is a resource of society. Bangkok: Doctor, villager.

[9] Busayamas Sinduprama. (1996). Aging sociology. Chiang Mai: Somporn Printing.

[10] Muntana Phananirama and Faculty. (2004). Elderly Health Promotion Guide. Department of Health, Health Promotion Group, Health Group Elderly. Bangkok: Health Promotion Office.

[11] Muntana Phananirama and Faculty. (2008). Middle-aged population: Preparation for quality elderly in society Seniors in the next 10-20 years. Bangkok: Human Resources Institute Thammasat University.

[12] Malinee Wongsit and Siriwan Siriboon. (2001). Community and support for the elderly. Bangkok: College of Population Studies Chulalongkorn University.

[13] Wannapa Srithanyarat and Faculty 2002). Health service system and health insurance for the elderly in Thailand. Khon Kaen: Nana Wittaya Library

[14] Worawet Suwanrada. (2008). National pension system. Bangkok: Chulalongkorn University Printing House.

[15] Worawet Suwanrada and Thodsak Chomtasuwan. (2007). Economic feasibility analysis of establishment National pension system in Thailand. Bangkok: Thailand Research Fund.

[16] Worawet Suwanrada and Worawan Chanchaiwit. (2010). Elderly welfare: National pension. Bangkok: Foundation for Research and Development of the Elderly.

[17] Worawet Suwanrada and Aphaphan Khamwachirapitak. (2009). The allowance for elderly people. Bangkok: Publisher of Chulalongkorn University.

[18] Sasipat Yotphet. (2001). Elderly welfare. Bangkok: Chulalongkorn University Printing House.

[19] Sasiphat Yodpetch and Faculty. (2005). Access to rights under the Elderly Act 2003 of the elderly. Bangkok: Supawanich Printing.

[20] Sasipat Yotphet. (2006). Elderly welfare Concepts and methods of social work practice. 2nd Edition. Bangkok: Mr. Copy (Thailand).

[21] Somrakchai Singhanananon, (2004). Body image and urban life research project:Marginal life, self-meaning Support of the Sirindhorn Anthropology Center (Public organization).

[22] Somsak Srisontisuk. (1996). Elderly sociology: reality and predictions in Thai society. Bangkok: Chulalongkorn University Press.

[23] Suttichai Chittaphankun. (1999). Female seniors in Thailand. Bangkok: Master of Science and Geriatric Medicine.

[24] Supattra Suphap. (1985). Society and Culture. Bangkok: Thai Wattana Panich.

[25] Surakul Jen Training. (1998). Elderly vision and non-formal education for Thai seniors. Bangkok: Nisan AdvertaiRacing Group.

[26] Surakul Jen Training. (1991). Elderly Science. Bangkok: Department of Non-Formal Education, Faculty of Education, Chulalongkorn University.

[27] Department of Health, Health Promotion Bureau Elderly Health Group. (2004). Elderly Health Promotion Guide. Bangkok: Health Promotion Office.

[28] Human Resources Institute Thammasat University. (KKU) Quality in the aging society in the next 10-20 years. Bangkok. International Labor Office of East Asian Countries. (2004). Extension of social insurance coverage to the informal economy in Thailand. Bangkok: International Affairs Department Planning and Information Division Social Security Office Ministry of Labour.

[29] International Labor Office. (2003). Valuable work and the informal economy. Bangkok: International Labor Office.

[30] National Statistical Office. (2005). Summary of informal labor surveys, 2005. Bangkok: National Statistical Office Ministry of Information and Communication Technology.

[31] National Statistical Office. (2009). Summary of the informal labor survey 2009. Bangkok: National Statistical Office. Ministry of Information and Communication Technology.

Thesis

[32] Krisana Buranapong. (2007). Elderly and family socialization in moral succession to youth in Bangkok. Master of Sociology Thesis (Sociology). College, Chulalongkorn University, Department of Sociology and Anthropology.

[33] Kundalee Yongsaengtham. (2008). Preparation for the elderly with the potential of personnel, Ministry of Social Development and Human Security. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[34] Kamikayama Fast. (2004). Elderly Satisfaction: Study of Government Pensioners, Ministry of Agriculture and Cooperatives.Master of Sociology and Anthropology Thesis (Sociology), Thammasat University, Faculty of Sociology and Anthropology.

[35] Juthaman Sombunsuan. (2004). Old woman poverty, marginalized people: life by the footsteps of

old women and beggars. Master's thesis, Thammasat University, Volunteer Graduate School.

[36] Duangchan Boonrodchoo (1997). Factors influencing retirement preparation of civil servants. Thesis Development Administration Master of Science, National Institute of Development Administration, Faculty of Social Development.

[37] Daraporn Mangkalapinan. (2002). Pre-retirement of civil servants of the Department of Public Welfare. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[38] Tenjai Methina Phithak. (2005). Extension of social insurance coverage to become informal workers Study only the taxi drivers in Bangkok. Social Work Thesis Master of Arts (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[39] Thaksorn Sripa (1998). Factors related to preparation before retirement of the provincial police officers, Region 1. Master of Arts Thesis (Applied Sociology), Kasetsart University, Graduate School.

[40] Thiraphon Thawithamcharoen. (2002). Dependence behavior for parents of children. Master of Sociology and Anthropology Thesis (Sociology), Thammasat University, Faculty of Sociology and Anthropology.

[41] Nataya Ratanamapa (1997). Preparation before retirement of professional nurses in hospitals Center under the Ministry of Public Health. Master of Nursing Thesis (Nursing Education), Chula-longkorn University.

[42] Pranee Tanak Kluai (2008). Knowledge, needs for social insurance of informal workers, motor tricycle drivers in Nonthaburi. Master of Social Work Thesis, Thammasat University, Faculty of Social Work.

[43] Phongthong Thongpan. (1997). The image of the elderly in television advertising. Master of Journalism and Mass Communication Thesis (Mass Communication), Thammasat University, Faculty of Journalism and Mass Communication, Mass Communication Branch.

[44] Pornpan Somboonbati. (2006). Old Lady: Representative image in the television documentary "People Search." Master of Journalism and Mass Communication Thesis (Mass Communication), Thammasat University, Faculty of Journalism and Mass Communication.

[45] Patcharapa Manoonpatracha. (2001). Preparation before entering the elderly age in large communities in Bang Sue area. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[46] Pennarin Sarathamroen. (2006). The study of the views of the elderly towards being an elderly person who is also useful in the case of the elderly hospital. Under the jurisdiction of Bangkok Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[47] Phatthaphon Onsawai. (2001). Social service development guidelines for preparing for single women before entering the elderly in Din Daeng District, Bangkok. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[48] Mathurin Worasak. (2007).Biological factors, retirement attitudes and personality and preparation before retirement. Work: A case study of Bangkok Bank Public Company Limited employees. Head office. Master of Education, Master of Education (Developmental Psychology), Srinakharinwirot University, Graduate School.

[49] Malai Chuangduang. (1996). Non-formal education activities for civil servants before retirement, Office of the Permanent Secretary for Education. Master of Arts Thesis (Adult Education), Kasetsart University, Graduate School. Yuwadee Kritsawattanakorn. (1994). Social support of elderly families in Thung Song Hong community hou-sing. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[50] Ratchanee Fon Thongmongkol. (2538). Life of the elderly after retirement: study from Government officials under the Bangkok Metropolitan Administration. Master of Social Work Thesis, Thammasat University, Faculty of Social Work.

[51] Ruengrung Charnwuttitham. (2004). The elderly in the welfare center: life and identity. Sociology thesis and Master of Anthropology (Anthropology), Thammasat University, Faculty of Sociology and Anthropology.

[52] Lalilaya Loi Lom. (2002). Elderly preparation for retirement in Samut Prakan Province. Master of Social Work Thesis, Huachiew Chalermprakiet University, Graduate School, Social Welfare Project Management Program.

[53] Leelawadee Akrasanee. (2006). Preparation for entry into the elderly population of Rai Khing Subdistrict, Sam Phran District, Nakhon Pathom Province. Master of Social Work Thesis (Administration and social welfare policy), Thammasat University, Faculty of Social Welfare.

[54] Witilak Chanthanasombat. (2009). Attitude towards being a happy elderly person in the elderly in Bangkok Case Study of Public Health 40 Bang Khae. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[55] Siraprapa Wattanakittikul. (2009). Preparing to be a healthy elderly person of the army working within the army. Part 1. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[56] Suthiranui Chan. (1987). The study of family roles in caring for the elderly: a case study of users of the Din Daeng elderly social service center and the elderly club Monk Hospital. Master's thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[57] Supawad Sawangchit. (2003). Preparation for the elderly Master of Social Work Thesis (Social Welfare Project Management), Huachiew Chalermprakiet University, Graduate School.

