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Kafka “Shanghai-Ed”: Orientalist China in Kafka’s Fiction and Kafkaesque Phenomena in China

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Abstract

During a visit to Shanghai in August 2019, I attempted to use the auto-ethnographic method to answer a few general questions: what is the image of China in Kafka’s literary imagination, what is Kafkaesque in Shanghai, and what is Shanghai-esque in Kafka? Because the combination of theoretical interest, spontaneous ethnographic observations, and personal reflections proved insufficient to respond to these questions, I also analyzed Kafka’s ‘Chinese’ stories, namely *The Great Wall of China*, *In the Penal Colony*, *The Message from The Emperor*, *An Old Manuscript*, and *The Letters to Felice*, and two Kafkaesque phenomena in China: the Shanghai World Expo and the Chinese Ghost Cities. I concluded that Kafka’s fiction contains certain Orientalist elements and that, through the perspective of contemporary material Kafkaesque phenomena, are more western than the West.

Keywords: literary images of China, Kafka, orientalism, Kafkaesque, Shanghai

Introduction

In August of 2018, I attended the conference “Crossroads in Cultural Studies” that took place in Shanghai. In an over air-conditioned lecture hall, I delivered a presentation of my research paper about Franz Kafka to Chinese students: “Kafka was a man who wanted to become literature and disappear into it. He succeeded in the dialectical sense. When we speak of Kafka’s literature in the West, the very name Kafka plays the role of a phrase, almost a verbal tic, the glue and filler in various theoretical discourses, the status symbol of politically impotent intellectuals, the drug of preference for post-war German intellectuals beaten down by the burden of the Holocaust and Nazi history, the mascot of all weary bureaucrats, the involuntary apology of the Israeli state, the hyper-realistic emblem of the dark side of modernity.” I discussed many subjects at the conference though none of the ones that had started to interest me the moment I landed in Shanghai’s misty Pudong Airport where I was required to leave not only finger prints but also eye-scans.

As I listened to the many excellent papers about Asian literature and cultural studies, the notion of Kafka as a signifier that represented a legitimate yet limited and possibly anachronistic field of research began to strike me as a Western cliché. Falling under the spell of the impostor syndrome, I became an annoying caricature of the Western researcher coming to Shanghai to expound upon an European literary archetype. In order to at least partially evade the stereotype, I decided during my visit to attempt to answer a number of general questions by making use of the auto-ethnographic method, combining theoretical interests, spontaneous ethnographic observations, and personal reflections (Maréchal, 2010, 43–45) combined with methods of text analysis. What is the image of China in Kafka's literary imagination and how does Kafka appear in the Chinese imagination? What is Kafkaesque in Shanghai and what is Shanghaiesque in Kafka?

Kafka and the Orient

As we know from the paradigmatic work of Edward Said (1979), Orientalism is a collection of ideas about the Orient from the European perspective, characterized by a fascination with the ostensible paradise-like exoticism of the Orient and the fear of the ostensible animalism and violence of the cultural other. This intellectual, literary, and institutional discourse is understood to be the result of the patronizing attitude of post-Enlightenment travellers, intellectuals, poets, and philosophers of the time (p. 31-72). The Orientalist discourse, taken as a totality of statements and experiences regarding the subject, originally pertaining to Arab cultures, was perpetuated by European travellers at the end of the eighteenth and the beginning of the nineteenth century who understood the Chinese as one of the variants of the white race. According to the Jesuit Jean-Baptiste Du Halde, the Peking Chinese were not, because of the colour of their skin, so different from French and Italians. They were not only the racial equivalent of Europeans but the Jesuits also idealized the Chinese state structures of enlightened absolutism and natural philosophy. However, this praise began to wound the pride of Europeans who were insulted by the idea that the Chinese might be even superior to them in terms of morals and religion. As a result, an anti-Jesuit movement emerged in the late eighteenth and early nineteenth centuries and the reputation of the Chinese in the areas where they were once admired began to suffer. The greatest European scholars of the time – Immanuel Kant, Johann Gottfried Herder, David Hume and Montesquieu – significantly contributed from their armchairs to the Orientalist discourse, which, among other things, connected the warm climate of Asia to despotism and, by way of this argument, strengthened the notion of the selfish and temperamental character of Asians (Hsia, 1996, p. 8–11).

Similarly, Rolf J. Goebel observed (1997) that Herder characterized China as “an embalmed mummy” (p. 66). Friedrich Hegel (2001) was perhaps most exhaustive in establishing the theoretical foundations and normalization of colonialism. He not only criticized the despotic social system of China but also generally dehumanized the Chinese in comparison to Europeans. According to Hegel, morals were not a part of

their subjectivity because moral laws were equated with the law of the emperor: "With this abandonment is connected the great immorality of the Chinese. They are notorious for deceiving wherever they can. /.../ Their frauds are most astutely and craftily performed, so that Europeans have to be painfully cautious in dealing with them" (p. 148). The Chinese perceive knowledge only as imitation: "/They are/ too proud to learn anything from Europeans, although they must often recognize their superiority. /.../ Besides, the Europeans, just because of their intelligence, have not yet been able imitate the superficial and perfectly natural cleverness of the Chinese" (p. 155). Moreover Hegel went to great lengths to explain why the Chinese were not only immoral but also knew nothing about history, free will, science, and art (p. 158), adding that their religion is "*pure Nothing*" (p. 148).

By the end of the nineteenth century, this abstract *Nothing* increasingly attracted immoral, irrational, and perverted Europeans who cultivated an ambivalent relationship to the Chinese, which emerged between the years of 1890 and 1925. The Chinese were considered sufficiently inferior and subordinate to be exploited without a bad conscious while at the same time being sufficiently advanced and peaceful for their doctrines to be received with enthusiasm. In Kafka's literary legacy, the image of China plays various roles that illuminate the consistently contradictory and incomplete Orientalist discourse. In this sense, Kafka's ambiguous Orientalist perspective on China must be understood in the context of the wider European cultural and political discourse about China at the beginning of the twentieth century.

Kafka is one of the rare modernist writers who mentioned China at all. His inclination toward Chinese literature finds its source in two translations by the philosopher Martin Buber, the editor of the literary magazine entitled *The Jew* in which Kafka published several of his own stories. The translations of Martin Buber were extremely popular in Europe,¹¹ on the one hand because the European powers did not view Asia as equal in terms of their civilizations. The European intention to expand its political and economic influence in Asia emerged from this general prejudice. On the other hand, Westerners hankered for the spiritual fulfilment offered by traditional Chinese philosophy and religion, among which Taoism and Buddhism were particularly well-regarded because of their therapeutic effect on the materialist West. It is hardly surprising therefore that we find analyses of Kafka as a writer who adopted Zen Buddhist and Taoist philosophy (Janouch, 1953, p. 36, 38, 47, 75, 107; McCort, 1991).

Kafka had also read the translation of Pu Songling's short story collection, *Strange Stories*, translated from Chinese into German by Richard Wilhelm in 1914 (Zhou, 1996, p. 119). It is highly likely that Kafka took inspiration for his animal stories not only from the Prague legend of the Golem, the Jewish Frankenstein, but also from Pu Songling's strange animal tales in which there appears not only monkeys and dogs but also various mythological hybrids and immortals such as the hunter Gracchus or Red

Peter. All of these creatures, as in all cultures, are carriers of cultural meanings important in a specific space and time. Pu Songling placed animal images in his stories with the purpose of revealing the tyrannical feudal system of the Qing Dynasty, its process of transformation frequently made apparent in the emotional condition of his protagonists (Zhou, 1996, p. 113-176).

Kafka gave *Chinese Ghost and Love Stories* to his little sister Ottilie, and also admired and recommended the book in a letter to his fiancée Felice Bauer. We also know that Kafka occasionally recited the poems of Yüan Tzu-Tsai found in this same book to Felice and Max Brod (Kafka, 2016, p. 59-60, 88, 161, 165). In his letters to Felice, Kafka orientalised his uncertainty and alienation as well as his fear of intimacy. He kept Felice at both a safe distance and a fatal proximity, which is perhaps why she remained for him as foreign, threatening, and exotic as China itself, which he even used several times as a sort of poetic mirror drapery to keep him apart from Felice though she was necessary to him for the creation of fantasies that retained their imaginary passion in the letters. Through the imaginary passion in the letters, Kafka both humiliated and redefined himself. For him, the writing of love letters was a literary exercise and gradual overture to his more serious literary production, which began only with the bitter end of the enchanted correspondence and engagement. Where he had mentioned China, he had written of his burning love. The more unresponsive Felice became because of his authoritarian criticism of her taste and his explosions of jealousy, the less he understood her and the more she attracted him, and yet he derived from the relationship the self-confidence he needed to arouse his literary power. When he had drawn enough strength from it, he began to drive Felice away. Using the example of the poem "In Dead of Night" by Tzu-Tsai, he explained to her that she would only inhibit his nocturnal writing because of which he would not be a good husband to her (Canetti, 2012; Kafka, 2016, p. 59-60; Meng, 1996, p. 81).

In Kafka's letters, China becomes a signifier for mutual alienation and growing misunderstanding. His writing brings to light certain characteristics from the general Orientalist discourse of the time. One of these characteristics is the female, which, in the European imagination was equated to the erotic Orient and vice versa. Another is the banal display of abstract ideas of the colonialist mindset and the male chauvinism containing the image of the untamed woman who can only be helped through subordination. Kafka appropriated Orientalism, while at the same time doubting and ironizing it, and finally invalidated its fantastic images. He did the same thing with Felice, who like the Orient, was "present /only/ as an idea and construct but absent as a cultural site with an authentic voice" (Goebel, 1997, p. 62).

Orientalist Topologies: China's Ghost Cities and the Great Wall of China

Modern China differs significantly from its previous Orientalist image. The contemporary flaneur strolling along the avenues of today's Shanghai – surrounded by American big-chain supermarkets, Flemish and gothic architecture, microbreweries, shops selling kitsch and replicas that reveal a phantasmagorical

character – might understandably have the feeling he is in a country run by Count Westwest of Kafka's *The Castle* (2009). In locations of privilege and progress, he encounters excessive stereotypes of the West. Even capitalism without democracy, an original Chinese invention as defined in certain debates (Tsai, 2007), could be treated as the Orientalist hyperbole of Western social-political systems. We can explore this skewed image between the West and the Orient in a specific example that seems more authentic than Kafka's fiction.

To wit: a phenomenon that is even more Kafkaesque than the control exerted by countless facial recognition cameras along the streets of China's big cities (which are more Orwellian than Kafkaesque in fact) are the enormous new Chinese cities in which nobody lives. These empty settlements, spontaneously dubbed ghost cities, were eternalized several years ago by the American photographer Kai Caemmerer. They are not ghost cities destroyed by economic collapse but rather premature or not entirely living cities. They contain everything cities do – dozens of skyscrapers, apartment complexes, fountains, sculptures, parks, luxury villas, playgrounds, department stores – everything but people that is. These modern Chinese cities have emerged as a part of the state's futuristic vision that includes massive numbers of people gradually migrating from the rural countryside to urban centres. The fundamental Kafkaesque premise on which Chinese ghost cities are founded is the astounding amount of land and real estate owned by a single municipal authority (Gray, 2017).

Caemmerer reported on his strange feeling of horror and fascination in response to the unliving things he observed during his morning and evening walks through these asphalt deserts. In Freudian psychoanalysis, this feeling is called "the uncanny" and is defined as the feeling of the strangely familiar that can overcome a person in everyday situations and is characterized by the return of suppressed content in the form of unarticulated anxiety and fascination. In contemporary China, "the uncanny" is most clearly present in architectural copies or replicas. For example, there are three replicas of the Eiffel Tower in China as well as full replicas of smaller European cities (Shepard, 2015, p. 97).

According to Wade Shepard (2015), the construction of many million apartments that nobody may ever be able to afford (only a few years ago in China there were sixty-two million empty apartments) is justified by an economic obligation. Specifically, in the state's building plans, it is forecast that the artificial cities will be built and populated over periods of fifteen to twenty-five years. Some have succeeded – Pudong, what was once swampland around Shanghai, is an example of successful urbanization of this kind – while others will possibly remain empty. The purpose of the projects is to create a home for the millions of people who will eventually move from the countryside but the actual completion of the planned cities is often impeded by high communist officials who are replaced every five years, a system that often causes the plans to change (p. 39-55).

Submerged beneath the justification for the Chinese ghost cities – in reality the new civilizational achievement of humanity – is a specific situation in which human beings are functionally necessary but at the same redundant, entirely subordinate to empty buildings and futurist visions. As their name suggests, ghost cities may also be one of the contemporary Orientalist images of China that are disseminated through Western media. Shepard's analysis reveals something that is essentially (also) Western: namely, the dark side of disciplinarian authority in which control over the human body that accompanies modernization is even more merciless than control over nature and the world of things. What lies behind the construction of these ghost cities finds its uncanny resemblance in an Oriental equivalent in Kafka's prose.

In Kafka's story "The Great Wall of China" (1993), the stonemasons, like contemporary communist officials, were moved to a new part of the wall every five years. In the story, Kafka presents an important paradox that can be transferred to the modern paradox of Chinese ghost cities: why (according to Kafka) did the stonemasons build the Great Wall non-linearly and in disconnected segments? Why do the Chinese now build cities that quite possibly will never be populated? As a stonemason in the story concludes, these megalomaniacal constructions are analogous to the construction of the nation. The gaps in the construction, similar to the missing people from the countryside in the ghost cities, will only be filled when China tells the people that the construction has been successfully finished. It is best to build a homeland in many places. Thus the stonemasons in the story, like the communist officials who supervise the construction of ghost cities who are replaced every five years, strengthen collective belonging and loyalty through a project that perhaps will never be completed. Although the stonemasons hope that one day the wall will be successfully finished, the empire would want the construction to last forever. Otherwise, the people might get the idea of replacing the empire. Kafka's story is therefore not trivial Orientalist hyperbole. The story refers to the universal and mystified character of authority. In the final analysis, it is not clear whether Kafka was actually describing something closer to home: "the Imperial-Royal Monarchy which outlived the similarly corrupt and decaying Qing Dynasty /.../ by only seven years" (Meng, 1996, p. 77).

Jorge Louis Borges (2006) also made use of an interesting historical example to create a compelling depiction of the desire of those in power to surround themselves with an incomprehensible system. At the same time that Qin Shi Huang, the First Emperor of the Qin dynasty and founder of the Chinese Empire, was orchestrating the building of the Great Wall, he also ordered the burning of all books that were written before his coronation. Using this precedent-making example, Borges shows that these are not two coincidental actions. It is a practice common to all despots who want to fool everyone but themselves into believing that history began with them. They erase and falsify the past of their own civilization while claiming to defend the nation from foreign barbarism, but barbarism is only an excuse to fend off other different and new ideas that would undermine domestic despotic power and quite possibly enhance the collective achievements and values of human society (p. 179–181). Just as Borges

makes a universal comparison, the Great Wall in Kafka becomes the emblem of a “difficult and incalculable /plan/” (Benjamin, 2007, p. 127).

Whoever visits Prague quickly realizes that the city provides the topographical model for many of the peculiar settings in Kafka’s prose. The ground plan of the house where Josef K. visits the judicial tribunal would be as impossible to draw as the ground plan of the house of Mr. Pollunder, a friend of the uncle of Karl Rossman, the protagonist of the novel *America* (1998). The New York mansion is comprised of empty rooms and endlessly long and semi-circular corridors along which drafts blow. The urban centre of Prague is thirteen times smaller than the urban centre of Shanghai and yet the confusion and disorientation of the city streets multiply strangely as they grow denser and smaller. Thus, even from the topographical perspective, it is no coincidence that Kafka understood Prague as a labyrinth from which it was impossible to escape. The metaphor of Kafka’s relationship to Prague and to his own texts (reflected in his desire for their burning after his death) represents the first part, and his story about the Great Wall the second part, of civilized barbarism. As Borges (2007) wrote, in literature every (good) writer hides the peculiarities that we only notice later in the work of his antecedents and his followers (p. 190–192).

Writing the City and the Book

Like Prague, Shanghai also evokes the narrative structure of Kafka’s stories both topographically and symbolically. We can place the stories into a contextual logical whole only with the help of historical-biographical maps: thesis – antithesis – the impossibility and absence of synthesis. Conceptual structures in Kafka’s prose are philosophical in an elementary sense, his style recalling a scientific style of writing: “Kafka’s sentences are replete with concessionary words and phrases such as ‘indeed ... yet’ (‘zwar ... aber’), ‘though’ (‘allerdings’) /.../” (Bahun, 2014, p. 145). In this sense, Kafka is always on the edge of enlightenment, although at the same time it seems that the knowledge in his literary worlds is organized in medieval fashion by the principles of analogy defined in Michel Foucault’s research (2002). This contradiction was also noted by Benjamin (2005) who defined Kafka as a philosopher who wrote “fairy tales for dialecticians” (p. 799), and was always on the verge of recognizing the truth which he “sacrificed for the sake of clinging to its transmissibility” (Benjamin, 2007, p. 144).

The reader experiences these palimpsestic games while reading Kafka’s prose just as the flaneur does while walking the streets of Shanghai. The city is so enormous that it would only be possible to describe it in detail with the help of a fictional Borgesian map that would be as big as Shanghai itself (1:1). Because of Shanghai’s size, it makes sense to conceive of it as multidimensional, hybrid, and cubistically ordered landscapes. What from one angle looks like an elite and architecturally modern skyscraper from another angle looks like a ramshackle structure in the middle of a building site.

During the hours that I did not spend in airconditioned lecture halls, I lost myself in the overcrowded Shanghai streets surrounded by thousands of people walking, biking, scootering. My body was constantly perspiring because of the high temperature, the humidity, and the polluted air. My eyes squinted against the intensity of colours pulsating from all sides that attracted the gaze here and there. All sorts of vehicles moving at different speeds crossed my field of vision. Not only sirens attacked the aural senses but also inarticulate speech, crying, thunderous coughing, screaming, whispering, humming, scratching, knocking. In a big city, the flaneur not only experiences the comforting admiration of his surroundings but also becomes autistic, overwhelmed by an abundance of stimuli that he cannot metabolize. There is something of literary modernism in this symbolic reading of the city's abundance – in the flood of sounds, scents, images, touch that decelerates, disorients, hypnotizes, and fatigues. Georg Simmel (1998) observed this phenomenon in urban dwellers, noting that as a result of the intensification of nervous stimulation they developed a twisted but necessarily devaluating property to protect them from the excess of inputs to the nervous system: “the [so-called] blasé attitude” (p. 178). Such a person might even wake one day, like Gregor Samsa in Kafka's “*Metamorphosis*” (2004), encased in a sort of armour.

Roberto Calasso (2006) posits that the most dangerous instant in Kafka's works is the moment of awakening. Both Gregor in *Metamorphosis* and Josef K. in *The Castle* awaken to a world of irreversibly altered things. Moreover, Kafka's Romanesque heroes never sleep; rather they hallucinate in a state of chronic sleeplessness. When they awaken from their hallucinations, it is to a world of nightmares (p. 196–230). These characters are a bureaucrat, a sales agent, immigrants. They could be perceived as precariously employed workers as over-employed servants who are late and wait. The temporary schemes in Kafka's stories and novels are even more complex. As Cohn observed (1968), events are captured in a sort of eternal present in which time is so condensed that it has weight. Moreover, time is revealed in various parameters that we can visualize almost as width, height, and length, and can be perceived as the fourth dimension of space. Reading Kafka's prose, it strikes me that if Kafka had been a painter he would have been a cubist. Although Kafka protagonists are not melancholic, like Hamlet or Werther, it is possible to recognize in them an all-embracing and dislocated but nevertheless ambiguous melancholy. His characters are trapped in the eternal present because of which they are excluded from the time that precedes and follows. Their existence does not include a past or a future. Everything that was and will be is. Thus, they exist in continual crisis. They are lost in a succession of instances between which cuts in time gape open. Thus, Kafka's prose is an artistic intervention of limitless duration, an interruption in the flow of time that is saturated with the beauty of failure. In this sense, there is something revolutionary in his prose – although perhaps only immanent in the temporal sense – something pure, genuine, unchangeable (Corngold, 2018, p. 13).

In Shanghai, I suffered from a case of jetlag that I could not get over because of the general feverishness of the city and my own curiosity. I experienced the spatial-temporary distortions that are typical of Kafka's literature. I came in from the airport on the Maglev levitation magnetic train that cut through the morning humidity at a speed of three hundred kilometres an hour. I briefly spotted a recognizable sportswear brand on a store in the middle of a desolate shanty town: Decathlon. I first saw Shanghai, one of the most modern cities in the world, as an apparition, as if even the anonymous urban dwellers were foreigners like myself and the narrators of Kafka's novels.

The inhabitants of large cities, like Kafka's narrators, are surrounded with an aura of mystery, not concealing their intimate selves in order to deceive or lie. Their mysteriousness and apathy are not merely the consequence of the ungovernable size of the city but also of the breakneck herky-jerky speed with which life hurtles on the wings of the vehicles that conquer the enormous surface area on a daily basis. Inhabitants of such cities have no time to become people. They exist on the level of missiles or cargo. The speed of the big city allows anonymity, which, in the era of massive digitalization, is now associated with freedom and democracy by more types of people than just exiled writers and compulsive travellers. For instance, Paul Virilio (2007) defines speed as a good that in modern dromocratic, as opposed to democratic, societies is not distributed equally (p. 69). Faster people are richer, freer, more mobile and anonymous. But the speed of the big city also transforms people into unapproachable phantoms that are subject to the law of speed, "the hope of the West" (p. 70). Perhaps the grotesque indifference of inhabitants of large cities disguises their functional replaceability and the fact that their personal narratives are a part of wider discourse, and their daily ways only the effects of the urbanization plan.

Kafka "Shanghaied"

The above also applies to Shanghai, a city that has become the schizophrenic chimera of the following slogan of municipal urbanization: "One dragon's head, four centres". As Shepherd wrote (2015), Shanghai was supposed to become an urban utopia for the middle class by 2020. This was included in the city plans twenty years ago. If part of the utopia of the middle class is the systematic repression of the working class (read: the middle class) and the forced relocation of the poor population, then this goal has been achieved in a strange way (p. 93).

The Shanghai World Expo 2010 represents an example of systematic repression as well as a vivid manifestation of the negative effects of a plan for urbanization that is unspeakably inhumane. One hundred and ninety-three countries from around the world participated in the Shanghai Expo, an enterprise with the slogan "Better City, Better Life", which catapulted Shanghai into the ranks of elite global cities. As is typical in such undertakings, underpaid workers were engaged in gargantuan building projects. But we discover in the Shanghai World Expo an even more horrific side that surpasses even this low standard. The Chinese authorities forcefully relocated twenty

thousand households from the six-kilometre area in which the Expo took place. They closed over two hundred and fifty factories. Whoever opposed the project went to jail. In 2013, three years after the Expo, the area was like a neighbourhood of the living dead and its restoration was launched. Today, the extent of this crime, difficult to imagine, is concealed, invisible, perhaps even forgotten. It is possible to view its relics from the top of the Chinese Art Museum, housed in what was the China Pavilion of the Shanghai Expo: new grey buildings with no facades, a scattering of orange cranes, enormous shopping centres, such as the Mercedes Benz Arena, that were built for the Expo (Shepard, 2015). And yet the World Expo was not an exception in the process of Shanghai's urbanization. Poor subtenants who own nothing are stuck in the historical centre and the old parts of the city while wealthier urban dwellers move to newer neighbourhoods. There is still community resistance to ongoing evictions, and even the occasional self-immolation, but we hear little of this. Shepard (2015) exposes one crucial fact: as a result of the "progress" caused by the Chinese economic explosion, sixty-four million people have lost their homes (p. 25).

Shanghai has a primary historical and terminological significance in the world of phantasmagorical capitalist exploitation that currently functions, through its various forms, as the opium of the people. In English dictionaries, Shanghai also appears as a verb which means: "/.../ the use of unscrupulous means to procure sailors for voyages to the Orient, /.../ to put by force or a threat of force into or as if into a place of detention" (Dong, 2000, p. 2) and "to render insensible, as by drugs" (Lee, 1999, p. 4). In the history of Shanghai, it was Westerners who initiated so-called Shanghaiing, a verb that can be metaphorically used as deceiving, tricking and usurping through the use of drugs or other means of distorting the reality. In order for the British to protect their inventories of gold, they paid their Shanghai partners for the tea they imported to Europe with opium and this led to a special form of gradual colonization through intoxication, which made any Chinese rebellion against the British more difficult.

When British merchants arrived in Shanghai in 1843, they were given one hundred and forty-three acres of muddy shore-front in the northern part of the Huangpu River which soon became known as the British Settlement. The British were followed by the Americans and the French, and Shanghai soon became a partially colonial city with a Chinese and international section physically divided by the semi-circular wall that the city built in the sixteenth century to protect the city from Japanese pirates. It is no secret that Westerners cultivated a racist attitude toward the local Chinese and that any interest in Chinese language or culture was viewed as an eccentricity. But neither were the local Shanghai residents cosmopolitan. They also viewed the people living in the periphery of Shanghai – Tartars, Mongolians, Manchurians, and other non-Chinese Asians – as barbarians. The most inhuman barbarians of the all were *fan kuei*: white foreigners from the West. These were bizarre, immoral, and uncultivated creatures with grotesque white skin and the long limbs of a mantis covered in strange clothing (Dong, 2000, p. 4).

A somewhat more obscure example of shanghaiing that seems is if it comes directly from Kafka's Oklahoma theatre in *America*, never presented in detail, appears in the form of the local beggars from the 1920s and 1930s performing their 'artistic' shows on the Bund. Two beggars in particular were well known to the locals: Light in the Head with a nail in his head and a candle affixed on top of it, and the Weeping Wonder, a woman who cries so much that puddles of tears collect around her (Dong, 2000: 202).

In a context that combines shanghaiing and other spectres of contemporary urbanism, Shanghai also appears in two of Kafka's very short stories "A Message from the Emperor" (2004) and "An Old Manuscript" (1993), as a contemporary reading of the stories might pose the question of whether and how the positive effects of this kind of urbanization will be felt by the rural poor for whom they were intended. In other words: when the message comes to those it was intended for, will its expiration date have already passed, its contents having become inauthentic and unimportant? The courier in "A Message from the Emperor" would need several thousand years to successfully deliver the message from the dying emperor to his subject. The message only needs to travel from the centre to the periphery and yet the distance between the palace, the masses, and the window sill upon which the emperor's subject leans as he waits for the message, is unbridgeable. Although the emperor's message, regardless of the contents that are known only to the emperor and his courier, is truly important, it will perhaps in the end remain only in his subject's imagination.

Both "A Message from the Emperor" and "An Old Manuscript" could be read in tandem with the story "The Great Wall of China". "An Old Manuscript" is either a legend from the past that justifies the construction of the Great Wall, or a narrative from the future when barbarians finally manage to cross the border of the disconnected wall. A cobbler narrates a story about nomads from the north who gradually settle in the country and begin to loot and rampage and spread disorder. Using the speech patterns of a simple person, he concludes that the nomads mean no harm – it is just their wild nature. The cobbler spots the emperor at the palace window as he helplessly observes the damage being wrought in his country. The emperor does not know how to drive away the barbarians and the fate of the people therefore remains in the hands of merchants and craftsmen.

Kafka's uncle, Josef Löwy, the most remote and least fictional connection between Kafka and Shanghai, was in precisely this kind of profession. He first worked for many years for a colonial Belgian company in the Congo, then he participated in the construction of the Panama Canal. Later, while working on the construction of the Peking – Hankov railway connection, he lived briefly in Shanghai, a period about which little is known (Northey, 1991, p. 15–30). Kafka's uncle was the kind of traveller Kafka would have wanted to become but, besides his lack of courage, his health did not permit him such a life. The character of an uncle appears in several of Kafka's works, usually a supporting character with similar features as his actual uncle. We recall the

character of the uncle mostly from *America* and *The Trial* (1995), where the uncle is a mysterious stranger who appears only fleetingly in the life of the protagonist. The impact of the mysterious stranger on the protagonist is felt only in the background. In *The Trial*, he advises Josef K. regarding the proceeding and invites him to the countryside. In *America*, Karl Rossman is sent by his family to live with his uncle in America because of an affair he is carrying on with a servant girl. With Kafka, the influence of the uncle is not only significant in the literary works in which the uncle has no characteristics but also in the parts of the works where the uncle does not appear at all.

Kafka's uncle was a surveyor by profession similar to the main "prodigal" protagonist of *The Castle* (2009) who searches for the spiritual and material centre of a foreign village. Given that the smaller settings in Kafka's literature tend to be limited to events in a village, often Orientalist in nature, we can also read *The Castle* from the perspective of Kafka's critique of Orientalism, suggesting that he at least slightly acknowledged the problematic nature of his uncle's employment. In this case, we can read the surveyor's disorientation in a positive light and interpretatively "shanghai" the uncle's influence. In this reading, the failure of the surveyor becomes the failure of the occupiers who never were able to and never will be able to completely colonize and transform the local people. If we were to also "shanghai" Kafka's Orientalist images within the anti-Orientalist discourse, we could normalize the fact that Kafka called his uncle a Parisian uncle (Northey, 1991) during the era that Shanghai held the nominal status of the "Paris of the East" (Lee, 1999, p. 12).

Kafka is "the only writer of the Western world who is essentially Chinese" (Canetti, 2012, p. 103). Perhaps Kafka really was Chinese as he had China written on his skin in the same way that the broken law might be tattooed into the skin of a prisoner who has lost autonomy over his own body. In "The Penal Colony" (2004), the defendant is immediately found guilty and within twelve hours he is executed with an advanced apparatus of torture. The novella takes place in an unknown French colony in the tropics where soldiers eat gruel made from rice. Despite this covert allusion to China, the criticism of social advancement that we find in Kafka's literature can also be applied to the contemporary Chinese context. Surveillance, discipline, and punishment – the functional principles of the progress of modern society as defined by Foucault – seem to be present in the modernization processes of all societies, including China. For this reason, we must be cautious when making statements about the non-modern agrarian China as well as with reckless initiatives that will sooner or later expose the dark side of all that is higher, faster, stronger, and more beautiful. This type of progress tends toward total singularity and the eradication of all differences. Kafka's surveyor could have been a Chinese man who gradually lost spaces of freedom and autonomy over his own body. Kafka's surveyor is therefore a man who measures the earth without tools. He is the tool that is used to enforce the principles of modern society in the inverse vastness of total institutions where: "each individual has his own place; and each place its individual" (Foucault, 1995, p. 143).

Conclusion

China takes on different roles in Kafka's Orientalist images. It represents a fictional space where corrupt authorities, non-functional bureaucracy, and disciplinary or corrective law is mediated, and also the imaginary space of Kafka's ambivalent desire in which the imperial mentality is matched by male chauvinism. What is Kafkaesque in China's Shanghai is total unscrupulous progress, dialectical images of an as-if world, and a vast land under the jurisdiction of a single authority. The only real historical connection between Kafka and Shanghai – a forgotten uncle with a colonial past – is a symbolic link that continues to establish itself materially through phenomena such as ghost cities and the Shanghai World Expo 2010. Shanghai is the place where the West is faced with an uncanny resemblance of its own unconscious, which is also rendered in Kafka's imperfect Orientalist images of China. The attributes Hegel assigned to China – barbaric inhumanity, immorality, slavery, perverse trickery, and a purely nihilist religion (of capital) – are exposed as a mystical dimension that is not originally nor exclusively Chinese but is an essential part of the contemporary Western world.

References

- [1] Bahun, S. (2014). *Modernism and Melancholia: Writing as Countermourning* (1st ed.). New York, NY: Oxford University Press.
- [2] Benjamin, W. (2005). *Selected Writings volume 2, part 2 1931-1934* (1st ed.). Jennings, M. W., Eiland, H. & Smith, G. (Eds.). Cambridge, MA; London, England: The Belknap Press of Harvard University Press.
- [3] Benjamin, W. (2007). *Illuminations* (2nd ed.). New York, NY: Schocken Books.
- [4] Borges, L. J. (2007). *Labyrinths: Selected Stories and Other Writings* (2nd ed.). New York, NY: New Directions.
- [5] Borges, L. J. (2006, October 22). La Muralla y los Libros. Retrieved from: [https:// www. Lanacion.com.ar/814407-la-muralla-y-los-libros](https://www.Lanacion.com.ar/814407-la-muralla-y-los-libros).
- [6] Calasso, R. (2006). *K. (3rd ed.)*. London, England: Vintage Books.
- [7] Canetti, E. (2012). *Kafka's Other Trial* (3rd ed.). New York, NY: Shocken Books.
- [8] Cohn, D. (1968). Kafka's Eternal Present: Narrative Tense in "Ein Landarzt" and other First-Person Stories. *PMLA* 83(1), 144-150. Doi: 10.2307/1261242
- [9] Corngold, S. (2018). The Singular Accident in a Universe of Risk: An Approach to Kafka and the Paradox of the Universal. In Cools, A. & Liska, V. (Eds.), *Kafka and the Universal* (pp. 13-42). Berlin, Germany: De Gruyter.
- [10] Dong, S. (2000). *Shanghai: The Rise and the Fall of a Decadent City* (1st ed.). New York, NY: HarperCollins Publishers.
- [11] Foucault, M. (1995). *Discipline and Punish: The Birth of the Prison* (2 nd ed.). New York, NY: Vintage Books.
- [12] Foucault, M. (2002). *The Order of Things: An Archaeology of the Human Sciences* (3rd ed.). London, England; New York, NY: Routledge.
- [13] Goebel, J. R. (1997). *Constructing China: Kafka's Orientalist Discourse* (1st ed.). Columbia, SC: Camden House.

- [14] Gray, R. (2017, February 23). China's Zombie Factories and Unborn Cities. Retrieved from <http://www.bbc.com/future/story/20170223-chinas-zombie-factories-and-unborn-cities>.
- [15] Hegel, G. W. F. (2001). *The Philosophy of History* (1st ed.). Ontario, Canada: Batoche Books.
- [16] Hsia, A. (1996). China as Ethical Construct and Reflector of Europe's Self-Perception: A Historical Survey up to Kafka's Time. In Hsia, A. (Ed.), *Kafka and China* (1st ed.), (pp. 5-28). Bern, Switzerland; Berlin, Germany; Frankfurt/M, Germany; New York, NY; Paris, France; Vienna, Austria: Lang.
- [17] Janouch, G. (1953). *Conversations with Kafka: Notes and Reminiscences* (1st ed.). London, England: Derek Verschoyle Limited.
- [18] Kafka, F. (2009). *The Castle* (1st ed.). Oxford, England: New York, NY: Oxford University Press.
- [19] Kafka, F. (1998). *America* (1st ed.). London, England: Vintage Publishing.
- [20] Kafka, F. (2016). *Letters to Felice* (2nd ed.). Eds. Erich Heller and Jürgen Born. New York, NY: Schocken Books.
- [21] Kafka, F. (1993). *Selected Short Stories of Franz Kafka* (2nd ed.). New York, NY: The Modern Library.
- [22] Kafka, F. (1995). *The Trial* (def. ed.). New York, NY: Schocken Books.
- [23] Kafka, F. (2004). *The Essential Kafka* (1st ed.). Ware, England: Wordsworth Editions.
- [24] Lee, L. (1999). *Shanghai Modern: The Flowering of a New Urban Culture in China, 1930-1945* (1st ed.). Cambridge, MA: Harvard University Press.
- [25] Maréchal, G. (2010). Autoethnography. In Mills, A. J., Durepos, G. & E. Wiebe (Eds.), *Encyclopedia of Case Study Research* (Vol. 2, 43-45). Thousand Oaks, CA: Sage Publications.
- [26] McCort, D. (1991). Kafka Koans. *Religion & Literature*, 23(1), 51-74. Retrieved from <http://www.jstor.org/stable/40059462>
- [27] Meng, W. (1996). China and Chinese in Kafka's Works. In A. Hsia (Ed.), *Kafka and China* (pp. 75-96). Bern, Switzerland; Berlin, Germany; Frankfurt/M, Germany; New York, NY; Paris, France; Vienna, Austria: Lang.
- [28] Northey, A. (1991). *Kafka's Relatives: Their Lives and His writing* (1st ed.). New Haven, CT: Yale University Press.
- [29] Said, E. (1979). *Orientalism: Western Conceptions of Orient* (1st ed.). New York, NY: Vintage Books.
- [30] Shepard, W. (2015). *Ghost Cities of China: The Stories of Cities without People in the World's Most Populated Country* (1st ed.). London, England: ZED Books.
- [31] Simmel, G. (1998). Metropolis and Mental Life. In Frisby, D. P. & Featherstone, M. (Eds.), *Simmel on Culture* (pp. 174-185). London, England; Thousand Oaks, CA; Greater Kailash: Sage Publications.
- [32] Tsai, K. S. (2007). *Capitalism without Democracy: The Private Sector in Contemporary China* (1st ed.). Ithaca, NY; London, England: Cornell University Press.