[58] Supamas Komolasing. (2007). The study of social security payment guidelines for informal workers: Hawker stalls in Bangkok. Master of Economics Thesis (Development Economics), Srinakharinwirot University, Graduate School.

[59] Sorakom Luang Kaew. (2006). Preparation for the elderly in dental health: a case study of government officials under the Chulalongkorn University. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[60] Sarinda Noi Suk. (2002). Social support of older people receiving services in psychiatric clinics. Master of Nursing Thesis. Chiang Mai University, Faculty of Nursing.

[61] Sirichai Kamchompoo. (2007). Preparation for the creation of collateral for living in the elderly age of government officials under the Office of the Prime Minister. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[62] Slit Kaew Lamoon. (2006). Protection needs for social security coverage expansion projects to workers Non-formal case study of a group of freelance drivers driving motorcycles in Mueang District Nonthaburi. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare"

[63] Suwattana Lertmanarat. (2003). Japan's social security system: case studies of long-term care. Master's thesis, Thammasat University, Faculty of Liberal Arts, Japanese Studies Department.

[64] Seksan Sangkhawisut. (2004). Study of the needs of informal workers towards entering social security: Case study: One Tambon One Product community product group Uthai Thani Province. Master of Social Work Thesis (Administration and Social Welfare Policy), Thammasat University, Faculty of Social Welfare.

[65] Summon Chai Laerat. (2006). Relationship between preparation before entering the elderly Social support and satisfaction in the life of the elderly. Master of Science thesis (Developmental Psychology), Ramkhamhaeng University Faculty of Education.

[66] Arirat Aenu. (2009). The conditions of preparation before retirement of teachers in schools Under the Khon Kaen Educational Service Area Office. Education: Master's thesis (Social Studies), Khon Kaen University, Graduate School.

Academic conference documents

[67] Sasipat Yotphet. (1999). Social welfare concept for quality elderly. At the national academic conference on the elderly "To the old age with quality". Bangkok: Chulalongkorn University Printing House.

Research report
[68] Thada Wimol Chatchan. (2000). Preparation before retirement of personnel under the state university Research report Srinakharinwirot University.

[69] Banru Siriphanich and faculty. (1996). Research report Elderly Club: Study of patterns and perform

the appropriate tasks. Bangkok: The Elderly Council of Thailand.

[70] Ratri Chiamjarupa. (1999). Research report on Study of civil servant preparation requirements before retirement Under Ramkhamhaeng University. Staff Division Ramkhamhaeng University supports research grants.

[71] Siriwan Rungkun. (2008). Research report on A study of the needs for preparation before retirement of government officials at Prince of Songkla University. Staff Division Office of the President, Prince of Songkla University.

[72] Suthichai Chittaphunkul, Naphon Rachayawan and Sasipat Yotphet. (2002). Elderly people in Thailand report on current knowledge and situation review As well as policy and research recommendations. Bangkok: Department of Gerontology and Gerontology Department of Medicine Faculty of Medicine Chulalongkorn University.

Electronic media
[73] Baowa nakorn. (2008). Social welfare for the elderly in the subdistrict. Searched on 6 July 2010. http://www.thaihealth.or.th/node/8169.

[74] Online manager. (6 April 2010). The future of Thailand and the aging society. Searched on 10 July 2010.http://www.cps.chula.ac.th/html_th/pop_base/ageing/ageing_096.htm.

[75] Thai Elderly Research and Development Institute Foundation. (2011). Cheers. Everyone has a pension. Searched on 20 October 201. http://www.thaitgri.org/images/stories/frontPage/chaiyo.pdf

[76] Social Security Office. Social Security Job Statistics Benefits and insurance. Searched on 10 October 2011.http://www.sso.go.th/wpr/category.jsp?lang=th&cat=141

[77] Office of the Health Promotion Foundation (SSI). Knowledge documents on social protection systems and government support. Searched on 10 July 2010.http://www.thaireform.in.th/various-reform-dimensions/social-welfare/item/1503-2010-07-07-08-52-23.html

[78] National Statistical Office. (2005). The number of people employed in the system and outside the system classified by level Successful studies of gender and region throughout the Kingdom 2005. Retrieved on 10 July 2010.

http://service.nso.go.th/nso/nso_center/project/search_center/23project-th.htm.

[79] National Statistical Office. (2008). The number of people employed in the system and outside the system classified by level education that has completed gender and region throughout the Kingdom, 2008.Searched on 10 July 2010. http://service.nso.go.th/nso/nso_center/project/search_center/23project-th.htm

[80] Office of the Health Promotion Foundation (SSO). Knowledge documents on social protection systems and Government support. Searched on 10 July 2010. http://www.thaireform.in.th/various-reform-dimensions/social-welfare/item/1503-2010-07-07-08-52-23.html

[81] International Labor Organization. Resolution on valuable work and the informal economy at the general meeting International Labor Organization In the 90th meeting of 2002, Searched on 10 July 2010. http://www.ilo.org/public/english/region/asro/bangkok/library/download/pub3-16.pdf

[82] Orathai Kok. Results. Politics and government database. Bangkok, King Prajadhipok's Institute. Searched on 23 August 2010. http://www.thaipoliticsgovernment.org/wiki.

(In English)
Text book

[83] Blau, Peter M. (1964). Exchange and Power in Social Life. New York: John Wiley&Sons.

[84] Blau, Peter M. (1968). Introduction: Social Exchange. In David L.Sills (editor) Interactional Encyclopedia of the Social Sciences. New York Crowell-Collier and Macmillan, Inc.

[85] Choi, Sung-Jae. (2002). Korea: National Policies on Ageing. In David R.Phillips and Alfred C.M.
Chan (Eds). Ageing and Long-term Care: National Policies in the Asia-Pacific. Singapore: Institute of Southeast Asia Studies.

[86] Cowgill, Donald O. and Lowell D.Holmes. (1972). Aging and Modernization. New York: Appleton Century-Crofts.

[87] Decker, David L. (1980). Social Gerontology: An Introduction to the Dynamics of Aging. Boston: Little Brown.

[88] Harris, Diana K. and William E. Cole. (1980). Sociology of Aging. Boston: Houghton Mifflin Company.

[89] Heyman, Dorothy and C. Frances Jeffers. In Harris, Diana K. and William E. Cole. (1980). Sociology of Aging. Boston: Houghton Mifflin Company.

[90] Hiraoka, Koichi. (2006). The Reform of the Long-Term Care Insurance Scheme in Japan. Research Monograph: Studies of Human Development from Birth to Death, Ochanomizu University 21st Century COE Program.

[91] Hooyman and Kiyak. (1995). Social Gerontology: A Multidisciplinary Perspective. USA.

[92] Grandall, Richard C. (1980). Gerontology: A Behavioral Science Approach. London: Addison-Wesley Publishing Company.

[93] Papadimitriou, Dimitri B. (2007). Government spending on the elderly. Basingstoke: Palgrave Macmillan. Scott, John. (2006). Theory and Methods in Documentary Research (Volume 1). London: Sage.

[94] Tokoro, Michihiko. (2009). Ageing in Japan: Family changes and policy development. In Fu, Tsung-his and Rhidian Hughes (Eds). Ageing in East Asia: Challenges and Policies for the twenty-first Century. London: Routledge.

[95] Yamane, Taro. (1967). Statistics, An Introductory Analysis. end Ed. New York: Harper and Row.

[96] Yang, Bong-min. (2001). The National Pension Scheme of the Republic of Korea. Washington: World Bank Institute.

Article
[97] Woodruff, Kenneth and Jame Birren E. (1975). Measuring Quality of Life. Journal of Medical Ethics, 41-85.

Electronic Media
[98] American Academy of Actuaries. (2007, September). Social Security: Evaluating the Structure for Basic Benefits. Retrieved August 21, 2011, from http://www.actuary.org/pdf/socialsecurity/structure_sept07.pdf

[99] Berlin-Institut fuer Bevoelkerung und Entwicklung. (2010). Retrieved August 7 2011, from http://www.berlininstitut.org/fileadmin/user_upload/PDF/pdf_Lehr_Population_Ageing.pdf

[100] Centers for Medicare & Medicaid Services. (2011). Centres for Medicare & Medicaid Services. Retrieved August 25, 2011, from https://www.cms.gov/MedicaidGenInfo/

[101] Central Intelligence Agency. (2010). Retrieved August 7 2011, from https://www.cia.gov/library/publications/the-world-factbook/fields/2010.html

[102] Demographic Transition. (2011, March). America, Europe and Japan's aging population Time Bomb. Retrieved August 8, 2011, from http://www.d-transition.info/western-demographic-winter-2/america-europe-japans-aging-population-time-bomb-382/

[103] Deutsche Sozialversicherung. (2010) Retrieved August 7 2011, from http://www.deutschesozialversicherung.de/en/health/who_is_insured_print.html

[104] Hays, Jeffrey. (2010, March). Pension, Neglect and Problems for Elderly Japanese. Retrieved August 17, 2011, from http://factsanddetails.com/japan.php?itemid=620&catid=18

[105] Internal Revenue Service United States. (2010). Article I. Self-Employed Individuals Tax Center. Retrieved September 6, 2011, from http://www.irs.gov/businesses/small/selfemployed/index.html

[106] Lloyd, Terrie. (2011). Social Insurance Payments for the Self Employed. Retrieved August 17, 2011, from http://www.daijob.com/en/columns/terrie/article/462 Ministry of Health, Labour and Welfare, Japan. (2010). Retrieved August 17, 2011, from http://www.mhlw.go.jp/english/policy/health-medical/health-insurance/dl/health_insurance.pdf

[107] Ministry of Health, Labour and Welfare, Japan. (2010). Retrieved August 21, 2011, from http://www.mhlw.go.jp/english/policy/care-welfare/care-welfare-elderly/dl/long_term_ care_health_and_welfare_service_for_the_elderly.pdf

[108] Ministry of Health, Labour and Welfare, Japan (2011). Pension. Retrieved September 21, 2011, from http://www.mhlw.go.jp/english/policy/pension /pension/index.html

[109] Ministry of Health and Welfare, Korea (2011). Retrieved September 2, 2011, from http:// english.mohw.go.kr

[110] National Institute of Population and Social Security Research (IPSS). (2011). Social Security in Japan (2011 edition). Tokyo: Japan. Retrieved September 8, 2011, from http://www.ipss.go.jp/s-info/e/Jasos2011/ss2011.pdf

[111] O'Brien, Sharon. (2009). Starting Your Own Business? Don't Forget Self-Employed Health Insurance: Growing number of self-employed older adults do not have health insurance. Retrieved October 28, 2011, from http://seniorliving.about. com/ od/ retirement/a/selfhealthinsur.htm

[112] Pfaller, Alfred. (1997). [Electronic ed.]. The German welfare state after national unification. Retrieved August 7, 2011, from http://library.fes.de/ fulltext/stabsabteilung/00073.htm

[113] Population Reference Bureau. (2010). 2010 World Population Data Sheet. Washington DC: Population Reference Bureau. Retrieved September 28, 2011, from http://www.prb.org/pdf10/10wpds _eng .pdf

[114] Research Group. (2010). Facing up to the Problem of Population Aging in Developing Countries: New Perspectives for Cooperation. Institute for International Cooperation (IFIC), Japan International Cooperation Agency (JICA). Retrieved August 20, 2011, from http://www.jica.go.jp/ english/publications /reports/study/topical/population/pdf/population.pdf

[115] Ross, Dianne Morrow. (2008). Healthcare transitions and the aging population: A framework to measure the value of rapid rehabilitation. Retrieved August 21, 2011, from http://www.gradworks. umi. com/33/19/3319269.html

[116] Schmähl, Winfred, Eberhard Wille und Daniael Erdmann. (2010). [Electronic version]. Annual

[117] National Report 2010: Pension, Health and Long-term Care. Social Security Administration, Japan. (2010). Retrieved August 17, 2011, from http://www.socialsecurity.gov/policy/docs/progdesc/ss ptw/2010-2011/asia/japan.pdf

[118] The Columbia Electronic Encyclopedia. (2006). Social security: In the United States. Retrieved August 21, 2011, from http://www. infoplease.com/ce6/society/A0861154.html

[119] Transgenerational Design Matters (2010). One of Nine Americans is Old. Retrieved August 21, 2011, from http://transgenerational.org/aging/ demographics.htm

[120] U.S. Immigration Information. (2011). Social Security in the USA. Retrieved October 24, 2011, from http://www.rapidimmigration.com/1_eng_ coming_social.html

[121] U.S. Social Security Administration. (2009). Retrieved August 21, 2011, from http://www .ssa.gov/pubs/10024.html

[122] U.S. Social Security Administration. (2009). Retrieved August 21, 2011, from http://www.ssa. gov/policy/docs/progdesc/ssptw/2008-2009/americas/united_states.pdf

[123] U.S. Social Security Administration. (2010). Retrieved November 22, 2011, from http://www. sso.go.th/wpr/category.jsp?lang=th&cat=622

[124] U.S. Social Security Administration. (2011). Retrieved August 21, 2011, from http://www.ssa.gov/pubs/10043.html

[125] U.S. Social Security Administration. (2011). If you are self-employed. Retrieved October 28, 2011, from http://ssa.gov/pubs/10022.pdf

[126] Vogel, Sandra and Heiner Dribbusch. (2009). Germany: Self-employed workers. Cologne: Cologne Institute for Economic Research (IW Köln), Institute of Economic and Social Research (WSI). Retrieved August 10 2011, from http://www. eurofound .europa.eu/comparative/tn0801018s/de0801019q.htm

[127] Wikipedia. Aging of Japan. Retrieved August 21, 2011, from http://en.wikipedia. org/wiki/Aging _of_Japan Wikipedia. Medicaid. Retrieved October 25, 2011, from http:// en.wikipedia.org/wiki/Medicaid

[128] Wohlner, Roger. (2011, September). Retirement Plan Options for the Self-Employed. Retrieved October 25, 2011, from http://money.usnews.com/money /blogs/the-smarter-mutual-fund-investor/2011/09 /0 7/retirement-plan-options-for-the-self-employed.

Efficient Business Models and Organizational Performance – The Mediating Role of Management Innovation

Blendi Gerdoci, Etleva Leskaj
University of Tirana, Albania
blendigerdoci@feut.edu.al etlevaleskaj@gmail.com

Abstract: *This study examines how efficiency-centered business model design (EBM) affects firm's performance through the mediating role of management innovation (MI). Structural equation modeling (SEM) using the Maximum Likelihood (ML) estimation is employed to analyse firm-level data collected during the survey of 93 Albanian manufacturing and service firms. Our findings show that MI fully mediates the relationship between EBM and performance and firm's size positively affects MI. Drawing from both MI and BM literature, this study presents new evidence on MI and business model (BM) alignment. This study may help academics and practitioners to better understand the interplay between BM, performance and BM adaptation.*

Introduction

In recent years, the concept of "business model" has gained prominence in the management, strategy and entrepreneurship literature (Foss and Saebi, 2017; Zott, Amit, and Massa, 2011). Business models (BM) are viewed as the "heuristic logic" that converts ideas and technical potential into economic value (Chesbrough and Rosenbloom, 2002, p. 529) triggering changes that allow for new value to be created and appropriated (Amit and Zott, 20011). All these studies, despite the profligacy in conceptualization, have confirmed BM as a viable and relevant unit of analysis in management, strategy and entrepreneurship studies.

Among different literature streams, qualitative and quantitative management research has explored BM contribution to firm's performance (i.e., Zott and Amit, 2007; Demil and Lecocq, 2010; Chesbrough, 2010; Brettel, Strese and Flatten, 2012; Hu and Chen, 2016; Gerdoçi, Bortoluzzi, and Dibra, 2018). While the positive contribution of novel BM design (NBM) on performance has been widely confirmed, results on the efficiency-centered business model design (EBM) are conflicting. Nevertheless, these studies suggest that both novel and efficiency BM designs can work *in tandem* to deliver a better performance, advancing the "ambidexterity" hypothesis (i.e., Zott and Amit, 2007; Brettel, et al, 2012; Hu, 2013) - a particular form of BMI. In our study, we focus on a specific BM design - EBM and its contribution to performance by exploring another type of innovation - management innovation (MI) that interplays with both BM design and organizational performance.