- [33] Virilio, P. (2007). *Speed and Politics: An Essay on Dromology* (2nd ed.). New York, NY: Columbia University.
- [34] Zhou, J. (1996). Literary Rendition of Animal Figures: A Comparison Between Kafka's Tales and Pu Songling's Strange Stories. In Hsia, A. (Ed.), *Kafka and China*, (pp. 113-176). Bern, Switzerland; Berlin, Germany; Frankfurt/M, Germany; New York, NY; Pa.

The Dissolution of Municipal Councils due to Organized Crime Infiltration

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Abstract

The paper proposal is focused on the evolution of a specific legal instrument, which consists of the Central government's power to "dissolve" municipal councils in the case of infiltrations by organized crime. In Italian administrative legislation, local councils may be dissolved for several reasons such as the ongoing violation of the law and the neglect of duty, but one of the most debated causes is the interference and the pressure that organized crime may exercise on the members of municipal councils. This specific administrative law instrument is defined in art. 143 T.U.E.L. and is part of a series of public anti-mafia policies. It was introduced in 1991 as an emergency law to cope with the risk of maladministration due to local authorities' subjugation to criminal power (Mete, 2009). The aim of the dissolution of local councils is to preserve constitutional and fundamental values such as democracy and the rule of law, but it is a very severe legal tool as it affects a democratically elected community. This instrument is also closely related to the prevention of corruption in the public sector, as often the infiltrations by organized crime in municipalities are due to the corruption of public officials. The institution in charge of applying this legal tool is the Prefect, which has the power to enforce the orders of the central government and oversees local authorities. The procedure for the adoption of this instrument involves the major constitutional bodies such as the Parliament, the Ministry of Interior and the President of the Republic.

Keywords: Democracy, Organized Crime, Public Administration, Voting, Corruption.

Introduction

The dissolution of municipal councils due to organized crime infiltration represents a unique instrument in the Italian legal system to combat and prevent serious criminal infiltration into municipalities. Criminal infiltration within local governments of Italian municipalities seriously undermines the basic principles of democracy, has a negative impact on the public sector and the economic system, and heavily

compromises citizens' rights and freedoms. Studies also show that there is a direct connection between infiltrated local governments and the allocation of public resources and revenue collection on a local level (Di Cataldo and Mastrorocco, 2019). Moreover, collusion between organized crime and politicians violates the constitutional principles of the rule of law, of impartiality and best practice in public administration, as provided for in Article 97 of the Italian Constitution (Rolli, 2013). This justifies the enforcement of this legal tool regulated in Article 143 T.U.E.L., which aims to restore the proper functioning of the decentralized levels of government although it is a very severe legal tool as it causes the suspension of normal democratic practices by completely demolishing the entire political body of the community that elected it, heavily affecting the citizens' right to choose political representation through election. The reason criminal organizations are so interested in local governments is "control of the territory" which is one of the mafia's traditional activities. Indeed, organized criminal groups have a great ability to gain control over the territory and local public administration (Mete, 2009). This kind of control is carried out mainly by corrupting local politicians who will, in return, influence decision-making, therefore collusion with local authorities is functional to various illicit purposes: awarding public contracts, urban development speculation, money laundering, waste management, and so forth. Signing public contracts with municipalities may be also a useful opportunity for criminals to appear as fictitious businessmen. For example, the construction of public infrastructure which offers job opportunities to the population will allow the criminal group to achieve social respectability, and social consensus is essential to carry out illicit activities virtually undisturbed (Angelosanto and Rivola, 2011). Therefore, according to *the Parliamentary Committee of Inquiry into Mafia-related and other criminal organizations* (2018) the strength of criminal organizations nowadays, lies not least in the powerful support which they receive from those sectors "that owe their wealth or survival to the economic activities that flourish around organized crime" (p. 24).¹

More recently, investigations have revealed that criminal infiltration occurs not only in the southern regions, specifically Sicily, Calabria, Campania and Apulia² where Italian organized crime groups traditionally have influence and are well rooted within the socio-cultural and political context, but also in non-traditional regions in northern Italy, precisely Lombardy, Piedmont, Emilia-Romagna and Liguria.

¹ *The Parliamentary Committee of Inquiry into Mafia-related and other criminal organizations* explains that the problem of consensus to mafia does not regard only Italian society but involves several other countries where criminal organizations have become key players in certain sectors of the economy which depend on criminal activities. "This mirrors other places around the world where entire sectors of society know that they owe their existence to illicit or criminal activities". (final report, 2018, p. 24)

² While the origin of criminal organizations in Sicily, Campania and Calabria dates back at least to the unification of Italy in 1861, Apulia first "experienced such presence only one century later, as a consequence of events that were largely independent of ...[its] economic and social conditions" (Pinotti, 2015, p. F211).

At this point, it is appropriate to note that the subject of the dissolution of local governments due to the infiltration of organized crime is currently an extremely relevant problem throughout Italy and is often at the centre of public debate, and hence in December 2018 amendments were made to national legislation regarding this legal instrument which will be analysed below.

The obvious relevance and topicality of this issue also emerges from the data processed by *Avviso Pubblico*, an antimafia association which brings together local authorities and regions focusing on promoting awareness of legality and combatting organized crime (*Avviso Pubblico Enti Locali e Regioni per la formazione civile contro le mafie, n.d.*), according to which from 1991 to 21 May 2019, 301 local authorities were dissolved due to mafia infiltration, twenty-three of which were disbanded in 2018, and there have already been eight in the first five months of 2019 alone (*Avviso Pubblico, 2019*).

The aim of this paper is to analyse the main aspects of Italian legislation that allow the dissolution of mafia-infiltrated municipalities upon evidence of collusion between local authorities and organized crime groups. Therefore, the rest of the paper is organized as follows: paragraph 1 of the paper focuses on the legislative development of the legal instrument since its introduction in 1991; paragraph 2 describes how the legal tool works according to Article 143 T.U.E.L.; paragraph 3 reports the typical circumstances which may occur as evidence of criminal infiltration; paragraph 4 presents the latest legislative changes that were implemented in December 2018 with Law No 132/2018; paragraph 5 concludes.

1. Evolution of the legislation

Throughout the 1980s collusion between local politicians and organized crime emerged dramatically in southern Italy, as in many municipalities in Sicily, Calabria and Campania there was evidence of criminal oppression of the elected officials. At the time there were no legal tools to deal with this emergency until 1991, when the Italian central government introduced a specific regulation in response to what is known as the “massacre of Taurianova”, a town in the province of Reggio Calabria, where a violent mafia war took place and the following investigations revealed a high level of corruption and collusion within the local administration and a general feeling of fear and intimidation among the local population.¹ Thus, the central government acted in defence of democracy and legality, which led to the introduction of Decree Law No 164/1991, converted into Law No 221/1991, providing urgent measures for the dissolution of municipal and provincial councils and other local government bodies, due to organized crime infiltration and conditioning (Decree Law No 164/1991 of 3rd May 1991). Article 1 of Law 221/1991 introduces art. 15 bis in the antimafia law n. 55/1990, already regulating organized crime prevention and other

¹ For further insights into the historical background of the tool for the dissolution of municipal councils due to organized crime see, e.g. Mete (2009), Gratteri and Nicaso (2010).

socially dangerous phenomena (Law No 55/1990 of 19th March 1990). The enforcement of this law allows for the dissolution of a municipality “when evidence emerges regarding direct or indirect links between members of the local government and criminal organisations...jeopardising the free will of the electoral body and the sound functioning of the municipal administration” (Di Cataldo and Mastrorocco, 2019, p. 8).

Immediately after the enactment of this specific antimafia measure, on 2nd August 1991, the city council of Taurianova was dissolved (Mete, 2009). Among the reasons that justified the dissolution of the local government of Taurianova were direct or indirect links between criminal organizations and town councillors which affected the efficiency of the administration and public provision of basic services. The report also revealed a growing mistrust among the local population (Official Gazette – Decree of the President of the Republic 2 August 1991).

Two years after its enactment, National Law No 164/1991 was amended by Legislative Decree No 420/1993, then converted into Law No 108/1994. The amendments aimed to strengthen the role of the Prefect and the other bodies in charge of implementing this law and to provide support to local communities involved in the struggle for their civil rights (Cupi et al, 2011). The regulation was finally transferred to *Single text of the laws on the organization of local authorities – T.U.E.L. Testo unico delle leggi sull'ordinamento degli enti locali*, approved by Legislative Decree No 267/2000.

Over time, the practical implementation of the legal tool has raised some critical issues, which in 2009 led to a new to a new regulatory framework with the adoption of Law No 94/2009 (Cupi et al, 2011); the framework was further amended with the recent Law No 132/2018.

2. The discipline

Article 143 T.U.E.L., regulates the procedure required for dissolving an infiltrated local government as follows.¹ Firstly, the law states that municipal and provincial councils may be dissolved when, concrete, unambiguous and relevant elements emerge on direct or indirect links between organized crime and elected politicians, or on forms of conditioning of the administrators that could alter the process of formation of their will and could compromise the good governance or impartiality of local authorities, as well as the proper functioning of local services, or when these

¹ Article 141 T.U.E.L. indicates other reasons for dissolving municipal councils, including: violation of the Italian Constitution, persistent violation of laws and serious threats to public order; inability of the mayor or more than half of the council to regularly exercise their duties due to: 1. permanent impediment, removal, withdrawal or death, 2. the mayor's resignation, 3. Resignation of more than half of the council; inability to approve the budget.

See also Article 142 T.U.E.L. for the causes of local level administrator's removal and suspension (which do not entail the dissolution of the municipal council).

links with organized crime are likely to cause serious and lasting prejudice to public security.

The institution in charge of applying this legal tool is the Prefect, a peripheral body of the State Administration which represents the government at the provincial level and exercises all the functions of the State at the local level; and also has supervisory powers over the institutions of province and municipalities.¹ Therefore, when the Prefect is informed of the above-mentioned risks of infiltration and criminal conditioning, he appoints a Committee of Inquiry consisting of three officials within the state administration.

The committee investigates the work of the local administration and verifies whether the criminal infiltrations have occurred. The investigations may go from a period of three to six months after which the committee submits its conclusions to the Prefect who, within 45 days, sends a report to the Minister of the Interior containing the various elements which can be considered to determine the dissolution.

The proposal for dissolution must state all detected irregularities and anomalies within the local council and must specify which local authorities have allegedly colluded with criminal organizations. The proposal for dissolution is drafted by the Minister of the Interior, after deliberation of the Cabinet -Council of Ministers- and finally the dissolution decree is issued by the President of the Republic.

If the elements provided are not sufficient to dissolve the municipal council, the Minister of the Interior must nevertheless issue a decree on the conclusion of the procedure in which he reports on the results and on the activity of the commission of inquiry.

The decree of the President of the Republic, attached to the Minister's proposal for dissolution and to the Prefect's report, is then published in the Official Gazette, unless the Cabinet of Ministers decides to keep part of the documents confidential. The purpose of publication is to guarantee transparency and public access to these official documents for all citizens who want to be aware of the reasons for the dissolution, in order to better target their political and electoral choices² (Garofoli Commission in charge of elaborating proposal against crime and measures targeting the assets of organized crime, 2014).

¹ For further information on the functions and responsibilities of the prefect, see the website of the Italian Ministry of the Interior, <http://www.interno.gov.it/it/temi/territorio/governo-sul-territorio-prefettura>

² Recent empirical studies indicate that populations of disbanded municipal councils due to organized crime infiltration tend to shift their votes towards higher educated candidates as a consequence of the local council dissolution, proving that enforcement of a stricter legal tool affects criminal organizations' impact on society and on politics in terms of increasing average education level of local politicians (Daniele and Geys, 2015).

Once the infiltrated municipal council is disbanded, the mayor, the council people and the members of executive committee of the municipality are removed from their offices.

The dissolution decree shall maintain its effects for a period of twelve months to eighteen months, which may be extended up to a maximum of twenty-four months in exceptional cases.

According to Article 144 T.U.E.L., upon removal of the authorities, another commission is appointed in the dissolution decree, the so-called Extraordinary Commission, made up of three members who take over council duties and carry out ordinary management for all the period of dissolution, i.e. from twelve to a maximum of twenty-four months; at the end of this period local elections are held.

The major amendments introduced by the 2009 reform concerned the following (Cupi et al, 2011):

- The definition of the necessary conditions to implement the legal tool. The evidence of direct or indirect connection between members of the local council and criminal organizations must be concrete, univocal and relevant. More precisely, concreteness means that the elements must be ascertained in the historical reality; univocity implies that the elements must be contrary to what the measure intends to protect; relevance means that the elements must be likely to compromise the regular performance of the functions of the local authority (Italian Council of State, 2013).¹ Furthermore, criminal influence over the local government has to determine an alteration in the process of public decision-making, it has to compromise impartiality and best practice in the local administration as well as hinder the proper functioning of public services, or be likely to pose a serious and enduring threat to security and public safety.

- Preventing local politicians who have colluded with organized crime to run for re-election in the first round of regional, provincial and local elections in the region where the disbanded municipality is located, after the local government dissolution. This represented a solution to the fact that quite often, the same corrupt politicians were elected after the transition period held by the Extraordinary Commission, negating the commissioner's work and the purpose of the dissolution. The ineligibility to run for office must be stated by the tribunal, therefore the Minister of the Interior sends the proposal for dissolution to the court having jurisdiction, which will then analyze the authorities' responsibility and eventually declare this ineligibility (Article 143 T.U.E.L.).

The discipline on ineligibility has recently been modified by Decree Law No 113/2018 converted into Law No 132/2018 which will be further analyzed.

¹ Italian Council of State, 12/01/2013, Judgement No 126/2013.

The members of the disbanded councils are entitled to initiate action against the dissolution decree at first instance before the Regional Administrative Court of the Region of Lazio – *TAR Lazio*; finally appeal may be brought before the Italian Council of State against the decision of the Regional Administrative Court seeking annulment of the dissolution decree.

All the rulings of the administrative courts form a conspicuous case law which provides significant examples of recurrent cases of mafia infiltration in municipalities, which will be addressed in the next paragraph.

3. Typical causes of the dissolution of municipal councils

Although Law No 94/2009 introduced the necessary conditions for the application of the dissolution tool, it does not indicate the specific cases that can be considered as evidence of criminal infiltration. More precisely, the law, while setting out the requirements of "concreteness, univocity and relevance" for the evidence of infiltration and conditioning, does not indicate the concrete circumstances on the basis of which the proposal for dissolution can be drafted (Romei, 2014).

Organized crime aims to influence politics in several different ways and the practical cases of the collusion between them may be retrieved from the Italian administrative case-law and from the Minister's proposals for dissolution as these documents contain all the details of the links between organized crime and politicians (Mete, 2009).

According to notable studies (Angelosanto and Rivola, 2011; Mete, 2009) the most common reasons for dissolving a local government under Article 143 T.U.E.L. are:

- Murders, feuds and other risks which endanger public safety and public order: these circumstances are less frequent than in the past, indeed the use of homicide to stop a hostile politician from working properly and to intimidate others like him, is the last resort for organized crime as it causes immediate law enforcement intervention to prosecute the perpetrators of the attack, representing an obstacle to criminal business (Di Cataldo and Mastrorocco, 2019; Daniele and Dipoppa, 2017).¹ Nevertheless it is important to underline that in Italy, 132 local politicians were murdered from 1974 to 2014, 47% of

¹ On this point the *Parliamentary Committee of Inquiry into Mafia-related and other criminal organizations underlines* "The violent and military components of the mafias' methods have gradually been losing importance nationwide and in every criminal organization. They are being replaced by the establishment of mutually profitable relationships in illegal and especially legal markets" (final report, 2018).

For more details on the murder of Italian local politicians see also the research carried out by the *Parliamentary Committee of Inquiry into the phenomenon of intimidation against local administrators* whose work has also been committed to reconstructing the stories of all the local administrators murdered in Italy in the last forty years (Lo Moro et al., 2015).

whom were killed by organized crime (Lo Moro et al., 2015).¹ According to the *Parliamentary Committee of Inquiry into the phenomenon of intimidation against local administrators*, with regard to local administrators, “besides the fallen of law enforcement, no other category has recorded more deaths in Italy” (p. 50).

- Other types of violence: threats and intimidations against administrators happen more often than homicides, e.g. arson attacks targeting cars and the City Hall or its structures, threatening letters, dead animals and bullets through the post are among the methods commonly used to deliver threats to public officials (Avviso Pubblico, 2018). *Avviso Pubblico* has recorded 2,182 acts of intimidation against local administrators from 2013 to 2017, and 574 in 2018; the data show that there has been an escalation in the use of violence since 2011, during which 212 cases of intimidations were recorded, these violent behaviours increased by 170%; the survey conducted by Avviso Pubblico involved 19 Italian regions, 84 provinces and 309 municipalities and revealed that in 2017 violence against municipal-level politicians increased by 6% compared to the previous year. With regard to infiltrated municipalities, in 2018, 68 episodes, from threats to personal attacks, have been recorded in 45 disbanded municipalities due to organized crime infiltration, approximately 12% of the total number of cases dealt with by Avviso Pubblico (2018).²
- Contamination of the electoral competition, e.g. the conclusion of pre-election agreements with which it is agreed that criminal groups give their electoral support to politicians who will, in turn, distort policy-making in the interest of criminal groups. Recent empirical studies, analyzing how organized crime uses violence to influence local politics, have observed that criminal organizations may strategically use violence either before elections, in order to discourage unwanted candidates from running for office and to manipulate the electoral outcomes, or after elections in order to influence the local government’s decisions and activities (Daniele and Dipoppa, 2017).³

¹ The *Parliamentary Committee of Inquiry into the phenomenon of intimidation against local administrators* has detected all the circumstances in which municipal-level politicians were killed from 1974 to 2014 and reported the main facts for each of them in its final report (Lo Moro et al., 2015).

² For a more detailed insight into the attacks against municipal-level politicians see the report of the *Parliamentary Committee of Inquiry into the phenomenon of intimidation against local administrators* which collected all the excerpts from the municipal dissolution decrees from 1991- 2014, providing evidence of all the violent episodes used by criminal organizations to influence politics (Lo Moro et al., 2015).

³ Note that, according to Daniele’s and Dipoppa’s research results, “attacks on politicians in Italy remarkably increase immediately after an election, but only in Southern Italian regions historically characterized by an active presence of criminal organizations in the political arena ... In such regions, we observe a peak of attacks in the month immediately after local elections. The increase in the relative probability of observing an attack is almost 10% (50% of a standard deviation). The presence of

Moreover, the Italian Parliamentary Commission investigating intimidation against local government officials, also focuses on the issue of electoral violence, providing evidence that the use of violence by organized crime is strictly connected to political competition. The parliamentary commission also underlines that electoral competition as a means of inciting violence against local governments is not acceptable in a democratic system (Lo Moro et al., 2015).

- Administrators or bureaucrats who have friendly or family relationships with members of criminal organizations or with individuals with recurrent criminal records, e.g. a key role is often played by relatives of the mafia members who are employed by municipal offices such as the technical office and who abuse the powers related to their office, favouring criminal interests (Transcrime, 2018); in other cases, individuals connected to the mafia were hired by the town council (Italian Council of State, 2016)¹.
- Criminal proceedings for mafia-type offences against one or more administrators or bureaucrats: in these cases, the investigations on mafia infiltration originate from investigations by the judiciary into the activities of criminal organizations and usually the dissolution decree is based on the acts of the criminal proceedings. However, it must be specified that the local council may be dissolved regardless of the outcome of the criminal proceedings against the administrators; this means that it is not necessary to prove the commission of crimes by local officials, but the dissolution requires just sufficient elements that provide evidence of the influence of mafia organizations over administrators (T.A.R. Lazio, 2013).²
- Administrative irregularities which include: securing municipal contracts awarded illegitimately due to corruption; severe infringement of building regulations; absence of rigorous inspections in the execution of public works; clientelism (Di Cataldo and Mastrorocco, 2019). For example, in urban planning, the management of public and private infrastructures by the mafia groups means that they take on a leading role in the local economic fabric. This allows criminal groups to control labour supply and thus to offer employment opportunities to the local population, which will allow criminal organizations to obtain social consensus which is essential to maintain control of the territory (Angelosanto and Rivola, 2011).

attacks only tied to the electoral cycle in such areas provides strong evidence for the idea that such attacks are not isolated events, but rather part of a strategy used by criminals to influence politics". (Daniele and Dipoppa, 2017, p. 11).

¹ Italian Council of State, 15/03/2016, Judgement No 1038/2016.

² Regional Administrative Court of the Region of Lazio – *TAR Lazio*, sez. I, 7th October 2013, Judgment n. 8670/2013.

These administrative irregularities are recurrent in the administrative case law and often judges link such circumstances to the negligence and weakness of the local politicians who are considered unable to control and supervise the activities of the municipal offices (T.A.R. Lazio, 2016).¹

The Italian administrative case-law also shows how the abovementioned elements should be interpreted. All the facts must be interpreted as a whole, since an episode considered individually may seem of insufficient value, while, together with others, it is able to give evidence of a local administration controlled by organized crime. Furthermore, these circumstances do not necessarily need to have criminal relevance to be taken into account, it is sufficient that they constitute evidence of the bargaining between criminals and local politicians, independently from the administrator's will or commission of crimes (Longo, 2008). However, it would be misleading to interpret the elements in a fragmentary way or indeed to consider them in abstract terms, that is, without accounting for the territorial context in which the criminal infiltration occurs, especially if in areas where organized crime traditionally has influence and is committed to keeping the territory under strict control (Italian Council of State, 2018).²

4. Latest legislative changes implemented with Law 132/2018

To provide an exhaustive overview of the tool of the dissolution of municipal councils due to organized crime infiltration, it is important to mention the very recent amendments introduced with Legislative Decree No 113/2018 converted with Law No 132/2018. Article 28 of Law No 132/2018 providing "Amendments to Article 143 of Legislative Decree 18 August 2000, n. 267", ascribes extraordinary powers of intervention to the Prefect in the event that the proposal for dissolution is rejected but the efficiency of the local administration is highly compromised. In this case the Prefect shall grant a reasonable time for the local administration to adopt the necessary acts to restore the proper administration operating conditions, and the Prefect also provides the local authorities with the necessary technical support. Otherwise the Prefect will appoint a commissioner to take over the council duties.

Article 28 of Law No 132/2018 extends the sanction of ineligibility to those politicians who have colluded with organized crime, preventing them to run for re-election for two rounds after the dissolution, and it also concerns national and European elections, in addition to regional, provincial and local elections.

Finally, Article 32 *bis* of Law No 132/2018 provides for the establishment at the Ministry of the Interior of a special unit composed of prefectural career personnel, to

¹ Regional Administrative Court of the Region of Lazio – *TAR Lazio*, sez. I, 05/10/2016, Judgment n. 10049/2016.

² Italian Council of State. 10/01/2018. Judgement No 96/2018.

be part of the Extraordinary Commissions which take over council duties and carry out ordinary administration management.

Such amendments to Article 143 T.U.E.L. were expected to be enacted as the legal tool was not always considered the appropriate instrument for targeting organized crime infiltration. In particular, with regard to the inelegibility measure introduced with the 2009 reform, experts argued that it was indeed a rather weak tool as it was limited in time and space; they also agreed on the need for more highly specialized officials to be part of the extraordinary committees appointed for the ordinary management of the disbanded municipality (Commissione Garofoli, 2014), as well as the need to introduce a solution for those municipalities which are not disbanded but are compromised by bad governance due to potential criminal influences (Parliamentary Committee of Inquiry into Mafia-related and other criminal organizations, including foreign organizations, 2018).

Conclusions

Organized crime aims to infiltrate local governments in order to control the territory and influence local politicians in public decision making. Criminal organizations use different strategies to gain control over local bodies, amongst which corruption, intimidation, electoral conditioning and various relationships with politicians or employees of the bureaucratic structure. Collusion with local politicians allows criminal organizations to engage in a wide range of illegal activities and to illicitly award public contracts (Pinotti, 2015), therefore criminal conditioning over local bodies seriously compromises the functioning of the democratic system and consequently the well-being of the population. This distortion in the democratic system and in the functioning of local public administration, enables the enforcement of the legal tool allowing the dissolution of municipal council due to organized crime infiltration as defined in Article 143 T.U.E.L (Legislative Decree No.267/2000).

The paper analyzes the legislative evolution of this legal tool since its introduction in 1991 as an emergency anti-mafia law following a terribly violent mafia attack; it analyzes the current framework according to Article 143 T.U.E.L as amended by the 2009 reform and most recently by Law No.132/2018. The implementation of this legal tool aims to prevent the risk of criminal infiltration within local governments and to safeguard the proper functioning of local public administration. The paper also provides an overview of the most common circumstances that may provide evidence of criminal influence on local-level politicians.

In conclusion, the paper aims to create awareness of the phenomenon of dissolution of local governments due to organized crime interference and consequently on the risks for democracy following criminal infiltration. Moreover, the phenomenon of infiltrated municipal councils is very common in the southern regions and is gradually spreading to the north of the country, thus the enforcement of this very strict

instrument, and indeed its strengthening, are necessary for safeguarding the democratic system.

References

- [1] Angelosanto P., Rivola R. (2011). Lo scioglimento dei consigli comunali. *Rassegna dell'arma*, n.3 July-September 2011, Retrieved from www.carabinieri.it
- [2] Avviso Pubblico Enti Locali e Regioni per la formazione civile contro le mafie. (n.d.). Carta di intenti. Retrieved from https://www.avvisopubblico.it/home/wp-content/uploads/2014/02/avvisopubblico_carta-di-intenti.pdf
- [3] Avviso Pubblico Enti Locali e Regioni per la formazione civile contro le mafie. (2019, April 30). Amministrazioni sciolte per mafia: dati riassuntivi. Retrieved from <https://www.avvisopubblico.it/home/home/cosa-facciamo/informare/documenti-tematici/comuni-sciolti-per-mafia/amministrazioni-sciolte-mafia-dati-riassuntivi/>
- [4] Avviso Pubblico Enti Locali e Regioni per la formazione civile contro le mafie. (2018). Rapporto Amministratori sotto tiro. Retrieved from https://www.avvisopubblico.it/home/wp-content/uploads/2019/04/Cartella-stampa_DEF.pdf
- [5] Commissione Garofoli per l'elaborazione di proposte in tema di lotta, anche patrimoniale, alla criminalità. (January 2014). *Per una moderna politica antimafia*. Retrieved from [https://www.penalecontemporaneo.it/upload/1392822728rapporto%20Comm%20%20Garofoli%20\(3\).pdf](https://www.penalecontemporaneo.it/upload/1392822728rapporto%20Comm%20%20Garofoli%20(3).pdf)
- [6] Cupi A., Fedullo E., Mannella P., Mondello T., Moscarella R., Mucci G., Riflesso R. (2011). Governo degli enti locali e gestioni commissariali. *I quaderni della formazione n. 3/2011. Scuola superiore dell'amministrazione dell'Interno*.
- [7] Daniele G., Dipoppa G. (2017). Mafia, elections and violence against politicians. *Journal of Public Economics*. Volume 154, October 2017, Pages 10-33. <https://doi.org/10.1016/j.jpubeco.2017.08.004>
- [8] Daniele G., Geys B. (2015). Organised crime, institutions and political quality: empirical evidence from Italian municipalities. *The Economic Journal*, 125 (August), F233–F255. Doi: 10.1111/eoj.12237
- [9] Di Cataldo M., Mastrorocco N. (2019). Organised Crime, Captured Politicians and the Allocation of Public Resources. *TEP Working Paper No. 1018, Trinity Economics Papers. Department of Economics*. Retrieved from <http://dx.doi.org/10.2139/ssrn.3124949>
- [10] Decree Law 31 May 1991, n. 164. Official Gazette - Gazzetta Ufficiale - serie generale - n. 126 of 31 May 1991, coordinated with the Conversion Law 22 July 1991, n. 221 (in G.U. 25/07/1991, n.173). Retrieved from <https://www.gazzettaufficiale.it/eli/id/1991/07/25/091A3362/sg>

- [11] Decree of the President of the Republic (2 August 1991). Official Gazette - Gazzetta Ufficiale. Retrieved from <https://www.gazzettaufficiale.it/eli/id/1991/08/02/091A3499/sg>
- [12] Gratteri N., Nicaso A. (2010). *Fratelli di sangue, Storie, boss e affari della 'ndrangheta, la mafia più potente del mondo*. Piccola Biblioteca oscar Mondadori.
- [13] Italian Council of State. (12/01/2013). Judgement No 126/2013.
- [14] Italian Council of State. (15/03/2016). Judgement No 1038/2016.
- [15] Italian Council of State. (10/01/2018). Judgement No 96/2018.
- [16] Italian Ministry of the Interior. (2017). Governo sul territorio: le Prefetture. Retrieved from <http://www.interno.gov.it/it/temi/territorio/governo-sul-territorio-prefetture>
- [17] Law 19/03/1990, n. 55. Official Gazette - Gazzetta Ufficiale - serie generale n. 69 of 23 March 1990. Retrieved from https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=1990-05-25&atto.codiceRedazionale=090A2289&elenco30giorni=false
- [18] Law 1 December 2018, n. 132. Official Gazette - Gazzetta Ufficiale - serie generale n.281 of 3 December 2018. Retrieved from <https://www.gazzettaufficiale.it/eli/id/2018/12/03/18G00161/sg>
- [19] Legislative Decree n.267/2000. Official Gazette Gazzetta Ufficiale - Serie Generale n. 227 of 28-09-2000 - Suppl. Ordinario n. 162. Retrieved from <https://www.gazzettaufficiale.it/eli/id/2000/09/28/000G0304/sg>
- [20] Lo Moro, D., Galdani, M., Zizza, V., Cirinnà, M. (2015). Commissione Parlamentare d'inchiesta sul fenomeno delle intimidazioni nei confronti degli amministratori locali. Final report. Sitting of 26th February 2015. Senato della Repubblica Italiana. Retrieved from https://www.senato.it/application/xmanager/projects/leg17/file/repository/commissioni/intimidazioni17/doc_XXII-bis-n1.pdf
- [21] Longo F. (2008). Lo scioglimento dei consigli comunali per fenomeni di infiltrazione e di condizionamento di tipo mafioso è questione di contesto. *Foro amm. CDS, fasc.3*.
- [22] Mete, V. (2009). *Fuori dal Comune. Lo scioglimento delle amministrazioni locali per infiltrazione mafiosa*.
- [23] Catania, Bonanno Editore.
- [24] Parliamentary Committee of Inquiry into Mafia-related and other criminal organizations, including foreign organizations. Final report. Sitting of 21st February 2018.
- [25] Pinotti, P. (2015). The economic costs of organised crime: evidence from southern Italy. *Economic Journal*, vol. 125(586), pp. F203–32. <https://doi-org.pros.lib.unimi.it/2050/10.1111/econj.12235>
- [26] Regional Administrative Court of the Region of Lazio – *TAR Lazio*, sez. I, 7/10/2013, Judgment n. 8670/2013.

- [27] Regional Administrative Court of the Region of Lazio – *TAR Lazio*, sez. I, 05/10/2016, Judgment n. 10049/2016.
- [28] Romei D. (2014). Lo scioglimento dei consigli comunali e provinciali per infiltrazioni o condizionamento mafioso. *Rassegna Avvocatura dello Stato*, N. 2/2014,
- [29] Rolli R. (2013). *Il comune degli altri, lo scioglimento degli organi di governo degli enti locali per infiltrazioni mafiose*. Rome, Aracne.
- [30] Savona E. U., Riccardi M. (eds). 2018. *Mapping the Risk of Serious and Organised Crime Infiltration in European Businesses — Annex to the final report of the MORE Project*. Milan: Transcrime – Università Cattolica del Sacro Cuore.

Application of Z-Numbers Based Approach to Project Risks Assessment

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Abstract

At every phase of the project management process various risks originate owing to occurrence of uncertain events. In this research, we are analyzing potentialities of the Z-numbers in improving the quality of risk assessment. Risk assessment uses probability theory, theory of possibilities, fuzzy approach, Z-number based approach etc. Combined risk measure based on probability and consequence is calculated by applying the disjoint events probability formula or as a product of events. Reliability of relevant information unaccounted in this approach and this circumstance limits the descriptive power of the approach. Suggested by L. Zade a bi-component Z-number $Z = (A, B)$ represents in a unified way a restriction on the values of the uncertain variable (A) and its certainty (B) and allows to take into account the reliability of information. Prediction identical to **(High, Very Sure)** can be formalized as a Z- evaluation "**X is Z (A,B)**", where X is random variable of Risk Likelihood, **A** and **B** are fuzzy sets, describing soft constraints on a risk likelihood and a partial reliability, respectively. Usually, A and B are sense-based and in effect are imprecise. Z-number describes a probability of threat as: **Likelihood = Z1(High, Very Sure)**, where **A** is expressed by linguistic terms *High, Medium, Low*, and **B** is expressed by terms **Very Sure, Sure** and so on. Similarly, Consequence measure is described as **Consequence measure = Z2 (Low, Sure)**. Risk levels (**Z12**) is calculated as the product of the likelihood (**Z1**) and consequence measures (**Z2**). Effectiveness of the approach illustrated by examples. A general and computationally effective approach suggested to computation with Z-numbers allows using Z-information for the solving decision-making problem which can be utilized for risk factors estimation..¹ Application of the Z-number based approach for a

¹ Project management is the multiphase process and at every phase of this process, various risks originate owing to the occurrence of uncertain events. These risks should be identified, assessed and controlled. In the paper, various assessment approaches analyzed and potentialities of the Z-numbers

project risks assessment increases adequacy of the risks representation due to better approximation of the combined effects

Keywords: project management, risk assessment, Z-numbers, risk likelihood, risk consequence, risk level

Introduction

The project management is becoming an increasingly important tool almost in all areas of human activity. As noted in *Gartner* and other research agencies reports, about 25% of *world gross product is spent* on various kinds of *projects*. Professional project management allows to effectively distribute responsibilities and duties between project participants, save up to 30% of time and up to 20% of funds, reduce project risks (Ashfaq, 2011).