While there is a convergence between researchers regarding BM, business model innovation (BMI) concept is still not fully understood (Foss and Saebi, 2017). Among many definitions and categorizations, Massa and Tucci (2014) propose two distinct phenomena that represent BMI: (1) the BM design – which is the entrepreneurial activity of setting up and implementing a new BM, and (2) the BM reconfiguration – which can be defined as the rearrangement of organizational resources to change the current BM. However, these two phenomena appear to conflict with each other. On one hand, getting the design right is important since once the design is set, it is difficult to change it due to inertia and resistance to change (Zott and Amit, 2010). On the other hand, despite the challenges, BMs need to adapt to market changes leading firms to innovate their BM (Chesbrough and Rosenbloom, 2002; Chesbrough, 2010; Sosna et al 2010). How can organizations address this conundrum? Which are the enablers of BMI that address this paradox?

So far, various literature streams have provided valuable insight on this matter by exploring organizational ambidexterity (Winterhalter et al., 2016; Markides, 2013), organizational learning through experimentation (Sosna, Trevinyo-Rodrıguez and Velamuri, 2010), dynamic capabilities (O'Reilly and Tushman, 2008), dynamic ambidexterity (Chen, 2017), etc. These research streams point out the role of key enablers that support adaptive BMI - a process of fine-tuning of organizational resources (Chesbrough, 2007) and the responsibility of managers in leading such changes (Sosna et al., 2010). However, while these studies explore the role of enablers in driving BMI but neglect to a certain extent, performance implications of such innovation. Following Osterwalder, (2004) call for research that explore managerial innovations as a source of

business innovation and better performance, we focus on the role played by MI as a driver that enhances organizational adaptability through the alignment of the BM design and firm's performance. This paper explores the role of a what we consider either an antecedent or a dimension of BMI - MI in enabling EBM to perform better.

In this study, we draw form the innovation literature that can contribute to the understanding BM design-performance link and the BMI processes. As argued by Teece (2010), although the business model concept became known in the mid-1990s, ideas revolving around it have been present since pre-classical times. Schumpeter (1950), the originator of the economics of innovation and entrepreneurship underlined the role of innovation as means of change for an organization. Various studies have explored the effects of different types of innovation such as technical and administrative innovation (i.e., Daft, 1978; Damanpour and Evan, 1984), MI (i.e., Birkinshaw and Mol, 2006; Hamel, 2006), as well as organizational innovation (i.e., Damanpour and Aravind, 2011) on the organizational performance and effectiveness. Teece (2007), one of the most cited authors in the BM literature, focusing on MI impact on performance, argues that adapting organizational structures, processes, and practices can be a valuable source of competitive advantage. Building on both literatures, we explore whether EBM design enhances organization's MI and, if so, the extent of the consequences on organizational performance.

The central idea of this study is that the performance gap of firms is not only dependent on the BM design but also ability of entrepreneurs and managers to innovate organizational processes, practices and structures in order to align the EBM design and performance. Given the particularities of some firms and following previous research on MI (e.g., Vaccaro, Volberda and Van Den Bosch, 2012), we incorporate organizational contingencies such as size as a moderating variable in the relationship between EBM and MI and include firms age as a control. Figure 1 shows the conceptual model of the study.

Theoretically, our paper responds to the Zott and Amit (2010, p. 224) call "to explore the relationship between individual actions, organizational activities and business model performance (…)" and to understand "how the firm's architecture of boundary-spanning transactions is linked to its internal organization and how the interaction of two affects firm performance (Zott and Amit, 2007, p.195)."

The paper is organized in five sections. Section 2 presents theoretical background and hypotheses. Section 3 analyses data and method used by the authors. Section 4 presents the analyses and the empirical research findings. We conclude with discussions, conclusions, further research recommendations and limitations of the study.
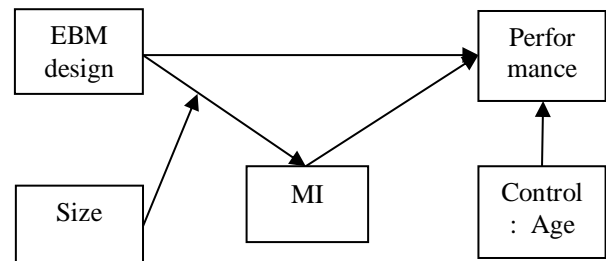

Figure 1: The conceptual model of the study

1. Theoritical premisses and hypotheses development

1.1 BM themes - the concept and typology

The purpose of BM design is to produce systems that are in essence new (Romme, 2003). According to Amit and Zott (2001, p. 511) the three elements of the design - content (which activities are performed), structure (how are activities linked), and governance of transactions (who performs them) are central to value creations process of organizations as empirically showed by the same authors (Zott and Amit, 2007, 2008).

Based on the three activities system, Amit and Zott (2001) identify four BM themes: Novelty, Lock-In, Complementarities and Efficiency. Two themes in particular have drawn the attention of many scholars - EBM and NBM (i.e., Brettel et al., 2012; Hu and Chen, 2016). Drawing from the transaction costs economics (Williamson, 1975), Zott and Amit (2010, p.221) define EBM design as the way "firms use their activity system design to aim at achieving greater efficiency through reducing transaction costs." In contrast with EBM, the novelty-centered design (NBM), which is entrenched in Schumpeterian innovation theory (Schumpeter, 1934), focuses on new ways of conducting economic exchanges and/or connecting with new partners (Zott and Amit, 2007, 2008).

1.2 MI - the concept and dimensions

MI has been defined as "the generation and implementation of a management practice, process, struc-

ture or technique that is new to the state of the art and is intended to further organizational goals" (Birkinshaw, Hamel and Mol, 2008, p. 829). As this definition suggests, MI is conceptualized as a multidimensional construct composed by (1) practices - what managers do daily, (2) processes – routines including project management, planning, etc, (3) organizational structure - how organizations arrange communication and organize their members (ibid). Another approach to dimentionalizing MI has been proposed by Walker, Damanpour and Devece (2011). The authors conceive MI as a two-dimensional construct composed by the information and communication technology dimension (ICT) - the "use of new management and office information systems to advance efficiency of the organization's operating systems and processes" and an administrative dimension - "management systems and processes to make the work of management more effective" (ibid., p.370).

1.3 The interplay between EBM design, MI and performance

The support for the first link of our proposed chain (EBM design - management innovation) is rather meager. BM literature has just begun to acknowledge the role of organizational structures and processes in the context of BMs (Teece, 2010). Furthermore, as pointed out by Chesbrough (2010) the organizational processes are not identified by the tools of BM mapping. We build on the conceptual work of Amit and Zott, (2001) and Zott and Amit (2010) on BM design and the empirical work of Walker, et al. (2011) to propose a link between EBM and management innovation.

1.3.1 The relationship between EBM design and management innovation

EBM designs are aimed at reducing transaction costs though governance structures and mechanisms that mitigate uncertainty, simplify transactions, and reduce the need for transaction-specific investments (Zott and Amit, 2007). However, EBM does not capture the means by which an organization can achieve better efficiency (ibid). Since the later is the main performance objective of an organization adopting EDM design, entrepreneurs and managers are expected to search for means to improve efficiency beyond the transaction-efficient activities that constitute the backbone of EBM design. As

pointed out by transaction cost scholars, "if hierarchies are superior to markets for reasons of efficiency, this superiority may well be due not just to transaction cost reductions but also to productivity-enhancing" (Geyskens, Steenkamp and Kumar, 2006, p. 533). Hence, we can expect that the drive towards efficiency and productivity cannot be limited to the transaction dimension. Based on this line of reasoning, we propose that these means to enhance efficiency can be found in the internal activity system and structure of organizations.

One mean to achieve efficiency is to improve ICT - one of the dimensions of MI (Walker, et al., 2011). Previous research has substantiated the role of ICT in improving efficiency and productivity (see Pilat 2004 for a review). Another way we propose, is to improve, renew management systems, processes and structures - the other dimensions of MI. By viewing BM design as an activity system, we can expect that the efficient way activities are linked (structure) and the governed at a boundary-spanning transaction level can be further extended at internal organizational level by renewing the management systems and processes to achieve better effectiveness and efficiency (Hamel, 2006) or higher productivity (Mol and Birkinshaw, 2009). Furthermore, as suggested by some scholars (Birkinshaw, 2010; Basile and Faraci, 2015), MI can lead to a new management models more compatible with the current BM. This rationale is in line with O'Reilly and Tushman (2013) argument that firms can more easily adapt their formal structures compared to the relatively complicated change of cultural aspects of an organization. Based on these arguments, we expect that EBM design may lead eventually to trans-formation in the organizational structure, adminis-trative processes and ICT solutions in an effort to align the BM design with the internal organization. The following hypothesis captures this notion:

H1: EBM and MI are positively associated.