According to the PMI's Pulse of Profession report for the year 2015 - Capturing the Value of Project Management, on average, 58% of the respondents fully understand the value of project management approach. Non-project-oriented companies spend about \$250 million on projects realization, and project-oriented organizations spend thirteen times less-about 20 million a year. High-performing organizations successfully met original goals, complete and implement 90% of projects in time. Organizations with well-established formal knowledge transfer process significantly improve project outcomes. More than 60 % of organizations carry out regular trainings in project management for their employees (Project Management Institute, 2015;Burba, 2015).

In their daily activities, people encounter and resolve work and life-related issues, and in the most cases these activities are based on purposeful or unconscious use of the project management approach, design and implementation of the various projects: career development, study, moving to another city are the classical examples of such projects. Day-to-day activities of any company are very similar to people's life: a company develops and implement various projects.

At present many sectors adopt project management approach and become project-oriented and this tendency is increasing. Use of the project management approach in their daily activities allows companies to reach their financial and economic objectives.

All projects are temporary by nature and they have start and end dates. There are various definitions of project management. In many cases, well established international standards define a project management as an application of knowledge,

application in the project risks analysis and evaluation studied. Effectiveness of the approach illustrated by examples. Application of the Z-number based approach for a project risks assessment increases the adequacy of the risk representation due to a better approximation of the combined effects. Use of Z-concept allows taking into account the reliability of the information describing risks.

skills, techniques, and tools to the project jobs to meet project requirements and specifications. According to the sixth edition of the PMBOK (2017), project management is realized via proper use and integration of the 49 processes grouped in 5 groups and it embraces 10 knowledge areas.

Project management technique has been widely used by financial institutions. These institutions develop and implement various projects in their ongoing daily activities and strategic activities oriented to improvement of business processes. As a result, many publications related to the study of the project risks in one way or another turn to the evaluation of the financial risks or the risks of investment projects. As we mentioned earlier, the project management approach has been used not only in economics and finance, but also in the social, legal, political and other areas. As it mentioned in (Songyan Zhang & Yuxiao Fang, 2016) the study of risk management in engineering projects primarily based on financial risk management knowledge.

Project risks assessment

Risks are uncertain events or conditions that directly influence objectives of the project-content, duration, cost, and quality and due to this relationship, risk management is an inseparable part of the project management.

Classification of the project risks can be done in different ways. As a base for the classification can be used frequency of occurrence and the impact scope. A list of the most common risks includes scope, schedule, cost, resources, technology, external hazards, governance, performance, legal issues, etc. (Szymański, 2017; Tsiara & Siakas, 2016). Subject area-related specific risks significantly enlarge this list.

The risk management process is a multi-stage, multi-layer and complex procedure. Key stages in the risk management process are risk identification and analysis, response methods development, monitoring and risk management. Risks identification and analysis are one of the important and time-consuming stages of the project management process, they laid down the foundation for the all other stages of the project management and, at the same time, they are the least formalized stages in project management-related decision-making processes. A large amount of research publications analyses project risks as a kernel task of project management processes (Henrique Rodrigues-da-Silva & Crispim, 2014).

At the risk analysis stage researcher should clearly identify inherent to the subject area risks, reveal cause-effect relationships, evaluate level, frequency and consequences of the risks and prioritize risks from the standpoint of the project management decisions. At this stage, various models of the qualitative description of the risks and sub-risks can be used.

Analysis of the

(Marle&Gidel,2012;Rostami,2016;Yesuf,2017;Ungureanu,Braicu&Ungureanu, 2015;Renault,Agumba &Ansary,2016) and other research publications shows that there are well-established identification procedures.

Despite availability of the various metrics for the evaluation and description of the risks, quantitative risk analysis is a complicated problem.

In (Aven,2016) the risk definition and metrics from the (SRA Glossary society for risk analysis,2015) are summarized as follows: the combination of probability and severity of consequences; the triplet of the scenario, scenario probability and consequence; the triplet of some specified consequences, measure of consequence uncertainty and background knowledge, supporting consequence and its uncertainty; expected negative consequences computed by expected number of fatalities in a specific period; the product of the hazard occurring probability, the probability of the exposition to the hazard, and the expected damage in case of exposition; expected disutility; a possibility distribution for the damage. It is indicated that suitability of these metrics and descriptions depends on the situation.

Risk assessment and formalization requires analysis of the uncertainties inherent to the real-world processes and events. This is a hot topic that has been intensively discussed in research publications from the early stages of the risk assessment until today (Aven,2016).

Even though the terms risk and uncertainty have been widely used interchangeable in most part of the surveyed articles, we should take into consideration that these terms have distinct meanings in decision-making models and processes. Term risk is more applicable when information for the evaluation of the likelihood of an event is available, uncertainty more suitable to the case of lack of knowledge (Carvalho,2017).

Unforeseen project risks are mainly caused by uncertainties and these uncertainties can decrease revenue, increase cost, incur losses and so on. In the analysis of long-term projects, it is necessary to take into consideration expected future values of the multiple factors, influencing project baseline, and due to this circumstance getting reliable and accurate forecasts become an insurmountable task. In the forecasting, it is necessary to differentiate and to take into consideration the uncertainties causing risks for the given measures of effectiveness, as a result, arises an issue of the formalization of forecasted uncertain characteristics of the project and their appropriate estimation. So, the presence of the various types of uncertainties necessitates adaptation of the project effectiveness measures. This adaptation can be done by use of the appropriate mathematical tools, allowing to formalize and process various types of the uncertainties.

Risk assessment uses various mathematical tools: probability theory, theory of possibilities, fuzzy approach, etc. Historically, probabilities were the first tools used for the formalization of the uncertainties in decision making. Probability is the most

common tool, but other tools also exist, including imprecise (interval) probability and representations based on the theories of possibility and evidence, as well as qualitative approaches (Aven,2016;Zhang,Li&Zhang,2016;Ghasemi,Hossein Mahmoudi Sari,Yousefi,Falsafi&Tamosaitiene,2018).

Quantitative possibility theory allows reconciliation of the probability and fuzzy approach. A current major concern in risk analysis studies is uncertainty propagation under poor data and without independence assumptions. Methods for joint propagation of possibilistic and probabilistic information and probabilistic models with fuzzy interval parameters have been developed (Dubois&Prade,2015).

In (Zlateva,2015) the fuzzy logic method for assessment of risk management capability is proposed. The fuzzy logic method is developed as a hierarchical system with several inputs and one output. The proposed method for the assessment of risk management capability is envisaged to be implemented as a part of the information system for integrated risk management of natural disasters.

Zadeh (2011 p.1) noted that “In the real world, uncertainty is a pervasive phenomenon. Much of the information on which decisions are based is uncertain. Humans have a remarkable capability to make rational decisions based on information which is uncertain, imprecise and/or incomplete. Formalization of this capability, at least to some degree, is a challenge that is hard to meet. It is this challenge that motivates the concepts and ideas outlined in this note”. In this note, the concept of a Z-number is introduced and methods of computation with Z-numbers are outlined

Suggested by Zadeh a bi-component Z-number $Z = (A,B)$ represents in a unified way a restriction on the values of the uncertain variable (A) and its certainty (B).

Since its introduction, the concept of Z-numbers has been successfully applied as a new direction in the analysis of uncertain and complex systems in various areas of science and technology.

The main critical problems that naturally arises in processing Z-information are computation and reasoning with Z-information (Aliev, Alizadeh&Huseynov, 2015).

Fuzzy approach to risk assessment

Until recently the applications of Z-numbers based approaches were limited by the lack of efficient technique for computations with Z-numbers.As it was noted by L.Zadeh (2011 p.5) «Problems involving computation with Z-numbers are easy to state but far from easy to solve».

Kang et al.(2012) suggest an approach based on converting a Z-number to a fuzzy number on the base of an expectation of a fuzzy set. However, converting Z-numbers to fuzzy numbers leads to loss of original information reducing the benefit of using original Z-number-based information (Aliev,Huseynov,Aliev&Alizadeh,2015).

The work of Zadeh (2012) discusses different methods, applications, and systems based on the Z-number concept. Aliev and colleagues suggested a general and computationally effective approach to computation with Z-numbers. The approach is applied to the computation of arithmetic and algebraic operations, t-norms and s-norms, and construction of typical functions (Aliev,Huseynov&Zeinalova,2016; Aliev et al., 2015; Aliev,Huseynov&Aliyev,2017;Aliev, Huseynov&Alieva,2016)

In (Cooper,Grey,Raymond&Walker,2005) combined risk measures based on risk likelihood and risk consequence are described. The method applies disjoint events probability or product formula. In this approach, the descriptive likelihood assessments are converted to numerical measures and the numerical measures are averaged, to get a risk likelihood measure P. A similar process is used for the consequence assessments, to get an average consequence measure C. A combined risk measure RF is then calculated for each risk. **P=risk likelihood measure**, on a scale 0 to 1=average of likelihood factors; **C=consequence measure**, on a scale 0 to 1=average of consequence factors:

$$\mathbf{RF=risk\ factor=P + C - (P*C)}$$

The risk factor RF, from 0 (low) to 1 (high), reflects the likelihood of a risk arising and the severity of its impact.

In some circumstances, risk factors may be calculated as the product of the likelihood and consequence measures:

$$\mathbf{RF =P*C}$$

The 'product' formula has one significant disadvantage in comparison with the earlier form - items with high consequences but low probabilities may be allocated low-risk factors, and hence they may not be flagged as important. This can be a problem in practice, as there is a chance that significant risks may not be noticed. The earlier version identifies items with high likelihoods or high consequences or both, so the chance of high consequence but low likelihood items being ignored is reduced greatly.

Product of the threat likelihood and threat impact is proposed for risks level calculating in (Stoneburner, Goguen& Feringa,2002; NIST,2012) where it is proposed to product *Threat Likelihood* (High, Medium, and Low – for example) and *Impact Level* (High, Medium, and Low):

$$\mathbf{Risk\ level =Threat\ Likelihood*Impact\ Level}$$

The determination of these risk levels or ratings may be subjective. The rationale for this justification can be explained in terms of the probability assigned for each threat likelihood level and a value assigned for each impact level. For example, the probability assigned for each threat likelihood level is 1.0 for High, 0.5 for Medium, 0.1 for Low. The value assigned for each impact level is 100 for High, 50 for Medium, and 10 for Low. The quantifiers Very High and Very Low can be used as well.

Let's consider using Z-numbers to calculate the level of risk or risk factors. In many areas, risk experts deal with the prediction like this one (High, Very Sure). This prediction can be formalized as a Z-number-based evaluation "X is Z (A,B)", where X is a random variable of Risk Likelihood, A is a fuzzy set used to describe soft constraint of risk likelihood and B is a fuzzy number to describe a soft constraint on a partial reliability of A. As Zadeh noted "X=Z(A,B) is Z-valuations. A collection of Z-valuations is referred to as Z-information". It should be noted that much of everyday reasoning and decision-making is based on Z-information.

Probability of threat can be described via Z-numbers as: **Likelihood=Z1(High,Very Sure)**, where a value of the A is expressed by linguistic terms *High, Medium, Low*, and a value of the B is expressed by linguistic terms *Very Sure, Sure* and so on. Similarly, Consequence measure can be described as **Consequence measure = Z2 (Low, Sure)**.

The example of encoded linguistic terms for A component of Z-numbers

Scale	Level	membership function value (triangle)
1	Very Low	1/1, 1/1, 0/0
2	Low	0/1, 1/2, 0/3
3	Medium	0/2, 1/3, 0/4
4	High	0/3, 1/4, 0/5
5	Very high	0/4, 1/5, 1/5

The example of encoded linguistic terms for B component of Z-numbers

Scale	Level	membership function value (triangle)
1	Unlikely	1/0,05, 1/0,05, 0/0,25
2	Not very likely	0/0,05, 1/0,25, 0/0,5
3	Likely	0/0,25, 1/0,5, 0/0,75
4	Very likely	0/0,5, 1/0,75, 0/1
5	Extremely likely	0/0,75, 1/1, 1/1

As it is shown in (Stoneburner et al.,2002) risk levels (Z12) can be calculated as the arithmetic product of the Z-numbers (Aliev&Salimov,2017) likelihood (Z1) and consequence measures (Z2):

$$Z_{12} = Z_1 * Z_2$$

For example Z-numbers expressing the values of a risk factor - violation of terms of delivery - can be calculated as a product of Z-number - *Likelihood (medium, very likely)* and *Measure of consequences (Low, Sure)*

$$\text{Risk Factor (violation of terms of delivery)} = \text{Likelihood (High, Very Sure)} * \text{Consequence (Low, Sure)}$$

In order to evaluate the risk factors (risk levels) and to make a decision, the operation of the ranking of Z-numbers (Aliev,Huseynov O &Serdaroglu, 2016) is used.

The analysis of the values of different Z1 and Z2, allows to determine when the risk is greater, for example: *Likelihood (High, Very Sure)*Consequence (Low, Very Sure) or Likelihood (Very High, Sure)*Consequence (Medium, Sure)*.

Arithmetic operations on Z-numbers as well as the ranking of Z-numbers and aggregation of Z-information allow using Analytical Hierarchy Process (AHP) and Multi-Criteria Decision Analysis (MCDA) (Chatterjee&Kar,2018;Gardashova,2014) for the solving decision-making problem which can be utilized for risk factors estimation.

Also, taking into account successful applications of fuzzy IF-THEN rules for solving a wide spectrum of real-world problems, Zadeh (2011, 2013) provides a brief discussion on crucial importance of the development of Z-rules – IF-THEN rules with Z-number valued components, which naturally would have expressive power.

In (Aliev,Pedrycz,Huseynov&Eyupoglu,2017) a new approach is developed to study approximate reasoning with Z-rules on a basis of linear interpolation. Research team provides an application of the approach to job satisfaction evaluation and to students' educational achievement evaluation problems related to psychological and perceptual issues naturally characterized by imperfect information. The obtained results show the applicability and validity of the proposed approach. In (Abiyev,Uyar,Ilhan,Imanov&Abiyeva,2018) Z-number-based fuzzy If-Then rules are applied for the determination of the food security risk level in Turkey.

Conclusion

At every phase of the project management process, various risks originate owing to the occurrence of uncertain events. Uncertainty of the project information is caused by the complexity of the project nature - project is a unique, temporary and progressively elaborating endeavor. Risks directly influence objectives of the project-content, duration, cost, and quality and due to these relationships risk management is an inseparable part of the project management. Risks should be identified, assessed and controlled.

Risk assessment tools based on traditional probabilistic or possibility models have a limited capacity of description and processing project-related uncertain information and not in all cases are relevant for the risk assessment. Recent advances in computation with Z-numbers allows to conceptualize and process uncertain information by using perception-based and linguistically expressed fuzzy numbers, describing both restriction on the value of the uncertain variable and reliability of the value.

Risk analysis includes risks that can be evaluated based on the past statistical data and risks that are an inherent part of the given situation without past data available. Evaluation of such risks is based on unconscious experience and intuition. Recently developed and based on arithmetic operations on Z-numbers, the ranking of Z-

numbers and aggregation of Z-information, as well as Z-rules approach, allows to refrain from excessive assessment simplification and to successfully resolve issues of the multi-risk situations analysis without loss of contained in Z-numbers information. The aim of further research is the solution to the various project risk analysis problems.

References

- [1] Abiyev Rahib H., Kaan Uyar, Umit Ilhan, Elbrus Imanov, and Esmira Abiyeva, "Estimation of Food Security Risk Level Using Z-Number-Based Fuzzy System," *Journal of Food Quality*, vol. 2018, Article ID 2760907, 9 pages, 2018. <https://doi.org/10.1155/2018/2760907>.
- [2] Aliev R.A., Alizadeh A.V., Huseynov O.H. (2015). The arithmetic of discrete Z-numbers. *Inform. Sciences* 290, 134-155
- [3] Aliev R.A., O.H.Huseynov, L.M.Zeinalova, The arithmetic of continuous Z-numbers, *Information Sciences*, Volume 373, 2016, Pages 441-460, ISSN 0020-0255, <https://doi.org/10.1016/j.ins.2016.08.078>.
- [4] Aliev R.A., O.H.Huseynov, R.R.Aliev, A.V.Alizadeh. *The Arithmetic of Z-Numbers: Theory and Applications*. World Scientific, 2015
- [5] Aliev R.A., O.H.Huseynov, R.R.Aliyev, A sum of a large number of Z-numbers, *Procedia Computer Science*, Volume 120, 2017, Pages 16-22
- [6] Aliev R.A., O.H.Huseynov, K.R.Alieva. (2016). Z-valued T-norm and T-conorm Operators-based aggregation of Partially Reliable Information. *Procedia Computer Science*. 102 (2016) 12-17
- [7] Aliev R. A., W. Pedrycz, O. H. Huseynov and S. Z. Eyupoglu, "Approximate Reasoning on a Basis of Z-Number-Valued If-Then Rules," in *IEEE Transactions on Fuzzy Systems*, vol. 25, no. 6, pp. 1589-1600, Dec. 2017. doi: 10.1109/TFUZZ.2016.2612303
- [8] Aliev, Rafik&Salimov, V.H. (2017). Software for Z-arithmetic. *Procedia Computer Science*. 120. 290-295. 10.1016/j.procs.2017.11.241.
- [9] Aliev, Rafik &Huseynov, O &Serdaroglu, R. (2016). Ranking of Z-Numbers and Its Application in Decision Making. *International Journal of Information Technology & Decision Making*. 15. 1-17. 10.1142/S0219622016500310.
- [10] Ashfaque Ahmed. *Software Project Management: A Process-Driven Approach*.: Auerbach Publications, 2011, 456 pages
- [11] Aven T., Risk assessment and risk management : Review of recent advances on their foundation, *European Journal of Operational Research* (2016), <http://dx.doi.org/10.1016/j.ejor.2015.12.023>
- [12] Burba, Donovan (2015). Focus on the fundamentals. *PM Network*, April 2015, Volume 29, number 4. Retrieved from http://www.pmnetwork-digital.com/pmnetwork/april_2015?pg=1#pg1
- [13] Carvalho, Marly. (2017). Risk and uncertainty in projects management: literature review and conceptual framework RECEBIDO. *GEPROS. Gestão da Produção, Operações e Sistemas*. 12. 93-120. 10.15675/gepros.v12i2.1637.

- [14] Chatterjee, K., & Kar, S. (2018). A multi-criteria decision making for renewable energy selection using Z-numbers in uncertain environment. *Technological and Economic Development of Economy*, 24(2), 739-764. <https://doi.org/10.3846/20294913.2016.1261375>
- [15] Cooper, D., Grey, S., Raymond G. and Walker, P. (2005). *Project Risk Management Guidelines, "Managing Risk in Large Projects and Complex Procurements"*, John Wiley & Sons, Ltd ISBN 0-470-02281-7
- [16] Henrique Rodrigues-da-Silva, Luiz & Crispim, José. (2014). The Project Risk Management Process, a Preliminary Study. *Procedia Technology*. 16. 943-949. [10.1016/j.protcy.2014.10.047](https://doi.org/10.1016/j.protcy.2014.10.047).
- [17] Gardashova, L. 2014. Application of operational approaches to solving decision making problem using Z-numbers, *Applied Mathematics* 5: 1323-1334. <https://doi.org/10.4236/am.2014.59125>
- [18] Ghasemi, Foroogh & Hossein Mahmoudi Sari, Mohammad & Yousefi, Vahidreza & Falsafi, Reza & Tamosaitiene, Jolanta. (2018). Project Portfolio Risk Identification and Analysis, Considering Project Risk Interactions and Using Bayesian Networks. *Sustainability*. 10. 1609. [10.3390/su10051609](https://doi.org/10.3390/su10051609).
- [19] *A Guide to the Project Management Body of Knowledge, PMBOK Guide*, Project Management Institute, 6-th edition, 756p, 2017
- [20] Kang, Bing Yi & Wei, D & Li, Y & Deng, Y. (2012). Decision making using Z-numbers under uncertain environment. *Journal of Computational Information Systems*. 8. 2807-2814.
- [21] Marle F., Thierry Gidel. *Assisting Project Risk Management Method Selection*. *International Journal of Project Organisation and Management*, 2012. (hal-01204820)
- [22] NIST Special Publication 800-30, 2012
- [23] Project Management Institute (2015). *Pulse of the Profession Capturing the Value of Project Management*. Retrieved from <https://www.pmi.org/-/media/pmi/documents/public/pdf/learning/thought-leadership/pulse/pulse-of-the-profession-2015.pdf>
- [24] Renault, B.Y., Agumba, J.N & Ansary, N. 2016. A theoretical review of risk identification: perspective of construction industry. 5th Applied Research Conference In Africa (ARCA 2016), At Cape Coast, Ghana, Volume: 773-782 <http://hdl.handle.net/10210/214956>
- [25] Rostami Ali. "Tools and Techniques in Risk Identification: A Research within SMEs in the UK Construction Industry." *Universal Journal of Management* 4.4 (2016) 203 - 210. doi: 10.13189/ujm.2016.040406.
- [26] Songyan Zhang, Yuxiao Fang. Literature Review on Engineering Project Risk Management. Conference Paper. *Proceedings of the 2016 5-th International Conference on Sustainable Energy and Environment Engineering (ICSEEE 2016)* <https://doi.org/10.2991/icseee-16.2016.26>
- [27] SRA Glossary society for risk analysis: www.sra.com/resources (2015).

- [28] Stoneburner Gary, Alice Goguen, and Alexis Feringa. Risk management guide for information technology systems. Recommendations of the National Institute of Standards and Technology.U.S. DEPARTMENT OF COMMERCE - NIST SP 800-30, 2002
- [29] Szymański, Paweł. (2017). Risk management in construction projects. *Procedia Engineering*. 208. 174-182. 10.1016/j.proeng.2017.11.036.
- [30] Tsiara, Eleana & Siakas, Kerstin. (2016). Investigating the Application of Risk Management in Greek IT Companies.<https://www.researchgate.net/publication/327602021>
- [31] Ungureanu Anca&Braicu Cezar& Adrian Ungureanu, 2015. Risk Identification in Project Management,International Conference on Economic Sciences and Business Administration, SpiruHaret University, vol. 2(1), pages 259-266, December.
- [32] Yesuf, Ahmed. (2017). A Review of Risk Identification Approaches in the Telecommunication Domain. 10.5220/0006197603890396.
- [33] Zhang, Zhan & Li, Kai & Zhang, Lei. (2016). Research on a Risk Assessment Method considering Risk Association. *Mathematical Problems in Engineering*. 2016. 1-7. 10.1155/2016/9191360.
- [34] Zadeh Lotfi A., A Note on Z-numbers, *Information Sciences*, Volume 181, Issue 14, 2011, Pages 2923-2932, ISSN 0020-0255, <https://doi.org/10.1016/j.ins.2011.02.022>.
- [35] Zadeh, L. A., 2012. Methods and Systems for Applications forZ-Numbers, United States Patent, Patent No.: US 8,311,973 B1, Date of Patent: Nov. 13, 2012
- [36] Zadeh Lotfi A. Z-NUMBERS—A NEW DIRECTION IN THE ANALYSIS OF UNCERTAIN AND COMPLEX SYSTEMS. 7 th IEEE International Conference on Digital Ecosystems and Technologies, July 24, 2013 Menlo Park
- [37] Zlateva, Plamena&Velev, Dimiter&Raeva, L. (2015). A Fuzzy Logic Method for Assessment of Risk Management Capability. *International Journal of Innovation, Management and Technology*. 6. 260-266. 10.7763/IJIMT.2015.V6.612.

Nationalism and the Postcolonial: from Edward Said's *Orientalism* to Graham Huggan's *Postcolonial Exotic*

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Abstract

As interest in the field of postcolonial studies has grown in recent decades, the theoretical issues with which it is concerned have been applied to an increasing number of areas. As a branch of literary theory, it has provided one of the most important critical platforms for modern theorists and writers who attempt to address issues of cultural identity. However, the analytical potential of postcolonial theory has not gone unnoticed in other academic disciplines. In particular, research into global economics and politics has recognised its relevance to an understanding of the balance of world order and its political dynamics. As was earlier suggested, historians have also demonstrated an increased interest in the area of postcolonialism, particularly in terms of the challenge that it offers to received models of history. Therefore, the aim of this paper is to examine the path along which postcolonial studies has travelled to recognise the differences between what used to be pre-colonial, colonial and post-colonial, as Ashcroft et al would name it. The paper will discuss the main issues as postulated by the proponents of postcolonialism starting from Edward Said and finishing off with Graham Huggan. Particular attention will be paid to the notion of nationalism and how it provided the fuel to the subaltern (Spivak's term) to make the colonial the post-colonial, that is, how to construct a new (national) identity in the former colonised.

Key terms: postcolonial, nationalism, Edward Said, Graham Huggan

Introduction

In spite of such an increased interest in the general area of postcolonial studies, fears have been raised over the danger of placing such issues under the microscope of academic institutions. In particular, the fact that many such institutions are based in countries, which were once colonial powers, such as Britain, has raised suspicions that postcolonial study is little more than a form of cultural imperialism itself. To qualify this, it needs to be added that research often takes as its focus only the work

of those writers who choose to work in English. In this sense, locating postcolonial studies within an academic context may have the effect of limiting its scope to those texts and issues, which are of most relevance to academics and critics rather than to writers or to the millions of people for whom life in a postcolonial society is a daily reality.

One possible contention arising from Huggan's attack on the "critical industry" of postcolonial studies in *The Postcolonial Exotic – Marketing the Margin* (2001) would be his use of the terms centre/periphery. His phrasing of this issue is particularly telling: certain "cultural products" are "regarded" as signifying the existence of the periphery, while the audiences who receive these products "see themselves" located at the centre of long established channels of imperial communication, trade and exchange. The verbs chosen by Huggan are, perhaps, deliberately intended to reflect the concept of appearance, thus indicating that the distinction between centre and periphery is dependent upon an act of perception rather than a fixed and stable relation. However, a binary model in which centre now equates with Western dominance and periphery with subaltern dependence is perhaps no longer entirely appropriate given the globalised range of contemporary economic and political networks.

One example of the transforming relationship between an impoverished former colony and its erstwhile colonial master, for example, would be that of Brazil and Portugal. Now a member of the so-called BRIC nations of emergent economies, Brazil is increasingly attracting young professional workers from the debt-ridden European nation. Now a member of the so-called BRIC nations of emergent economies, Brazil is increasingly attracting young professional workers from the debt-ridden European nation. Indeed, a BBC report into the Portuguese economy reveals that many of its young, well-qualified citizens look beyond Europe to Brazil. Consequently, the binary of centre/periphery has become more porous and less rigidly defined – at least in terms of economic disparity – than Huggan's formulation might allow, particularly given the banking crisis in Europe which has gone some way to redressing the balance between the financial power of the former "imperial centre" and its "peripheral" dependencies.

Indeed, the centre/periphery binary model of colonial relations was challenged as far back as 1978 by French theoreticians Gilles Deleuze and Felix Guattari in their eponymous book, *Anti-Oedipus: Capitalism and Schizophrenia*. The abstraction of global capitalist economics, they argue, has led to a form of socio-economic 'deterritorialization,' in which 'traditional sectors' or 'archaic territorialities' are displaced by 'modern industries and plantations. It must be stressed that observations concerning the changing relationship between former colonies and colonisers do not let postcolonial theorists off the hook so far as their duty to reflect existing forms of political and cultural disenfranchisement is concerned. In this respect, the actual channels through which theory operates are called into question.

If, it is argued, the concept of the postcolonial is subject to justification by Western media and academia, how can it expect to offer genuine insight into the lives of people who live on what are assumed to be the peripheries of that system, or beyond its boundaries altogether? In what ways do such forms of cultural representation assist those who experience postcolonial existence as a daily reality? In seeking an adequate response to these questions, attention has been drawn to the independence of theory as a counter-discourse to prevailing social and political assumptions as has been articulated in Edward Said's classical book *Orientalism* (1978):

Above all, critical thought does not submit to state power or to commands to join in the ranks marching against one or another approved enemy. Rather than the manufactured clash of civilisations, we need to concentrate on the slow working together of cultures that overlap, borrow from each other, and live together in far more interesting ways than any abridged or inauthentic mode of understanding can allow. But for that kind of wider perception we need time and patient and sceptical inquiry, supported by faith in communities of interpretation that are difficult to sustain in a world demanding instant action and reaction. (Said 1978: xxii)

This was Edward Said's location of critical thought as the basis for a genuine challenge to the ideology and prejudice, which could result in international conflicts. The above citation is an expression of faith in theory as an act of rebellion. Writers and academics, Said claimed, may work within the context of Western cultural institutions, but this does not have to result in the undermining of critical integrity. Indeed, he suggests, the role of the scholar is *vita!* in reminding a government of its responsibilities, both to the state, and to other nations. Far from condoning the crimes of the West, criticism may serve as a lone, even courageous voice of dissent. Postcolonial literary theory is perhaps best defined in terms of its capacity for self-interrogation. In this respect, critics have demonstrated a preoccupation with the search for an appropriate theoretical framework upon which treatment of issues ranging from historical representation to nationalism can be based. At stake here is the relevance of discourse theory to analyses of cultural identity in a contemporary, globalised context. While many theorists are prepared to accept the notion of culture as a product of its own discursive strategies, the question has been raised: to what extent does this insight actually assist those people forced to live with the legacy of imperialism? Might not the deconstruction of ideology and cultural narrative in fact make life far more difficult for those struggling to come to terms with the changes wrought upon their history and language? Interestingly, Foucault himself anticipated such a risk when he posed the following question in his *Archeology of Knowledge* (1969):

Is there not a danger that everything that has so far protected the historian in his daily journey and accompanied him until nightfall (the destiny of rationality and the teleology of the sciences, the long, continuous labour of thought from period to period, the awakening and the progress of consciousness, its perpetual resumption of itself,

the uncompleted, but uninterrupted movement of totalizations, the return to an ever-open source, and finally the historico-transcendental thematic) may disappear, leaving for analysis a blank, indifferent space, lacking in both interiority and promise? (42-43)

The challenge set before writers and theorists has been to seek a compromise between this perception of culture as construct and empathy with the needs of the postcolonial subject. It is this dynamic which has functioned as the impetus for much postcolonial literature, manifested in the tension between aesthetic/ theoretical awareness on the one hand, and the urgency of political commitment on the other. In this sense, postcolonial writing is distinguished by a dual responsibility: to provide appropriate forms of cultural representation and to respond to the changing face of postcolonial subjectivity within a contemporary, globalised context.

References

- [1] Deleuze, Gilles and Felix Guattari. *Anti-Oedipus: Capitalism and Schizophrenia*. Minneapolis: University of Minnesota Press, 1978. Print.
- [2] Foucault, Michel. *The Archeology of Knowledge*. Trans. A.M. Sheridan Smith. London and New York: Routledge, 1972. Print.
- [3] Huggan, Graham. *The Postcolonial Exotic – Marketing the Margin*. London and New York: Routledge, 2001. Print.
- [4] Said, Edward. *Orientalism*. London: Penguin Classics, 1978. Print.

Tendencies of Visiting the Cinema and Watching Television: Students of the Cinema and Television Department at Afyon Kocatepe University

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Abstract

Cinema and television play an important role in mass media. In the cinematic context, the field of cultural studies, which explores what the audience watches, tries to shed light on the psychosocial needs of the target audience and the cultural structure of society. With the use of digital technology in information production, transmission, and storage, as well as the rapid progress, integration, and convergence of information technologies, television is no longer limited to a place, and widespread access to mobile devices is possible. Consequently, both cinema and television have allowed masses of people to become increasingly aware of what is happening in the world. However, the tendency to go to the cinema and watch television emphasizes the psychosocial and sociocultural dimensions of the relationship between audiovisual media and its audience. Going to the cinema and watching television is an experience that young people engage in for various reasons such as escapism, relaxation, education, entertainment, and socialization. Furthermore, viewers employ different tools including television, mobile phones, tablets, the internet, and new media. This descriptive study aims to evaluate the tendencies of the students of the Cinema and Television (CTV) Department of the Fine Arts Faculty of Afyon Kocatepe University (AKU GSF) to visit the cinema and watch television. Questionnaires were used as a data collection tool. The survey, Motivation to go to the Cinema, that was developed by Yousry (2009) and Hassan (2015) was consulted to prepare the research questions. The questionnaire was translated into Turkish by Yoğurtçu and Yoğurtçu (2017). Furthermore, the Television Monitoring Motivation Scale, developed by Özarıslan and Nisan (2011), was used in this survey. Face-to-face interviews were conducted with students from the AKU GSF Department of CTV. The data were analyzed using

descriptive and multivariate statistical techniques (Correspondence Analysis). The results obtained from the analysis of the collected data are presented in related tables and figures.¹

Keywords: cinema, television, audience, uses and gratification approach, cultural studies theory

Introduction

The activity of watching television is the key feature of the modern life in developed countries. Beginning of the life with television and the widespread of television increasingly have added new dimensions to the human-television relationship. As a matter of fact, with the passing of time, both the number of those possessing television (TV) and the time spent in front of the TV have mounted (Erdemir Göze, 2015:53).

Television can provide its audience with relaxation and entertainment to a large extent in exchange for minimum effort and too little price. Nowadays, more and more people have started to do the same activities and to enjoy the same activities in their spare time, thus, they have started to resemble each other. Just as people gathered in the stadium to have fun in Rome, today's people gather in front of the television (Aydoğan, 2004: 11). This power of the television is hidden in its capturing the truth in terms of visuality. This feature of it is revealed as the dominant feature of television (Hall, 1996: 6). According to Paglia, television is not something we watch, because it is always on (Postman and Paglia, 2011: 428).

As for movie theaters, they are considered as places that enable people to socialize, as well as providing the audience with the opportunity for an escape (Hansen, 2012: 106-107). Siegfried Kracauer asserts that the main reason why the audience wants to go to the dark movie theaters is not the desire to watch a certain film or to have a pleasant time but it is to lose their own identities in the dark by being free from the grip of the consciousness for a while, and to follow the successive images on the screen in a state ready to assimilate by means of their senses (Kirel, 2015: 211).

As emphasized by Kirel (2010: 25), the act of going to the cinema in the classical sense echoes with a social and spatial coexistence constituted by the movie theater, the film, and the audience trio. Judith Mayne (1993: 1) states that spectatorship is a concept that emphasizes the importance of going to the cinema, consuming the films and myths of films as symbolic and culturally meaningful activities. Within this framework, it is pointed out that spectatorship is not just the act of watching, and is a whole set of experiences including entertainment and leisure activities.

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Nowadays, even though individuals' interest in cinema continues, their habits of watching movies have moved out of the movie theaters. It should be noted that the Internet is a determinant factor in the emergence of this situation. Nowadays, it is possible to watch online movies on the internet, yet downloading movies in any desired quality is also one of the most common acts for watching a movie. Although the process works against the movie theaters, the habits of individuals for going to the cinema still continue. However, even if the interest in cinema is very high, it should be stated that the rates or frequency of watching movies in movie theaters decreases gradually.

Young people who have university-level education in the CTV area have the potential to watch TV through different electronic vehicles and to watch movies without going to the movie theater with the influence of the convergence concept as a result of the developments in internet and information and communication technologies. The study is important in terms of addressing how often the population in question sits in front of the screen in order to watch the products of CTV sector in which they have the possibility of taking part after the completion of their education. Lembo (2007: 458-459) states that it is necessary to think about television watching habits and to seek an answer for certain questions.

Contrary to critical approaches to television, that is, those asserting that the audience is passive, one of the most important views advocating that the audience is active, is the Uses and Satisfaction Approach. "The Uses and Gratifications Approach" is the only theoretical field that tends to most directly being interested in the active audience (Severin and Tankard, 1994: 493). The Uses and Gratifications Approach replaces the passive audience with the active audience. In this way, "the active audience approach that has been put forward makes the audience reach the condition of a person searching, choosing and, creating his/her own impact" (Erdoğan and Alemdar, 1990: 114).