1.3.2 Size as a moderator in the EBM design - management innovation relationship

Previous research suggests incorporating organizational contingencies when studying MI (Vaccaro et al (2012). Larger organization that adopt EBM are more inclined to innovate their management processes, practices, structures and strategies (Hamel, 2011). Furthermore, organizational researchers suggest large organization face weaker resource constraints (Beckman, Haunschild and Phillips, 2004). We argue that the greater availability of

resources enables these organization to implement better and more efficient ICT solutions. Hence, we posit that:

H2: Size positively moderates the relationship between EBM and MI.

1.3.3 The relationship between management innovation and performance

Evidence from case studies points toward a positive effect of MI on organizational performance (Birkinshaw and Mol 2006; Hamel 2006). In addition, quantitative studies have established the important contribution of administrative innovation - one dimension of MI - on organization performance (i.e., Damanpour and Evan 1984; Armour and Teece, 1978). For example, Armour and Teece (1978) found that the adoption of administrative innovations in petroleum firms increased the rate of return on owners' equity. Damanpour and Evan (1984) show that administrative innovation has a greater impact on overall performance of an organization compared to technical innovation. Later research has confirmed that MI increases both efficiency and effecttiveness of the internal organizational processes (see Adams, John, and Phelps (2006) for a review) and improves the efficiency of organizational operating systems through the implementation of ICT solutions as suggested by the longitudinal study of Damanpour, Walker, and Avellaneda (2009). Based on conceptual and empirical studies, we hypothesize a positive relationship between MI and firm's performance. Accordingly,

H3: MI and firm's performance are positively associated.

1.3.4 The mediating role of management innovation

Taken together hypothesis 1 and 3 point to a mediation role of MI. Based on this, we formulate the following hypothesis:

H4: MI mediates the positive effects of EBM design on performance

The empirical support for the proposed EBM design - MI - performance chain is only piecemeal. On the contrary, as noted, the BM design theme – performance link has been explored thoroughly. Building on recent empirical research, we argue on the relationship between EBM and firm performance. In addition, this is important from a metho-

dological standpoint since all links between variables in mediation should be tested (Baron and Kenny, 1986).

1.4 The relationship between BM design and firm performance

As noted above, EBM design lowers transaction costs by reducing "coordination costs and transaction risk" (Zott and Amit, 2008, p. 4). In their empirical study, Zott and Amit (2007), report mixed and not robust results suggesting that EBM design may lead to better performance only in periods of resource scarcity. Other studies report more convincing results. Hu and Chen (2016) show that EBM is positively related to technological inno-vation performance. Brettel et al. (2012) support the hypothesis that EBM design improves firm performance, especially in the later life-cycle stages of the firm. Thus, based on this results, the fifth hypothesis is proposed:

H5. EBM and firm's performance are positively associated.

2. Data and methods

2.1 Sampling

The sample consists of 93 private firms randomly selected form a data set of 870 firms generated during a survey conducted by INSTAT (Albanian Institute of Statistics). The sample frame was drawn from a list of companies operating in sectors that have some potential for innovation. A stratified random sampling method was applied (50% production firms and 50% service companies, and 15% micro, 35% small and 50% medium sizes). After emails, phone calls and direct company visits only 107 companies participated in this study. The final sample was reduced to 93 cases due to missing data, outliers, or because cases represented non-targeted firms (e.g., public companies).

2.2 Instrument and data collection

Questionnaire protocol served as the primary means for data collection. Most questionnaires (80%) were filled in by using face-to face interviews. The rest were filled directly by the company managers using an online platform. The researchers were trained in data collection. In addition, researchers were provided with written guidelines on the proper way to conduct the interview and address survey items.

2.3 Missing data Outliers

Initially, we dropped 4 cases of non-targeted firms. Then, following Hair (2010), we examined data for (i) missing data, (ii) suspicious response patterns, and (iii) outliers. We removed five rows due to missing data more than 20%. Additionally, we removed two cases due to respondents being not engaged - they answered somewhat the same in the Likert scale. Finally, three cases of outliers have been removed.

Our data had additional missing values in columns from 1-3%. We conducted Little's MCAR (missing completely at random) test. Significance is greater than 0.05. Hence, we replaced the remaining missing values using the Expectation-Maximization technique.

2.4 Common method variance

Data were collected from one informant per firm, so appropriate techniques to control for common method bias were used (Podsakoff, MacKenzie, Lee and Podsakoff, 2003). First, the questionnaire was pre-tested with experts and managers to avoid misleading, ambiguous or unfamiliar concepts. Second, a cover letter informed the respondents that their answers would be kept anonymous and used only for research purposes. Finally, to control for common method variance, Harman's single-factor test was conducted. The total variance for one factor is approximately 43%, less than the threshold of 50%; therefore, common method variance is not a serious threat in our study.

2.5 Non-response bias

In an effort to identify potential non-response bias, we studied potential variations within the existing dataset (Groves, 2006). Following Miller and Smith's (1983) argument that late responders are similar to non-respondents, we divided the dataset into two sub-groups based on response waves. The Levene's test for our normally distributed data verified the equality of variances in our two sub-samples (p>.05 for our dependent, mediator, independent and moderator variables included in our model) (Martin and Bridgmon, 2012).

2.6 Measures

Details of the constructs and the operationalizations of variables are provided in table 1 and are discussed below.

Efficiency-centered business model design. Following Amit and Zott (2007) lead, we have adapted their scale to assess the construct. This construct is composed of seven items.

Management Innovation. Measure of innovation was assessed and operationalized employing (Vaccaro et al, 2012) procedure. This construct is composed of nine items.

Business performance. Measure of business performance was assessed based on how respondents rate their business performance compared to their most direct competitor in relation to market share, revenues, profit, cash flow and costs reduction (Auh and Merlo 2012; Slater and Olson, 2000).

Size. In line with this operationalisation of Zott and Amit (2007), this study measures size as a natural logarithm of the number of employees.

Age. Following Zott and Amit (2007) we included age as a control. We measured age as a logarithm of number of years from registration.

Table 1: Survey Items and Measurement

Construct	Operationalization	Measurement
Performance (5 items)	Market share compared to the most direct competitor Revenues compared to the most direct competitor Profit compared to the most direct competitor Cash flow compared to the most direct competitor Decrease costs compared to the most direct competitor	7-points scale (1 = much worse, 4 = equal, 7= much better)
Efficiency centered business model design (8 items)	Transactions with our firm are simple from the customer's/user's point of view.	7-points scale (1 = totally disagree, 7 = totally agree)

90

	Our business model enables a low number of errors in the execution of transactions. Costs for participants in our business are reduced (i.e., marketing and sales costs, transaction-processing costs, communication costs, etc). Our business model can handle small as well as large transaction volumes. Our business model enables participants to make informed decisions. Our business model enables benefits through demand aggregation (e.g., bundling of smaller volumes). Our business model enables fast execution of transactions. Our business model, overall, offers high transaction efficiency.	
Management innovation (9 items)	Rules and procedures within our organization are regularly renewed We regularly make changes in our employees' tasks and functions Our organization regularly implements new management systems The policy with regard to compensation has been changed in the last three years The intra- and inter-departmental	7-points scale (1 = totally disagree, 7 = totally agree)
	communication structure within our organization is regularly restructured We continuously alter certain elements of the organizational structure Our employees may pursue different roles within the organization We usually alter the way in which we set our objectives We regularly invest in developing our structure so as to make the most of our staff	
Size	Number of employees	Operationalized as the logarithm of number of employees
Age	Number of years from registration	Operationalized as the logarithm of number of years

3. Analysis and results

The hypotheses were tested using structural equation modeling (SEM). The SEM employed here uses Maximum Likelihood (ML) estimation. However, in order to corroborate our findings and to overcome eventual bias related to the small sample size, Bayesian estimation was used (see Van de Schoot, et al., 2014)[1]. The result of SEM using Bayesian estimation (BSEM) are shown in the appendix A and B. For comparison reasons, the results of the Bayesian estimation are presented alongside the ML ones. In the main text of this study, we present the ML estimations only.

Before selecting the estimation procedure/s, we examined skewness and kurtosis using SPSS to determine data distributions (Kim, 2013). The analysis showed that the majority of our data variables are normal therefore, adopting a cova riance based techniques was deemed to be the better choice (Jöreskog, 1978). The only data that had small

---

[1] AMOS default criterion of 1.002 was employed for assessing convergence. Non-informative priors (or objective priors) were adopted AMOS because for some parameters there is no previous knowledge.

problems with skewness were our two controls age and size that were normalized in later analyses.