This theory advocates that the audience plays an active role from the first moment of coming into contact with television. As a justification for this, it is shown that the remote control is in the hands of the audience and they can watch the program of their interest as they wish. The uses and gratifications approach, which have introduced the human element into communication theory, pushes the sender category in the mass communication process into the background, while highlighting the needs and motives of the audience. In this approach, the watching mass is formulated as a category who uses communication tools to satisfy their certain needs.

On the other hand, researches in the field of cinema which are based on "the Uses and Gratifications Approach", mostly focus on the psycho-social orientations of the individual. For example, when determining the motivation of the Egyptian cinema audience to go to the cinema, Yousry (2009) investigated the impacts of the factors such as the director, genre and cast of the film, in the framework of "Uses and Gratifications" theory. Hasrul&Jamaluddin (2014), examined the status of the

domestic market in the face of the foreign market in the process of rapid changes in the film industry by associating it with film consumption motivation of film audiences. Hassan et al. (2015a; 2015b), on the other hand, have obtained data on the motivations of the Malaysian cinema audience to go to the cinema and the impacts of outstanding information tools and film industry on determining these motivations.

In all of these studies, it is seen that the motives of the watching mass to go to the cinema are considered as the main dependent variable and, certain variances like race, gender, socio-economic level, lifestyle, etc. (Srivinas, 2002; 2010) as the determinant of this variable.

Impact analysis in media studies also developed in parallel with the diversity of research topics in social sciences and progressed as a four-stage process (McQuail, 2010) starting from the 1900s and running along to the 1980s. The researches' focusing on the psychology of use and gratification, on the other hand, has emerged in the second stage and the audience analyses have been conducted in various contexts where the psychological needs and social conditions of the individual are determinative.

The results of this study are important in the sense that, on the basis of the individual difference based tendencies of the students mentioned in the study, it reveals whether the reason behind their acts related to their field of education, such as going to the cinema and watching television, is a necessity or because they actually regard them as social needs. In this sense, it is expected to make an important contribution to the literature.

The aim of this study is to evaluate the tendencies of the students of the CTV Department of AKU GSF to visit the cinema and watch television based on Uses and Gratification Approach.

Material and Method

The population of the study is composed of the students, studying at CTV Department of AKU GSF in the spring semester of 2018-2019 academical year. Therefore, within this population randomly chosen 165 students formed the sample of this study. After the incomplete and incorrect questionnaire forms were eliminated, the analyses were carried out on 161 observations. The survey form was conducted on the students of AKU GSF, CTV Department between 22-26 April 2019 by means of face to face interviews.

The data set is obtained via a questionnaire which includes demographic features of the participants besides "Motivation for Cinema-Going" scale developed by Yousry (2009) and Hassan et al. (2015) and, the "Motivation for Television-Watching" scale developed by Özarslan, Nisan (2011).

In this study, first of all, the descriptive statistics were presented, regarding the categorical variables like the AKU STV students' frequency of going to the cinema,

watching television and using the Internet and, that regarding the demographic attributes such as gender, academic standing, accommodation and monthly average expense. The relationships among the addressed demographic attributes and categorical variables were examined by using the multiple correspondence analysis.

Correspondence analysis is a statistical technique that provides a graphical representation of cross tabulations (which are also known as cross tabs, or contingency tables). Cross tabulations arise whenever it is possible to place events into two or more different sets of categories, such as product and location for purchases in market research or symptom and treatment in medical testing (Yelland, 2000: 1)

Correspondence analysis (CA) is an exploratory multivariate technique for the graphical and numerical analysis of almost any data matrix with nonnegative entries, but it principally involves tables of frequencies or counts. It can be extended to analyze presence/absence data, rankings and preferences, paired comparison data, multiresponse tables, multiway tables, and square transition tables, among others (Greenacre and Blasius, 2006: 4).

Multiple correspondence analysis (MCA) is an extension of CA which allows one to analyze the pattern of relationships of several categorical dependent variables. As such, it can also be seen as a generalization of principal component analysis when the variables to be analyzed are categorical instead of quantitative. Because MCA has been (re)discovered many times, equivalent methods are known under several different names such as optimal scaling, optimal or appropriate scoring, dual scaling, homogeneity analysis, scalogram analysis, and quantification method (Abdi and Valebtin, 2007: 1).

MCA can be seen as a way of analyzing a subject by variable matrix with categorical variables; or a subject by item matrix of multiple-choice data; or a multi-way contingency table. In all cases MCA scales the subjects and categories (items; levels of each way of the table). The scaling is multidimensional, since several scale values are obtained for each subject and category (Tenenhaus and Young, 1985: 91-92).

SPSS software was used in data analysis. In the study, the data obtained through the use of descriptive statistics techniques were presented in related tables and figures.

Findings

This part of this study includes both the descriptive statistics and statistical analysis to determine the relations among the categorical variables. First of all, the frequencies of the individuals participating in the survey by the demographic attributes are given in Table 1.

Table 1. The frequencies of the individuals participating in the survey by the demographic attributes

Variable	Group	f	%
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Gender	Female	70	43,5
	Male	91	56,5
Class	1	54	33,5
	2	40	24,8
	3	26	16,1
	4	31	19,3
	4+	10	6,2
Accommodation	With Family	16	9,9
	Dormitory	68	42,2
	Home	64	39,8
	Apartment/Hostel	13	8,1
Monthly Average Expense	0-500 TL	40	24,8
	501-1000 TL	75	46,6
	1001-1500 TL	30	18,6
	1501-2000 TL	10	6,2
	2001+ TL	6	3,7
Frequency of Visiting Cinema	Once a Week	10	6,2
	More than once a week	4	2,5
	Biweekly	30	18,6
	Once a month	63	39,1
	Bimonthly	35	21,7
Frequency of Watching Television (Daily)	Almost Never	19	11,8
	1 hour or less	120	74,5
	2 hours	20	12,4
	3 hours	13	8,1
	4 hours	6	3,7
Internet Usage	5 hours and more	2	1,2
	Yes	158	98,1
	No	3	1,9

When Table 1 is examined, it is seen that 56.5% of the participants are male and 43.5% are female. When the frequency of the academic standing is examined, it is observed that among the individuals studying at the STV Department of AKU Faculty of Fine Arts, the most crowded group are the first-year students with the ratio of 33.5% and the least crowded group are third-year students with the ratio of 16.1%.

The majority of the participant students (42.2%) accommodate in student dorms and a considerably large group of the students (39.8%) accommodate in houses. It is seen that the great majority (46.6%) of the students participating in the survey has a monthly average expense between 501-1000 TL, while 9.9% of which have 1500TL and above, 18.6% of which between 1001-1500TL and 24.8% of which between 0-500TL.

When the frequency of going to the cinema is examined, it observed that even the student studying in this field refrain from watching the movie films at the movie theaters. Likewise, the 39.1% of the participants go to the cinema once a month,

21.7% of which go every two months and, the total ratio of those going to the cinema once or more than once in a week adds up barely to 8.7%.

On the other hand, it is seen that vast majority (74.5%) of the students watch television one or less hour a day, those who watch television 3 and more hour a day have the ratio of only 13%.

It is necessary to note that the impact of the Internet on movie-watching behaviors is apparent. Today, as the most effective factor in shaping the behaviors of the cinema audience is the Internet, also the students of STV Department can watch almost any movie they want, not being restricted to the ones came to the movie theaters. This situation provides a great deal of comfort to students both in economic terms and in accessing movies. As a matter of fact, it is seen that almost all (98.1%) of the students benefit from the Internet for the purpose of watching movies and television programs.

The frequency of accommodations of individuals participating in the survey by their academic standing are given in Table 2.

Table 2. The frequencies of accommodations of individuals participating in the survey by their academic standing

Class/Accommodation	Percent	Cumulative Percent
1. Class	With Family	11,1
	Dormitory	61,1
	Home	18,5
	Apartment/Hostel	9,3
2. Class	With Family	10,0
	Dormitory	52,5
	Home	37,5
3. Class	With Family	11,5
	Dormitory	19,2
	Home	61,5
	Apartment/Hostel	7,7
4. Class	With Family	6,5
	Dormitory	19,4
	Home	58,1
	Apartment/Hostel	16,1

When Table 2 is examined, the great majority of the first-year students in the ratio of 61.1% accommodate in dorms, in the second year this ratio has a little decrease and in the 3rd and 4th years dropped down to the ratio of around 19%. Because the students, the major part of which came from different cities, prefer living in the dorms at the beginning and, in the following years moving to houses after having a circle of friends and getting used to the city. Such that, the ratio of accommodating in houses which is 18.5% in the first-year students, reaches to levels of 37.5% and 61.5% respectively in the following years, being 58.1% in the senior year.

Table 3 and Table 4 indicate the frequencies of those who watch television for 1 hour or less in a day by gender and academic standing.

Table 3. The frequency of those watching television for 1 hour or less a day by gender

Gender	Percent	Cumulative Percent
Female	40,8	40,8
Male	59,2	100,0

Table 4. The frequency of those watching television for 1 hour or less a day by their academic standing

Class	Percent	Cumulative Percent
1	33,3	33,3
2	24,2	57,5
3	17,5	75,0
4	18,3	93,3
4+	6,7	100,0

When Table 3 is examined, the majority of the students who watch television for 1 hour and less a day, in the ratio of 59.2%, consists of male students. 33.3% of the students who stated that they watched television for 1 hour or less a day are the first-year students, 24.2% are the second-year students, 17.5% are the third-year students and 18.3% are the fourth-year students, and, 6.7% consists of students who did not graduate on time. It can be said that the courses taken by the individuals who participated in the survey, in the field of television extending to years can have an effect that increases their awareness of the television programs in every passing year.

The frequencies of the monthly average expenses of those who go to the cinema every two weeks or once a month, among individuals participating in the survey, are given in Table 5 and Table 6. Monthly average expenses of the participants are given in Turkish Liras (TL) currency. (1 EUR = 6,8 TL according to exchange rate in May 2019).

Table 5. The frequency of the monthly average expenses of those who go to the cinema every two weeks among individuals who participated in the survey

Monthly Average Expenses	Percent	Cumulative Percent
0-500 TL	13,3	13,3
501-1000 TL	50,0	63,3
1001-1500 TL	26,7	90,0
1501-2000 TL	10,0	100,0

When Table 5 is examined, it is seen that half of the respondents who stated that they go to the cinema every two weeks had monthly expenses of between 501-1500 TL and that only 3% are in the 1501-2000 TL range. This situation can be interpreted that the students do not consider the act of going to the cinema as a priority and do

not invest in their field of education to the extent of going to the movie theater or do not take enough interest in watching movies in the cinema. As a matter of fact, as mentioned earlier, the ratio of students going to the cinema once or more than once a week is only 8.7%.

Table 6. The frequency of the monthly average expenses of those who go to the cinema once a week among individuals who participated in the survey

Monthly Average Expenses	Percent	Cumulative Percent
0-500 TL	25,4	25,4
501-1000 TL	50,8	76,2
1001-1500 TL	15,9	92,1
1501-2000 TL	4,8	96,8
2001+ TL	3,2	100,0

When Table 6 is examined, as in Table 5, it is seen that 50.8% of the students who stated that they go to the cinema once a month have the monthly average expense between 501-1000 TL and that 25.4% are in the range of 0-500 TL. Only 8% of the participants who stated that they go to the cinema once a month have the monthly average expense of 1501 TL and above. It is observed that the frequency of going to the cinema does not increase evenly with the monthly average expenses of the participant students. This shows that even if the monthly expense of a student has increased, there is no extra amount paid to the movie theaters in the increased expenses.

Table 7-9 presents the means and standard deviations (Std. Deviation) scores obtained from the scales related to the tendencies to go to the cinema (LVC-Level of Visiting Cinema) and to watch television (LTW-Level of Watching Television) by the demographic attributes.

Table 7. Means and standard deviations regarding the tendencies to go to the cinema and to watch television, of the individuals who participated in the survey by their academic standing.

Class	Tendencies	Mean	Std. Deviation
1	LVC	3,6163	,56298
	LWT	2,9314	,79741
2	LVC	3,5083	,45510
	LWT	2,5574	,80962
3	LVC	3,3056	,63833
	LWT	2,7195	,85734
4	LVC	3,2903	,58368
	LWT	2,6243	,82124

When Table 7 is examined, it is seen that the mean tendency (score) of the first-year students to go to the cinema is at the highest level with 3.61 and that this tendency

decreases gradually in the following years and drops down to the mean value of 3.29 in the 4th year. When the mean scores of television watching tendency are examined, it is seen that among the students, those who have the highest tendency to watch television are the first-year students with the mean value of 2.93.

Table 8. Means and standard deviations regarding the tendencies to go to the cinema and to watch television, of the individuals who participated in the survey, by their monthly average expenses.

Monthly Average Expenses	Tendencies	Mean	Std. Deviation
0-500 TL	LVC	3,4958	,54118
	LWT	2,8985	,78299
501-1000 TL	LVC	3,4696	,61866
	LWT	2,8110	,81516
1001-1500 TL	LVC	3,4148	,49599
	LWT	2,4686	,76377
1501-2000 TL	LVC	3,4056	,61589
	LWT	2,5647	,93182

When Table 8 is examined, as previously shown in Table 6, although the monthly average expenses of the students participating in the survey increases, their average tendencies to go to the cinema decrease every passing year. On the other hand, the mean television watching tendency is observed to be highest in the students with the lowest monthly average expense (0-500 TL).

Table 9. Means and standard deviations regarding the tendencies to go to the cinema and to watch television, of the individuals who participated in the survey by their place of accommodation.

Accommodation	Tendencies	Mean	Std. Deviation
With Family	LVC	3,4722	,50715
	LWT	2,7537	,58003
Dormitory	LVC	3,6904	,45229
	LWT	2,8936	,83023
Home	LVC	3,2569	,59815
	LWT	2,5901	,86662
Apartment/Hostel	LVC	3,3077	,66575
	LWT	2,6697	,61486

When Table 9 is examined, it is seen that among the individuals who participated in the survey, those accommodating in a house have the lowest mean tendency to go to the cinema and those accommodating in the dormitory have the highest level of the tendency to go to the cinema. The high tendency of the students living in the dormitory to go to the cinema can be explained by the fact that the dormitory

environment accommodates the conditions that prevent watching movies alone and perhaps, that the students regard going to the cinema as one of the means of changing the environment by moving away from the crowded environment. When the mean tendencies of watching television are observed, it is seen that the lowest mean tendency is of those accommodating in a house.

The results of the multiple correspondence analyses performed to reveal the relationships among the categorical variables addressed in the study are given in Figure 1 and Figure 2.

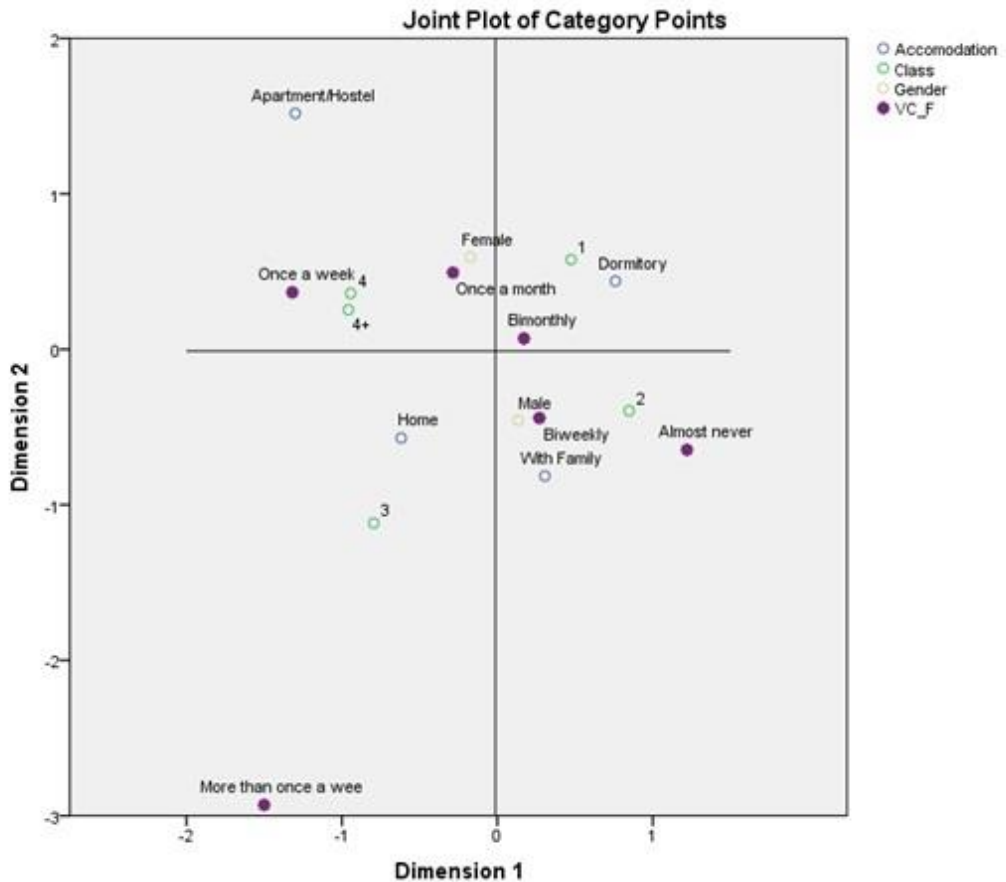


Figure 1. The results of the multiple correspondence analysis

regarding the frequency of going to the cinema and other demographic variables

When Figure 1, which includes students' place of accommodation, academic standing, gender and the frequency of going to the cinema, is examined the first dimension has 38.529% explanatory power and the second dimension has 37.968% explanatory

power. Thus, the two dimensions in total reached to the explanatory power of 76.497%.

Among the ones in the fourth-year and above, those who go to the cinema once a week are usually female students staying in a hostel. In this context, it can be said that female students take going to the cinema more seriously as an occupation than men. The conditions of the hostel, which is crowded and not suitable for watching cinema movies, also requires this situation.

It is seen that those who go to the cinema more than once a week are usually male third-year students living in a house and that those who go every two months are usually first-year students living in dormitories. Certain factors can be said to have influences here, such that students need to do more readings because of the theoretical courses in the CTV department curricula, that they cannot immediately adapt to the university and dormitory environment, and that the movie-watching awareness is not fully developed yet.

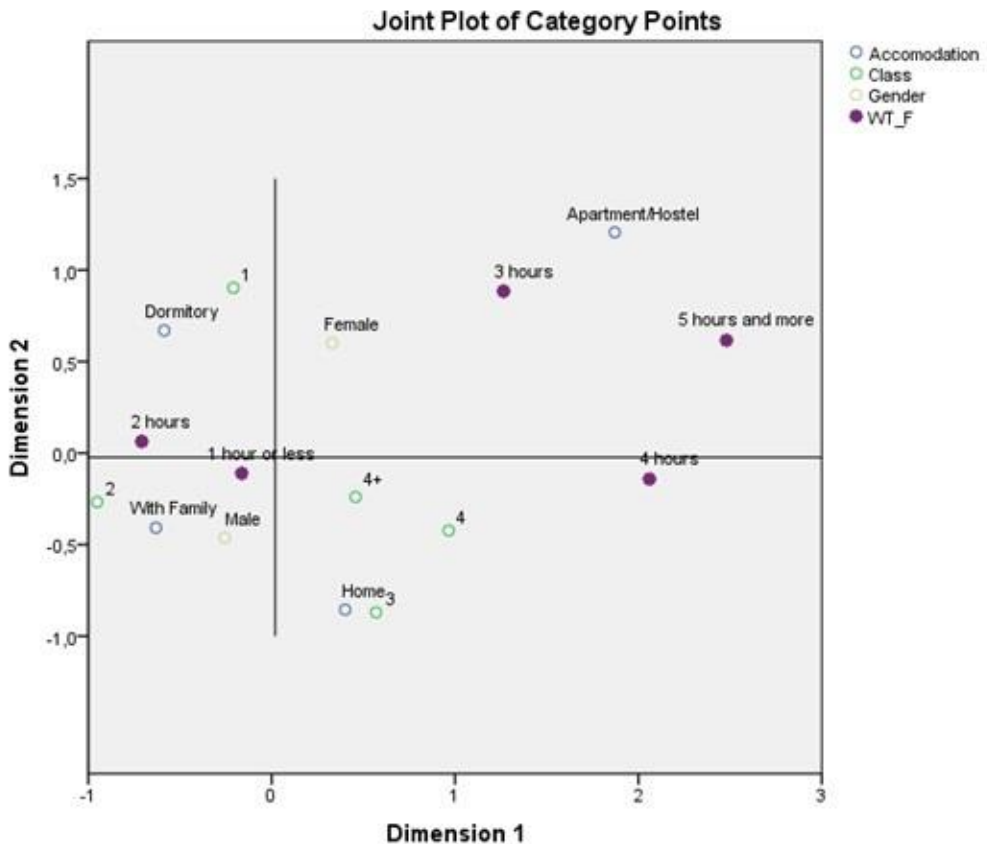


Figure 2. The results of the multiple correspondence analysis

regarding the frequency of watching television and other demographic variables

When Figure 2, which includes students' place of accommodation, academic standing, gender and the frequency of going to the cinema, is examined the first dimension has 38.654% explanatory power and the second dimension has 35.522% explanatory power. Thus, the two dimensions in total reached to the explanatory power of %74.176.

It is seen that the second-year students living with their family usually watch television for 1 hour or less a day; that the second-year students living with their family but have the possibility of staying in dormitories, usually watch television for 2 hours. Therefore, it can be said that both the crowdedness of the environment and the insufficiency of the number of televisions lead to this situation, regardless of whether the student lives with family members or in dormitories.

The students who watch television for 3-5 hours are generally fourth-year and above students and mostly female students living in the apart-hotels and hostels. Because, it can be said that, despite having professional CTV education, the students reach the awareness that they need to watch plenty of movies, only when they came to the third and fourth year. Multiple correspondence analyses shows that female students watch more television during the day than male students, as previously mentioned in Table 3.

Results and Conclusion

There are some similar studies, which measure and determine the peoples' tendencies of going cinema and watching television in different socio-demographical and professional groups. Besides those studies, being the first study on CTV students is the importance of this study.

Based on the assumption that the students of AKU CTV Department should have a special interest in their field of education, the tendencies to go to the cinema and watch television, which are among the activities that aforesaid students supposed to allocate time, were accentuated.

When the frequency of going to the cinema is examined, it observed that even the student studying in this field refrain from watching the movie films at the movie theaters. The proportion of students who go to the cinema once or more than once a week is very low. It is possible to relate this situation to the following conditions:

The fact that AKU CTV Department students who gained the right to study with the central placement system without any special talent examination are refrained from investing in this field as they lack sufficient interest in their field of education,

That they cannot appreciate the importance of watching movies in terms of their professional development,

The intensity of their courses and assignments,

The high prices of cinema tickets,

In consequence of Afyonkarahisar province being a provincial city, insufficiency of the number of movie theaters and of the diversity of the released movies.

It can be said that one of the most important factors that affect the frequency of going to the cinema and of watching television is the increase in the students' level of using the Internet and social media channels. As a matter of fact, it is seen that almost all of the students benefit from the Internet for the purpose of watching movies and television programs. Besides, social media channels such as Facebook, Twitter, Instagram, etc., a wide range of mobile applications and other facilities offered by the Internet also distract students from the acts of watching TV and going to the movie theaters.

It is seen that among the students, those who show the tendency to watch television most are the first-year students. Various socio-cultural factors can be said to be effective on this result. Among these, it can be thought that factors such as not being able to make enough friends as a first-year student and not having enough knowledge about the social facilities offered by the city, cause the students to tend to watch more television, as a means for socialization and escape in the first year. It is also obvious that since the first-year students have not been sufficiently mastered their field of education in their first year, their previously formed habits direct them to watch the popular movies (blockbusters) released in the movie theaters. Over the years, students who have increased their knowledge and their level of awareness about cinematographic elements as well as about the world cinema become more selective and thus are less likely to go to the cinema.

On the other hand, it can be said that by the impact of the courses taken in the field of television extending to years, television watching rates of students have increased as a result of their reaching a certain level of awareness in the advancing years.

Although the monthly average expenses of the students who participated in the survey increase, their average tendency to go to the cinema decreases with each passing year. The decrease in the tendency to go to the cinema observed in the students who have a high monthly average expense among the students who receive professional STV education can be explained by the fact that the primary movies required to be watched are found in digital media such as the Internet, DVD, VCD, etc., rather than in movie theaters. It can also be thought that students with a high monthly average expense spend on increasing their internet quota and/or obtaining their own pieces of equipment (camera, video camera, tripod, microphone, voice recorder, etc.) instead of on going to the movie theater.

On the other hand, the mean television watching tendency is observed to be highest in the students with the lowest monthly average expense (0-500 TL). Indeed, the act of watching television is an activity that does not require paying extra sums under normal conditions (unless the membership to a digital platform is present). Assuming

that the monthly average expense level is proportional to the income, the students who have the lowest monthly average expense fulfill their movie watching needs at home, in the dormitory, etc., mostly through wireless connections in the places.

It is seen that among the individuals who participated in the survey, those accommodating in a house have the lowest mean tendency to go to the cinema and those accommodating in the dormitory have the mean tendency to go to the cinema at the highest level. When this situation is evaluated, it can be said that the archives of the students in their memory sticks, the websites which provide the opportunity to watch movies directly on the Internet and the digital platforms such as Netflix, BluTV, Puhu TV offer a much more comfortable cinema movie experience at home. Because the home environment which is more suitable for watching a movie at the desired time, in the desired location and, if desired several times in a row, provides great comfort, as compared with the dormitories, hostels and living with the family.

When the mean tendencies of watching television are observed, it is seen that the lowest mean tendency is of those accommodating in a house. The most important reason for this is that they run out of time for watching television after the works required by the domestic life (cooking, dishwashing, laundry and so on) besides studying. The home environment contains different areas of socialization and pastime for students apart from watching television which can be said to cause students living in houses to watch less television.

Among the ones in the fourth-year and above, those who go to the cinema once a week are usually female students staying in a hostel. Those who go to the cinema more than once a week, are usually the male third-year students living in houses and those who go every two months are the first-year students living in dormitories. It is seen that the second-year students living with their family usually watch television for 1 hour or less a day; that the second-year students living with their family but have the possibility of staying in dormitories, usually watch television for 2 hours.

Students watching television for 3-5 hours are usually the fourth-year and above students and mostly females staying in the apart-hotels and the hostels. On the other hand, female students watch more television during the day than male students. Although the fact that female students watch relatively more television can be interpreted in the framework of the own dynamics of Afyonkarahisar province, which is still under development in terms of social and cultural aspects, it is also possible to say that various entertainment and competition programs, especially domestic series published outside of course hours, are more prevalently followed by female students. The fact that male students are watching less television can be explained by the fact that programs intended for males are relatively less frequent on television screens and thus that male students have a high probability of being interested in different hobbies and occupations.

References

- [1] AbdiH., and Valentin D. (2007). Multiple Correspondence Analysis, in Neil Salkind (Ed.). *Encyclopedia of Measurement and Statistics*. Thousand Oaks (CA): Sage Publications..
- [2] Aydođan, F. (2004). *Düşlerimizi Artık Televizyon Kuruyor, Medya ve Popüler Kültür Üzerine Yazılar*. İstanbul: MediaCatAkademi.
- [3] Barwise, P. and Ehrenberg, A. (1988). *Television and Its Audience*. London: SAGE Publications.
- [4] ErdemirGöze, F. (2015). *Televizyon İmgesine Sinema Perdesinden Bakmak*. Ankara: Nobel AkademikYayıncılık.
- [5] Erdođan, İ. ve Alemdar, K. (1990). *İletişim ve Toplum Kitle İletişim Kuramları Tutucu ve Deđişimci Yaklaşımlar*, Ankara: BilgiYayınevi.
- [6] Hall, S. (1996). Technics of the Medium. J. Corner ve S. Harvey (Edit.). *Television Times A Reader*. London: Arnold, pp. 3-10.
- [7] Hansen, M. (2012). Erken Dönem Sinema: Kimin Kamusal Alanı?, M. İri (der.), Bir Film İzlemek: Pop Kültürü Sökmek, İstanbul: Derin Yayınları, pp. 97- 124.
- [8] Hasrul & Jamaluddin (2014). Filem Dan Revolusi Teknologi: Persepsi Penggunaan Cgi Dari Aspek Estetik & Kreativiti. *Jurnal Komunikasi Malaysian, Journal of Communication*. 30, pp. 95-106.
- [9] Kirel, S. (2010). *Kültürel Çalışmalar ve Sinema*, İstanbul: Kırmızıkeci Yayınları.
- [10] Kirel, S. (2015). Seyir ve Deneyim Açısından Sinema Salonu Nasıl Bir Yerdir?, A. Oluk Ersümer (der.), *Sinema Neyi Anlatır*, İstanbul: Hayalperest Yayınları, pp. 207-245.
- [11] Lembo R. (2007). Components of a Viewing Culture. H. Newcomb (Edit.). *Television The Critical View*. New York: Oxford University Press, pp. 455-470.
- [12] Mayne, J. (1993). *Cinema and Spectatorship*. London, New York: Routledge.
- [13] McQuail, D. (2010). *McQuail's Mass Communication Theory*. London: Sage Publications.
- [14] Michael Greenacre M. and Blasius J. (2006). *Multiple Correspondence Analysis and Related Methods*, New York: Chapman and Hall.
- [15] Postman, N. and Paglia, C. (2011). İki Kültür-Basımcılığa Karşı Televizyon. D. Crowley ve P. Heyer. B. Ersöz (Çev.) *İletişim Tarihi, Teknoloji, Kültür, Toplum*. Ankara: Siyasal Kitabevi, pp. 420-435.

- [16] Severin, Werner, J. ve Tankard, James Wr. (1994). *İletişim Kuramları (Kökenleri, Yöntemleri ve Kitle İletişim Araçlarında Kullanımları)*, Çev: Ali Atıf Bir ve Serdar Sever, Eskişehir: Kibele Sanat Merkezi.
- [17] Srivinas, L. (2002). The Active Audience: Spectatorship, Social Relations and the Experience of Cinema in India. *Media, Culture & Society*. 24(2), London: Sage Publications, pp. 155-173.
- [18] Tenenhaus M., and Young F.W. (1985), An Analysis And Synthesis Of Multiple Correspondence Analysis, Optimal Scaling, Dual Scaling, Homogeneity Analysis And Other Methods For Quantifying Categorical Multivariate Data, *Psychometrika*, Vol 50, No. 1, pp. 91-119.
- [19] Yelland, P. M. (2010). An Introduction to Correspondence Analysis, *The Mathematica Journal* 12, Wolfram Media, Inc., pp.1-23.
- [20] Yousry, Mustafa M. (2009). Going to the Movies: An Investigation of Factors Influencing Egyptian Audiences' Movies Choices. http://offscreen.com/view/going_to_the_movies, Date of Access: 20.06.2018.

New Frontiers, New Actors, New Rules: Global Commons, Human Rights, Business. How to Improve Judicial Cooperation and International Development

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Laura Guercio

Abstract

The state of international relations and the effort of international public actors and non-state entities to adopt new rules to govern their relationships by balancing human rights protection, human development and economic business growth is at stake. The creation of new legal frameworks to introduce innovative concepts and to regulate the interaction among traditional and innovative actors is not an easy task: it demands from States and International Organizations a proper determination and patience to preserve original legal features while advancing different notions and operational tools to found special regimes and disciplines which could be mutually and complementary reinforcing. The contribution aims at debating legal concepts, different stakeholders, renewed procedures that have emerged in the global scenario and that need for appropriate and applicable international rules for a challenging governance.

Keywords: global commons; business; development; human rights; judicial cooperation

Introduction

Global commons: for a (consolidated?) definition of the concept

The term 'global commons' is inherently connected with the legal notion of the governance upon all the areas and resources that are placed beyond the sovereignty of the State and not subject to the national jurisdiction of a certain State.

Its meaning is intended to extend the exercise of the governance in a shared perspective, i.e. to assign to the international community as a whole the control over these areas and to preserve the freedom of access and the use of the resources contained therein for the benefit of all peoples.

Traditionally the 'commons' were identified with resources held in common and jointly exploited by a local community, assumed that all the members have equal property rights in that respect and could exploit these resources to gain proper

economic advantages. All the decisions about this resources' domain, composed of common pool resources, must be adopted by the aforementioned members, avoiding any exclusive property title on them.

By refining the original meaning, the 'commons' have been referred to the material notion of 'goods': the obligation to control and to protect the property as well as all the benefits descending from its use and exploitation could be associated only with territorial accessible areas and resources.

In translating the concept from the national to the international setting the struggle among States to expand their power and to exercise their jurisdiction in areas beyond their sovereignty was at the core of the elaboration of the best doctrine on the idea of *mare liberum* of Grotius.

The principle that lies behind the Grotius idea on *mare liberum* consists of an original legal distinction among the categories of no one property (*res nullius*), of the common possession (*res communis*) and of the public/State property (*res publica*). Beyond this categorization, the freedom of access to the sea and the exploitation of its resources to gain benefit for all peoples is the key element to create a new classification including the common properties whereas no specific property law is in force: in these circumstances the natural law governs the management of things that are shared in a community without any kind of sovereignty over natural resources. According to Grotius reasoning, at the beginning the concept of common property avoids any form of physical delimitation or boundary as well as any contractual rules providing for trade exchange following the exploitation of common resources. Afterwards, through their shared use and the possibility to put them at risk of unfitting or over-exploitation, the common property concept has encompassed a further distinction: from one side the occupation title could not be applied on areas that cannot be the property of individual or collective owners; on the other side common resources are naturally be put under the property of one owner but, at the same time, could benefit also other persons and all users are required to preserve them so far granting access for all those ones who potentially are in conditions to use them.

The common property category proposed by Grotius might be exemplified by referring to the existence of a twofold component: the natural use and the public utility of the resource, respectively by and in favour of the community and its members. If we apply this doctrine to the international legal system, as Grotius has done in his times, we could mention several samples of common properties such as the outer space or the high seas: the impossibility to be susceptible of occupation, their adaptability in terms of access and exploitation, their common use for producing benefits to all peoples confirm us the rightness of Grotius idea of categorization also in the contemporary global scenario.

Indeed the inoccupation of these areas by nature or on grounds of public utility has led to significant paths of exploration and to the drafting and adoption of common rules – *rectius* special international regimes – excluding any right of public or private ownership beyond the national jurisdictions.

Conversely the Grotius doctrine has informed the elaboration of extensive regulations to oblige namely public actors – States and International Organizations – to not claim any property right but to protect natural resources in the abovementioned areas: the increasing number of potential users putting at risk the preservation of common goods and resources has not been translated into strict norms negatively impacting on the access and the use of such areas but into a renewed meaning of the concept of ‘global commons’ supporting the principle of freedom of access and use but also of highly protection of the resources contained therein.

As above reminded also the economic and trade component has reflected new necessities of global users in respect of the proper sustainable use of common resources. In other terms national and international policies in the field of the environment could not be defined and implemented autonomously from economic and trade planning. This has been an essential precondition to promote the drafting of international legal standards and instruments taking into account multiple factors, so far excluding any property right claim but also recalling that all natural resources are part of the humankind heritage both in current and future times and that all members of the international community are recommended to put their particular interests aside and to promote the preservation of commons at their best.