3.1 Assessment of the measurement model

In the first step we conducted an exploratory factor analysis (EFA) followed by confirmatory factor analysis (CFA).

3.1.1 Exploratory factor analysis

We performed an EFA with promax rotation to test the validity of our independent variables. The results for EBM design loaded reasonably high except for the third item which was dropped from the measurement instrument list in subsequent analyses (see Tabachnick and Fiddell, 2007). Result for performance loaded high except for item five (decreased costs) that crossloaded with other constructs. This item was also dropped (ibid). The results for MI are very good except for items four and seven that were dropped in subsequent analyses analysis.

4.1.2. Confirmatory factor analysis, reliability and validity

Following Kline (2011), we performed a CFA and assessed validity and reliability of constructs. First, CFA indicated that item seven and eight of MI, and item two of BM have low loadings. These items were removed in subsequent analyses. All other items have a loading at the 0.5 level or higher on their respective constructs except the second item of EBM design that is slightly below the threshold of 0.5, indicating item validity is acceptable. Second, the first item of performance and the third item of MI were removed due to model discrepencies (inflating chi-square). Third, after the above mentioned items were removed, the CFA model fit statistics were satisfactory - comparative fit index (CFI) = 0.955, root mean squared error of approximation (RMSEA) = 0.061, Tucker Lewis index (TLI) = 0.943 and root mean square residual index (SRMR) = 0.0644. Forth, we assessed the convergent validity of the constructs (see table 2).

Table 2: Result summary of reliability and validity

	Loading	Cronbach Alpha	Composite reliability	AVE
Efficiency centered BM design		0.881	0.87487	0.551
BME1	0.48			
BME4	0.56			
BME5	0.77			
BME6	0.69			
BME7	0.93			
BME8	0.91			
Management innovation		0.872	0.875169	0.54185
MI1	0.67			
MI2	0.66			
MI4	0.69			
MI5	0.89			
MI6	0.70			
MI9	0.78			
Firm Performance		0.933	0.93294	0.822733
PERFFR	0.87			
PERFFP	0.93			
PERFFCF	0.92			

The results for Average Variance Extracted (AVE) are above 0.5 indicating good convergent validity of the constructs. Fifth, we assessed discriminant validity. The remaining items in our analysis have no crossloading assuring discriminant validity. In addition, the square root of AVE for each latent variable is greater than the correlation values with all other latent variables (see table 3) as suggested by Fornell and Larcker (1981).

Table 3: Pearson Correlations

Variables	Efficiency-centered BM design	Performance	Management innovation	Ln (size)	Ln (age)
EBM	1.000				
Performance	0.245*	1.000			
MI	0.552**	0.410**	1.000		
Ln (size)	0.048	0.248*	0.309**	1.000	
Ln (age)	0.031	-0.015	0.018	0.032	1.0000

*$0.01 \leq p < 0.05$, **$p < 0.01$, ***$p < 0.001$

Finally, we assessed the internal consistency of our constructs. Both Cronbach Alpha and composite reliability coefficients for the three constructs are above thresholds suggested by Kline, (2011).

3.2 Estimation of the structural model

After establishing reliability and validity, the study assessed the structural model as shown in figure 2.

3.2.1 Collinearity statistics

Table 3 shows the correlations among the variables. The coefficients between our two independent variables (EBM design and MI) are significant and strong. However, no multicollinearity-related issues are found as the variance inflation factor (VIF) values are well-below the threshold of 5 (values are around 1).
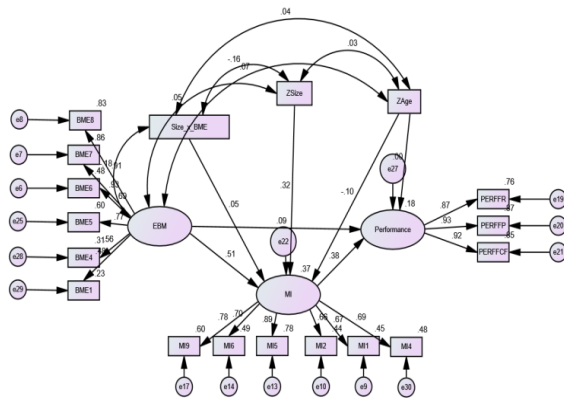

Figure 2: The measurement model [2]

3.2.2 Model goodness of fit

The full model fit statistics for SEM using ML estimation were satisfactory at $\chi2/df$ =1.556 (df=125), CFI = 0.921, TLI = 0.900, RMSEA = 0.078 and SRMR = 0.0732 (see Hu and Bentler, 1999; Kline, 2011).

3.2.3 Determination coefficients

The R2 value of each endogenous construct represents the model's predictive accuracy (Kline, 2011). Our result show weak R-squared values, respectively of 0.367 for MI and of 0.185 for per-formance. However, considering the possibility of a large number of factors affecting performance and MI, their R2 values are satisfactory.

3.2.4 The path coefficients

The model hypothesized and validated in this study suggest a mediating role of MI in the relationship

between EBM design and performance. Here we test for mediation following the approach outlined by Baron and Kenny (1986). First, we test for the effect of EBM design on performance with the resulting coefficient β =.245 at a level of p < 0.05. In the second step, we introduced the mediator in our model. The standardized path coefficients from EBM to MI and from MI to performance were significant at β = .509 (p < .01) and β = .376 (p < .001). We further examine the mediating relationship using Sobel test and the Aroian version of the Sobel test as suggested by Baron and Kenny (1986). The results show that the indirect effect of EBM design on firm performance is significant (Z = 1.96, p < .001). These results support hypothesis 1, 3 and 4 and are in line with previous research (Birkinshaw and Mol, 2006; Hamel, 2006) and the proposed relationship. The hypothesized relationship between EBM design and performance in our full model is not significant. As a result, hypothesis 1 is rejected. This result is in line with some research (e.g., Amit and Zott 2007). Taken together these findings suggest a full mediation of MI in the relationship between EBM and performance. These results were confirmed after bootstrapping. Table 3 shows the results from this procedure (5000 samples).

Table 3: Direct, indirect and total effects

	Direct effects	Indirect effects	Total effects
Interaction term -> performance	0.000	0.020	0.020
Interaction term -> Management innovation	0.052	0.000	0.052
Ln(age) -> Management innovation	-0.103	0.000	-0.103
Ln(age) -> Performance	0.004	-0.039	-0.035
Ln(size) -> Management innovation	0.322***	0.000	0.322***
Ln(size) -> Performance	0.000	0.121	0.121
Efficiency -> Management innovation	0.509***	0.000	0.509***

93

Efficiency -> Performance	0.092	0.191	0.283
Management innovation -> performance	0.376**	0.000	0.376**

** $p < 0.01$, *** $p < 0.001$,

There are no significant indirect effects, only direct ones.

The hypothesized moderation effect of size in the relationship between EBM and MI is rejected since the results for the effect of interaction term (EBM design and size) on MI are not significant. However, our findings suggest a direct effect of size on MI (β = .322, $p < .001$). The sign is positive suggesting that the larger and organization the higher the level of MI. This results are in line with previous research (Vaccaro et al. 2012).

Our control variable - age has no significant effect neither on the outcome variable nor the mediator. The results are not significant. These results are confirmed by BSEM estimation (see appendix A and B). The Bayesian means and the unstandardized coefficients are very similar. Moreover, all the values in credible interval are positive for all the relationships that constitute the mediation chain. For the EBM - performance link, the Bayesian estimation show that the 95% credible interval includes zero with a large part of the values being negative. Hence, this hypothesis is rejected.

4. Discussions and conclusions

The central purpose of this study is to explore the mediating role played by MI in the EBM design – firm performance relationship. We used data from 93 firms randomly selected form a data set of 870 companies. The results are summarized as follows.
An important primary finding of this study relates to the EBM design direct effect on firm's performance. This result does not come as a surprise. Consistent with some studies (i.e., Gerdoçi et al., 2018; Hu, 2013; Zott and Amit, 2007) and in contrast with others (i.e., Brettel et al., 2012; Hu and Chen, 2016) our findings confirm that EBM design it is not a direct predictors of firm's performance. Additionally, our sample was drawn from sectors that have more potential for innovation. Hence, we expect that NBM design or ambidextrous BMs might be more suitable than EBM. However, we confirmed an indirect effect as some studies suggest (e.g., Hu, 2013). Our analysis indicates that MI fully mediates the relationship between EBM design and firm's

performance. These findings are in line with previous research that have already confirmed the role of MI as a predictor of firm's performance (e.g. Birkinshaw and Mol 2006; Hamel 2006) and confirm our proposition that EBM leads to MI.