If we try to apply this consideration to the original Grotius doctrine, it’s true that the principle of the *mare liberum* and of all similar areas beyond national jurisdictions has proved to be critically accomplished in respect of complementary but opposing factors. Outer spaces and planets, high seas, polar regions have a proper legal nature of global commons: it is out of questioning. So far the impracticality to exercise an effective control over these territories entails the unfeasibility to claim any kind of jurisdiction on them. Nevertheless, due to relevant technological improvements as for scientific research in such areas, their access and use has been inspired by the principle of ‘first come, first served’: this meant and means at present that the global commons could not be considered as totally ‘free’ areas. Even if industrialised and technologically advanced countries and well as private actors which invest in this field could take a great advantage in accessing and exploiting the resources in these areas, however new rules governing international cooperation and special legal regimes for the protection of natural wealth and resources beyond the limits of national jurisdictions have been sponsored by developing countries. These rules have surely updated the Grotius doctrine and have provided for a renewed meaning of the global commons in the current global scenario.

Moving from this consideration, it’s evident that the traditional definition of the concept of ‘global commons’ is partially consolidated. Apart from the global natural

asset, the environmental and economic functions performed by some commons in favour of all peoples are undoubtable and have informed the drafting or the re-elaboration of international legal standards to be translated and implemented at the national level by States. The results could be simplified by mentioning the following general legal categories: natural resources fully under the national jurisdiction of one State; natural resources shared by two or more States; natural resources located beyond the limits of national jurisdictions, i.e. in international areas so out of any State control.

As for the third category, we can assume that 'global commons' could be included in, also attempting to review the Grotius idea by introducing the principle of the common property to testing new legal features, rights and duties on behalf of public and private actors in the global scenario. The linkage with human rights of individuals and peoples to reinforce the judicial cooperation to prevent and to punish violations and to support new development cooperation lines is the natural consequence of the application of the Grotius approach in contemporary times.

Human rights generations: evolution and doubts

Before analyzing the specific subject of this work, some considerations on the theory of human rights generations are necessary.

Generational classifications of human rights are currently legion in international legal scholarship: institutions, judges and scholars specialise in them and invoke them continuously. Less common are explanations of what actually is meant when we speak of human rights in generational terms.

The division of human rights into generations, initially proposed in 1979 by Karel Vasak, provided firstly the following classification: the first generation concerns civil and political rights, enshrined in the International Covenant on Civil and Political Rights (ICCPR); the second generation concerns economic, social and cultural rights, specifically those enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR); and finally, the third generation, reflected in different specific instruments, mainly General Assembly declarations, refers to what Vasak called 'solidarity rights', which include the right to development, the right of self-determination, minority rights, the right to peace and the right to ownership of the common heritage of mankind (Vasak 1977). More recently, the proposal has also been made to add a fourth generation of human rights comprising the rights connected with information technology and the right to sustainable development of the future generations. According to the universally recognized principle of social equity the future generations are entitled to find at their birth a friendly environment and sufficient resources for development.

This classification raises some considerations. Certainly no denies the predetermined rights. The question does not involve them, but their classification. Without going into the deep analysis of this theory, on which scholars have already widely written, there

are some questions that deserve reflection. Is “generation” accurate when describing categories of human rights? Do ‘generations’ refer to temporal differences regarding the rise of different human rights in international law? Or do they refer to the opportunity that certain kinds of rights can have a prior protection over other kinds of rights? But basically, the main questions concern the opportunity of this description: is the term “generation” accurate when describing categories of human rights? Is understanding human rights in international law in terms of generations historically, chronological or analytical correct ?

On an historical approach, Vasak himself describes that the generational conception of human rights came into existence in different ‘waves’ throughout history. The first wave, which accompanied the French revolution, gave rise to the generation of civil and political rights. With the second wave, after the Russian revolution of 1917, economic, social and cultural rights gained universal recognition. The third wave accompanied ‘the emancipation of colonised and dominated peoples’ in the middle of the 20th century. Other scholars consider different events to describe the generational waves (Headley 2008, Moyn 2010, Hoffmann 2010, Martines 2012).

Some doubts emerge on the generational theory based on an historical approach. Recalling events prior to the 20th century to classify a chronology of international human rights confuses the origins with their legal existence, as the historic chronology of human rights generations does not correspond to the history of human rights in international law. But this consideration does not exclude the possibility of a chronological account of their international legal status.

Human rights received formal expression in 1948, with the adoption of the Universal Declaration of Human Rights (UDHR) which is not only a list of human rights: even if questioned by some no western countries, it is the first legal complete recognition of the inherent human dignity and of the equal and inalienable rights of all individuals. It enshrines civil and political rights at the same time as the social, economic and cultural rights, rendering suspect the claim that first-generation rights chronologically preceded second-generation and, also, third generation rights. As Fausto Pocar quotes, in the context of UDHR “the rights of the so-called first and second generations are expressly and simultaneously listed in the document, while the so called third generation rights, although not expressly described in a detailed text, may largely, and perhaps entirely, find their recognition under the general provision in Article 28. This Article states that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized” (Pocar 2015).

One comes to the same conclusions sharing the positivistic idea, underlined by Patrick Macklem, that human rights first appeared in international law in 1976, when the ICCPR and the ICESCR entered into force. Even in this case, as the Scholar quotes, a chronological explanation of the three classes of rights is erroneous. First and second-generations of human rights received international legal existence simultaneously

also with some of the rights of third generation (Macklem 2015): for example, the right of self-determination, considered of third generation, was formally recognised as a human right by the International Court of Justice just one year before the two Covenants came into force (*Western Sahara* (Advisory Opinion) ICJ Reports (1975).

The result is that however accurate such chronological descriptions of human rights may be, they fail in the description of a sequential generation of human rights.

Even if one considers the human rights generations as analytical instead of chronological categories, some doubts remain. Vasak himself distinguishes a human right connected to a particular generation of rights because of distinctive properties that it possesses, specifically in terms of the obligations they generate and on whom their obligations fall. He considers civil and political rights “as their respect requires that the state do nothing to interfere with individual liberties” (Vasak 1977). Social, economic and cultural rights, in contrast, require “positive action by the state to be implemented” (ibidem). Unlike first and second generation rights, third-generation rights, because they “reflect a certain conception of community life, ... can only be implemented by the combined efforts of everyone: individuals, states and other bodies, as well as public and private institutions” (ibidem).

Contrary to this analytical division between positive and negative rights, all rights—civil, political, social or economic—give rise to both positive and negative State obligations to protect certain interests and not others. Also, the so-called third-generation rights have negative and positive dimensions: for example, the right to development imposes internal negative and positive obligations on States. Another way of understanding generations in analytical terms is to highlight a conceptual sequencing of types of human rights: that means that civil and political rights can be thought of as conceptually prior to social and economic rights, because civil and political rights establish the legal and political standing of those entitled to exercise and enjoy social and economic rights. But also this explanation risks to fail: social and economic rights can just as easily be comprehended as conceptually prior to civil and political rights: these last rights are practically meaningless if a person cannot satisfy his or her most basic needs in life.

Then, in conclusion, is it appropriate to talk about human rights generations? There is no doubt that different human rights seek to protect different kinds of interests that require different means of protection. In such a sense, a categorization of human rights makes sense. But a generational classification of them, whether chronological or analytical, risks to fail to appreciate what is common to all human rights in international law: their common nature and their common purpose. Understanding classes of rights as conceptual sequences must confront a foundational commitment in international human rights law to the concept of indivisibility that first explicitly surfaced in the Proclamation of Tehran in the International Conference on Human Rights held on 22 April-13 May 1968. Indivisibility, interdependency and interrelatedness of human rights is beyond argument. As an umbrella concept,

indivisibility advocates that the realisation of each right is necessary to the realisation of all others for the final common purpose to mitigate injustices. For this reason, civil and political rights, social, economic and cultural rights, as well those thought of as third-generations or, currently, also fourth- generation rights, comprise but one a single population of rights, dialoguing with the structure and operation of international law.

For a revitalisation of the debate about new actors on the global setting: public and private stakeholders along the international legal perspective

The global setting has always seen States as key actors that are called to debate, draft and adopt international standards and rules to implement policies and measures impacting on their domestic legal frameworks.

The original state-centric perspective has been made more complex and dynamic in terms of global governance when non-state actors have appeared on the scene: this has had a great impact on the identification of common features or, conversely, on the opportunity to change models and forms of institutionalized settings and practices to be adapted to the newcomers.

In this context two issues need to be explored that have informed the recent revitalisation of the debate about the relationship between state and non-state actors: the different legal nature of private actors and their role and activities within the international framework in compliance with standards and rules in force; the nature of the relationship between public and private actors in defining and adopting new forms of joint governance to protect human rights and to promote the human development at large.

About the first point under consideration the compression of the role of States and International Organizations in rules' drafting through an appropriate use of their technical knowledge and the availability of financial resources has called for complex and hard regulatory issues entailing the involvement of non-state actors. Indeed the challenge of the global regulation has encompassed not a State capitulation but a reassertion of public actors in rule-making and decision-making: institutional authorities have decided to impose renewed rules upon private actors when both have common interests to be accomplished; alternatively they have proposed to private actors to work together to gain the same goal but also achieving proper comparative advantages.

In both cases a good compromise that could satisfy public and private actors is to create a joint or hybrid governance model, whose main features are: the clarity about roles and gaming rules, the procedural transparency and the opportunity to broaden the number of partners involved in the rule-making process. This model is based on the complementarity of functions ascribed to public and private actors: the first ones are requested to define some relevant criteria and ad hoc details for drafting rules and facilitating their full implementation at the national and international level; the

latter ones have a supporting role in providing key services as far as the compliance at national and local level, the real legitimacy of the institutional governance, some logistic and financial assistance to enable the rule-making process.

The power of private rule-makers could be expanded over times: they are very close to peoples' preferences which could strongly influence the contents of key policies and at the same time they are able to perceive if these preferences are favourable also for their proper economic interests. On a general note, it's often true that private rule-makers have a longstanding technical knowledge and experience that could help in planning medium and long term policies and measures: but they must be confronted with public actors to fully understand the regulatory setting in force and to propose potential amendments to ensure a stronger compliance with international legal standards. Meanwhile the opportunity to support the rule-making process but also to be included as direct recipients of the legal results, i.e. national and international standards and rules, could be noticed as a robust limitation for the activities of private actors on the global scene. This increasing legal return could also encompass new competitors which have diverging interests from the private actors supporting the rule-making process and that hope to be part of the process itself as supporters.

For the last reason private stakeholders involved in such processes must always take into account to strengthen their power and influence as well as their technical knowledge to impact on their rulemaking capability in relation to institutional and public actors. This means for them: to be enough aware about the dynamicity of the international scenario and of international standards and rules as translated and implemented in national legal frameworks; to know which are the vulnerabilities and the practical limitations of the public capabilities to let private actors to expand their role and support; and to have clear ideas about the challenge of matching the private rule-making with public policy goals.

If we deserve our attention on potential renewed relationships between International Organizations and private actors, it is clear that political, social and economic changes have pushed for a new approach: it is based again on the failure of the traditional state-centric model, also within the proper International Organization scheme, so far encouraging private actors to be more evident and to interact with the IOs membership in a different manner.

Since the launch in June 2000 of the UN Global Compact, private actors – in this case business companies – have dealt with significant challenges in order to align their strategic priorities and working mechanisms with the ten universal principles contained therein and aimed at improving politically and operationally the cooperation between the UN Member States and private partners.

Following this first occasional contact, the public-private dialogue has been pursued and increased in a more coordinated manner with concrete double efforts from both sides. There have been several reasons for achieving this common aim: the global

dimension of business and, so far, the role of business companies in defining new criteria and parameters for reinforcing the IOs global governance; the financial availability of private actors and the potentiality of increased investments in key-development sectors; the respect of international standards and principles, such as corporate sustainability performance and operational transparency.

Moreover the IO has linked non-traditional financial issues with market potential of business companies in the environmental, social and governance domains, so far aiming at finding valuable private partners for exploring new international partnership opportunities. This approach has covered also the drafting of new dialogue models, calling private actors for their experiences in the field of fund-raising, for the evaluation and adaption of international soft law standards to IOs membership, for improving due diligence and integrity measures within the IOs framework, for a concrete structural engagement with the private sector at large.

Along the aforementioned considerations the basics of parallel interactions among States, International Organizations and private actors are driven by a dynamic interplay of political, economic and institutional changes concerning these three players on the global scene. If the first two ones have partially changed their operational approach while always working for the achievement of economic and social progress and development both at the bilateral and multilateral level, the latter ones have been the most exposed to test their capabilities vis-à-vis the key-issues of the current global agenda, i.e. environmental protection, human rights, social inclusion and good governance.

If we focus now on the nature of the relationship between public and private actors, the conceptual viewpoint is that the relationship between public (States and International Organizations) and private actors is merely described as public-private partnership (PPP). But the terminology needs to be explored and adapted to several contexts.

Apart from theoretical categories of possible relationships which assign to public and private actors codified and hierarchical roles such as “private self-governance in the shadow of hierarchy”, “delegation to private actors”, “co-governance of public and private actors” and “consultation and co-option of private actors”, we could find some guiding principles that inform the PPP.

Firstly the engagement of private actors should be driven by public actors in a coherent, enabling and empowering manner; secondly it should be inspired by a concrete realism about common opportunities and benefits, assumed that both public and private actors are equally motivated and committed to responsible practices being encouraged through successful partnerships; thirdly, private actors should move from a cloistered original business approach to more strategic and transformational attitudes for building an effective PPP.

Furthermore the PPP should be based on a common understanding of at least two key values: respect and support. Public and private actors are requested to not harm and to not abide international legal standards. At the same time they are called to define shared opportunities for action, collaboration and mutual engagement, by identifying risks and negative impacts and provide for practical solutions. Above all, due to global political and economic openness, PPPs should pursue the common goal of serving the public good: this means that, if it's true that public and private goals are intrinsically overlapped, the classic global issues are interrelated with business and this demands for co-power, co-responsibility, co-adaptation of strategies and operations, exploring the potential of the PPP.

To leverage this advantage and to unlock the functionality of the PPP, a new template for networked public-private governance could be explored to achieve greater stability, stronger cooperation, higher protection of human rights, effective environmental safeguarding, concrete rule of law and good governance. The template could be tabled by translating some rules of the private governance into the global public setting, without attempting to traditional governing principles of the State but responding to the challenges of the globalization and to different categories of actors and rules to be composed in a multi-actoral and multi-sectoral framework. This template proposal should also encompass a new kind of communication among concerned actors, inspired by common formal rules beyond traditional boundaries. In other terms the template will try to solve typical problems of public and private actors within their specifically defined and functionally distinct frameworks and could be considered as a new model of coordinated meta-governance for better performing of the PPP.

Within the political and economic global arena this will promote different opportunities to renovate the potential of the public-private relations and partnerships.

The core of this common route will depend upon a mix of institutional networking to find innovative forms of state and non-state actors governance through: rule-making and global agenda setting; political challenges and trends along the lines of an inventive multilateralism based on an extended engagement of private actors; economic and trade developments as a field where cooperation with the private sector could be positively explored and encouraged in compliance with corporate social responsibility standards.

The institutional and political engagement of private actors has been represented by the permanent dialogue with traditional actors at the international level in order to mobilize the contribution of business to support the achievement of global public policies' goals.

This led to a sort of legitimacy of private actors to reflect over the opportunity to regulate their activities through the rules in force for States and International

Organizations: even if the contribution from business companies to draft a legal binding instruments covering the issue of monitoring and assessment of human rights international compliance is at present an on-going process, the idea to build a soft law consensual conceptual framework addressed to all the above mentioned categories to drive them for the application of human rights standards has been translated into the elaboration and adoption in 2011 of the UN Guiding Principles on Business and Human Rights.

The demand for a targeted action to deal with broader economic and trade challenges has been another setting to test the capabilities of the private actors: greater investments as well as the establishment of global value chains worldwide required governmental support well beyond traditional geographic boundaries and entered into a global public domain which falls under the double competence of States and International Organizations, ranging from education and health to trade investments and environmental policies. Such conditions have called for differentiated but complementary responsibilities on behalf of States, International Organizations and private actors/business companies-transnational corporations: they are requested to act in compliance with corporate sustainability and responsibility principles whenever they operate individually or jointly at the international, national, and local level. If they do not miss to work transparently and grant full access to information, the disclosure approach on governance, social and environmental issues will pave the way for a fruitful and constructive engagement in both easy and difficult settings to deal with challenging issues such as child labour, gender equality, climate adaptation, water scarcity, corruption. In this way the sharing of universal principles and common values is evidently the right cooperative methodology to gain long-term results to be assessed in financial, social, environmental and ethical terms.

The business model and action within the multilateral framework

Before going forward on the analysis of the subject of this work, it seems necessary to dwell on a question: does the current business model fit with the existing multilateral framework that is supposed to develop an equal economic system?

Founders of the post-war international economic system knew the importance of multilateralism. They had all experienced the enormous cost of individual actions taken outside a multilateral framework in the 1930s. Governments, struggling to offset the impact of the Great Depression, adopted measures that were designed to export their problems but that could only succeed if other countries did not take similar measures. Then, it was clear that if trade and capital flows take place on a multilateral framework, economy enhances efficiency and increases competition. It was understood that the multilateral track is fairer given that it encompasses a wide diversity of strong and weak, big and small, economies: it provides a stable and predictable environment to a maximum number of operators. It is more resilient because it is organized to deliver what is expected from a regulatory system: negotiate the rules; monitor their implementation; and settle disputes when they arise.

Since then, the international economy has prospered over the past few years. World real GDP has grown and the world is a far more affluent place than it was a half century ago: living standards, measured by indicators such as life expectancy, infant mortality, nutritional status, and literacy, have all improved. But, beneath the surface, there are causes for concern. There are three major, related factors that give rise to worry. The first one is the increased reliance on preferential arrangements, with their implied discrimination. The second is that private capital flows do not yet fall into any coherent multilateral regime. The third is the increasing tendency, for individual countries, to place emphasis on their own position vis-à-vis the system without considering how outcomes may weaken the institutional underpinning and the international governance of the current multiculturalism framework. These three aspects risk to contrast an equal worldwide economic development in a multilateral framework, where multilateralism is, as Robert Keohane defines, "the practice of coordinating national policies in groups of more states" (Keohane 1990). The consequence is that some parts of the world continue to fail to share in the gains.

These problems need to be addressed by enforcing legal instruments and international institutions inside a multilateral system.

Since the 1947 creation of the General Agreement on Tariffs and Trade (GATT), which in 1994 was converted into the World Trade Organization (WTO), the number of member countries has grown to exceed 160. This illustrates that there is an international interest for building international trading rules along the multilateral track.

But still some of the rules of trade remain unbalanced against developing countries. This is not the place to analyze all the economic imbalances in the world. What is important is to underline that some current principles of the multilateral system have to be readjusted in order to factor in the new strength of emerging countries. Some of the WTO disciplines remain too weak to properly level the playing field in an international economy which has globalized rapidly in recent decades, subsidies being a case in point. The relative importance of obstacles to trade is changing because of factors such as e-commerce and non-tariff measures. ^[1]_[SEP]

To address these various weaknesses and to consolidate the multilateral system, one should launch a major initiative to update the multilateral rules book and modernize the organization that should include a thorough review of the basic principle that has underpinned the WTO - the reciprocity between developed countries and "special and differential treatment" in favor of poorer countries: whereas this principle made sense a few decades ago, the emergence of major developing countries, starting with China, has created a new "in-between" class, which needs to be recognized and organized.

We see a pressing need for greatly expanded support for a well-defined set of global public goods where the multilateralism institutions, and particularly the World Bank,

should be contributing given their sectoral and financial capabilities: climate change, agriculture, health, and data relevant for development policies and programs. With greater global integration, developing countries face increasing risks over which they have little or no control, and which no one country, rich or poor, has the incentive to tackle alone.

The World Bank is particularly well suited for raising and deploying financing models of development—at the political level in raising and acting as a reliable conduit for resources, and at the technical level in setting priorities for use of those resources and their allocation across needs. It does so in a spirit of cooperation with other international institutions as WHO, FAO, Green Climate Fund, and the regional Banks, especially in supporting the provision of regional public goods.

But it is clear that it is not sufficient without a long term agenda involving the responsibility of all countries. Global leaders have set ambitious social, economic and environmental goals in the form of the 2030 Agenda for Sustainable Development, the Paris Climate Agreement, and subsequent the Organisation for Economic Cooperation and Development (OECD) and G20 commitments in favor of open trade and investment.

Specifically, the OECD has developed deep knowledge on the value of trade through its analytical work, especially on Global Value Chains (GVCs), Trade in Value-Added (TiVA), and the Services Trade Restrictiveness Index (STRI). Its support will be essential in developing a renewed understanding of the benefits of trade and foreign direct investment (FDI). Trade is often blamed for negative impacts in national economies, due to the lack of flanking policies to support competitiveness and flexibility. In this sense, towards the 24th Conference of the Parties (COP24) in December 2018, the OECD is supposed to facilitate an exchange on market-oriented, cost-effective and competition enhancing national strategies for member countries.

Also, the OECD will be an important agent to further mobilize private sector support for the SDGs which come in to force on 1 January 2016 after being adopted by world leaders in September 2015 at an historic UN Summit. Over the next fifteen years, with these new goals that universally apply to all, countries will mobilize efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind. For a company, 17 goals and 169 targets can seem intimidating but companies need to be seriously addressing those goals and targets that are material to their business and where they have the biggest impact.

Business is moving fast on the implementation of the Sustainable Development Goals (SDGs). Many businesses are actively incorporating the SDG framework into their business models and reporting. This is because the SDGs not only identify where we have to be in 2030 to create a sustainable world: they also consider new markets and opportunities for companies all over the world, turning the global goals into local business.

5. International and national legal compliance: the access to remedy and the challenges of the judicial cooperation

Business enterprises can be easily involved with human rights abuse. Businesses can affect the entire spectrum of internationally recognised human rights – civil and political rights, as well as economic, social and cultural rights – for example, workers’ rights, the right to privacy, equality and non-discrimination, freedom of expression and the right to health. It can depend to the virtue of their activities and to their negative impacts on the social life. Although causing human rights abuse is considered a crime in most of the domestic jurisdictions, business enterprises are seldom the subject of law enforcement and criminal sanctions: yet private claims often fail to proceed to judgment and, where a legal remedy is obtained, it frequently does not meet the international standard of “adequate, effective and prompt reparation for harm suffered”, according to the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (adopted by General Assembly resolution 60/147, Article I.2 (b) and VII), and to international human rights law that stipulates the right to a fair trial and the right to an effective remedy – i.e. Article 8 of the Universal Declaration of Human Rights, Article 2 (3) of the International Covenant on Civil and Political Rights (ICCPR), Articles 6 and 13 of the European Convention on Human Rights (ECHR). Also European law provides, under Article 47 of the Charter, for access to justice, including legal aid to ensure that access is effective, when Member States act within the scope of EU law.

Subsequent interpretations have stressed the importance of making remedies accessible to persons in situations of vulnerability, such as Article 13 of the Convention on the Rights of Persons with Disabilities (CRPD) and the General Comments by the monitoring mechanism for the International Covenant on Economic, Social and Cultural Rights (ICESCR).

There are different means of achieving accountability and access to remedy in cases of business-related human rights abuses, including State-based non-judicial mechanisms and non-State complaint mechanisms, such as operational level grievance mechanisms. But among them, effective State-based judicial mechanisms “are at the core of ensuring access to remedy”, as the 2011 UN Guiding Principles on Business and Human Rights, Implementing the United Nations “Protect, Respect and Remedy” Framework (A/HRC/17/31) quote in Principle 27. The obligations of States with respect to this right have been reflected in the Guiding Principles on Business and Human Rights: Implementing the Protect, Respect and Remedy Framework in terms of a “State duty to protect” against business-related human rights abuses.

The question is that those seeking to use judicial mechanisms to obtain a remedy face persistent problems common to many jurisdictions: fragmented, poorly designed or incomplete legal regimes; lack of legal development; structural complexities within

business enterprises; problems in gaining access to sufficient funding for private law claims. This situation is particularly acute in cases involving gross human rights abuses and other particularly serious offenses – such as slavery, torture, extra-judicial killings, forced and child labour, and large-scale harm to human health and livelihoods. Companies can be involved either as offenders or by being complicit in such abuses.

The challenges of how to secure accountability and access to remedy for victims of business-related human rights are exacerbated in cross-border cases that have been put at the core of a renewed public and global discussion.

That is due also to the structure of business companies.

Business enterprises can take many legal and structural forms: they may be single corporate entities or a group of companies working together through relationships on the basis of shared ownership, or contract. According to the company law doctrine of “separate corporate personality”, recognized in most jurisdictions, each company has a separate existence from its owners. Consequently, a company, a parent company, that owns shares in another subsidiary company will not generally be legally responsible for acts, omissions or liabilities of that subsidiary merely on the basis of the shareholding. In other words the legal liability for human rights abuses of a subsidiary’s activities may not extend beyond the subsidiary itself.

The structure of business companies is not the only obstacle to an easy access to judicial remedies against human rights violations. While many domestic legal regimes focus primarily on within-territory business activities and impacts, the realities of global supply chains, cross-border trade, investment, communications and movement of people are placing new demands on domestic legal regimes. Cross-border cases pose particular challenges that can undermine effective cooperation: these challenges include a lack of information about how to make a request to agencies in other States, a lack of opportunities for cross-border consultation and coordination; a lack of resources needed to process requests in a timely manner; a lack of awareness of investigative standards in other States. The main question is the lack of clarity across jurisdictions about the roles and responsibilities of different interested States in cross-border cases create a significant risk that no action will be taken, leaving victims with no prospect of remedy.

Rectifying these deficiencies require concerted and multifaceted efforts from all States, including actions relating to law reform, law enforcement, and closer international cooperation. For this reasons, it is relevant to consider a range of bilateral and multilateral arrangements to support, facilitate and enable international cooperation with respect to legal assistance and enforcement of judgments in cross-border cases. States should work for both “vertical” and “horizontal” policy coherence in the development of laws and policies on business and human rights.

To elaborate further the responsibility of business to respect human rights, a number of instruments have been developed.

At the international level, the Office of the UN High Commissioner for Human Rights (OHCHR) has provided additional guidance and interpretative instruments, the Council of Europe has issued recommendations, the International Labour Organization (ILO), the Organisation for Economic Co-operation and Development (OECD) and the International Organization for Standardization (ISO) have also contributed significantly in establishing instruments and mechanisms related to business and human rights.

At the national level, the interlink between businesses and human rights has also received greater attention, with action plans, guidance and legislation aimed at mitigating any negative impact of business on human rights – or even stimulating positive impact.

Basically, two instruments are relevant. As already mentioned, the 2011 UN Guiding Principles is the first global framework that exclusively addresses business-related human rights abuses. Although not legally binding, they enjoy serve as a basis for policy approaches towards business and human rights; the 2016 Council of Europe Recommendation on human rights and business includes a particular focus on access to remedy. These instruments emphasize the importance of access to remedy in cases of business-related human rights abuse.

Besides the UN Guiding Principles, OHCHR issued in 2016 a comprehensive guidance dealing in particular with access to remedy, called the OHCHR Accountability and Remedy Project, the 2016 UN Guidance. This guidance concretely advises on which tools work well to implement the UN Guiding Principles.

Besides, according to the Recommendations of the 2016 OHCHR Report (A7HRC/32/19) “Member States should: (a) As part of their implementation of the “Access to remedy” pillar of the Guiding Principles, consider undertaking a review of the coverage and effectiveness of their domestic law regimes that regulate the respect by business enterprises of human rights, using the guidance in the annex to the present report as a starting point, with a view to (i) developing policies and legal reforms that respond more effectively to the practicalities of organization and management of business enterprises and which take into account the particular challenges arising from complex global supply chains; and (ii) improving the effectiveness of State-based judicial mechanisms as a means of delivering corporate accountability and remedy in cases of business-related human rights abuses; (b) Develop a comprehensive strategy for implementation of the guidance in a manner that responds appropriately to local legal structures, challenges and needs, for instance, as part of national action plans on business and human rights, and/or as part of strategies to improve access to justice generally; (c) Take steps, using the guidance, to improve the effectiveness of crossborder cooperation between State agencies and

judicial bodies, with respect to both public and private law enforcement of domestic legal regimes”.

Business and human rights: how to cope with bad practices to improve the protection of human rights, the contribution of environmental human rights defenders

The promotion and protection of human rights is at present a global commitment assumed by all relevant public and private stakeholders. Also the civil society at the collective and individual level is actively involved to ensure its contribution to support the respect of human rights: a peculiar role is attributed to individuals who spare no efforts to defend human rights by raising their voices and bringing the issue to the attention of all national and international public and private actors.

Apart from a partial international definition of human rights defenders, the most relevant reference to introduce this special category of ‘private’ actors is contained in the UNGA Declaration adopted by Resolution 53/144 of December 9 1998, titled “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms”: its Art. 1 mentions the individual or collective element to identify the human rights defender as the actor who promotes and fights for the protection and the enjoyment of human rights and fundamental freedoms at the national and international level.

Giving legitimacy to the work of human rights defenders on the global scene has been a fundamental step for their status and for the recognition of the concrete impact of their actions.

The attempt to categorize human rights defenders is based only on the common intent to put their life at risk for the protection and promotion of human rights, to prevent violations and to call for global responsibilities of public and private actors whenever a human rights violation is reported. These individuals indeed could be: lawyers who look for ensuring that human rights violations are properly prosecuted; journalists who denounce governmental authorities or military personnel as the main responsible for ordering or committing crimes against peoples, vulnerable categories, minorities; healthcare personnel in charge for assisting victims of every form of ill-treatment, violence and torture and for witnessing for them against the offenders and perpetrators in order to be brought in front of judicial authorities; trade unionists and indigenous groups.

The efforts of human rights defenders in making aware the public opinion about human rights violations could for sure put at risk their personal freedom and well-being as well as that one of their families: in every part of the world they have been perceived as illegitimate combatants for the cause of human rights and this has put them in critical conditions to be threatened, arbitrarily arrested, expelled, defamed or

accused of being responsible for individual or collective fuelling aimed at carrying out subversive activities, mentally and physically tortured or even murdered.

For these reasons in several intergovernmental international and regional systems the role and action of human rights defenders has been legitimised, in order to protect their personal safety and to recognise their valuable contribution for the protection and promotion of human rights.

Within the UN framework in 2000 the Commission on Human Rights issued a proper mandate for the appointment of a Special Procedure on the situation of human rights defenders. This mandate was extended in 2008 by the Human Rights Council and at present the Special Rapporteur exercise this role by seeking, receiving and examining all information reports on the critical working conditions of human rights defenders worldwide; the mandate-holder has also the competence to dialogue with public and private actors to ensure the implementation of the contents of the above mentioned Declaration; he/she reports annually to the UN system and provides for targeted recommendations for improving the situation of human right defenders within international and national contexts under attention, also monitoring their follow-up by public and private stakeholders. The annual reporting is also an occasion to further detail specific topics or relevant issues concerning the promotion and protection of human rights defenders that, in the opinion of the mandate-holder, need to be explored according to thematic or country priorities and related concerns.

Also in other intergovernmental systems, such as the Council of Europe and the OSCE, the same approach has been adopted in terms of reinforcement of legal and operational mechanisms and measures to ensure that human rights defenders could safely carry out their ordinary work.

Apart from such systems, the role and action of human rights defenders has been promoted by the governmental authorities of concerned States: the public support to individuals who put their life at risk for strengthening human rights protection has strongly impacted on the global public opinion, making peoples aware about their courage and the relevance of their voluntary initiatives.

To this purpose the UN Special Rapporteur on the situation of human rights defenders has promoted an interesting debate over business and human rights. In his opinion business actors have different but complementary responsibilities if compared with States and International Organizations, depending upon their legitimacy and the subsequent compliance with hard and soft laws, i.e. international treaties, guiding principles and codes of conduct, common practices and operational features. He has proposed the following categories of actions to be expected from business actors within a multifaceted international legal framework.

The first category is composed of legal obligations on behalf of business actors, similarly reproducing the contents of the 2011 UN Guiding Principles on business and human rights as well as some provisions contained in the human rights international

core treaties. These legal obligations refer directly to the protection of human rights defenders and strongly recommend business actors to refrain from or to be complicit in ordering or carrying out physical or moral attacks against human rights defenders, so far compressing their basic rights and freedoms, such as opinion, information and expression, association and assembly. The second category encompasses legal obligations contained in the above mentioned UN Guiding Principles and aimed at facilitating an active engagement, consultation and involvement of human rights defenders and those individuals and groups who demand to be appropriately defended: the common aim of this process consists of designing, implementing, assessing and evaluating cooperation interventions carried out by business actors in favour of beneficiaries. Along these circumstances, on an equal foot with concerned public actors, business actors should apply due diligence and monitor the full respect of human rights during and at the completion of the field intervention. The third category looks forward an ordinary business practice based on a permanent dialogue and advisory mutual exchange of information and support between business actors and human rights defenders: in this situation business actors could act by providing direct technical and financial assistance to human rights defenders working individually or in close cooperation with local organizations and associations, otherwise could encourage institutional actors to provide for open and fruitful conversations to reinforce the legal and operational framework to consult, respect and protect human rights defenders. As for the latter action, the multiple advisory national mechanisms involving both business actors and human rights defenders interacting with governmental authorities in designing the contents of the National Plans of Action on business and human rights has proved to be an efficient tool to gain the respect for this kind of obligation. Lastly, the fourth category demands business actors to be actively involved in advocating and seeking remedy for human rights defenders whose rights and freedoms have been totally or partially compressed by domestic laws and policies. The obligation could be performed in relation to unique public occasions where the business actor supports openly a human rights defender through a statement addressed to concerned governmental authorities and to the public opinion. But it could also be embodied by business actors as influential supporters in respect of the institutional domestic stakeholders to reinforce their legislative framework and their judiciary mechanism to facilitate the access to remedy and to provide for appropriate redress and compensation for human rights defenders and direct victims of human rights violations. In this sense human rights defenders could play a significant role in order to create partnership opportunities with business actors and to foster simultaneously their collaboration with public and private actors.

In one of the most recent report submitted to the UNGA in 2015 the Special Rapporteur has introduced an overview about the critical relationship between human rights defenders and business in relation to human rights violations – particularly in the environmental context.

The Special Rapporteur refers to the defender within a predetermined vulnerable context where multiple political, economic and social factors impact negatively on its role, personal dignity and freedom of movement, freedom of expression and opinion through communication channels. At the same time each attitude or action putting the defender at risk often goes unpunished.

The Special Rapporteur also reports an alarming aspect about human rights defenders working to detect the respect of corporate social responsibility principles by business companies: the complicity between States and business companies for partially ensuring high legal standards, so far letting business activities unpunished when they violate human rights. The Special Rapporteur has adopted specific recommendations on this point that are addressed to States (asking for an effective protection of human rights defenders and for facilitating their advice in the compilation of National Plans of Action and in cooperative interventions) and to business companies (to encourage human rights defenders activities and to protect their freedom of expression and assembly).

In another recent report released in 2016 the Special Rapporteur has examined the environmental human rights defenders conditions in relation to business.

In his view environmental human rights defenders need for specific legal and institutional safeguards, jointly with the respect and support from business companies.