One possible reason for this indirect effect can be related to the dynamic nature of BMs (see Demil and Lecocq, 2010) and adaptive BMI (see Chesbrough, 2007). Entrepreneurs can lead their firm to success by fine-tuning their BM in different ways (Chesbrough and Rosenbloom, 2002; Chesbrough, 2010). We argue that MI can be considered a possible driver that enables the achievement of such fine-tuning and adoption process by aligning BM design and performance. This reasoning is in line with the argument of O'Reilly and Tushman (2013) regarding the adaptation process, although our interpretation departs from sequential or contextual ambidexterity. We believe that while it is possible and viable for firms to pursue ambidexterity as suggested by O'Reilly and Tushman (2013) and confirmed by empirical studies, another possible path for firms is to focus on efficiency beyond the boundaries of the BM. Because EBM cannot encapsulate entirely the drive of a business towards efficiency, the latter can be enhanced by better and improved managerial processes, practices, structures and ICT systems. Furthermore, we see this process not as a simple sums of different constructs but rather as a synergy that leads to better performance and eventually, to BMI. Our view is in line with transaction costs scholars (e.g., Geyskens et al., 2006) who suggest that efficiency should extent to other aspects of an organization, in addition to its transactions.

While we rejected a moderation effect of size in the relationship EBM and MI our findings suggest a direct effect of size on MI. Large organizations tent to engage more in management innovation as suggested by Hamel (2011). We argue that these organizations have a larger pool of human, capital, knowledge and other resources needed to plan and implement MI.

The study makes a significant contribution to the literature. First, we find that EBM design construct is limited in encapsulating all the value creation and capture processes within a firm. This finding suggests that at least for EBM design, we need to consider other co-factors that contribute to these processes, or enable the design to perform better. Transaction efficiency is not enough. Secondly, although the business model architecture and components might not change substantially as suggested by Zott and Amit (2010), MI can enhance the effect

of the current design on performance. We argue that rules, procedures, organizational struc-tures, etc need to be attuned with the BM design in order for the later to produce the desired outcome. Whether this leads to BMI, and as a result to a new BM, or it is can be considered another comple-mentary or synergy factor that explains performance such as business strategy for example (Zott and Amit, 2008), remains to be further explored.

The results of our study yield practically relevant knowledge for entrepreneurs and managers. First, additional value can be created and captured by adjusting managerial practices, process, structures and ICT systems. In the case of firms, especially large ones, that adopt a EBM design, they need to learn how to make these changes aiming efficiency as a performance objective. We believe that such practical insight is important not only for our sample, but also for other firms that apply different BM designs. As stated by Birkinshaw (2010) - a business model without a consistent management model is pure theory.

4.1 Limitation and extensions

There are also several limitations to this study that could represent a starting point for future research. First, by focusing on MI, our proposition fall short in addressing the role of some management models in the relationship between BM design and perfor-mance (see Birkinshaw, 2010; Basile and Faraci, 2015). Second, our study does not analyze some contingency factors at firm and industry level that might affect the BM-performance relationship such as investment in R&D and advertizing and market size (see Zott and Amit, 2007) and firms' market and technological environment (see Zott and Amit, 2007; 2008; Damanpour and Evan, 1984). Finally, this study is cross-sectional in nature. It would be of interest to carry out longitudinal studies to test the relationship between EBM design, MI and perfor-mance under dynamic circumstances. Organization scholars might be interested to understand how MI is linked to the development of dynamic capabilities (see Basile and Faraci 2015), how organizational culture or leadership styles (see Vaccaro et al. 2012) affect MI and its interaction with firm's performance. Strategy and management scholars could be interested in the evolution of BMs and the interplay between MI, management models, strategy and performance (see Teece, 2010, Demil and Lecocq, 2010).

5. Appendixes

Appendix A: Regression results using ML and Bayesian estimations

HYP	Variable	Bayesian Mean	Bayesian S.D.	95% Lower bound	95% Upper bound	ML Coeff	ML Stand. Coeff	ML-S.E.	ML p-value
		Dependent variable - Management innovation							
Control	Ln (Age)	-0.169	0.164	-0.493	0.155	-0.177	-0.103	0.158	0.264
H1	EBM	0.578	0.123	0.339	0.823	0.580	0.509	0.115	***
H2	Interaction term	0.117	0.224	-0.313	0.570	0.121	0.052	0.218	0.578
	Ln (size)	0.544	0.167	0.221	0.879	0.555	0.322	0.161	***
		Dependent variable - Firm performance							
Control	Ln (Age)	0.004	0.136	-0.262	0.276	0.005	0.004	0.130	0.971
H5	EBM	0.079	0.015	-0.147	0.302	0.079	0.092	0.106	0.457
H3	Management Innovation	0.289	0.104	0.091	0.503	0.285	0.376	0.097	0.003

***p < 0.001

Appendix B: Direct, indirect and total effects using ML and Bayesian estimations

	ML estimation after bootstrapping			Bayesian estimation		
	Direct effects	Indirect effects	Total effects	Direct effects	Indirect effects	Total effects
Interaction term -> performance	0.000	0.020	0.020	0.000	0.019	0.019
Interaction term -> Management innovation	0.052	0.000	0.052	0.051	0.000	0.051
Ln(age) -> Management innovation	-0.103	0.000	-0.103	-0.099	0.000	-0.099
Ln(age) -> Performance	0.004	-0.039	-0.035	0.003	-0.037	0.034
Ln(size) -> Management innovation	0.322***	0.000	0.322***	0.317	0.000	0.317
Ln(size) -> Performance	0.000	0.121	0.121	0.000	0.120	0.120
Efficiency -> Management innovation	0.509***	0.000	0.509***	0.501	0.000	0.501
Efficiency -> Performance	0.092	0.191	0.283	0.089	0.188	0.278
Management innovation -> performance	0.376**	0.000	0.376**	0.375	0.000	0.375

**p < 0.01, ***p < 0.001,

References

[1] Foss, N. J., and Saebi, T. (2017). Fifteen Years of Research on Business Model Innovation How Far Have We Come, and Where Should We Go?. *Journal of Management*, 43(1), 200-227.

[2] Zott, C., and Amit, R. (2010), Business Model Design: An Activity System Perspective. *Long Range Planning* 43 (2010) 216-226.

[3] Massa, L. and Tucci, C. (2014). Business model innovation. In: The Oxford Handbook of Innovation Management edited by Mark Dodgson, David Gann and Nelson Philips, Oxford: *Oxford University Press*.

[4] Chesbrough, H. (2007), Business model innovation: It's not just about technology anymore. *Strategy and Leadership*, 35(6), 12–17. http://dx.doi.org/10.1108/10878570710833714

[5] Zott, C., Amit, R., and Massa, L. (2011), The businessmodel: Recent developments and future research. *Journal of Management*, 37(4), 1019–1042.

[6] Zott, C., and Amit, R. (2008), The fit between product market strategy and business model: Implications for firm performance. *Strategic Management Journal*, 29: 1-26.

[7] Demil, B., and Lecocq, X. (2010), Business model evolution: In search of dynamic consistency. *Long Range Planning*, 43(2–3), 227–246.

[8] Chesbrough, H. W., and Rosenbloom, R. S. 2002. The role of the business model in capturing value from innovation: Evidence from Xerox Corporation's technology spinoff companies. *Industrial and Corporate Change*, 11: 533-534.

[9] Hu, B. and Chen, W. (2016), "Business model ambidexterity and technological innovation performance: evidence from China", *Technology Analysis & Strategic Management*, Vol. 28 No. 5, pp. 583-600.

[10] Gerdoçi, B., Bortoluzzi, G., Dibra, S., (2018), "Business model design and firm performance: Evidence of interactive effects from a developing economy", *European Journal of Innovation Management*, Vol. 21 Issue: 2, pp.315-333, https://doi.org/10.1108/EJIM-02-2017-0012

[11] Zott, C., and Amit, R. (2007), Business model design and the performance of entrepreneurial firms. *Organization Science*, 18: 181-199.

[12] Chesbrough, H. (2010), Business Model Innovation: Opportunities and Barriers. *Long Range Planning* 43, 354-363

[13] Schumpeter, J., 1934. The Theory of Economic Development. *Harvard University Press*, Cambridge, MA.

[14] Sosna, M., Trevinyo-Rodrıguez, N.R. and Velamuri, S.R. (2010), "Business model innovation through trial-and-error learning – the Naturhouse case", *Long Range Planning*, Vol. 43 No. 2, pp. 383-407.