For this reason the Special Rapporteur assigns to States the obligation to protect directly environmental human rights defenders as representatives of the civil society, being further empowered as actors within the 2030 Agenda for Sustainable Development. They have the right to life, personal liberty and security, freedom of expression, freedom of peaceful assembly, right to privacy, as enshrined in the Universal Declaration of Human Rights, the International Covenant on civil and political rights and in the abovementioned 1989 Declaration. In other terms States have the duty to respect these rights as well as to act in order to prevent and repress all violations of human rights of environmental defenders, facilitating their access to remedy and compensation.

At the same time the Special Rapporteur assigns to States the obligation to protect indirectly when the violation has been committed by public or private business companies in relation to UNGPs. He stresses the need for an enhanced domestic legislation and real participation of environmental human rights defenders to joint planning and decision-making processes to ensure the full protection of their human rights. Whenever the violation has been already recorded, the environmental human rights defenders safeguard and the support in accessing remedial judicial and non-judicial mechanisms should be granted: this is crucial especially when they are not familiar with remedies or have difficulties in accessing due to the blurring legal nature

of the violation and the related accountability on business companies/multinational corporations.

In the final section of the report the Special Rapporteur makes relevant recommendations to concerned actors while aiming to aware the public opinion about the role of environmental human rights defenders and stigmatizing violations of their rights by States and business companies.

States are recommended to adopt a human rights based approach for the economic development, strengthening the participation of non-institutional stakeholders to the compilation of strategies and NAPs on business and human rights. They are further requested to ensure the functioning of investigation and remedial mechanisms to punish the offenders violating environmental defenders human rights.

Business companies are recommended to respect national legal obligations – soft laws and ethical international norms – promoting the dialogue with environmental human rights defenders, granting them access to data and information, avoiding any conduct and actions putting the defenders at risk, and providing for the establishment and functioning of non-judicial remedial mechanisms.

Conclusions

The contemporary debate on new frontiers, new actors and new rules moving from a re-conceptualization of the global commons in relation to international human rights standards and the role of business at large encompasses great challenges for improving traditional judicial and development cooperation mechanisms and procedures.

We are facing a transformation of the global governance in its essence: it is out of doubt that it demands for fresh and additional commitments from all concerned actors in performing international relations, in amending existing laws and in promoting global economic opportunities. In this scenario they are requested to clarify their role and contribution for common goals and shared working methodologies. The comparison and possible convergences and divergencies among legal international and national frameworks are a good starting point: differently from global constitutionalism and global administrative law, global governance is broad enough to include different but complementary competing contributions from both public and private actors.

It means that the global governance is a really dynamic setting, that could be periodically reinvented but that must be based on the strong and comprehensive support of business, in order to grant the access and the protection of global commons for all and to ensure the full respect of human rights and fundamental freedoms of individuals and peoples worldwide.

References

- [1] Andonova L. (2010), Public-Private Partnerships for the Earth: Politics and Patterns of Hybrid Authority in the Multilateral System, in *Global Environmental Politics*, Vol. 10, N. 1, Pp. 25-53
- [2] Borzel T., Risse T. (2005), Public-Private Partnerships: Effective and Legitimate Tools of International Governance?, in Grande E., Pauly L. (Eds.), *Complex Sovereignty: on the Reconstitution of Political Authority in the 21st Century*. Toronto: University of Toronto Press, Pp. 195-216.
- [3] Buck S.J. (1998), *the Global Commons. An Introduction*, Island Press
- [4] Feenstra R. (2009), *Hugo Grotius Mare Liberum 1609-2009. Original Latin and English Translation*. Leiden: Brill.
- [5] Headley J.M. (2008), *the Europeanization of the World*. Princeton: Princeton University Press
- [6] Hoffmann S.-L. (2010), Introduction, in Hoffmann S.-L. (Ed.), *Human Rights in the Twentieth Century*. Cambridge: Cambridge University Press
- [7] Kell G. (2016), Relations with the Private Sector, in Cogan J.K.-Hurd I.-Johnstone I. (Eds.), *the Oxford Handbook of International Organizations*. Oxford: Oxford University Press, Pp. 730-753
- [8] Keohane R.O. (1990), Multilateralism. An Agenda for Research, in *International Journal*, Vol. 45, N. 4, Pp. 731-764
- [9] Macklem P. (2015), Human Rights in International Law: Three Generations or One?, in *London Review of International Law*, Vol. 3, N. 1, Pp. 61-92
- [10] Martinez J.S. (2012), *the Slave Trade and the Origins of International Human Rights Law*. Oxford: Oxford University Press
- [11] Mattli W. (2016), Private Transnational Governance, in Cogan J.K.-Hurd I.-Johnstone I. (Eds.), *the Oxford Handbook of International Organizations*. Oxford: Oxford University Press, Pp. 171-188
- [12] Moyn S. (2010), *the Last Utopia: Human Rights in History*. Harvard: Harvard University Press
- [13] Pocar F. (2015), Some Thoughts on the Universal Declaration of Human Rights and the Generations of Human Rights, in *Intercultural Human Rights Law Review*, Vol. 10, N. 3, Pp. 43-53
- [14] Schrijver N., Prislán V. (2009), from *Mare Liberum* to the Global Commons: Building on the Grotian Heritage, *Grotiana*, Vol. 30, N. 1, Pp. 168-206
- [15] Sending O.J., Neumann I.B. (2006), Governance to Governmentality: Analyzing Ngos, States, and Power, in *International Studies Quarterly*, Vol. 50, N. 3, Pp. 651-672
- [16] Vasak K. (1977), a 30-Year Struggle, *Unesco Courier*
- [17] Wijkman M. (1982), Managing the Global Commons, in *International Organization*, Vol. 36, N. 3, Pp. 511-536

The Impact of the Perceived Service Quality on Revisit Intention in the Tourism Industry: A Conceptual Framework of Strategic Approach and Analysis

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Abstract

Service quality (SQ) is of strategic importance in the hospitality sector from both company's and customers' viewpoint. Hence, it is crucial for every organization's function and survival in such a competitive era. As proven in the literature, competitive advantage apart of being an indicator of a firm's successful performance, it is an indicator of a firm's profitability. Through a review in literature there are five hypotheses formed accordingly to the five dimensions of service quality that affect guest retention. The study's objectives are 1) to identify the dominant guest-defined characteristic of service quality 2) to examine its strategic impact on revisit intention and 3) to identify whether any differences occur between Greek and European guests in the way they perceive service quality. The aim is to provide strategic insights regarding the perceptions of service quality among Greek and European guests, as well as to clarify if there are any differences in the way their perceptions are formed in order to contribute to the literature with regard to the Greek hospitality sector. Questionnaires, based on the SERVQUAL model will be used, in order to collect data from guests that have previously visited a 4 or 5 star hotel. Upon collection, the data will be analyzed with the use of the SPSS program. This paper follows the standards of similar surveys in the industry focused on the measurement of Service Quality. Though, little attempt can be spotted in regards to service quality in 4 and 5 star hotel sector in Greece and give practical directions for strategic design and implementation of services.

Keywords: customer satisfaction, service quality, SERVQUAL, guest culture, customer retention, strategic design, statistics

Introduction

Service quality (SQ) is of great importance in the hospitality sector from both managers' and customers' viewpoint. Hence, it is crucial for every organization's function and survival in such a competitive era (Al-Ababneh, 2016). As proven in the

literature, competitive advantage apart of being an indicator of a firm's successful performance, it is an indicator of a firm's profitability (Kim and Oh, 2004). Due to the perishability and the nature of the services, those functions are different in manufacturing and service industry, whereas, in the latter, the relationship of the product and the guest (consumer) is formed at the same time of the consumption (e.g. direct contact of the front office agent and the guest) (Kandampully, 2006). The intangibility of the services sector can rend the measurement of objectively non-countable elements, such as quality, a complex task. The hospitality literature is full of practices that affect guest retention and concludes that it is a process that starts from "within" the organization. For example, internal communication and employee retention can be a factor that affects guest retention (Buhalis, 2001; Kim, Knutson and Han, 2015) In addition, Jung and Woon, (2013) suggest that it has a positive echo on customer satisfaction and loyalty and is related to the firm's performance and image. (Chi and Gursoy, 2009; Jung and Woon, 2013).

To begin with, a brief historical review with regard to the international tourism development, shows that nevertheless historical and political situations such as the world fuel crisis on the late 70s and the Gulf War at the late 80s, worldwide tourism kept rising, particularly in Europe, which remained the main touristic destination, regardless the fact that the less developed regions of the world faced a decline. Overall, it has been proved that the effect on tourism was for a short period of time and moreover, the tourist product is considered as a key source for investment for both the consumer and the government (Witt and Moutinho, 1995).

'Sea and Sun' concept has been marking the Greek hospitality sector since 1960. However, little effort has been made to take advantage of this concept through a structured business scheme in order to diversify the Greek tourism product with the intention to expand it in all its other forms (Papadimitriou, Boussia and Trakas, 2016). By exploring the keywords: 'service quality' a handful of studies have been found regarding leisure and recreation tourism and more specifically sports and festivals (Barlas, Mantis and Koustelios, 2010; Costa and Glinia, 2004; Papadimitriou, 2013; Theodorakis, Goulimaris and Gargalianos, 2003). However, little emphasis has been given on how customers perceive service quality in the Greek hotel sector, which was the stepping stone for the study's conceptualization. A SWOT Analysis performed by Buhalis (2001), demonstrates that despite the numerous strengths of Greek tourism, e.g. cultural heritage, family orientation, natural surroundings, local products, the weaknesses underlined need further attention in terms of operations like marketing and management in the industry. Given the above, this paper will focus on the marketing operations in the hotel industry, searching from the customer's viewpoint about service expectations in a continental framework (Buhalis, 2001).

A handful of studies have enriched the literature regarding guest satisfaction and quality of the services provided in the hotel industry. However, it remains an infinite debate which are the key attributes that drive the guests to return in hotels. Initially,

this paper aims to identify how Greeks and other European tourists perceive service quality in the hospitality industry and then how it affects both Greek and other European guests regarding the intention to revisit. Moreover, a stimulated study by Luo and Qu (2016), found out that Western culture differs from the Eastern one in the way they perceive service quality in the hotel industry, with the first to be more likely to generate positive feedback. The current study seeks to investigate whether this phenomenon applies to guests from Greece and other European countries, towards the Greek hotel sector. This is stressed due to the fact that even within the Western culture with diverse components, differences can be found.

Therefore, the research questions of the study are the following:

Which are the key elements of service quality that define guest satisfaction and revisit intention?

Is thenatives' perception of the Greek hotel industry anydifferent compared to the Europeans' one?

A review in literature regarding world perceptions of service quality will be illustrated including studies from all over the world. Secondary research on the perceptions of service quality is gathered to demonstrate findings from the 5 continents. At a next stage, a reference is made upon service quality measurement tools, with emphasis on the one that the author will be using in this paper. Furthermore, the study's conceptual framework will be formed followed by a presentation of the research methodology that will be applied in this paper, in order to conclude in the findings.

Services marketing

Hospitality industry is of great importance in terms of income generation and employment, however, little emphasis has been given in the relation between hospitality and services marketing, a field that lacks two-way communication as far as it concerns the literature. Hospitality is characterized by the strong human element, thus this sector should be covered more thoroughly by reviewing the constituency model that incorporates its internal and interactive marketing activities (Baker and Magnini, 2016). In the hospitality industry, "marketing is a term often used when referring to selling and advertising" (Weane and Morrison, 2013, pp.18). However, this definition does not indicate all the marketing process, instead, it refers to just two major aspects of it. The origin of the definition of the term 'Marketing' derives from American Marketing Association which states that: "Marketing is the activity, set of institutions, and processes for creating, communicating, delivering, and exchanging offerings that have value for customers, clients, partners, and society at large" (AMA, 2008).

Exploring the variable of Guest's Culture

Culture is one's belonging and heritage and it affects the way he/she perceives and experiences the world. Apart from perceptions and experiences, it affects decisions and behaviours. Thus, there is a systematic relationship between culture and the service provider. More specifically, Weiermair, 2000, explored the impact of culture in customers (tourists) perceptions of service quality and in the marketing of tourism services, concluding that an international approach should be integrated as to enhance competitiveness and to be able to meet different guests' expectations (Weiermair, 2000).

Service quality and world perceptions

There is not a single definition for the term "quality". Thus, its significance is of great importance in the hospitality industry in terms of the relationship between administration and customers. The understanding of this terminology will provide knowledge to the organization so as to improve its services and consecutively to determine its strategy towards customer satisfaction (Ghobadian, et al. 1994).

Quality, as a concept, it is complex to define. It is a field that aroused gradually and steadily throughout the centuries. In the 18th and 19th century its control processes were executed in a more informal way, until it reached its recent form as "the strategic quality management". (Garvin, 1988) "Quality control evaluates actual quality by comparing performance to quality goals and then acting on the detected differences. Based on the process control system established in the planning phase, quality control is part of the quality management process." (Pizam and Holcomb, 2008, pp. 228)

. Quality can be perceived by a consumer-based prism as well as an expert-based one. The ideal service perceived by the consumer is different from an expert, with the second to put emphasis on the standards from an internal point-of-view. In addition, satisfaction highlights the customer experience and it affects directly the consumer (Torres, 2014).

Literature has shown that both employees and customers benefit from the implementation of the principles of Total Quality Management (Benavides-Velasco, Quintana-Garcia and Marchante-Lara, 2014). Various authors, by measuring hotel service quality in China, Iran and New Zealand, agree that the quality of services positively affects customer loyalty since customer's emotions are highly influenced by the level of experience provided. Plus, positive customer's perceptions towards service experience raise customer satisfaction (Ali, Amin and Cobanoglu, 2016; Hosseini, Zainal and Sumarjan, 2015; Kandampully and Suhartanto, 2013).

Regarding revisit intention, Kandampully and Suhartanto (2013), highlighted that housekeeping satisfaction is determinant to the customer's intention to revisit and recommend. Adding to it, authors studying the hotel sector in the UK note that room cleanliness and appearance is a prerequisite for revisit intention (Ramanathan and

Ramanathan, 2011).The above statement is in agreement with Ingram's and Daskalaki's assumption back in 1999, that tangibles (the personnel appearance, room cleanliness, equipment, and facilities provided along with Information Technology (IT) materials) are the ultimate satisfaction characteristic for a guest in the hotel sector in Greece, by reviewing hotels in Crete. In this way, the study's first hypotheses is formed:

H1: Customer retention relies on tangibles.

This hypothesis is however, opposing to Minh, et al. (2015), in terms of the dominant dimension of service quality that positively affects guests. By measuring guest satisfaction in Vietnamese hotel industry, the above authors came to the conclusion that tangibles is the characteristic with the less consequences on guests' satisfaction. In resort and hotel spa sector in China, reliability and responsiveness ranked as the key elements for customer satisfaction towards the service provider, whereas surprisingly, tangibles ranked as the least important factor (Lo, Wu and Tsai 2015).

Furthermore, research, in the restaurant sector, reveals that empathy and reliability are the ultimate dimensions of guests' perceptions and can enhance their satisfaction (Lee and Hing, 2015).In a study, 20 years earlier, Martin,(1995),revealed that reliability was the ultimate dimension from both management and employee viewpoint. This is also confirmed by a survey of Cappadocia's hotel industry, ranks empathy as being in the first place of guest-defined perceptions whilst evaluating service quality (Yilmaz, 2009).

H3: Customer retention relies on Reliability.

H4: Customer retention relies on Responsiveness

In a theoretical framework, Pizam, (2015), explored the term "Empathy" and its implication in real-life cases between the service providers and consumers. He examined two sectors: luxury hotels and hospitals. In both sectors he found out that Empathy is not a prerequisite skill in order to deliver high-quality standards in service; thus he stated that the "mystery ingredient" is Culture. In contrast, a recent study, by Christou et al.(2019), explored the relationship between guest and host in terms of empathy and perception of emotions while interacting with the service providers (hosts). The impact on both found to be imperative. Management should protect employee and employee and guest, respectively, must set limits to their transactions (Christou, Avloniti and Farmaki, 2019).

H2: Customer retention relies on Empathy.

Interestingly, research by Worsfold et al. (2016) in a large global hotel chain concludes that providing a hotel with only quality services is not enough to attract and keep the customer. What customers value is not what managers think most of the time (Worsfold et al. 2016). There are more factors that affect service quality, those of service context and time. This is to say that the guests' impressions vary according

to the time frame and the context of service and should not be crystallized (Strombeck and Shu 2014).

H5: Customer retention relies on Assurance.

Customer's satisfaction affect more than a part of a company. It is rather difficult to predict whether customer satisfaction derives from the quality provided by an organization, in this case a hotel. In terms of customer satisfaction, Lewis, (1987), came to the conclusion that it does not necessarily mean that a customer can be dissatisfied with the company, but, having a tendency to "succumb" to competition within the industry. Given the above statement, each company should focus on improving its services by meeting and exceeding customers' expectations by focusing on the elements that enhance customer loyalty. Guest-defined perceptions of quality have a positive echo on customers' loyalty with the brand as well as intention to revisit and recommend (Janinskas, et al. 2016). Furthermore, this is in accordance with a study conducted in 2009 by Hu, Kandampully and Juwaheer, regarding the impact of high standards of quality on the perceived value of the firm with the one complementing the other. By increasing the competitiveness, hotels increase the customers' perceived value, satisfaction and retention. Therefore, high standards of quality lead to high perceptions of quality.

Service quality: Measurement Tools

Service quality as an element of obtaining competitive advantage has been strongly argued in the field of hospitality literature. Previous studies have introduced and tested service quality models, as an effective way of measuring guest satisfaction. Spencer and Crick (2011) suggest that "QFD flowdown process" is the best model for service quality. By monitoring step-by step, both employees and managers activities in the spectrum of the transformation process (input-processes-output), it is a way to ensure the minimum level of guest satisfaction is met (Spencer and Crick, 2011).

Another model, the SERVQUALOYAL, was introduced by Luo, and Qu (2016), in order to specify and categorize the findings in the loyalty frame. The aim is to measure both the expected and the experienced loyalty from the customer's point of view (Janinskas, et al. 2016).

According to Parasuraman, Berry and Zeithaml, (1988), customer perceptions of quality can be assessed by a 22-item instrument (SERVQUAL), a tool that is used in both retail and service industries. The testing of the modified SERVQUAL scale is applied in a number of studies in the 20th and 21st century in the hotel and restaurant industry, providing insights and implications on the hospitality marketing sector (Ekinici, Prokopaki and Cobanoglu, 2003; Minh, et al., 2015; Murphy, et al., 2007; Lee and Hing, 1995). Originally, the SERVQUAL scale, is divided in 10 elements (Tangibles, Reliability, Responsiveness, Competence, Courtesy, Credibility, Security, Access, Communication, and Understanding) which later on formed the term RATER, a

shorter definition of Reliability, Assurance, Tangibles, Empathy and Responsiveness (Pizam, 2015).

Each of those dimensions characterizes the quality of a service:

Reliability- the ability to provide what a company has promised.

Assurance- the ability of the company staff to “inspire trust and confidence”.

Tangibles- the personnel appearance, equipment, and facilities provided along with Information Technology (IT) materials.

Empathy- emotional attention and considerations regarding guest’s needs.

Responsiveness- the readiness of the staff to facilitate guest’s needs with an honest “willingness” to assist them (Eshetie, et al., 2016; Pizam, 2015).

Even though, the SERVQUAL instrument is widely used for assessing the gaps in service quality, many researchers argue to the extent of its validity as a measurement tool. Williams, (1998), states that SERVQUAL should be combined with other tools in order to measure service quality and should not be considered a one-way path. Gronroos, (1984), introduced another model as an attempt to find out what customers perceive as service quality. The dimensions of this model were built upon the following variables:

- The perceived and the expected service.
- The firm’s promises and the product performance.
- The “technical quality” and the “functional quality” (Gronroos, 1984, p.39).
- The firm’s image, as an important factor in the way customers perceive the organization.

Perceived service quality is greatly based on the “functional quality” which indicates the way a service is delivered to the consumer. It is subjective compared to the “technical quality” which is objective. Furthermore, image is an important dimension of quality that affects the customer’s perception as it can serve as an indicator of good or bad service in customer’s mind. Satisfied customers are more likely to excuse a bad firm’s performance due to their perception of its good image. The opposite though does not apply (Gronroos, 1984).

Modifications and additions have followed the original SERVQUAL instrument. An example is HOLSERV instrument, which is a format that uses the elements of the original SERVQUAL, whilst adding 8 new elements. An Australian hospitality industry study indicates that employees as the human factor, is the strongest indicator of service quality. HOLSERV is recommended for managers (Mai, Dean and White, 1999). Another model is SERVPERF which was employed to measure service quality and guest satisfaction in hotels in Cyprus (Karatepe and Avci, 2002).

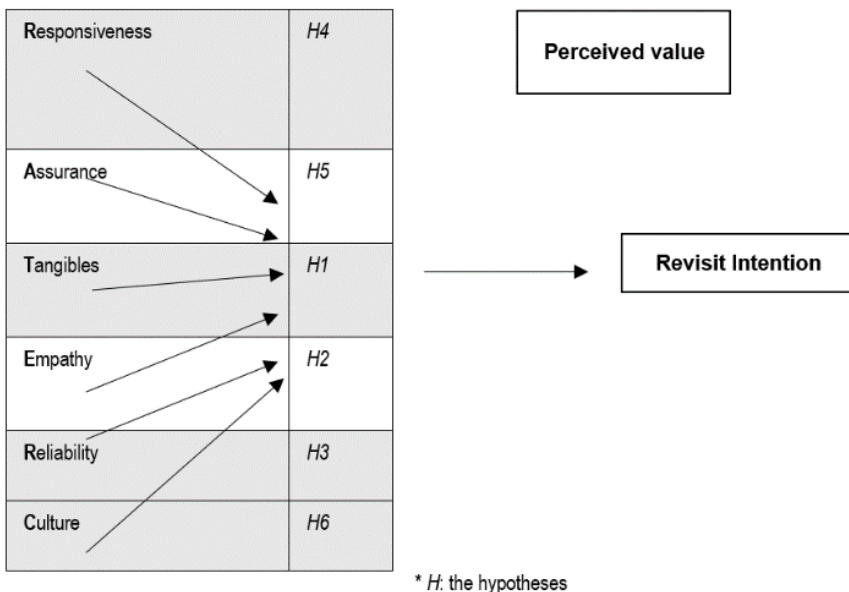
The Conceptual Framework

Through a review in literature there are five hypotheses formed accordingly to the five dimensions of service quality that affect guest retention. As stated in the

introduction, the study’s objectives are 1) to identify the dominant guest-defined characteristic of service quality 2) to examine its impact on revisit intention and 3) to identify whether any differences occur between Greek and European guests in the way they perceive service quality.

Finally, this paper seeks to confirm whether this statement is indicative towards the hotel sector in Greece. For the study’s purposes, a moderated mediation model is developed to illustrate the elements that are under investigation and their impact on revisit intention examining both native and other European guests ‘perceptions. Two identical models are created , as below:

Figure 1: Guests: the conceptual framework



Methodology

Research Philosophy

In research, methodology is an essential process in order to collect data for analysis in the most efficient and suitable way. To begin with, two are the main philosophies that define any research attempt: positivism and interpretivist. Methods of research, researcher’s position, sampling and data collection processes are some of the points that differentiate those philosophies. The basic difference lays on the beliefs of each one of them (Altinay and Paraskevas, 2008).

The aim is to provide insights regarding the perceptions of service quality among Greek and European guests, as well as to clarify if there are any differences in the way their perceptions are formed in order to contribute to the literature with regard to the Greek hospitality sector.

4.2 Research Instrument

Recent research has shown that questionnaires are widely used when measuring guests' perceptions of service quality as they proved to be an appropriate tool for measuring guest satisfaction (Dedeoglou, et al. 2018). In the current study, data collection will be done via questionnaires which were distributed at the front desk of hotels in Athens, after gaining consent from the hotel's management. The procedure started on June 2019 and was completed by July 2019, during the dissertation process. This period was suitable due to the fact that the survey was conducted in the middle of seasonality in Athens, offering space for more adequate sample. The questionnaires were distributed to current hotel guests and people who have previous 4 or 5 star experience, as to enhance the validity of the survey, as by selecting based on probability sampling, it is more likely to be able to come to a conclusion for the population during the data analysis process (Groves, 2013). Part of this procedure will take in the hotel's premises as the study's respondents' environment is a variable that could provide further insights in terms of reminiscence (Greasley et al., 2013).

The survey questionnaire was adapted from Akbaba, (2006), in a study measuring guest satisfaction in a business hotel in Turkey. It consists of three parts; the first part encloses statements related to service quality dimensions seeking to identify guests' perceptions, applying a modified SERVQUAL scale introduced by Parasuraman et al. The aim is to measure both the expected and the experienced loyalty from the customer's point of view (Janinskas, et al. 2016). Measurement will be done by using a 5-point Likert type scale, where 1=Very Low and 5=Very High. Quality dimensions will be measured based on the Likert scale measurement.

The second part will be constructed in a way that reveals guests' assessments on the overall service quality of the hotel in question. The third part entails information regarding the guest's gender, age, educational background, visiting frequency and nationality.

Norris, (1997), researched validity, as a concept in which people understand whether what they read are trustworthy and accurate. In both qualitative and quantitative research, validity can be spotted by errors and prejudices, concepts that are subject to human nature, thus it is difficult to be predicted. Lu, et al. (2003), in order to test the parameter of validity, handed the paper to be examined by experts related to the hospitality field before starting the distribution.

4.3 Sampling

The target population are guests who have visited a 4 or 5 star hotel in Greece. Due to the fact that it is rather impossible to study the whole population and in order to define the boundaries of this research, as it is mentioned in the second objective of the study, the sample will be native Greek guests and European ones, including British (Bak, 2011). In order to achieve that, the questionnaires were distributed to current and previous hotel guests as to enhance the validity of the survey, as by selecting

based on random spreading sampling, the researcher can obtain adequate sample without required clustering factors (Kondo et al., 2014). Simple random sampling means that every unit of the population has the same possibilities to be selected and included in the overall sample (Bell, Bryman and Harley, 2019). One advantage of the method is that it is a more representative way to come to generalised conclusions for a population (Alvi, 2016). Lack of bias and simplicity are also considered as major advantages of the method (Investopedia, 2019), whereas time and cost are among its disadvantages. In the current study, 100 paper written questionnaires will be distributed.

In order to collect data from both native and foreigner population, a transcript both in Greek and English was designed. As it is imperative the message to be appropriately transferred in both languages, the questionnaires were tested and translated by a Certified translator, so as to be as thorough as possible while avoiding misinterpretations due to grammatical and syntax errors (Ekinci, Prokopaki and Cobanoglu, 2003).

4.4 Measurements

Empathy

V5. Employees of the hotel appear neat and tidy (as uniforms and personal grooming)

V6. The hotel provides the services as they were promised

V13. Employees give guests individualized attention that makes them feel special

Assurance

V11. Employees have knowledge to provide information and assistance to guests in areas they would require (shopping, museums, places of interest, etc.)

V16. Employees have in-depth occupational knowledge (professional skills, foreign language, communication skills, etc.)

V15. Employees instill confidence in guests

V12. The hotel is also convenient for disabled guests (necessary arrangements made for the disabled)

Responsiveness

V7. Employees are always willing to serve customers

V14. The hotel provides its guests a safe and secure place

V10. The hotel provides flexibility in services according to guest demands

Reliability

V9. The hotel resolves guest complaints and compensate for the inconveniences guests go through

V8. The hotel keeps accurate records (reservations, guest records, bills, orders, etc.)

V17. It is easy to access to the hotel (transportation, loading and unloading area, car parking area, etc.)

Tangibles

V1. The service unit of the hotel have adequate capacity (dining rooms, meeting rooms, swimming pools, business center facilities, etc.)

V2. The atmosphere and equipment are comfortable and appropriate for purpose of stay (beds, chairs, rooms, etc. comfortable, clean, and tranquil)

V3. The equipment of the hotel works properly without causing breakdowns

V4. Food and beverages served are hygienic, adequate, and sufficient

V5. Employees of the hotel appear neat and tidy (as uniforms and personal grooming)

Upon collection, the data will be analyzed with the use of SPSS using multivariable analysis, PCA and Factor Analysis.

Conclusions -Discussion

This paper aims to explore the relationship between the perceived quality of services and the revisit intention in the 4 and 5 star hotels in Greece. Questionnaires, based on the SERVQUAL model will be used, in order to collect data from guests that have previously visited a 4 or 5 star hotel.

5.1 Ethical considerations

The ethical issues arising in quantitative research are also of importance as compared to the qualitative methods. An issue that social researchers come across when conducting research is the issue of confidentiality. Confidentiality declares the respect of the individual's autonomy and the importance of ensuring that disclosed information shall not be used purposely or accidentally in a way that the respondent becomes identifiable. Confidentiality is inextricably linked with anonymity. Even though, researchers often believe that they act on the best interest of the participants, it remains questioned whether by actively participate in a study they should allow the participants deliberately choose how their data will be used (Wiles et al. 2008). In the distribution of the self-completion questionnaires, a cover enclosing the details and the purpose of the study, the University's name as well as the researcher's information were in the front page. The issue of anonymity was highlighted and clarified in the cover page.

Following the above, according to the Social Sciences and Humanities Research Ethics Special Working Committee (SSHWC), several recommendations are illustrated respectfully, regarding privacy and confidentiality issues. The following:

1. *"The right to confidentiality vs the right to recognition"*

2. *"Distinguishing "disclosure of" from "access to" information"*
3. *"Ethics and Law"*
4. *"Focus on Ethics"*
5. *"Matters of Conscience and Responsibility"*
6. *"Transparency, Openness and Accountability" (SSHWC, 2008)*

In order to achieve confidentiality and anonymity, a cover letter was handed to both the participants and the hotel management, asking their oral and written consent by signing the terms and conditions of the project. Their name is not revealed at any stage of the research. The only information that needed to be retrieved from the study is the participants' gender, age range, nationality and educational background. Plus, at any stage of the research, participants had the right to withdraw themselves from the process.

At this point, it is worth to mention that, whereas cultural diversity is measured it is crucial for the researcher to identify where he positions himself from the research subject and in what extent his knowledge may affect the measurement of the variables (Ying Yang and Le, 2008).

5.2 Limitations

In the design of this study, there are some limitations that should be taken into consideration. To begin with, the self-administered questionnaires will be filled by guests that were staying at a hotel at the time of the administration and by individuals that have previously used a hotel accommodation. This means that, there can be bias in terms in the timing of service use. Moreover, it would be adequate if there was also a qualitative research to support and implement the findings, so as to provide the reader with a more in-depth picture of the studied phenomenon. Another limitation can be found in the use of a modified SERVQUAL questionnaire, in terms of completeness of the data. Although SERVQUAL is widely used and accepted in the measurement of service quality, its modified version has received criticism in the literature and this is confirmed by Akbaba, (2006) whose words stated that "it needs to be adapted for the specific service environments and for the cultural context" (Akbaba, 2006 pp. 186).

5.3 Results Prospects

The findings can provoke useful tools for corporate processes planning and operations reengineering in the tourism industry.

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References

- [1] Akbaba, A. (2006) 'Measuring service quality in the Hotel Industry: A study in a business hotel in Turkey', *Hospitality Management*, 25, pp. 170-192.
- [2] Al-Ababneh, M. M. (2016) 'Employees' perspectives of service quality in hotels', *Research in Hospitality Management*, 6(2), pp. 189-193.
- [3] Ali, F., Amin, M. and Cobanoglu, C. (2016) 'An Integrated Model of Service Experience, Emotions, Satisfaction, and Price Acceptance: An Empirical Analysis in the Chinese Hospitality Industry', *Journal of Hospitality Marketing & Management*, 25(4), pp. 449-475.
- [4] Altinay, L. and Paraskevas, A. (2008) *Planning Research in Hospitality and Tourism*, USA: Butterworth-Heinemann.
- [5] Alvi M. (2016) 'A Manual for Selecting Sampling Techniques in Research', [Online]. Available at: <https://mpr.aub.uni-muenchen.de/70218/> MPRA Paper No. 70218, (Accessed: 16 December 2018).
- [6] American Marketing Association, (2008) 'The American Marketing Association Releases New Definition for Marketing' [online]. Available at: <https://archive.ama.org/archive/AboutAMA/Documents/American%20Marketing%20Association%20Releases%20New%20Definition%20for%20Marketing.pdf> (Accessed: 11 March 2018).
- [7] Bak, O. (2011) 'The Role of Qualitative Research in a Mixed Methods Study - Assessing the e-Business Enabled Transformation in a Strategic Business Unit', *Qualitative Research Journal*, 11(2), pp.76-84.
- [8] Baker, M.A. and Magnini, V.P. (2016) 'The evolution of services marketing, hospitality marketing and building the constituency model for hospitality marketing', *International Journal of Contemporary Hospitality Management*, 28(8), pp. 1510-1534.
- [9] Barlas, A., Mantis, K. and Koustelios, A. (2010) 'Achieving positive word-of-mouth communication: The role of perceived service quality in the context of Greek ski centres', *World Leisure Journal*, 52(4), pp. 290-297.
- [10] Benavides-Velasco, C. A., Quintana-García, C. and Marchante-Lara, M. (2014) 'Total quality management, corporate social responsibility and performance in the hotel industry.' *International Journal of Hospitality Management*, 41, pp. 77-87.
- [11] Buhalis, D. (2001) 'Tourism in Greece: Strategic Analysis and Challenges', *Current Issues in Tourism*, 4(5), pp. 440-480.
- [12] Chi, G. C. and Gursoy, D. (2009) 'Employee satisfaction, customer satisfaction, and financial performance: An empirical examination', *International Journal of Hospitality Management*, 28, pp. 245-253.
- [13] Christou, E. (2015) Branding Social Media in the Travel Industry. *Procedia-Social and Behavioral Sciences*, 175, pp. 607-614.
- [14] Christou, P., Avloniti, A. and Farmakia, A. (2019) 'Guests' perceptions of emotionally expressive and non-expressive service providers within the

- hospitality context', *Cyprus International Journal of Hospitality Management*, 76, pp. 152-162.
- [15] Costa, G. and Glinia, E. (2004) 'Sport tourism in Greece', *Journal of Sport & Tourism*, 9 (3), pp. 283-286.
- [16] Crick, A. P. and Spencer, A. (2011) 'Hospitality quality: new directions and new challenges' *International Journal of Contemporary Hospitality Management*, 23 (4), pp.463-478.
- [17] Dedeoglou, B. B., Bilgihan, A., Ye, B. H., Buonincontri, P. and Okumuse, F. (2018) 'The impact of servicescape on hedonic value and behavioral intentions: The importance of previous experience', *International Journal of Hospitality Management*, 72, pp. 10-20.
- [18] Ekinci, Y., Prokopaki, P. and Cobanoglu, C. (2003) 'Service quality in Cretan accommodations: marketing strategies for the UK holiday market.' *Hospitality Management*, 22, pp. 47-66.
- [19] Eshetie, S. K., Seyoum, W., and Ali, S. H. (2016) 'Service Quality and Customer Satisfaction in Hospitality Industry: The Case of Selected Hotels in Jimma Town, Ethiopia.' *Global Journal of Management and Business Research: E Marketing*, 16(5), pp. 72-86.
- [20] Garvin, D., A. (1988) *Managing quality: the strategic and competitive edge*, London: Collier Macmillan.
- [21] Ghobadian, A., Speller, S. and Jones, M. (1994) 'Service Quality Concepts and Models.' *International Journal of Quality & Reliability Management*, 11(9), pp. 43-66.
- [22] Greasley, A., Lamont, A. and Sloboda, J. (2013) 'Exploring Musical Preferences: An In depth Qualitative Study of Adult's Liking for Music in Their Personal Collections', *Qualitative Research in Psychology*, 10(4), pp. 402-427.
- [23] Grönroos, C. (1984) 'A Service Quality Model and its Marketing Implications', *European Journal of Marketing*, 18(4), pp. 36-44.
- [24] Groves, M. R. (2013) *Survey Methodology*. Udo library [online]. Available at: <https://www-dawsonera-com.ezproxy.derby.ac.uk/readonline/9781118627327>(Accessed: 1 February 2018).
- [25] Hosseini, R. S., Zainal, A. and Sumarjan, N. (2015) 'The Effects of Service Performance of Hotel Customers on Quality of Experience and Brand Loyalty in Iran', *Procedia - Social and Behavioral Sciences*, 201, pp.156 - 164.
- [26] Hu, H., Kandampully, J. and Juwaheer, T. V. (2009) 'Relationships and impacts of service quality, perceived value, customer satisfaction, and image: an empirical study', *The Service Industries Journal*, 29(2), pp. 111-125.
- [27] Ingram, H. and Daskalakis, G. (1999) 'Measuring quality gaps in hotels: the case of Crete', *International Journal of Contemporary Hospitality Management*, 11(1), pp.24-30.