[15] Winterhalter, S., Zeschky, M. and Gassmann, O. (2016), "Managing dual business models in emerging markets: an ambidexterity perspective", *R&D Management*, Vol. 46 No. 3, pp. 464-479.

[16] Markides, C. (2013), "Business model innovation: what can the ambidexterity literature teach us?", The Academy of Management Perspectives, Vol. 27 No. 4, pp. 313-323.

[17] O'Reilly, C. A. and Tushman, M. L. (2013). Organizational ambidexterity: Past, present, and future. *Academy of management Perspectives*, 27(4), 324-338

[18] Chen, Y. (2017), Dynamic ambidexterity: Howinnovators manage exploration and exploitation. *Business Horizons*, 60(3), 385-394.

[19] Osterwalder, A. (2004), "The business model ontology, a proposition in a design science approach", doctoral dissertation, University of Lausanne, Lausanne.

[20] Teece, D. J. 2010. Business models, business strategy and innovation. Long Range Planning, 43: 172-194.

[21] Schumpeter, J.A. 1950. Capitalism, Socialism, and Democracy, 3d ed. New York: *Harper & Row*.

[22] Daft, R. L. (1982), A dual-core model of organizational innovation. *Academy of Management Journal*, 21(2), 193–210.

[23] Damanpour, F., and Evan, W.M., (1984), Organizational innovation and performance: the problem of 'Organizational Lag'. *Administrative Science Quarterly*, 29, 392–409.

[24] Birkinshaw, J., Hamel, G., and Mol, M. J. (2008), "Management innovation". *Academy of Management Review*, 33: 825–845.

[25] Mol, M.J. and Birkinshaw, J. (2009), "The sources of management innovation: when firms introduce new management practices", *Journal of Business Research*.

[26] Damanpour, F., and Evan, W.M., (1984), Organizational Teece, D.J. (2007), Explicating dynamic capabilities: the nature and microfoundations of (sustainable) enterprise performance. Strategic Management Journal, 28(13), 1319-1350.

[27] Vaccaro, I.G., Volberda, H.W. and Van Den Bosch, F.A.J. (2012), "Management innovation in action: the case of selfmanaging teams", in Pitsis, T.S., Simpson, A. and Dehlin, E. (Eds), *Handbook of Organizational and Managerial Innovation*, Edwar Elgar, Cheltenham, pp. 138-162.

[28] Romme, A. G. L. (2003), Making a difference: Organizations as design. *Organizational Science*, 14, 558–573.

[29] Brettel, M., Strese, S., and Flatten, C. T. (2012), Improving the performance of business models with relationship marketing efforts – An entrepreneurial perspective. *European Management Journal* 30, 85–98.

[30] Hu, B., (2013), Linking business models with technological innovation performance through organizational learning. *European Management Journal* 32 (2014) 587–595.

[31] Williamson, O.E. (1975), Markets and Hierarchies, *The Free Press*, New York, NY.

[32] Damanpour, F., Walker, R. M., and Avellaneda, C. N., (2009), Combinative effects of innovation types on organizational performance: A longitudinal study of public services. *Journal of Management Studies*, 46: 650-75.

[33] Geyskens, I., J.B.E.M. Steenkamp and N. Kumar, 2006. Make, Buy, or Ally: A Transaction Cost Theory Meta-Analysis. The Academy of Management Journal 49 (3): 519–543.

[34] Pilat, D. (2004) 'The ICT productivity paradox: insights from micro data,' *OECD Economic Studies* 38, 37-67.

[35] Hamel, G. (2011), "The big idea, let's fire all the managers", *Harvard Business Review*, Vol. 89, pp. 48-60.

[36] Birkinshaw, J. (2010), Reinventing Management, *John Wiley & Sons Ltd*, Chichester.

[37] Basile, A., Faraci, R. (2015), "Aligning management model and business model in the management innovation perspective: The role of managerial dynamic capabilities in the organizational change", Journal of Organizational Change Management, Vol. 28 Issue: 1, pp.43-58, https://doi.org/10.1108/JOCM-10-2013-0199

[38] O'Reilly, C. A. and Tushman, M. L. (2008), Ambidexterity as a dynamic capability: Resolving the innovator's dilemma. *Research in Organizational Behavior*, 28, 185–206. http://dx. doi.org /10.1016/j.riob.2008.06.002.

[39] Hamel, G. (2006), "The why, what and how of management innovation", *Harvard Business Review*, Vol. 84 No. 2, pp. 72-84.

[40] Beckman, C. M., P. R. Haunschild, D. J. Phillips. 2004. Friends or strangers? Firm-specific uncertainty, market uncertainty, and network partner selection. *Organ. Sci*. 15 259–275.

[41] Damanpour, F. (1991) Organizational innovation: A meta-analysis of effects of determinants and moderators. Academy of Management Journal, 34(3), 555–590.

[42] Armour, H., and J. Teece, J.D. (1978), Organizational structure and economic performance: A test of the multi-divisional hypothesis. *The Bell Journal of Economics and Management Science*, 9: 106-122.

[43] Adams, R., Bessant J., and Phelps., R. (2006) Innovation management measurement: A review. International Journal of Management Review 8:21-47. Ai Amit R, Zott C. (2001), Value creation in e-business. *Strategic Management Journal*, June–July Special Issue 22: 493–520.

[44] Baron, R., and Kenny. A. D. (1986), "The Moderator-Mediator Distinction in Social Psychological Research: Conceptual, Strategic, and Statistical Considerations." *Journal of Personality and Social Psychology*, 51 (6), 1173-82.

[45] Hu, L.T. and Bentler, P.M. (1999), "Cutoff Criteria for Fit Indexes in Covariance Structure Analysis: Conventional Criteria Versus New Alternatives," Structural Equation Modeling, 6 (1), 1-55.

[46] Podsakoff, M., MacKenzie, S.B., Lee, J.Y. and Podsakoff, N.P. (2003), "Common method biases in behavioral research: a critical review of the literature and recommended remedies", *Journal of Applied Psychology*, Vol. 88 No. 5, pp. 879-903.

[47] Groves, R. M. (2006), "Nonresponse Rates and Nonresponse Bias in Household Surveys", *Public Opinion Quarterly*, Vol. 70, pp. 646-675.

[48] Miller, K.L. and Smith, L.E. (1983), "Handling nonresponse issues", *Journal of Extension*, Vol. 21 No. 5, pp. 45-50.

[49] Martin, W.E. and Bridgmon, K.D. (2012), Quantitative and Statistical Research Methods. *From Hypothesis to Results*, Wiley, Somerset, NJ.

[50] Auh, S., and Merlo, O. (2012), The power of marketing within the firm: Its contribution to business performance and the effect of power asymmetry. *Industrial Marketing Management* 41: 861–873

[51] Slater, S.F. and Olson, E.M. (2000), "Strategy type and performance. The influence of sales force management", Strategic Management Journal, Vol. 21 No. 8, pp. 813-829.

[52] Van de Schoot, R., Kaplan, D., Denissen, J., Asendorpf, J. B., Neyer, F. J., & van Aken, M. A. (2014). A Gentle Introduction to Bayesian Analysis: Applications to Developmental Research. Child Development, 85(3), 842-860.

[53] Kim, H.-Y. (2013), Statistical notes for clinical researchers: Assessing normal distribution (2) using skewness and kurtosis. *Restorative Dentistry & Endodontics*, 38(1), 52–54.

[54] Jöreskog, K. G. (1978), Structural analysis of covariance and correlation matrices. *Psychometrika*, 43(4), 443–477.

[55] Tabachnick, B. G., and Fidell, L. S. (2007). Using multivariate statistics (5th ed.). Upper Saddle River, NJ: Pearson Allyn & Bacon.

[56] Kline, R.B. (2011), Principles and Practice of Structural Equation Modeling. 3rd edn. New York: *Guilford Press*.

[57] Fornell, C., and Larcker, D.F. (1981), Evaluating structural equation models with unobservable variables and measurement error. Journal of Marketing Research, 18(1), 39–50.

[58] Hair, J. F. (2010). Multivariate Data Analysis. RE: A Global Perspective.

**THE 7th INTERNATIONAL ACADEMIC CONFERENCE
ON SOCIAL SCIENCES**

2019 CONFERENCE PROCEEDINGS

**THE INTERNATIONAL INSTITUTE FOR
ACADEMIC DEVELOPMENT
59 Rustaveli str. 6000 Batumi, Georgia**
E-mail: info@academicinst.com
Website: http://www.academicinst.com