- [28] Jasinskas, E., Streimikiene, D., Svagzdiene, B. and Simanavicius, A. (2016) 'Impact of hotel service quality on the loyalty of customers.' *Economic Research-Ekonomiskalstraživanja*, 29(1), pp. 559-572.
- [29] Jung, H. S. and Woon, H. H. (2016) 'What does work mean to hospitality employees? The effects of meaningful work on employees' organizational commitment: The mediating role of job engagement.' *International Journal of Hospitality Management*, 53, pp. 59-68.
- [30] Kandampully, J. (2006) 'The new customer-centered business model for the hospitality industry', *International Journal of Contemporary Hospitality Management*, 18 (3), pp.173-187.
- [31] Kandampully, J. and Suhartanto, D. (2013) 'The Role of Customer Satisfaction and Image in Gaining Customer Loyalty in the Hotel Industry', *Journal of Hospitality & Leisure Marketing*, 10(1-2), pp. 3-25.
- [32] Karatepe, O. M. and Avci, T. (2002) Measuring Service Quality in the Hotel Industry: Evidences from Northern Cyprus, *Anatolia*, 13 (1), pp. 19-32.
- [33] Kim, B. Y. and Oh, H. (2004) 'How do hotel firms obtain a competitive advantage?', *International Journal of Contemporary Hospitality Management*, 16 (1), pp.65-71.
- [34] Kim, M., Knutson, J. B. and Han, J. (2015) 'Understanding Employee Delight and Voice From the Internal Marketing Perspective', *Journal of Hospitality Marketing & Management*, 24(3), pp. 260-286.
- [35] Lee, Y. L. and Hing, N. (1995) 'Measuring quality in restaurant operations: an application of the SERVQUAL instrument', *International Journal of Hospitality Management*, 14(3/4), pp. 293-310.
- [36] Lewis, R. C., (1987) 'The measurement of gaps in the quality of hotel services.' *International Journal of Hospitality Management*, 6(2), pp. 83-88.
- [37] Lo, A., Wu, C. and Tsai, H. (2015) 'The Impact of Service Quality on Positive Consumption Emotions in Resort and Hotel Spa Experiences', *Journal of Hospitality Marketing & Management*, 24(2), pp. 155-179.
- [38] Lu, C., Berchoux, C., Marek, M. W. and Chen, B. (2015) 'Service quality and customer satisfaction: qualitative research implications for luxury hotels', *International Journal of Culture, Tourism and Hospitality Research*, 9(2), pp.168-182.
- [39] Luo, Z. and Qu, H. (2016) 'Guest-Defined Hotel Service Quality and Its Impacts on Guest Loyalty', *Journal of Quality Assurance in Hospitality & Tourism*, 17(3), pp. 311-332.
- [40] Martin, D. W. (1995) 'An Importance/Performance Analysis of Service Providers' Perception of Quality Service in the Hotel Industry,' *Journal of Hospitality & Leisure Marketing*, 3(1), pp. 5-17.
- [41] Mei, A. W. O., Dean, A. M. and White, C. J. (1999) 'Analyzing service quality in the hospitality industry', *Managing Service Quality: An International Journal*, 9 (2) , pp.136-143.

- [42] Minh, N. H., Ha, N. T., Anh, P. C. and Matsui, Y. (2015) 'Service Quality and Customer Satisfaction: A Case Study of Hotel Industry in Vietnam.' *Asian Social Science*, 11(10), pp. 73-85.
- [43] Murphy, J., Schegg, R., and Olaru, D. (2007) 'Quality Clusters: Dimensions of hotel responses by luxury hotels.' *Hospitality Management*, 26, pp. 743-747.
- [44] Norris, N. (1997) 'Error, Bias and Validity in Qualitative Research', *Educational Action Research*, 5(1), pp. 172-176.
- [45] Papadimitriou, D. (2013) 'Service Quality Components as Antecedents of Satisfaction and Behavioral Intentions: The Case of a Greek Carnival Festival', *Journal of Convention & Event Tourism*, 14(1), pp. 42-64.
- [46] Papadimitriou, P, Boussia, N. and Trakas, T. (2016) 'In Focus: Greece', *Hospitality net* [online]. Available at: <https://www.hospitalitynet.org/opinion/4078823.html> (Accessed: 26 March 2018).
- [47] Parasuraman, A., Berry, L. L. and Zeithaml, A. V. (1988) 'SERVQUAL: A Multiple-Item Scale for Measuring Consumer Perception of Service Quality.' *Journal of Retailing Greewich*, 64(1), p. 12.
- [48] Pizam, A. (2015) 'Is empathy essential for high-quality customer service?' *International Journal of Hospitality Management*, 49, pp. 149-150.
- [49] Pizam, A. and Holcomb, J. (2008) *International Dictionary of Hospitality Management*. Udo Library [online]. Available at: <https://www.dawsonera.com.ezproxy.derby.ac.uk/readonline/9780080561271> (Accessed: 3 January 2018)
- [50] Ramanathan, U. and Ramanathan, R. (2011) 'Guests' perceptions on factors influencing customer loyalty: An analysis for UK hotels', *International Journal of Contemporary Hospitality Management*, 23 (1), pp.7-25.
- [51] Social Sciences and Humanities Research Ethics Special Working Committee (SSHWC) (2008) 'Privacy and Confidentiality' [online]. Available at: <https://www.sfu.ca/~palys/SSHWC-RecommendationsRePrivacyAndConfidentiality2008.pdf> (Accessed: 25 January 2018).
- [52] Strombeck, S. and Shu, S. (2014) "Modeling contextually elicited service quality expectations", *Managing Service Quality*, 24(2), pp.160-183.
- [53] Theodorakis, N., Goulmaris, D. and Gargalianos, D. (2003) 'The relationship between service quality and behavioral intentions for spectators at traditional dance performances in Greece', *World Leisure Journal*, 45(1), pp. 53-61.
- [54] Torres, E. N. (2014) 'Deconstructing Service Quality and Customer Satisfaction: Challenges and Directions for Future Research', *Journal of Hospitality Marketing & Management*, 23(6), pp. 652-677.
- [55] Weane, N. and Morrison, J. A. (2013) *Hospitality Marketing*. Udo library [online]. Available at: www.dawsonera.com.ezproxy.derby.ac.uk (Accessed: 24 November 2017).

- [56] Weiermair, K. (2000) 'Tourists' perceptions towards and satisfaction with service quality in the cross-cultural service encounter: implications for hospitality and tourism management', *Managing Service Quality: An International Journal*, 10 (6), pp. 397-409.
- [57] Wiles, R., Crow, G., Heath, S. and Charles, V. (2008) 'The Management of Confidentiality and Anonymity in Social Research', *International Journal of Social Research Methodology*,
- [58] Williams, C. (1998) 'Is the SERVQUAL model an appropriate management tool for measuring service delivery quality in the UK leisure industry?', *Managing leisure*, 3(2), pp. 98-110.
- [59] Witt, S. F and Moutinho, L (1995) *Tourism Marketing and Management Handbook*, Student edn. Europe: Prentice Hall.
- [60] Worsfold, K., Fisher, R., McPhail, R., Francis, M. and Thomas, A. (2016) 'Satisfaction, value and intention to return in hotels', *International Journal of Contemporary Hospitality Management*, 28 (11), pp.2570-2588.
- [61] Wu, H. and Ko, Y. J. (2013) 'Assessment of Service Quality in the Hotel Industry', *Journal of Quality Assurance in Hospitality & Tourism*, 14(3), pp. 218-244.
- [62] Yilmaz, I. (2009) 'Measurement of Service Quality in the Hotel Industry,' *Anatolia*, 20(2), pp. 375-386.
- [63] Ying Yang, G. and Lê, T. (2008) 'Cultural and Political Factors in Conducting Qualitative Research in China', *Qualitative Research Journal*, 8(2), pp.113-123.

Environmental Factors and Affective Well-Being Influence on Mine Workers Absenteeism in South Africa

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Abstract

Human resources remain the most important and valuable assets of every organisation. In effect, the strategic monitoring and management of related environmental factors and employees' affective well-being for continued presence at work are becoming increasingly fundamental. The mining industry is characterised with different environmental factors and affective well-being puzzle that may likely affect employees' turnaround time at work. While available studies have largely investigated how environmental factors predict employee's well-being, what is unclear is how environmental factors and affective well-being determines employee's absenteeism from work. Using a quantitative study, this study examines how environmental factors and affective well-being influence workers absenteeism in South African mine industry. A total of 280 mineworkers were randomly selected using a descriptive survey of the probability sampling technique. The retrieved data were analysed using both the simple and multivariate regression analysis. The findings revealed that both environmental factors and affective well-being do not predict mine workers absenteeism, although environmental factors show more variation in employee's absenteeism than affective well-being. Similarly, the different environmental factors including exposure to noise, dust, vibration, temperature and heavy lifting do not show any evidence to have predicted mine workers turnaround time at work, except hazardous materials. The study concludes that mitigating the consequence provoked by hazardous materials on mine workers will significantly increase employees' presence at work. Thus, the study makes a case for the revitalisation of the

South African mining industry, especially in the area of setting out modalities for the control of strenuous environmental factors, particularly hazardous materials in the workplace.

Keywords: environmental factors, well-being, absenteeism, mining industry, workers

Introduction

Human resources remain the most important and valuable assets of every organisation. In effect, the strategic monitoring and management of related environmental factors and employees' affective well-being for continued presence at work are becoming increasingly fundamental. With evidence of increasing environmental degradation, the business environment is becoming highly susceptible to volatility, with ascending puzzles for organisations to remain competitive. One of the most fundamental effects of the changes emanating from the work environment is particularly evident on the functions and performance of human resources. In other words, the work environment possesses essential indicators that can engender either positive or negative consequences for the functionality of the human resources (El-Zeiny, 2013). The conceptual understanding of the environment conveyed an explicit interpretation of man's abrupt surrounding which he tends to employ for his advantage (Ajala, 2012). However, in the instance of wrongful engagement, the environment becomes hazardous and tend to obstruct both the wellness and performance of employees in the context of an organisation (Ajala, 2012; Kehinde, 2011). Making sense from this, it suffices to allude that the work environment is a marker for not only ensuring the safety of employees in the workplace but also connected to increasing the productivity of organisations. No doubt, the concept of environmental work factors' has been shown to neatly relate to employees motivation, physical and emotional well-being, and the success of the organisation (Mohd, Shah & Zailan, 2016).

The plethora of studies on work environmental factors have hardly resonated with employees' turnaround time at work, specifically within the mining industry. For instance previous studies have investigated workplace environment factors and employee's performance (Lankeshwara, 2016), workplace environment factors influence on employee engagement in a telecommunication company (Mohd, Shah & Zailan, 2016), impact of working environment and training and development on organisation performance through mediating role of employee engagement and job performance (Chaudhry, et al, 2017), and work environmental factors and performance of Liberians (Amusa, Iyoro & Olabisi, 2013). Evidence from these array of studies shows a gap in the link between work environmental factors and absenteeism. Similarly, the absence of literature has offered diverse analysis towards providing explanations to the conundrum of absenteeism in the workplace. To be

sure, a large chunk of these studies have identified absenteeism as a bane for organisational performance (Sigh & Karodia, 2016), the impact of job satisfaction on absenteeism (Kehinde, 2011), and impact of staff absenteeism on patients satisfaction (Ducklay et al., 2014). However, what remains largely unknown is the tie between work environmental factors and employees absenteeism. Thus, one of the major contributions of this study is to provide an empirical explanation for the nexus between work environmental factors and absenteeism.

The concept of affective well-being is conceptualised as a divide between an individual positive and negative mood and emotions (Sageer, Rafat & Agarwal, 2012). The concern of being in a positive or negative affective well-being can be extended to provoke an understanding of employees stress level and workplace recognition (Kong & Zhao, 2013). In other words, ensuring employees' are in the right frame of affective well-being possess dual advantage for both the employees and the organisation (Drake, Sheffield & Shingler, 2011). Traditionally, the affective well-being discourse portends essential consequences for employees work performance. For instance, extant studies on the psychology of well-being are increasingly recognising the role of affective well-being as a precursor to organisational growth (Ducklay et al., 2014; Madden, 2009). Therefore, the contention about affective well-being has established that work situation and the processes of adjustment are crucial indicators of negative affective well-being (Zeidner, Matthews & Roberts, 2012). There is a shared assumption that employees' with high negative affective well-being such that is explained by an alteration in moods or emotions can keep them away from work, yet, this assumption is lacking in empirical evidence. In essence, it is apposite to contend that people may ordinarily stay out of work due to other factors without having to do with the interplay between their moods and emotions. To support this position, existing studies on affective well-being have widely extended research exertions to understanding the nexus between affective well-being and work experience (Fernández-Berrocal et al., 2017), emotional intelligence (Sánchez-Álvarez, Extremera & Fernández-Berrocal, 2015) and work performance (Madden, 2009) with sparse focus on absenteeism.

Making sense from the above explanation, the main contribution of this study is to galvanise and interrogate environmental factors influence on absenteeism and affective well-being impact on absenteeism on the one hand, and the different types of environmental factors influence on absenteeism on the other. By advancing this discourse, it is possible to provide a more distinct understanding of the link between these variables with a view to chronicling a fresh perspective different from available studies. The mining industry is characterised with different environmental factors and affective well-being puzzle that may likely affect employee's turnaround time at work. Although with the composition and hazardous threat of the mining industry, hardly are there studies conducted not only on this discourse but with a narration from the mining industry. In view of this, the paper examines the rising influence of work environmental factors and affective well-being, and their effect on work absence

through the lens of the mining industry. After a succinct background statement, the study presented empirical discussions. The third unpacks issues of methodology and design towards addressing the research problem. While the results of the study are explained in the fourth section, conclusions and policy implications are presented in the last section.

Literature review

The reality of environmental factors influence on employees' turnaround time at work has continued to create various contentions among researchers, health commentators and other allied professionals. While the multifaceted environmental factors remains an undisputed influence on employees' absenteeism from work, recognising the most influential of these factors remain an ongoing academic exercise. More so, there can be no doubt, the verity that environmental factors influence workers differently as no human is the same. Thus the extent of influence is likely to exude disparity. Widely considered as a fundamental discourse, environmental factors have come to be classified as the most pivotal driver of organisational growth and employees work complacency (Amusa, Iyoro & Olabisi, 2013). Again, the affective well-being of employees' characterised by a swing between a positive and negative mood and emotions can undeniably influence their work outputs, but with little evidence to affect their presence at work (Sageer, Rafat & Agarwal, 2012). Put together, this section of the paper seeks to unpack the debates of environmental factors and its influence on employees' absenteeism from work on the one hand and the extent to which affective-welling affects employees' absenteeism from work on the other through empirical discussions.

Interrogating environmental factors and employees' absenteeism

The attention on environmental factors or work environment has continued to provoke debates concerning its merit for an appealing workplace settings. Scholars have therefore make exertions to conceptualise the *leitmotif* of the work environment for a proper appreciation of its effects on employees' propensity to be absent from work or otherwise. There are also a substantial number of intellectual debates with respect to the context in which the concept of work environment should be used in the understanding of organisational growth, employees' commitment to work and subsequently the frequency of their presence or absence from work (Kehinde, 2012; Banks, Patel & Moola, 2012). For instance, Madsen, Tripathu, Borritz and Rugulies (2014) in their conceptualisation of work environment explain the concept as the constellation of the physical settings, job description and culture that characterised the environment in which people perform their daily work routine. However, each of these constructs has a nuanced effect on both the employees and the organisation. Again, an employee might be affected by the change in culture than the influence of physical work setting. In a similar but distinct perspective, Sageer, Rafat and Agarwal (2012) conceive work environment as the cluster of social, psychological, mental and physical settings that influences how people work. McCoy and Evans (2005) position

refer to the work environment to a somewhat affable work area that engenders comfort and works complacency. Having this definition in mind, it is appropriate to clarify that a work environment characterised with the hazardous and unpleasant workspace cannot provoke a pleasant work experience, but instead, produce a debilitating work experience for workers. Going through extant literature, it is clear that the conceptualisation of work environment encompasses different constructs including but not limited to culture (language, beliefs, values and norms), employees job description, work conditions and physical settings. However, this study only focuses on the work conditions components of the environment such as exposure to noise, dust, vibration, temperature, heavy lifting and hazardous materials. The identification of these different components aptly justifies the choice of the mining industry in this study, which in no small extent, is characterised by exhaustive environmental conditions.

In a bid to narrow the concept of environmental factors to physical work settings, several research evidence have shown that environmental factors such as uncontrollable workplace noise, harmful dust, unhealthy vibrations and other hazardous materials have significantly impacted employees' commitment to work (Mike, 2010; Smith, 2011). Similarly, other allied studies have revealed the significant impact of the physical environment on the psychology and health of employees, as well as employees' performance output in the organisation (Amusa, Iyoro & Olabisi, 2013). For instance, Dilani's (2012) study explains that the physical work environment within the context of the manufacturing industries has shown to significantly influence the wellness of employees. Although, the mining industry is characterised with hazards related work, yet the need to ensure that the physical work settings are appropriately controlled for improved employees' health and continued presence at work cannot be overemphasized. McCoy and Evans (2005) highlighted the nexus between employees' consistent exposure to vibration and workplace temperature on the one hand and their physical, physiological and mental wellness on the other. In other words, this could, in turn, affect employees' social relationship and level of interactions in the workplace. To be sure, work environment studies have shown how the array of work environmental factors affects employees' attitude and other behavioural dispositions in the workplace (Briner, 2000; Leblebici, 2012). Again, workplace noise and untidiness have both been proved as a lead environment condition engendering job stress and waning productivity (Cristofoli, Turrini & Valotti, 2011). To place this assertion fittingly, the extreme level of distractions provoked by workplace noise such as uncontrollable work equipment, a high volume of music by employees has attracted severe productivity lost for many organisations.

Naharuddin and Sadegi (2013) rightly confirm the negative effects of music on work productivity. In addition, Ajala (2012) conceptualises that aside from the challenge of discomfort, exposure to noise within the workplace has been proved as a source of stress and distraction to achieve optimal organisational productivity. In contrast, it is

not far-fetched to assert that although exposure to noise tends to provoke discomfort and stress, on the one hand, noise emanating from music could be utilised as a stress relieving mechanism. To support this claim, Padmasiri and Dhammika (2014) thesis exude significant relationship between music (in this context, background music) and employees' improved productivity. Thus, what should be conceived as exposure to noise seems unclear. Perhaps, the choice of loud music can be conceived as exposure to noise in this instance. Chandrasekar (2011) reports that exposure to high work temperature has a significant effect on workers mood and energy to reports for work. To be sure, while exposure to severe work temperature has not only affected employees' psychological and physical attributes, it has also coalesced with the bane of increased turnover rate (Ajala, 2012).

In a related argument, other work environment studies have also shown how poorly constructed workstations, poor ventilation from closed offices and lack of safety measures have affected workers propensity to work (Naharuddin & Sadegi, 2013; Roeloeofsen, 2002). Accordingly, the conditions of the physical settings in the workplace have been shown as a great consideration with regard to employees continued presence at work (De Klerk & Mostert, 2010). This is sufficed to argue that the physical work environment plays a fundamental and sacrosanct role in determining the wellness and frequency of employees to work. Rich, Lepine and Crawford's (2010) study explain that the role and commitment of organisations to a conducive physical work environment can be employed to achieve a working and supportive work environment for improved job involvement on the part of the working people. In effect, to determine the extent of how employees are involved with their job on the one hand, and their willingness to always be present at work on the other, the physical work environment must be well situated. While several studies have revealed the significance of reward as a motivational tool for employees improved productivity and continued presence at work, Ayres's (2005) study adds to the existing contention by exuding that the environmental factors possess important attributes not only to motivate employees to work but more importantly to align with the goals of the organisation by supporting the organisations strategic objective. In other words, it is important that managers are able to identify the most crucial of the physical work settings within the structure of an organisation that could deter employees continued presence at work (Chaudhry et al., 2017). Thus, the work environmental factors must be managed in such a way that aligns with the needs of workers for continued work presence.

The role of employees in ensuring a conducive work environment can also not be overemphasized. While the remit of the organisation are important contributions to ensuring workers are not deterred from the workplace due to poor organisation work settings, the input of the workers is also important milestones. For instance, Eisenger's (2013) study identified the importance of employees' participation and communication as crucial measures of safeguarding the safety of the work environment. Therefore, participating in issues of workplace safety and

communicating about them possess numerous advantage for averting negative effects of environmental factors on the working people (De Klerk & Mostert, 2010). Having discussed the subject of environmental factors and absenteeism, the next section of the review unpacks affective-wellbeing and absenteeism.

Affective well-being and absenteeism discourse

The conceptualisation of affective well-being is generally understood as a swing between an individual mood and emotions. Specifically, the concepts explicate the nexus between having a positive or negative mood and emotions, which can be triggered by situational factors. However, they have been different clarifications on what it means to be in a particular mood or emotional state. For instance, being in a particular mood can be explained by generalised affective states (Indregard, Knardahl & Nielsen, 2016). Precisely, while the constellation of factors may be present to influence an individual mood, the mood itself is not fixed on any exact object (Fernández-Berrocal, Gutiérrez-Cobo, Rodríguez-Corrales & Cabello, 2017). This been said, emotions, in contrast, can be understood as some responses to specific situations (Hülshéger & Schewe, 2011). The literature is awash with discussion on factors that can predispose employees to be absent from work. The absence literature on its own is replete with discussions, both internal and external, to the organisation as probable factors of absenteeism (Zapf, 2002).

Nevertheless, in the discourse of employees mood and emotions (affective well-being), sparse research exertions are reported in the literature. Although existing studies on this subject have attempted to establish a spotlight on how affective well-being can be a condition for employees' absence from work. However, this on-going contention remains unending as the conceptualisation of affective well-being concerning the determinants of an individual moods or emotions remains largely ambiguous.

In contrast, a growing number of studies have rightly reported that workers mood in the workplace may directly or indirectly determine their appearance (Mérida-López & Extremera, 2017; Madden, 2009). This position can further be explained by the analogy that employees' with a good feeling about their selves on the one hand, and the accompanying good feeling that nourishes their presence at work on the other hand are crucial indicators that could propel them to come to work. Empirical studies have established that as humans, we always strive to attain positive affective well-being by avoiding negative affective states (Sánchez-Álvarez, Extremera & Fernández-Berrocal, 2015). This conveys the conviction that people ordinarily work towards avoiding situations that could engender negative affect. Rajbhandary and Basu's (2010) study on working conditions and absenteeism found out that when employees experience positive affect at work, they are more probable to come to work, and less of being absent. The study further argued that the magnitude of employees experience of negative affects at work, the more likely it is that they could be absent from work. However, this, to an extent, does not largely explain that

employees' mood or emotions (affective well-being) are predictors of work absenteeism. The absence literature in itself is confounded with an array of possible factors causing work absenteeism. Furthermore, other related studies have tend to express that the need for a well-grounded understanding of affective well-being is neatly tied to personality (De Boer, Bakker, Syroit & Schaufeli, 2002). For instance, alteration in individual's mood or emotions have been occupying the literature on personality studies. In effect, an individual personality forms a major predictor of how his or her affective well-being can be controlled in the workplace (Ducklay et al., 2014). In addition, Ducklay et al.'s study highlighted the lack of effective control of our personality as a poser for bad affective well-being (Ducklay et al., 2014).

Absenteeism discourse within the context of work explains an individual's inability to show up for work as planned (John, 2010). Employees' absence from work has the as a major contributor to dwindling workplace growth with ensuing consequences for the individual worker, the organisation and society at large (Gaudine & Gregory, 2010). With evidential consequences of absenteeism, the understanding of variables other than those within the contextualization of internal and external factors is crucial for a robust appreciation of why people fail to report to work. Related studies have shown that emotional or mood affect (which to an extent may not be provoked by work-related issues) may further reduce the necessary resources employees' require to carry along with the array of workplace emotional demands (Lokke, Eskildsen & Jensen, 2007). Taken together, therefore, employees may become emotionally exhausted due to the discrepancy between emotional demands and the existing resources to manage and control such demands (Kim & Garman, 2003). To be sure, regulating and controlling emotions and mood (affective well-being) no doubt entails a process that does not only drain employees mentally but includes the possibility of becoming strain at work (Zapf, 2002). Maybe then, this assumption can be somewhat positioned as an argument that employees are likely to be absent from work owing to emotional strain as a result of exposure to workplace strain. However, the debates concerning the understanding of what makes up individual emotions or mood (affective well-being) as a predictor of absenteeism are somewhat inconclusive.

Methodology and Methods

This section of the paper explicates the different methodological approach and methods used to understand how environmental factors and affective well-being influence mine workers absenteeism. The study intensifies on the importance of establishing the nuance between methodology and methods as erroneously used interchangeably in peer-reviewed journals. Therefore, research methodology, as used in this study, explains the complete procedural steps through which the complete study is undertaken (Saunders, Lewis & Thornhill, 2009). The methodological issues in this study shoulders on the question of what, when and the how of the investigation on the one hand (Sekeran & Bougie, 2016).

On the other hand, the research methods evidence in this study captures different techniques, including data instrument and the various analytical tool (s) (Wilson, 2010). The study adopts the descriptive survey design and relies only on the quantitative research method. The descriptive survey was employed to sample the population of mine workers. Specifically, a large population of mineworkers requires a representative sample wherein generalisation of findings can be engrossed in the entire study population (Quinlan, 2011). To this end, the assumption of the descriptive survey design aptly corroborate with this intention and correspondingly justifies its adoption in this study. The study population comprised of mineworkers selected across the different strata of the organisation without preference to any particular units of the organisation. This lends credence to the adoption of the simple random technique in the recruitment of participants for this study. To do this, a total of 280 mineworkers were randomly selected from the population of mineworkers in which preference was not accorded to any particular worker to be selected as a sample. In other words, the 280 sample of participants reflects a saturation after exhaustive fieldwork exercise. Thus, this number is justified and suffice to make generalisation ensuing from the findings of the study on the entire population of mineworkers under study (Babbie, 2010). The research instruments consist of three measuring scales employed to measure environmental factors, affective well-being and absenteeism.

The two independent variables (environmental factors and affective well-being) were extracted from the fatigue management questionnaire (Ergomax, 2015). For this study, only six (6) inter-item environmental factors constructs including exposure to noise, dust, vibration, temperature, heavy lifting and hazardous materials were utilized with three (3) Likert scale measurement of low, medium and high, while the affective well-being scale consists of 12 inter-item constructs with five (5) Likert scale of measurement including rarely, not often, sometimes, rather often and very often (Copper & Schindler, 2008). On the other hand, the behaviour absenteeism questionnaire developed by Isaksson et al. (2003) was employed to measure employees work absenteeism. The behaviour absenteeism questionnaire consists of four (4) items spread on a five (5) Likert scale of measurement. In ensuring the reliability of the different constructs (independent variables), the Cronbach Alpha was employed to ascertain the internal consistency of all the items contained in both the environmental factors and affective well-being scales. The reliability index for both variables shows inter-item reliability of 0.759 and 0.863, respectively. These reliability coefficients according to the rule of thumb are satisfactory, good and reliable (Konting, 2004; Pallant, 2011). Accordingly, data gathered were analysed with the Statistical Package for the Social Sciences (SPSS). Specifically, both simple and multiple regression analyses were employed to test the different degrees of research propositions. On the one hand, the simple regression was utilised to analyse the influence of environmental factors on absenteeism; on the one hand, and the influence of affective well-being on absenteeism the other hand. Besides, the

Multivariate analysis was utilised to understand how the different environmental factors (exposure to noise, dust, vibration, temperature, heavy lifting and hazardous materials) predict absenteeism.

Results

Table 1 explains how environmental factors and affective well-being predict mineworkers' absenteeism from work. From the analysis conducted, and specifically in Model 1, environmental factors does not predict mine workers absenteeism from work ($p > 0.05$). This is suffice to highlights that work environmental factors in the mining industry does not determine employees' absence from work or prove as criteria to measure their frequency at work. To be clear, although the familiar axiom that the mining industry working environment possesses severe threats to employees' cannot be substantiated from this result. What is clear, however, is the position that the threats or otherwise emanating from the mining industry work environment does not in any way predict employees' absence from work, except can otherwise be explained by other factors including job description, culture of the organization (Tripathu, Borritz & Rugulies, 2014), and other issues related to employees social, psychological and mental wellness (Sageer, Rafat & Agarwal, 2012). In addition, in examining if employees' affective-well-being predict their absence from work, Model 2 equally shows that affective well-being does not influence employees absence from work ($p > 0.05$). Therefore, employees' absence from work cannot be explained by their moods and emotions (affective well-being). While the literature cannot precisely explain the cause of mood or emotional swing, it is logical likewise to argue that mine workers absence from work cannot be explained by issues of mood or emotional affect. Although, this findings exude a departure from prevailing studies, it has however, somewhat provide empirical support and a nuanced perspective that mineworkers absence from work can be explained by other contingency such as the experience provoking from work situations and employees personality among other variables (Sánchez-Álvarez, Extremera & Fernández-Berrocal, 2015; Ducklay et al., 2014).

Table 1

Regression analysis with absenteeism as a dependent variable, environmental factors and affective well-being as independent variables Coefficients

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
1 (Constant)	4.810	1.024		4.698	.000
Environmental factors	.070	.030	.157	2.355	.019
2 (Constant)	2.180	1.243		1.754	.081
Affective wellbeing	.064	.029	.143	2.194	.029

*Statistically significant at $p < 0.05$

Dependent variable: absenteeism

Table 2 shows how absenteeism is regressed against the different levels of environmental factors. From this result, Model 1, 2, 3, 4 and 5 (exposure to noise, dust, vibration, temperature and heavy lifting) does not show any prediction of mineworkers absenteeism from work ($p > 0.05$), while only Model 6 (hazardous materials) explains a prediction in mine workers absence from work ($p < 0.05$). However, only exposure to noise and vibration exude the largest contribution to the model ($\beta = .192, p > 0.05$) and ($\beta = .134, p > 0.05$). Making sense from this, it can be explained that exposure to noise and vibration jointly show the lowest prediction of the possibility of mineworkers absenteeism from work. This finding further explains that the traditional workings of the mining industry characterised with noise and vibration emanating from rock blasting and other mining operations can hardly keep workers away from work. Again, evidence ensuing from this study negate the position of other related studies where exposure to noise, dust, vibration, temperature and heavy lifting are presented as likely influence on absenteeism (Mike, 2010; Smith, 2011). The finding showing hazardous materials influence on mine workers absenteeism is largely supported by relevant studies (Dilani 2012; Kehinde, 2011). Therefore, the position that hazardous materials influences mining workers absenteeism from work to an extent is not far-fetched as work execution in the mining industry is characterised with heavy blasting and geographical extraction of minerals such that it engenders hazardous materials.

Table 2

Multiple regression analysis with absenteeism as a dependent variable, exposure to noise, dust, vibration, temperature, heavy lifting and hazardous materials as independent variable (environmental factors)

Coefficients							
Model	R	R Square	Adjusted R Square	F	Standardised Coefficients Beta	t	Sig.
1	.192 ^a	.037	.033	10.670	.192	3.267	.175
2	.211 ^b	.044	.037	2.152	.109	1.467	.144
3	.237 ^c	.056	.046	3.495	.134	1.870	.063
4	.244 ^d	.059	.046	.914	.059	1.956	.340
5	.262 ^e	.069	.052	2.774	.106	1.665	.097
6	.274 ^f	.075	.055	1.849	-.089	-1.360	.001*

*Statistically at $p < 0.05$

a. Dependent Variable: Absenteeism

Discussion

On examining the impact of environmental factors and affective well-being on mine workers absenteeism, and evaluating how the different environmental factors predict

absenteeism, the finding relating to the influence of environmental factors on mine workers absenteeism emerged as the most crucial contributions of this study. While available studies have predicted environmental factors including exposure to noise, dust, vibration, temperature and heavy lifting as probable suggestion for work absenteeism, the current study explains a departure from these studies. However, the case of hazardous materials tends to equally exude a different research outcome. To be sure, in this study, while other environmental factors could not explain mine workers absence from work, hazardous materials, however, shows great prediction of absenteeism behaviour among mine workers. Another positive reflection of this study is niched with the argument that investing in the management and control of hazards in the South African mining industry can help reduce the rate of mine workers' absenteeism. Yet, among the constellation of environmental factors, this study highlighted that mine workers exposure to noise and vibration shows the least prediction of absenteeism. These result reflects yet another important finding. For instance, with the structure and work arrangement of the mining industry characterized with rock blasting, it is expected that this process engender noise and vibration such that could have an impact on the working people, to extent that can make them stay away from work. Furthermore, findings relating to affective well-being and mine workers absenteeism cannot be established. After all, this finding supports other empirical contention that absence from work has little or nothing to do with employees' state of affective well-being. This finding goes further to validate the position that employees' mood or emotional affect is inconsequential to the frequency of work absence. Although, it can be argued that issues not related to affective well-being including work description and employees' personality could account for their absence from work. Moreover, as argued earlier, there is a need for a fuller concentration on issues of organizational context including how work are being executed and other workplace recognition for a reduction in mine workers absence from work than an exposition of mood or emotions.

Conclusions, recommendations and further research

The constellation of issues around employees' absence from work has continued to attract debates. These array of issues have remained unable to provide empirical supports for why people are absent from work. The present study extends the frontiers of this discussion by examining how environmental factors and affective well-being influence a mine workers absenteeism. The mining industry is, to an extent, characterised by different work configurations such that could engender a somewhat unpleasant working conditions. The range of issues addressed in this study include a scrutiny of how environmental factors influence mine workers presence or absence from work, how mineworkers mood or emotional affect (affective well-being) explains their absenteeism from work, and the identification of different levels of environmental factors (exposure to noise, dust, vibration, temperature heavy lifting and hazardous materials) influence on mineworkers absence from work. The finding uncovered, however, explains a somewhat different argument from existing

studies. The mineworkers mainly explained that environmental factors do not explain their reason for being absent from work. The study concluded that mine workers absence from work is somewhat not related to issues arising from the workplace environmental factors; perhaps this can be explained by more personal issues such as employees' social and psychological states.

Similarly, affective well-being explained by mine workers mood or emotional state does not explain their absence from work. This revelation supports the argument that being in a certain mood or emotion cannot be explained by any known factor. As such, the expectation that mine workers mood or emotional state can prevent them from showing up for work cannot be equally linked. In other words, this study concluded that why mood or emotions are intrinsically explained, it could have less influence on why people should be absent from work than other extrinsic causatives factors. However, other evidential explanations such as employees' attitude and personality disposition can keep them away from work. Besides, the different levels of environmental factors manipulated in this study, except hazardous materials do not show evidence to influence mine workers absenteeism from work. Again, this brings to mind that being absent from work is largely explained by factors not related to environmental factors concerning the mining industry. Of course, the conclusion on hazardous materials influence on mine workers absence from work can be validated by the composition of work in this industry. The different elements, materials and minerals are no doubt composite of hazardous materials capable of harming the human physiology. Thus, the need for investment in the management of the frequency of hazards from mining elements and materials will dwindle mine workers absence from work.

Taking together, the study concluded with the position that all environmental factors should be measured in terms of their influence on mine workers turnaround time at work, but the bane of hazardous materials should be given prime attention. The study therefore indorse the revitalization of the South African mining industry with respect to setting out workable modalities for the control of hazardous materials in the workplace. Besides, the management of the South African mining industry should support a more hazard free workplace with a focus on improving not just workers presence at work, but for a healthier workplace. The mining industry should sets a canon for the effective monitoring function of occupational accident arising from hazardous materials that are likely to make workers stay away from work. This recommendation is no doubt fundamental given the structure of work that characterise the mining industry. Lastly, with evidence that the South Africa economy is largely dependent on the activities and proceeds from the mining industry, this study recommend a tauter disciplinary measures by the Department of Mineral Resources for organisations who fail in complying with safety practices for the prevention of hazards in the mining industry. Future research should be conducted with consideration to other variables that could likely predict absenteeism. Variables such as employees' social, psychological and personality disposition can be looked at

with a view to understanding them as predictors of absenteeism in the mining industry.

References

- [1] Ajala, E.M. (2012). The influence of workplace environment on workers' welfare, performance and productivity. *The African Symposium*, 12(1), 141-149
- [2] Amusa, O.I., Iyoro, A.O., & Olabisi, A.F., (2013). *Work environment and job performance of librarians in the Public Universities in South-West Nigeria. Journal of Library and Information Science*, 5(11), 457-461
- [3] Ayres, K., 2005. Creating a responsible workplace. *HR Magazine*, 50(2), 111-113
- [4] Babbie, E., 2010. *The practice of social research*. Belmont, CA: Wadsworth.
- [5] Banks, J, Patel, C J., & Moola, M. A (2012). Perceptions of inequity in the workplace: exploring the link with unauthorised Absenteeism", *South African Journal of Human Resource Management*, 10(1), pp.1-8
- [6] Briner, R.B. (2000). *Relationships between work environments, psychological environments & psychological well-Being*. *Journal of Occupational Medicine*, 50(5), 299-303
- [7] Chandrasekar, K. (2011). *Workplace environment and its impact on organizational performance in Public Sector Organizations*, Alagappa University, Karaikudi, India.
- [8] Chaudhry, N.L., Jareko, M.A, Mushtaque, T, Mahesar, H.A, & Ghani, Z (2017). Impact of working environment and training & development on organization performance through mediating role of employee engagement and job satisfaction. *European Journal of Training and Development Studies*, 4(2), 33-48.
- [9] Cooper, D.R.,& Schindler, P.S., (2008). *Business research methods*. 10th ed. Boston, MA and Burr Ridge, IL: McGraw-Hill.
- [10] Cristofoli, D., Turrini, A. & Valotti, G. (2011). Coming back soon: Assessing the determinants of absenteeism in the public sector. *Journal of Comparative Policy Analysis*, 13(2), 75-89.
- [11] De Boer, E.M, Bakker, A.B, Syroit, J.E. & Schaufeli, W.B. (2002). Unfairness at work as a predictor of absenteeism. *Journal of Organisational Behaviour*, 23, 181-197
- [12] De Klerk, M. & Mostert, K. (2010). Work-home interference: examining socio-demographic predictors in the South African context. *South African Journal of Human Resource Management*, 8(1), 1-10.
- [13] Dilani, A. (2004). *Design and health III: Health promotion through environmental design*. Stockholm, Sweden: International Academy for Design and Health.

- [14] Drake, K. E., Sheffield, D., & Shingler, D. (2011). The relationship between adult romantic attachment anxiety, negative life events, and compliance. *Personality and Individual Differences, 50*(5), 742–746
- [15] and Individual Differences, 50, 742–746
- [16] Ducklay, E., Hardouin, J.B., Sebille, V., Anthoine, E. & Moret, L., (2014). Exploring the impact of staff absenteeism on patient satisfaction using routine databases in a university hospital. *Journal of Nursing Management 1*(1), 1–3.
- [17] Eisenger, J., (2010). The optimal office. *Association Management, 54*(10), 56–62.
- [18] El-Zeiny, R.M.A. (2013). Interior design of workplace and performance relationship: private sector corporations in Egypt. *Asian Journal of Environment-Behaviour Studies, 4*(11), 1-14.
- [19] Fernández-Berrocal P, Gutiérrez-Cobo MJ, Rodríguez-Corrales J & Cabello, R. (2017) Teachers' affective well-being and teaching experience: the protective role of perceived emotional intelligence. *Frontiers of Psychology, 8*, 1-8.
- [20] Gaudine, A. & Gregory, C., (2010). The accuracy of nurses' estimates of their absenteeism. *Journal of Nursing Management, 18*, 599–605.
- [21] Hülshager, U. R., & Schewe, A. F. (2011). On the costs and benefits of emotional labour: a meta-analysis of three decades of research. *Journal of Occupational Health Psychology, 16*(3), 361–389.
- [22] Indregard, A. R., Knardahl, S., & Nielsen, M. B. (2016). Emotional dissonance and sickness absence: a prospective study of employees working with clients. *International Archives of Occupational Environmental Health, 90*(1), 83–92.
- [23] Isaksson, K., Bernhard, C., Claes, R., De Witte, H., Guest, D., & Krausz, M. (2003). Employment contract and psychological contracts in Europe. Results from a Pilot study. *SAL TSA Report, 1*.
- [24] Johns, G. (2010). Presenteeism in the workplace: a review and research agenda. *Journal of Organizational Behaviour, 31*, 519–542.
- [25] Kehinde, A. O, (2011). Impact of job satisfaction on absenteeism: a correlative study. *European Journal of Humanities and Social Sciences, 1*(1), 25-49.
- [26] Kim, J. & Garman, E.T. (2003). Financial stress and absenteeism: an empirically derived research model. *Financial Counselling and Planning, 14*(1), 1–12.
- [27] Kong, F. & Zhao, J. (2013). Affective mediators of the relationship between trait emotional intelligence and life satisfaction in young adults. *Personality and Individual Differences, 54*(2), 197-201.
- [28] Konting, M., 2004. *Educational research methods*. Kuala Lumpur: Dewan Bahasadan Pustaka.
- [29] Lankeshwara, P. (2016). A study on the impact of workplace environment on employee's performance: with reference to the Brandix Intimate Apparel-Awissawella. *International Journal of Multidisciplinary Studies, 3*(1), 47-57

- [30] Leblebici D., (2012), *Impact of workplace quality on employee's productivity: a case study of a bank in Turkey*, *Journal of Business, Economics and Finance*, 1(1), 38-49.
- [31] Lokke, A., Eskildsen, J.K. & Jensen, T.W. (2007). Absenteeism in the Nordic countries. *Employee Relations*, 29(1), 6 – 29.
- [32] Madden, C., (2009). Wincanton reduces sickness absence by 10 000 days: collaborative approach to managing staff health and improving productivity and morale. *Human Resource Management International Digest*, 17(1), 35 – 37.
- [33] Madsen, I. E., Tripathi, M., Borritz, M., & Rugulies, R. (2014). Unnecessary work tasks and mental health: a prospective analysis of Danish human service workers. *Scandinavian Journal of Work Environmental Health*, 40(6), 631–8.
- [34] McCoy, J.M., & Evans, G. (2005). Physical work environment. In J. Barling, E.K. Kelloway, & M. Frone (Eds), *Handbook of work stress* (pp. 219–245). Thousand Oaks, CA: Sage Publications.
- [35] Mérida-López, S., & Extremera, N. (2017). Emotional intelligence and teacher burnout: a systematic review. *International Journal of Education Research*, 85, 121–130.
- [36] Mike, A. (2010). Visual workplace: how you see performance in the planet and in the office. *International Journal of Financial Trade*, 11(3), 250-260.
- [37] Mohd, I.H., Shah, M.M., & Zailan, N. S. How work environment affects the employee engagement in a telecommunication company. In: 3rd *International Conference on Business and Economics*, 21-23 September. Warsaw, Poland.
- [38] Naharuddin.M, & Sadegi, M. (2013). Factors of workplace environment that affect employees' performance: a case study of Miyazu Malaysia. *International Journal of Independent Research and Studies*, 2(2), 66-78.
- [39] Oswald, A. (2012). *The effect of working environment on workers performance: the case of reproductive and child health care providers in Tarime District*. Unpublished. Muhimbili University of Health and Allied Sciences.
- [40] Padmasiri, M. K. D., & Dhammika, D. K. A. S. (2014). The effect of music listening on work performance: a case study of Sri Lanka. *International Journal of Scientific & Technology Research*, 3(5), 118–122.
- [41] Pallant, J., 2011. *SPSS survival manual: a step by step guide to data analysis using SPSS*. 4th ed. Australia: Allen and Unwin.
- [42] Rajbhandary, S, & Basu, K. (2010). Working conditions of nurses and absenteeism: Is there a relationship? An empirical analysis using National Survey of the Work and Health of Nurses. *Health Policy*, 2(3), 152-159
- [43] Quinlan, C., (2011). *Business research methods*. South-western: Cengage Learning.
- [44] Rich, B.L., Lepine, J.A. & Crawford, E.R., (2010). Job engagement: antecedent and effects on job performance. *Academy of Management Journal*, 53(3) 617-653

- [45] Roelofs, P., (2002). *The impact of office environments on employee Performance: The Design of the Workplace as a Strategy for Productivity Enhancement. Journal of Facilities Management, 1(3), 247-264.*
- [46] Sageer, A., Rafat, D. S., & Agarwal, M. P. (2012). Identification of Variables Affecting Employee Satisfaction and Their Impact on the Organization. *Journal of Business and Management, 5(1), 32-39.*
- [47] Sánchez-Álvarez, N., Extremera, N., & Fernández-Berrocal, P. (2015). The relation between emotional intelligence and subjective well-being: a met analytic investigation. *Journal of Positive Psychology, 11(3), 276-285.*
- [48] Saunders, M., Lewis, P. & Thornhill, A., (2009). *Research methods for the business student.* England: Pearson Education Limited.
- [49] Sekaran, U., & Bougie, R., (2016). *Research methods for business: a skill-building approach.* 6th ed. United Kingdom: John Wiley and Sons Limited.
- [50] Smith, D.G. (2011). *Work environment more important to employees.* Retrieved from <http://www.businessknowhow.com> [12 July, 2019]
- [51] Wilson, J., 2010. *Essentials of business research: a guide to doing a research project.* London: Sage Publications.
- [52] Zapf, D. (2002). Emotion work and psychological well-being: a review of the literature and some conceptual considerations. *Human Resources Management Review, 12(2), 237-268.*
- [53] Zeidner, M., Matthews, G., & Roberts, R. D. (2012). The emotional intelligence, health, and well-being nexus: what have we learned and what have we missed? *Applied Psychology: Health and Well-Being, 4(1), 1-30.*

Physical Activity in Aging Population

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Abstract

It is known that worldwide populations are aging, and also that physical activity can play an important role in minimizing impairments characteristic of old age. Adopting a more active lifestyle and doing regular physical activity, including aerobic and resistance exercises, daily walking etc. have been demonstrated to improve cardiovascular, respiratory, and musculoskeletal parameters in older adults. We assessed a potential participant from Elbasan (Albania), 67 years, for eligibility to participate in a 5 month training program. The subject gave written informed consent before inclusion. The following parameters were measured at the beginning (baseline) and end of the training period: BMI, body fat percentage, hand grip strength, lower/upper limb and trunk flexibility and range of motion, heart rate, balance, pain intensity, as well as VO₂ max, directly and/or an estimate using the Rockport fitness test estimate. An initial evaluation was carried out just before starting the training (baseline). A second evaluation was made 5 months after starting the program of physical exercise (post training). Each evaluation included the recording of health related events, such as any changes in previous symptoms, as well as measurements of balance, flexibility, body composition, coordination, muscle strength, and aerobic capacity, to detect any changes that might have been induced specifically by physical activity. The subject's attendance and participation in the program was also recorded. Range of motion for each part evaluated (trunk, hip, cervical region and shoulder) is improved about 15-20° degree. BMI, hand grip strength, lower/upper limb and trunk flexibility, heart rate, balance, pain intensity, VO₂ max are also improved after training program. Following a training program or a regular physical activity in older adults minimise impairments characteristics in this age and cardiovascular, respiratory, and musculoskeletal parameters. According to the low

importance shown in my country for the physical activity in older adults, I want to emphasize the importance of state structures involvement and the sensibilization of this group of age to stimulate an actively participation in physical training programs followed by professionals for bests life parameters. A higher investment for this age group, building as many facilities as possible for activation and spending quality free time, hiring more physiotherapists in nursing homes will increase life motivation and improve the quality and the parameters of living.

Keywords: life parameters, older adults, physical activity, training program

Introduction

It is known that worldwide populations are aging, and also that physical activity can play an important role in minimizing impairments characteristic of old age. Adopting a more active lifestyle and doing regular physical activity, including aerobic and resistance exercises, daily walking etc. have been demonstrated to improve cardiovascular, respiratory, and musculoskeletal parameters in older adults. Occupational therapy, prescription of assistive devices, environmental, and home living adaptation, and family or caregiver educational training represent an essential rehabilitative strategy in elders developing disability. In these people, falls are dramatic events that lead to hospitalization, functional decline, decreased social activity, and poor quality of life. Rehabilitation incorporating balance, gait, and strength training exercise interventions can reduce the risk of falls. Indeed, a recent review (Weening Dijksterhuis, de Greef, Scherder, Slaets, & van der Schans, **2011**) concluded that there is strong evidence supporting the positive effects of exercise training on physical fitness, functional performance, performance in activities of daily living, and quality of life in even in frail individuals. Data available suggest that such physical exercise programs should contain a combination of progressive resistance, balance, and functional training, such as exercises to improve gait. Older adults should take part in at least 2.5 hours of moderate to vigorous activity each week. A walking program is an expensive, easy and convenient way to improve overall well-being and to enhance quality of life. Increasing physical activity through walking and physical exercising can help with decreasing blood pressure, decreasing systolic blood pressure, reducing the risk of coronary heart disease, reducing high cholesterol, improving bone density and joint flexibility. Strength and coordination training can reduce postural tremor amplitude in elderly individuals (Keogh, Morrison, & Barrett, **2010**). A program of multicomponent training with weight bearing exercises was found to improve bone density, muscle strength, and balance in older women (Marques et al., **2011**), this last point being especially important as balance is a prerequisite for mobility (Frank & Patla, **2003**). Furthermore, it has been shown that explosive resistance training enables older adults to reach higher peak power outputs with heavier loads without losses in movement velocity (de Vos et al., **2008**).

Stretching can be used as an effective means to improve range of motion and reverse some age related changes that influence gait performance. The results of another study (Batista, Vilar, de Almeida Ferreira, Rebelatto, &Salvini, **2009**) indicate that in older women an active stretching program is effective for increasing the flexibility of knee flexors, extensors and flexor torque, as well as functional mobility. Older adults with severe obesity usually show a greater impairment in mobility than those who are less obese, and it should be taken into account that even less obese individuals also show a significant decline in mobility (Hergenroeder et al., **2011**). Overall, physical exercise may help maintain a normal healthy weight, avoiding both excessive weight gain and loss. Aerobic exercise elicits a significant improvement in cardiorespiratory fitness in older individuals (Forster et al., **2009**). It has also been suggested that cycle ergometry is sufficient stimulus to improve neuromuscular function in older men, although gains may be quickly lost with detraining (Lovell, Cuneo, &Gass, **2010**). In summary, multicomponent physical activity programs have an important role to play in maintaining physical health and wellbeing among the elderly. At the same time, for such programs to be sustainable and reach as many of the target population as possible, it is clearly desirable to avoid complex costly programs.

Methodology

We assessed a potential participant from Elbasan (Albania), 67 years, for eligibility to participate in a 5month training program. The subject gave written informed consent before inclusion. The following parameters were measured at the beginning (baseline) and end of the training period: BMI, body fat percentage, hand grip strength, lower/upper limb and trunk flexibility and range of motion, heart rate, and balance, pain intensity, as well as VO₂ max, directly and/or an estimate using the Rockport fitness test estimate. A physical condition assessment was performed before inclusion of older adult in the program, and its results were taken into account as a possible exclusion criterion. That is, it was necessary to ensure that the physical condition of the potential participant was sufficiently good to enable him to participate in the physical activity training carried out in this study, and thereby avoid unreasonable risks. An initial assessment was made using a questionnaire that recorded personal data, age, and other socio-demographic data. Subjects' degree of interest in and regular level of physical activity, as well as a detailed medical history, including pharmacological treatments, were also detailed. A physical examination of musculoskeletal system was performed, and heart rate and blood pressure were measured. All these data provided a general health evaluation to ensure early identification of any absolute or relative contraindications, or limitations on physical exercise. Given all this, the inclusion criteria were: have given written informed consent; have passed the medical examination, having the minimum physical condition to carry out the proposed exercise program and no absolute or relative contraindication to exercise or activity restrictions; to participate and to be assessed at least 80% of the training sessions. Exclusion criteria were based on reviewing past

medical records like heart failure, acute myocardial infarction, myocarditis, angina pectoris, untreated severe hypertension, valvular heart disease, aortic aneurysm, pulmonary heart disease, heart rhythm disorders, vein occlusions, respiratory failure, psychosis, uncontrolled epilepsy or diabetes etc.

These static balance sessions were performed individually with the subject on a force measuring and balance training platform (Metitur Good Balance 200 System®, Metitur Ltd., Jyväskylä, Finland). The platform system converts changes in weight distribution to a quantitative measurement of medial-lateral and anterior-posterior sway over a certain period of time (Ceria Ulep et al., 2010): the larger the area, the poorer the balance. We assessed the subject standing first on a hard and then a foam surface for 15 and 30 second intervals.

Trunk flexibility: For this, we used the most common way to measure lower back and hamstring flexibility, namely, the sit and reach test (Osness et al., 1996). The subject removed his shoes and sat on the floor with his legs stretched out in front of him with knees straight and feet flat against the front end of the test box. He was instructed to lean forward, in a slow, steady movement, bending at the hips, keeping his knees straight and sliding his hand up the ruler as far as he was able to reach. When the subject has stretched forward as far as he can, the result is recorded (in cm); he was allowed to rest, and then repeat the test a further two times, that is, three times in total.

Muscle Strength: Hand grip strength was determined using a Jamar hydraulic hand dynamometer (Sammons Preston, Bolingbrook, IL). The hand dynamometer was first calibrated. The position for measuring the handgrip force was with the hand forward and elbow at a 90° angle. We then recorded the mean of three measurements of the force (using the maximum in each repetition) and always in the dominant hand in each participant.

Aerobic Capacity: $VO_{2\max}$ was estimated using the Rockport fitness test (1609.3 m walk) and was also measured directly, when it was judged that this would not represent an unreasonable risk to the individual. The time to complete the walk and their final heart rate were measured. The value of $VO_{2\max}$ was then calculated with the following equation: $VO_{2\max} = 132.6 - (0.17 \times \text{body mass}) - (0.39 \times \text{age}) + (6.31 \times \text{sex}) - (3.27 \times \text{time in minutes}) - (0.156 \times \text{heart rate})$, where for sex, Male = 1 and Female = 0.

Range of motion

Range of motion in cervical segment, in trunk and in upper/lower extremities was evaluated using goniometer, an instrument which measures range of motion joint angles of the body. Example: Measuring hip flexion- patient in supine position; locate the greater trochanter of the femur and the lateral epicondyle of femur; place the center of the goniometer body over the greater trochanter; align the stationary arm with the lateral mid-line of the pelvis; align the moving arm with lateral epicondyle of

femur; stabilize pelvis and have patient flex hip bringing thigh close to the trunk with knee bent; align moving arm with lateral epicondyle of femur and then read the angle.

Visual analogue scale for pain

The Visual Analogue Scale (VAS) consists of a straight line with the endpoints defining extreme limits such as 'no pain at all' and 'pain as bad as it could be'. The subject is asked to mark his pain level on the line between the two endpoints. The distance between 'no pain at all' and the mark then defines the subject's pain. This tool was first used in psychology by Freyd in 1923. If descriptive terms like 'mild', 'moderate', 'severe' or a numerical scale is added to the VAS, one speaks of a Graphic Rating Scale (GRS). There are given two body drawings (anterior and posterior view) to elicit pain localization. The subject has to put an (X) or (+) in the regions where he feels pain.

Physical activity program

It was ensured that the activity was carried out in suitable conditions. Specifically, there was proper lighting and ventilation, the room temperature being kept at 18–20°C, and a sufficiently large area. Sessions lasted at most 40 minutes, with three sessions a week. The subject was instructed to wear suitable cotton sports clothing. Each session began with a 5- to 7 minute period of stretching of the main muscle groups, followed by mobility and strength exercises lasting 15 minutes. Then, a slow walk commenced. The pace was progressively quickened to a run, and, after <1 minute running, the subject returned to a slow walk. Otherwise, the subject continued walking, increasing the length of their stride. In both cases, this aerobic exercise (walking/running) lasted for a total of about 3 minutes.

This was followed by a rest, with hydration (water or fruit juice). Subsequently, for a period of 15 minutes, coordination and balance exercises were performed with balls and other materials, combined with cooperative games (e.g., keeping a ball or balloon in the air). Finally, the session ended with breathing exercises and relaxation. The subject's heart rate was measured at the beginning of each session (resting heart rate) at the end of the session (heart rate after the aerobic exercise). An initial evaluation was carried out just before starting the training (baseline). A second evaluation was made 5 months after starting the program of physical exercise (post training). Each evaluation included the recording of health related events, such as any changes in previous symptoms, as well as measurements of balance, flexibility, body composition, coordination, muscle strength, and aerobic capacity, to detect any changes that might have been induced specifically by physical activity. The subject's attendance and participation in the program was also recorded.

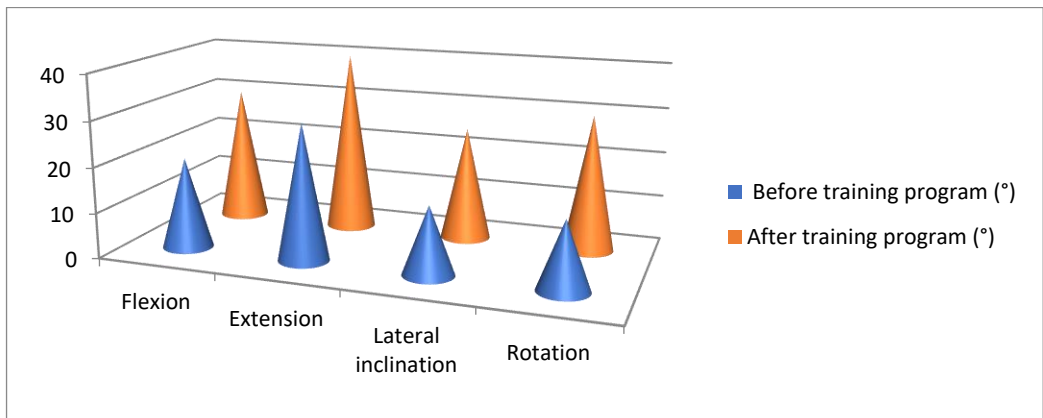
Statistical analysis

Table 1

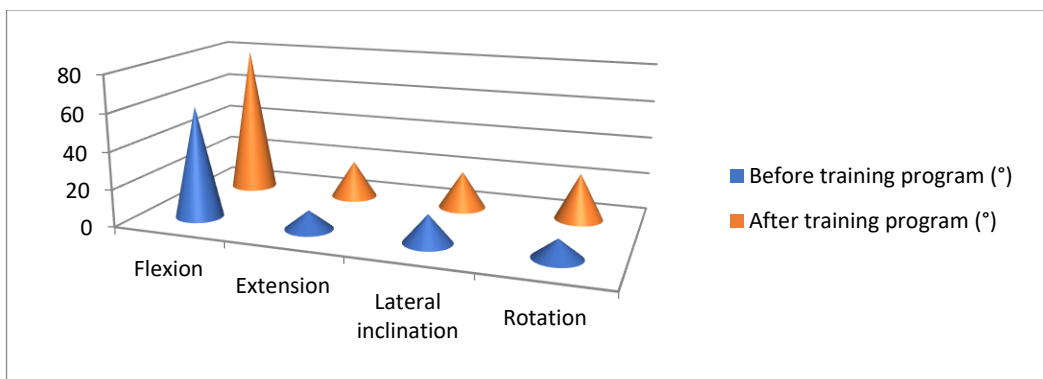
	Measurement 1 (before training program)	Measurement 2 (after training program)
BMI (kg/m ²)	28.9	27.2
Hand grip force (kg)	0.51	0.67
Flexibility (cm)	14.2	17.3
Resting heart rate (beats per minute)	74.2	71.8
Heart rate after exercise (beats per minute)	100	93
Balance (mm ²)	425.2	300.5
VO ₂ max (mL/kg per minute)	21.5	20.8
Blood pressure	14.3/9.4	12.6/8.1

Range of motion

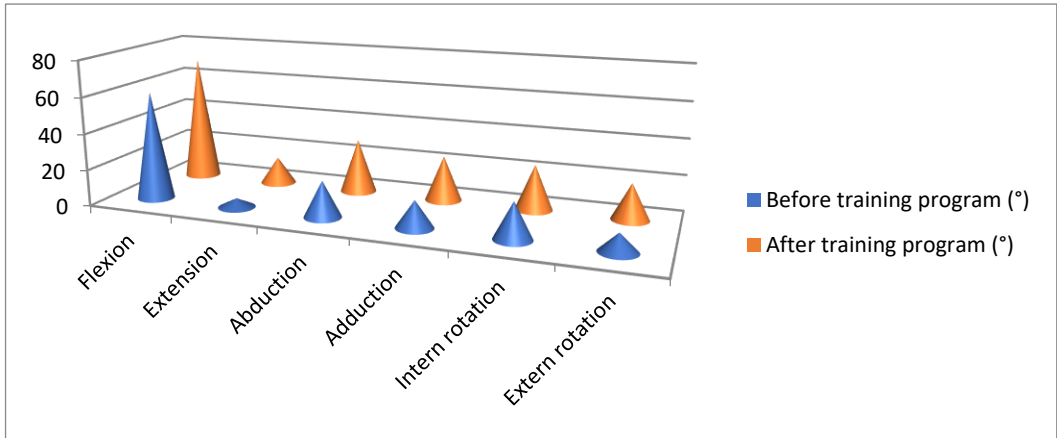
Cervical range of motion



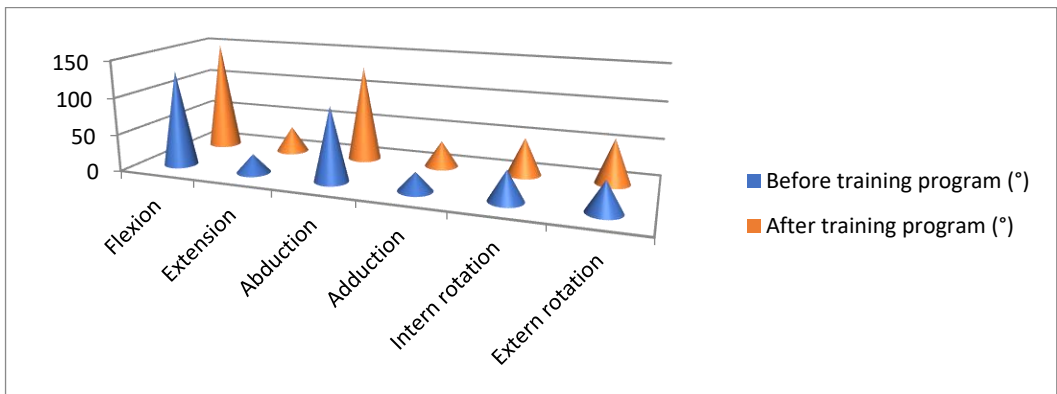
Thoraco-lumbar range of motion



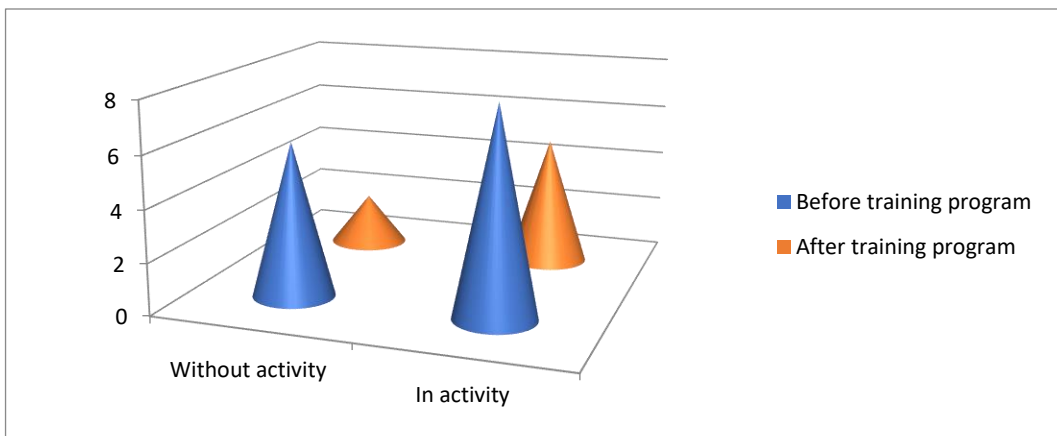
Hip range of motion



Shoulder range of motion



Visual analogue scale for pain



References

- [1] Fitts R H, Troup J P, Witzman F A, Holloszy J O. The effect of aging and exercise on skeletal muscle function. *Mech Ageing Dev.* 1984; 27 161-172, [Google Scholar]
- [2] Frontera W R, Meredith C N, O'Reilly K P, Knuttgen H G, Evans W J. Strength conditioning in older men: Skeletal muscle hypertrophy and improved function. *J Appl Physiol.* 1988; 64 1038-1044, [Google Scholar]
- [3] Gauchard G C, Jeandel C, Tessier A, Perrin P hP. Beneficial effect of proprioceptive physical activities on balance control in elderly human subjects. *Neurosci Lett.* 1999; 273 81-84, [Google Scholar]
- [4] Handbook of Rehabilitation in Older Adults, Editors: **Gatchel**, Robert J., **Schultz**, Izabela Z., **Ray**, Christopher T. (Eds.)
- [5] Hurley B F. Age, gender, and muscular strength. *J Gerontol.* 1995; 50A (sp issue) 41-44 [PubMed]
- [6] Improved Muscle Strength and Power in Elderly Exercising Regularly, **G. C. Gauchard**^{1, 2}, **A. Tessier**³, **C. Jeandel**⁴, **Ph. P. Perrin**⁵. *International journal of Sports Medicine*, [Google Scholar]
- [7] Judge J O, Davis R B, Ounpuu S. Step length reductions in advanced age: the role of ankle and hip kinetics. *J Gerontol.* 1996; 51 M303-312 [PubMed]
- [8] Kirkendall D T, Garrett W E. The effects of aging and training on skeletal muscle. *Am J Sports Med.* 1998; 26 598-602 [PubMed]
- [9] Lexell J. Human aging, muscle mass, and fiber type composition. *J Gerontol.* 1995; 50A (sp issue) 11-16 [PubMed]
- [10] Lord S R, Castell S. Physical activity program for older persons: effects on balance, strength, neuromuscular control, and reaction time. *Arch Phys Med Rehabil.* 1994; 75 648-652 [PubMed]
- [11] Lower extremity arterial disease and the aging process: A review, **Molly T. Vogt**¹**Sidney K. Wolfson**²**Lewis H. Kuller**¹, [https://doi.org/10.1016/0895-4356\(92\)90102-S](https://doi.org/10.1016/0895-4356(92)90102-S), *Journal of Clinical Epidemiology*, Volume 45, Issue 5, Pages 529-542, [Google Scholar]
- [12] Perrin PhP, Gauchard G C, Perrot C, Jeandel C. Effects of physical and sporting activities on balance control in elderly people. *Br J Sports Med.* 1999; 33 121-126 [PubMed]
- [13] Physical Activity and Health in The Elderly, Alexandrina Lobo, 978-1-60805-100-7, 2010, Pp. 56-62 (7)
- [14] Physical Rehabilitation (O'Sullivan, Physical Rehabilitation) 5th Edition Susan B. O'Sullivan (Author), Thomas J. Schmitz (Author)
- [15] Reducing Fear of Falling in Seniors Through Education and Activity Programs: A Randomized Trial, Brenda J. Brouwer PhD , Cathy Walker MSc ,

- Sarah J. Rydahl BSc , Elsie G. Culham PhD, First published: **18 July 2003**,
<https://doi.org/10.1046/j.1365-2389.2003.51265.x>, [Google Scholar]
- [16] Rehabilitation Interventions for the Institutionalized Elderly (Physical & Occupational Therapy in Geriatrics) 1st Edition by Ellen D Taira
- [17] Rehabilitation Medicine for Elderly Patients, *Masiero*, Stefano, *Carraro*, Ugo
- [18] Rehabilitation of the Aging and Elderly Patient, Gerald Felsenthal , Susan J. Garrison , Franz U. Steinberg
- [19] Sandler R B, Burdett R, Zaleskiewicz M, Sprowls-Repcheck C, Harwell M. Muscle strength as an indicator of physical activity. *Med Sci Sports Exerc.* 1991; 23 1375-1381 [PubMed]
- [20] Six minute walking distance in healthy elderly subjects, T. Troosters , R. Gosselink , M Decramer, First published: **09 October 2008**,
<https://doi.org/10.1034/j.1399-3003.1999.14b06.x>, [Google Scholar]
- [21] Stroke in the Elderly: New Issues in Diagnosis, Treatment and Rehabilitation by Ruth E. Dunkle (Author), James W. Schmidley (Editor)
- [22] The aging process, D Harman, *PNAS* November 1, 1981 78 (11) 7124-7128; <https://doi.org/10.1073/pnas.78.11.7124>
- [23] Whipple R H, Wolfson L I, Amerman P M. The relationship of knee and ankle weakness to falls in nursing home residents: An isokinetic study. *J Am Geriatr Soc.* 1987; 35 13-20 [PubMed]
- [24] Wolfson L, Whipple R, Derby C, Judge J, King M, Amerman P, Schmidt J, Smyers D. Balance and strength training in older adults: intervention gains and Tai Chi maintenance. *J Am Geriatr Soc.* 1996; 44 498-506 [PubMed]
- [25] Woollacott M H. Systems contributing to balance disorders in older adults. *J Gerontol.* 2000; 55A M424-428, Prof. Ph. Perrin, M.D., Ph. D. [PubMed]
- [26] <https://www.mayoclinic.org/healthy-lifestyle/healthy-aging/in-depth/aging/art-20046070>
- [27] <https://www.healthinaging.org/a-z-topic/physical-activity>
- [28] <https://www.who.int/news-room/fact-sheets/detail/ageing-and-health>